

Planning Committee Late Observations

Wednesday 3 July 2024

Item	Appn No.	Location	Description
2	24/0204	SMITHY FARM, KIRKHAM ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SD	APPLICATION TO VARY CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION 22/0525 FOR ALTERATIONS TO SIZE AND DESIGN OF DWELLING ON PLOT 1 COMPRISING: 1) ENLARGEMENT OF GROUND AND FIRST FLOOR FOOTPRINT OF BUILDING; 2) INCREASE IN RIDGE HEIGHT AND REDUCTION IN ROOF PITCH OF DWELLING; 3) LOWERING IN RIDGE HEIGHT AND REDUCTION IN ROOF PITCH OF ATTACHED GARAGE; 4) REDUCTION IN DEPTH OF GROUND FLOOR REAR OUTRIGGER; 5) INCREASE IN WIDTH AND RIDGE HEIGHT OF FRONT PORCH; 6) REMOVAL OF CHIMNEY AND ALTERATIONS TO SIZE OF TWO FIRST FLOOR WINDOWS ON EAST FACING SIDE ELEVATION; 7) REMOVAL OF PEDIMENT TO GARAGE ROOF ON FRONT ELEVATION; 8) ALTERATIONS TO SIZE AND DESIGN OF FRONT AND REAR DORMER WINDOWS; 9) ALTERATIONS TO DESIGN OF GROUND FLOOR WINDOWS AND DOORS ON FRONT AND REAR ELEVATIONS OF DWELLING; AND 10) ADDITION OF DOORWAY TO REAR ELEVATION OF GARAGE

Further Representation from Treales, Roseacre and Wharles Parish Council regarding highways

The following comments were received and are reported verbatim to assist members:

Treales, Roseacre & Wharles Parish Council (TRW PC) has now seen the report relating Application 24/0204 of the FBC Planning Function submitted for your consideration.

- 1. Firstly it is felt that, from the summary of the Officer's report, the following should be clarified: that is, that the development site is in a rural countryside location; that there are no settlement boundaries in any part of our Parish, which is bereft of any sustainable urban services; that urbanisation is in conflict with the rural character of the countryside location; and if FBC Officers were of the view that this was being urbanised, then this could put into question the development approach. This could then be in conflict with the Adopted FBC Local Development Plan which seeks to enhance the rural character, not urbanise it.*
- 2. It is also noted that through compliance of Condition 14 described in the Officer's report, this will address our objection due to our concerns about the severe risks remaining on highways safety grounds for access & egress from the plans before us. These were also in conflict with FBC's SPD on Parking. We consider that that the applicant's commitment to comply with the SPD combined with the assurance of compliance with Condition 14 will make an unacceptable application acceptable. Accordingly, it has been agreed by quorum of the Council that the objection be withdrawn.*

We hope that it is helpful to know this as early as possible and hopefully this will reduce the preparatory and assessment time of Council members.

However, the Council will submit a separate response regarding its continuing concerns about the inadequate quality of information and the assessment being made with that regard. It has resulted in unnecessary excessive work in trying to determine what was actually now being proposed.

Officer response to highway representation

With regards point 2 above Members should note the revision of the position of the Parish Council on the basis of the recommended condition in the agenda papers.

With regards point 1, the opening sentence of the Summary section of the report states that the site is “...within the village settlement area of Treales ...”. This section of the report is intended to be brief and provide Members with an overview of the application only. The following ‘Site Description and Location’ section of the agenda report provide more details of these matters and confirms that “As with the remainder of the parish the application site is washed over by the Countryside designation imposed under Policy GD4 of the Fylde Local Plan to 2032 (incorporating Partial Review)”. This should provide sufficient clarity over the land use designation of the application site, which is within the Countryside.

Further Representation from Treales, Roseacre and Wharles Parish Council regarding validation

The following comments were received and are reported verbatim to assist members:

“Treales, Roseacre & Wharles Parish Council (TRW PC) has now seen the report relating Application 24/0204 of the FBC Planning Function submitted for your consideration.

In our previous correspondence to you, we highlighted our continuing concerns about the inadequate quality of information relating to application 24/0204 and the assessment process arising from that. It is felt that is has resulted in unnecessary excessive work in trying to determine what was actually now being proposed

It remains unclear why the plans were not compliant with the quality & completeness requirements of FBC’s Application Validation Checklist. Quality plans are seen regularly, and it would appear to have been a simple enough job for the applicant to be directed to at least annotate the dimension changes from the approved plans, even by hand if necessary. Without clarity of the changes, supported by adequate dimensions, it is not evident what the changes are to the plans before us. This involves excessive research time and inconclusive debate due to inadequate information, that would have been provided if FBC’s Application Validation Checklist was complied with. This would have also meant that more timely, efficient and effective responses could have been provided, reducing workload and pressure for all.

From the Officer’s report, it would also appear that the approach to the application as a “Non-Material Amendment” was also deemed to be incorrect, yet despite this, it was adopted without reason.

We attach in Annexes 1 & 2, the pertinent sections of the FBC Application Validation Checklist and observations on the descriptions of the proposed changes. In summary, the documents lack comparisons of approved and proposed plans, with adequate dimensions. It remains unclear where many of the dimensions, now referred to in the officer’s report are displayed on the plans.

It would be very much appreciated by this Parish Council that the FBC Application Validation Checklist be complied with, including the use of the appropriate application type. This will ensure greater capacity is available to all, in accord with FBC's commitments to continuous improvement and value for money. "

Officer response to Validation comments

Planning legislation and guidance in the government's Planning Practice Guidance details two ways that an existing planning permission can be amended. A 'non-material amendment' application can be made under s96A of the Town and Country Planning Act 1990 where the most minor scale amendments are proposed to a scheme. If more extensive changes are proposed, then a 'minor material amendment' application is possible under s73 of the Town and Country Planning Act 1990.

In this case the applicant initially made a non-material amendment application for the proposed changes that they wish to make. This was assessed at validation stage, and it was concluded that the changes were beyond the scope of that type of application. Accordingly, advice was provided to them that a 'minor material amendment' application would be the most appropriate route to consider their changes.

That application was subsequently submitted, assessed for its validation, accepted as providing sufficient details, and is the application under consideration by Committee. Members will note the detailed description of the proposed amendments in the description to development which is a specifically intended to assist neighbours and consultees over the scope and nature of the proposed changes.

A representative of the Parish Council spoke to the case officer in advance of their meeting on this point and was given additional guidance on the background to the application and the changes that are proposed. When the Parish Council's comments were received on the application on 13 June they expressed uncertainty over the nature of the proposed changes. To assist them with that the case officer prioritised work on the application to provide the Parish Council with further guidance, which was sent to the Clerk on 15 June, along with an update on the highway matters on 17 June. These communications explained the Committee agenda deadline in the hope that the Parish Council could consider the additional information in advance of that, but also explained that the council has a duty to determine applications in a timely manner and so would be presenting this application to Committee if no comments were received or their objection was sustained.

The determination of an application at Committee does involve additional work over one that is determined under delegated powers, with this including the time of Members to read reports, and of officers to prepare presentations. However, the assessment time and report writing process is no different.

In this case officers are more than satisfied that the application under consideration was validly submitted, that the details provided are suitable to allow its consideration and assessment, and that they have sought to assist the Parish Council with their uncertainties over the submission as much as possible. However, it is appreciated that the Parish Council have now provided their further thoughts on the application now so that Members are aware of them through this Late Representations Schedule.