

Agenda

Planning Committee

Date:	Wednesday, 4 October 2023 at 9:30am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Richard Redcliffe (Chairman) Councillor Gavin Harrison (Vice-Chairman)</p> <p>Councillors Tim Armit, Peter Collins, Chris Dixon, Martin Evans, Kelly Farrington, Noreen Griffiths, Jordan Ledger, Jayne Nixon, Sandra Pitman, Vince Settle.</p>

Public Speaking at the Planning Committee

Members of the public may register to speak on individual planning applications: see [Public Speaking at Council Meetings](#).

	PROCEDURAL ITEMS:	PAGE
1	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
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 6 September 2023 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24.	1
	DECISION ITEMS:	
4	Planning Matters	3 - 98
	INFORMATION ITEMS:	
5	List of Appeals Decided	99

Email: democracy@fylde.gov.uk

The code of conduct for members can be found in the council's constitution at

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

© Fylde Council copyright 2023

You may re-use this document/publication (not including logos) free of charge in any format or medium. You must re-use it accurately and not in a misleading context.

The material must be acknowledged as Fylde Council copyright and you must give the title of the source document/publication.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

This document/publication is also available on our website at www.fylde.gov.uk

Any enquiries regarding this document/publication should be sent to us at the Town Hall, St Annes Road West, St Annes FY8 1LW, or to listening@fylde.gov.uk.

Planning Committee Agenda

4 October 2023

Item No.	Appn No.	Location and Proposal	Recommendation	Page No
1	23/0108	DALTON HOUSE, 34 ISLAY ROAD, LYTHAM ST ANNES, FY8 4AD EXTENSION AND ALTERATION OF THE DWELLING: 1) REPLACEMENT OF FRONT GARDEN WALL WITH 1.5M HIGH WALL AND 1.8M HIGH GATES TO EXISTING ENTRANCE, 2) TWO STOREY FRONT EXTENSION, 3) TWO STOREY REAR EXTENSIONS TO INCLUDE SWIMMING POOL ENCLOSURE BUILDING, 4) REMOVAL OF BAY WINDOW TO GROUND FLOOR REAR ELEVATION OF MAIN DWELLING, 5) REPLACEMENT ROOF WITH NATURAL SLATE.	Grant	5
2	23/0115	RIBBY HALL LEISURE VILLAGE, RIBBY ROAD, RIBBY WITH WREA, PRESTON, PR4 2PR DEMOLITION OF EXISTING PORTAL-FRAMED STRUCTURE AND ERECTION OF 2 STOREY, PART 3 STOREY ENTERTAINMENT CENTRE, INCLUDING ASSOCIATED VEHICULAR PARKING, SERVICING BAYS, ACCESS WORKS AND PUBLIC REALM PROVISION WITHIN THE GROUNDS OF RIBBY HALL VILLAGE.	Grant	15
3	22/0256	MILL FARM SPORTS VILLAGE, FLEETWOOD ROAD, MEDLAR WITH WESHAM, PR4 3JZ FORMATION OF A SURFACE WATER ATTENUATION POND & REMEDIATION OF EXISTING SURFACE WATER ATTENUATION POND.	Grant	45
4	23/0409	PLOT 12 THE CHILTERN, 197 KIRKHAM ROAD, FRECKLETON, LANCASHIRE, PR4 1HU ERECTION OF DETACHED TWO STOREY DWELLING	Approve subject to 62 s106	
5	23/0457	AD ASTRA GUESTHOUSE, 39 DERBE ROAD, LYTHAM ST ANNES, FY8 1NJ CHANGE OF USE OF BUILDING FROM A GUEST HOUSE (USE CLASS C1) TO A HOUSE IN MULTIPLE OCCUPATION FOR UP TO SIX RESIDENTS (USE CLASS C4)	Grant	74
6	23/0508	ROYAL LYTHAM AND ST ANNES GOLF CLUB, LINKS GATE, LYTHAM ST ANNES, LANCASHIRE, FY8 3LQ	Grant	82

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

GOLF COURSE REMODELLING WORKS: A) RELOCATION OF THE GREEN TO 7TH HOLE FURTHER SOUTH TO PROVIDE SPECTATOR ACCESS ON BOTH SIDES AND ASSOCIATED RE-ROUTING OF PART OF THE FAIRWAY AND ALTERATIONS TO BUNKERS; AND B) REMOVAL OF THE DUNE TO THE SOUTH OF THE 10TH FAIRWAY AND GROUND RESHAPING, LEVELLING OF A LOW AREA OF 10TH FAIRWAY AND FORMATION OF LOW DUNES AND NEW BUNKER, TOGETHER WITH ASSOCIATED LANDSCAPING AND DRAINAGE WORKS.

Background Papers

The background papers used in the compilation of reports relating to planning applications are listed below, except for such documents that contain exempt or confidential information defined in Schedule 12A of the Local Government Act 1972:

- Fylde Local Plan to 2032 (incorporating Partial Review) – December 2021
- Joint Lancashire Minerals and Waste Local Plan
- Bryning-with-Warton Neighbourhood Plan
- Saint Anne's on The Sea Neighbourhood Development Plan
- National Planning Policy Framework 2021
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- Other Supplementary Planning Documents, Guidance and evidence base documents specifically referred to in the reports.
- The respective application files
- The application forms, plans, supporting documentation, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
- Any additional information specifically referred to in each report.

These Background Documents are available online at www.fylde.gov.uk/resident/planning

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Item 1

Application No:	23/0108	Case Officer:	Alan Pinder Area Team 1
Applicant:	MR PETER KENYON	Agent:	MR PAUL DRINNAN
Location:	DALTON HOUSE, 34 ISLAY ROAD LYTHAM ST ANNES LANCASHIRE FY8 4AD		
Proposal:	EXTENSION AND ALTERATION OF THE DWELLING: 1) REPLACEMENT OF FRONT GARDEN WALL WITH 1.5M HIGH WALL AND 1.8M HIGH GATES TO EXISTING ENTRANCE, 2) TWO STOREY FRONT EXTENSION, 3) TWO STOREY REAR EXTENSIONS TO INCLUDE SWIMMING POOL ENCLOSURE BUILDING, 4) REMOVAL OF BAY WINDOW TO GROUND FLOOR REAR ELEVATION OF MAIN DWELLING, 5) REPLACEMENT ROOF WITH NATURAL SLATE.		
Ward:	Park	Parish:	
Statutory Expiry:	6 October 2023	Earliest Decision:	15 September 2023
Reason for any delay:	Awaiting amended or additional details from applicant/agent	Online application file here	

Summary of Officer Recommendation: Grant

Summary of Officer Assessment

This application seeks planning permission for extensions and alterations to a detached dwelling situated on the east side of Islay Road in a residential area of Lytham St Annes. The property benefits from a large rear curtilage area which is bound on all sides by tall trees and flora. The proposal relates to a series of extensions to the property, replacement of the front boundary wall, and reconfiguration of the front garden area to provide a turning circle for cars to exit in a forward gear. The scheme has been subject to a series of revisions since first submission including the removal of a balcony to the rear extension and the reduction in height of the front boundary wall.

The application is presented to Committee at the request of Councillor Morris, the ward councillor for Park Ward.

Having assessed the proposal against the relevant guidance and policies of the Fylde Local Plan to 2032 (incorporating Partial Review) the officer view is that the scheme is acceptable. It is considered that the scale, location and proposed materials of the extensions will not have a prejudicial impact on neighbouring amenity, and their design and appearance is appropriate for the host dwelling and its surroundings. Therefore, the recommendation to committee is that planning permission be granted subject to a series of standard conditions.

Reason for Decision Level

The application is presented to Committee following a request from the ward councillor, Cllr Morris. This was based on concerns she expressed regarding the magnitude of the extension compared to others approved previously on Islay Road. The Head of Planning has accepted that request and accordingly the application is presented to Committee for determination.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Site Description and Location

The application site is a large detached 'tudor' style dwelling located on the east side of Islay Road in Lytham. The property is neighboured to the north, south and west by other dwellings, and to the east by a strip of protected woodland with Fairhaven golf course beyond.

The dwelling benefits from a large curtilage which is bound on all sides by tall fora/trees. An open swimming pool is located within the rear garden and sited alongside the shared boundary with the neighbouring property to the north, No.36 Islay Road.

The general character of Islay Road is one of large, detached dwellings within large plots but with no established architectural character that defines the vernacular of the area. The site falls wholly within the Lytham St Annes Settlement Boundary, as defined by the Fylde Local Plan to 2023 (incorporating Partial Review).

Details of Proposal

Planning permission is sought for various extensions and alterations at the property which can be split into the following elements:

- Construction of a two storey front extension to the left hand side of the front elevation to provide a double garage at ground floor and an additional bedroom at first floor. This extension would have a dual pitched roof with a front facing gable.
- Construction of a two storey rear extension with twin rear facing gables.
- Construction of single storey rear extension to enclose the existing open swimming pool.
- Replacement of the existing front boundary wall and fence with a 1.525 metre high solid wall with herringbone brick infills, 1.65 metre brick piers, and 1.8 metre high black painted timber gates
- Reconfiguration of the front garden layout to provide a turning circle within the curtilage to enable vehicles to exit in a forward gear
- Removal of a rear ground floor bay window and installation of floor-to-ceiling glazing within the resulting opening
- Replacement of existing roof covering with natural slate tiles

The elevations of the proposed extensions are to be a mix of brick, timber cladding, and render all to match those of the host dwelling, and all roof coverings are to be of natural slate. The replacement front boundary wall is to be constructed of brick to match the host dwelling.

The scheme under consideration here and described in this report is a revision to the original proposal, with the key changes being that a first floor roof and then balcony over the swimming pool element has been omitted, a second access point to the property from Islay Road has been omitted, and the height of the replacement boundary wall has been reduced.

Relevant Planning History

Reference	Description	Decision	Date
18/0671	ERECTION OF REPLACEMENT SUN LOUNGE TO FRONT AND SIDE OF DWELLINGHOUSE	Granted	02 November 2018

Parish/Town Council Observations

The application site is not in a parished area and so there are no comments to report.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
LCC Highways	No objections to the proposal, opining that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
Tree Officer	<i>The proposed development is primarily going to be carried out on existing developed land i.e drive and swimming pool and requirement to remove some green vegetation to help facilitate the development. Taking guidance from BS5837 Trees in relation to design, demolition, and construction this work would be permitted as the area is already developed, but there is a caveat. There are trees that have reached maturity and grown accustomed to pre-existing development and any alteration in the soil volume in which tree roots have established could impact on the trees. Extra care should be taken when excavating as there could be accidentally damage or removal of significant roots (anything >25mm). If there is any damage to tree roots this could impact on trees stability or allow opportunistic pathogen to attack and cause premature failure and an experienced arboriculture consultant should be employed to evaluate the works and help to assess/ provide solutions to protect the trees.</i>

Neighbour Observations

<p>Neighbours notified: 22 February 2023 Amended plans notified: 1 September 2023 Number of Responses</p>	<p>Total number of comments</p> <p>Objections from three properties with some to original and revised proposals, with one neighbour engaging a planning consultant to set out their objections</p>
---	--

Summary of Comments The comments received in opposition to the elements of the application that remain part of the submission under consideration are summarised as follows:

- The proposal would represent a gross overdevelopment of the property with particular reference to the continued scale of the two storey rear extension which results in a scale, mass, form and height that is overbearing to neighbours.
- The design of the extensions is inappropriate and harmful to the character of the existing dwelling and the visual amenity of the surrounding area
- The rear extensions would unacceptably harm the amenity of the neighbouring dwelling, No.36 Islay Road by way of overshadowing and overbearing appearance
- The scheme leads to a loss of trees and vegetation
- Increased risk of flooding due to increase in surface water flows

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review) and other relevant Guidance:

GD1 - Settlement Boundaries
GD7 - Achieving Good Design in Development
SPD1 - Extending Your Home - November 2007

Other Policy / Guidance

NPPF – National Planning Policy Framework
NPPG – Planning Practice Guidance

Comment and Analysis

Principle

The application site is located within one of the settlement boundaries identified on the FLPPR Policies Map. As set out in policy GD1 of the Local Plan, the principle of residential extensions within the identified settlements is acceptable subject to the development’s compliance with other relevant policies of the Plan. In this case the criteria contained in policy GD7 of the FLPPR are of greatest relevance, having particular regard firstly to the development’s effects on the character and appearance of the area arising from its design and, secondly, to its impact on the amenity of surrounding occupiers. Each of these issues is examined further below with reference to the relevant criteria in policy GD7.

Impacts on the Character and Appearance of the Property and Area

Policy Background

FLPPR policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 16 guiding principles (a - p). In particular, criteria d), h) and i) of the policy identify the following requirements:

- Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.
- Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the local area.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

- Taking the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

Paragraph 130 of the NPPF sets out six general principles of good design (a) – f)) that developments should follow and paragraph 134 indicates that “development that is not well designed should be refused, especially where it fails to reflect local design policies”.

Assessment

Whilst the scheme features various elements, only the front two storey extension and replacement boundary wall would be visible from the public domain on Islay Road. The extension would have a modest projection of *circa* 1.8 metres beyond the main front elevation of the dwelling, but remain behind the nominal established building line, and the front gabled dual-pitched roof design is sympathetic with the design and appearance of the host dwelling.

The replacement boundary wall would be of the same height and extent as the existing wall/fence combination but its herringbone brick infills that replace the existing timber fence infills would provide a preferred and improved appearance to the benefit of the wider streetscene. The removal of a previous proposal to provide a second access point, the planting up of the extensive hardstanding areas to the side of the existing access, and the reduction of the previously proposal wall height are all improvements to the original proposal. It is considered that the replacement wall, whilst more urban than the existing arrangement, is an acceptable feature in the local context.

The gabled appearance of the proposed two storey rear extension respects the architectural form and appearance of the host dwelling and hence its design raises no concern. The single storey extension swimming pool enclosure features a traditional appearance along its north (outer) facing elevation and a more contemporary appearance along its south (inner) facing elevation with its largely glazed inward facing elevation. This contemporary appearance is less sympathetic to the more traditional design of the host dwelling but is not considered to be unduly incongruous given its location to the rear of the property and its inward facing aspect that prevents it from being viewed in general views from outside the curtilage.

The extensions to the rear are not visible from the public domain, but will still impact on the property, and presumably contribute to the ‘gross overdevelopment’ of the property that is described in the representations. The property has an extensive rear curtilage area in both depth and width, and with the property being located in the settlement area the restrictions on the scale of extensions that apply in Countryside areas are not a factor. With the large curtilage the relatively modest two storey extension is not considered to be excessive. The single storey extension over the pool is large in its floor area, being 17m in projection from the two storey extension to the rear and 8.5m wide, but encloses an area that is not currently used as traditional garden, and retains a proportionately large area of the curtilage that is open from development. The impact of this element on neighbouring properties is considered in the following section of this report, but in terms of its scale it is officer view that this is not an overdevelopment of the property. As its generous garden curtilage will not be reduced by an inordinate amount and so sufficient garden would remain to serve the needs of the extended dwelling.

For the reasons set out above the proposed development, by reason of its scale, layout, siting, materials and design, would be compatible with the character of the host dwelling and would not have a harmful impact on the appearance of the street scene. Accordingly, it is in compliance with the requirements of criteria d), h) and i) of Policy GD7 and the objectives of the NPPF.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Relationship to Neighbours

Policy Background

FLPPR policy GD7 c) requires that development proposals facilitate good design by “ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed”. In addition, criterion h) states that developments should be “sympathetic to surrounding land uses and occupiers”.

Paragraph 130 f) of the NPPF indicates that planning decisions should ensure developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

Assessment

Neighbouring dwellings potentially impacted by the application are those neighbouring to each side, namely No.32 Islay Road and No.36 Islay Road:

No.32 Islay Road – This property neighbours the site to the south with a separation distance of *circa* 20 metres between it and the application property at their closest points. The staggered building line at this bend in Islay Road and the orientation of these dwellings relative to each other are such that the rear elevation of No.32 is approximately level with the south western front corner of the application of the property. This results in a spatial relationship whereby the rear elevation of the application property is angled away from No.32, which combined with the separation distance, ensures the proposed development would have no undue impact on No.32 by way of overshadowing, overbearing appearance, or overlooking and loss of privacy.

No.36 Islay Road – This property neighbours the site to the north with a separation distance of *circa* 5.5 metres between it and the application property at their closest points. No.36 sits forward of the application property such that its rear elevation aligns roughly with the mid-point of the side elevation of the existing dwelling at No.34 and angled away from No.34 such that it faces towards the northeast.

The occupiers of this property have objected to the application, with one of the grounds of objection being that the proposed rear extensions would unacceptably prejudice the residential amenity of No.36 by way of overshadowing and them having an overbearing and dominant appearance when viewed from their rear garden.

The proposed two storey rear extension would have a *circa* 8 metre high ridge, with its side elevation being *circa* 4 metres from the shared boundary and 8.3 metres from the corner of the rear elevation of No.36, and it would project *circa* 9.5 metres beyond that elevation. The proposed single storey swimming pool enclosure would have a *circa* 4.5 metre high ridge set *circa* 3.9 metres from the shared boundary and have 1.9 metre high eaves that are a similar height to the intervening boundary fence between the properties. The swimming pool enclosure would project a further 17 metres from the rear of the two storey extension to make a total rearward projection of *circa* 27 metres.

These distances clearly exceed the guide distances set out in Design Note 1 of the council’s adopted SPD on householder development. However the northeast orientation of No.36’s rear elevation, which positions views so that they are away from the shared boundary with the application site, is such that this oblique relationship lessens the impact of the extension on No.36 on the rear of No.36. Furthermore, the boundary on the side of No.36 is populated by trees that would provide a measure of screening. These trees have been in situ for some time and their maintenance and retention are

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

within the control of the owners of No.36. The oblique spatial relationship of the proposed extensions relative to No.36, together with the in-situ trees on No.36's side of the boundary, are such that the overall effect of the extensions on No.36 is not considered to be of an extent that would unduly prejudice neighbour amenity by way of overshadowing or overbearing appearance.

No.31 Islay Road – This is the property that is located across Islay Road from the application property and is separated from the dwelling by around 40m at present. The proposed extension to the front of the property will reduce that separation by around 6m and whilst this features a first floor bedroom window that has windows facing this neighbour, the separation distance available is sufficient to ensure that this extension does not cause any undue loss of privacy or other amenity harms.

For the reasons set out above, it is considered on balance that the proposed development would not result in unacceptable impacts on the privacy and amenity of surrounding occupiers through loss of outlook, overshadowing, or overbearing appearance. Accordingly, the proposal complies with the objectives of the Council's 'Extending Your Home' SPD, criteria c) and h) of Policy GD7 and the NPPF.

Parking and Access Arrangements

LCC Highways have been consulted on the application and have raised no objection to the proposal, opining that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. Since their comments were made the scheme has been revised to remove the proposed second access point and to revise the parking arrangements. However the scheme retains a good standard access point to Islay Road, provides extensive parking and turning areas on site, and includes a double garage that also contributes to on-site parking. Officers are satisfied that the changes in this scheme will retain an appropriate level and location of parking for the property and will not compromise the existing access arrangements or have any unacceptable effects on highway safety. As such it complies with criteria j) and q) of FLPPR Policy GD7 and the NPPF.

Other Matters

Flooding – One neighbour has raised a concern regarding a potential increase in surface water flooding that may occur following the increase in built development and hardstanding within the site. The proposed extensions would create additional roofed areas and there would be additional hardstanding (large patio area) provided in the rear garden. Whilst no surface water drainage scheme has been submitted it is the case that the property would still retain a large area of soft landscaping through which any resulting additional surface water run off would drain naturally. This notwithstanding the property benefits from householder permitted development rights which, if the owner were so inclined, would enable the rear garden to be fully hard surfaced without recourse to the provision of an additional surface water drainage scheme.

Trees – The development will require the removal of seven trees within the property's curtilage. However none of these trees, or any of the trees within the curtilage, benefit from statutory protection. Of the seven trees to be removed six are in proximity to the shared side boundary with the neighbouring property (No.36), and the seventh is adjacent to the property's eastern side elevation. The removal of these trees would not harm the visual amenity of the locale as all trees are to remain along the front, rear, or southern side boundaries, and the shared northern side boundary with No.36 would remain populated by trees along the boundary within No.36's curtilage.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

The council's tree officer has visited the site to assess the impact of the proposed development and has raised no objection, advising only that care should be taken when excavating close to the roots of trees that are to be retained.

Conclusions

The application relates to the erection of extensions at a dwelling located within a residential area of Lytham St Annes settlement.

Having viewed the proposal on site, considered the representations received in connection with the application and assessed the scheme against the relevant policies of the development plan, it is considered that the development accords with the objectives of those policies. As there are no material considerations that outweigh the need to determine the application in accordance with the development plan, it is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of this permission.

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

2. This permission relates to the following plans:

- Location Plan - Drawing no. 101
- Proposed Site Plan - Drawing no. 1102 Rev C
- Proposed Elevations - Drawing no. 1103 Rev A
- Proposed Floor Plans - Drawing no. 1100
- Proposed Roof Plan - Drawing no. 1101

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

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

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

Reason: To ensure the use of appropriate materials which are sympathetic to the character of the host building and surrounding area in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

4. No development shall take place until a Construction Exclusion Zone (CEZ) has been formed around the Root Protection Areas of the trees and hedges around the perimeter of the site. The CEZ shall be provided in the form of protective fencing of a height and design which accords with the specification in BS 5837: 2012 and shall be maintained in the duly installed positions during the entirety of the construction period. Should there be a requirement to undertake any excavation of land within the root protection areas of trees surrounding any of the boundaries of the application site associated with the implementation of this planning permission, all excavation work in this area shall be carried out by hand to minimise the potential for damage to the roots of these trees.

Reason: To ensure that adequate measures are put in place to protect existing trees and hedgerows which are to be retained as part of the development before any construction works commence in order to safeguard existing natural assets at the site in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and ENV1, and the National Planning Policy Framework.

5. With the exception of those specimens identified in red on drawing no. 1102 Rev C, no other trees or hedges shall be pruned, topped or removed unless details of those works, and in the case of removal a scheme for the provision of appropriate replacement planting which includes details of the number, size, species, siting, planting distances/densities and the programme of planting for replacement hedges and trees, have first been submitted to and approved in writing by the local planning authority. Any replacement planting to be introduced pursuant to this condition shall be carried out in accordance with a timetable which has first been submitted to and approved in writing by the local planning authority and any replacement trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

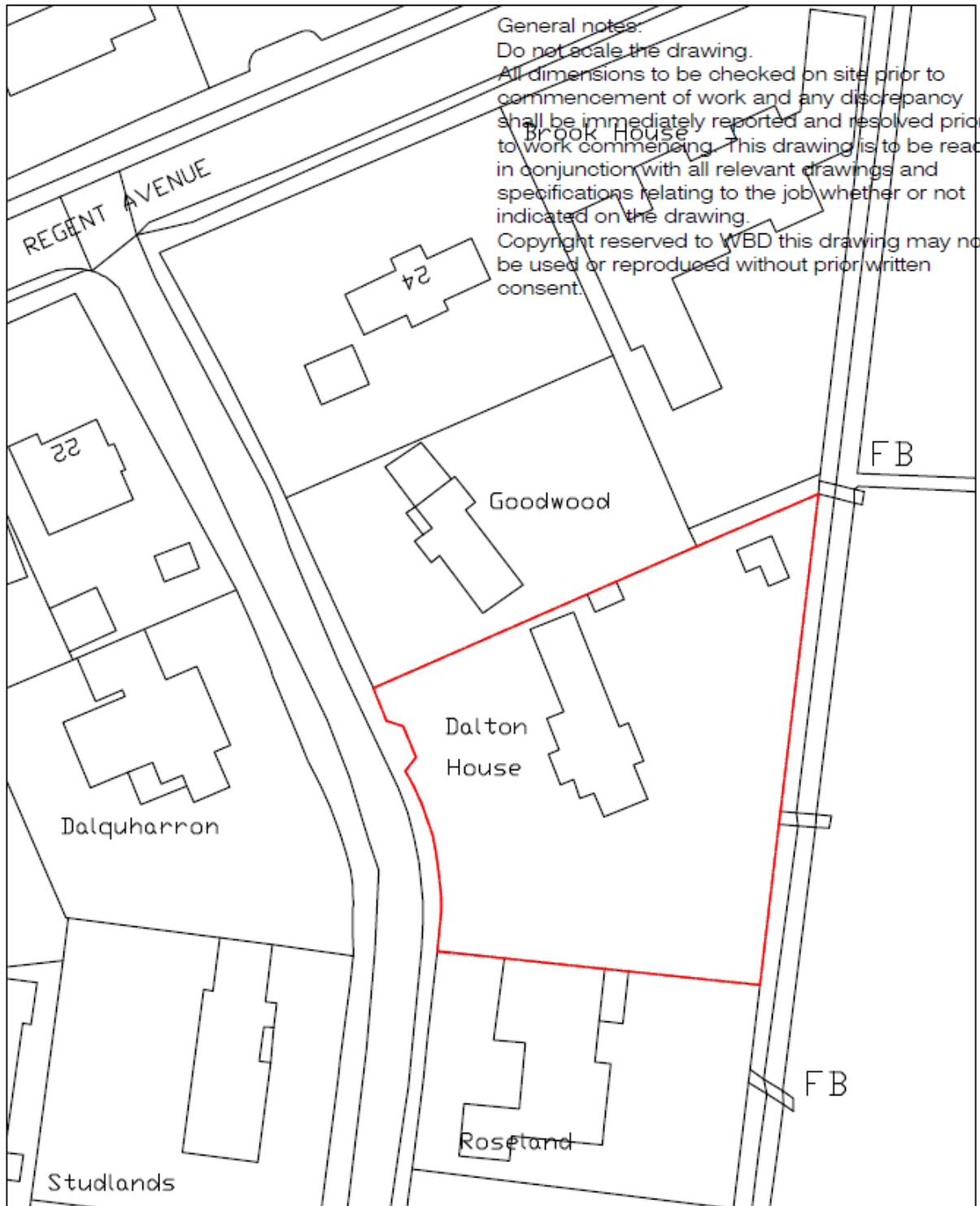
Reason: To protect the existing trees and hedgerows on the site that are shown to be retained as part of the scheme and to ensure appropriate compensatory planting is introduced to offset any additional tree and hedge removal required as a result of the development in the interests of visual amenity,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

6. Within one month of the completion of the construction of the replacement boundary wall hereby approved the verge area between that wall and the carriageway of Islay Road shall be reinstated with grass as shown on the approved site plan (job 25-039 drawing 1102 Rev C). This area shall be maintained as a landscaped areas thereafter.

Reason: To ensure an appropriate softening of the frontage of the site is introduced to enhance the character of the street scene and to compensate for the additional urbanising created by the wall in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies ENV1, ENV2 and GD7, and the National Planning Policy Framework.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Location Plan for Item 1 – 23/0108



AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Item 2

Application No:	23/0115	Case Officer:	Rob Buffham Area Team 1
Applicant:	RIBBY HALL VILLAGE	Agent:	DAVID COX
Location:	RIBBY HALL LEISURE VILLAGE, RIBBY ROAD, RIBBY WITH WREA ,PRESTON PR4 2PR		
Proposal:	DEMOLITION OF EXISTING PORTAL-FRAMED STRUCTURE AND ERECTION OF 2 STOREY, PART 3 STOREY ENTERTAINMENT CENTRE, INCLUDING ASSOCIATED VEHICULAR PARKING, SERVICING BAYS, ACCESS WORKS AND PUBLIC REALM PROVISION WITHIN THE GROUNDS OF RIBBY HALL VILLAGE.		
Ward:	Ribby with Wrea	Parish:	Ribby with Wrea
Statutory Expiry:	6 October 2023	Earliest Decision:	17 August 2023
Reason for any delay:	Awaiting amended or additional details from applicant/agent	Online application file here	

Summary of Officer Recommendation: Grant

Summary of Officer Assessment

The application site relates to an irregular shaped parcel of land located to the western margins of Ribby Hall Holiday Village (RHHV) adjacent to Browns Lane, measuring 1.69 hectares in size. The site is presently occupied by a timber clad building (7m in height), surrounding external space that includes a car park to the west, access road, and former riding arena to the north, landscaping to the east and a portion of the Wild Discovery area to the south east.

The application site is flanked by a group of mature trees to the west adjacent to Browns Lane, which form part of a peripheral belt of planting to the perimeter of RHHV that are protected by a Tree Preservation Order. The wider RHHV complex is approximately 41 hectares in size, and has built form spread evenly across majority of the site, interspersed by open landscaped areas. The built form of RHHV comprises of single storey holiday accommodation in the form of detached chalet styled bungalows that have dual pitched roofs, as well as static caravans and lodges. The main facilities buildings are located to the north, and are a mix of single and 2 storey scale with dormer extensions, constructed of render and grey roof tile. A 3 storey Spa Hotel is located to the southern boundary constructed of render and having a hipped roof form.

Planning permission is sought for demolition of the existing building on the site, and construction of a 2 storey, part 3 storey entertainment centre (arcade, soft play area, karting, clip and climb, adventure golf, bowling alley, pool golf, virtual reality room, shuffleboard, café spaces, a bar as well as staff room, officers, kitchen, toilets, buggy parks), including parking (disabled, electric vehicle charging and cycle), landscaping, access works and public realm improvements. The submission confirms that the facility will be used primarily by those holidaying at RHHV, but general public access will be permitted on a 'pay and play' basis as per other facilities at RHHV. The development will be open between 9am - 11pm.

The proposal will be sited above the demolished footprint of the building, extending the current built footprint of 900m² to 2,496m² in an easterly and southerly direction, the third floor being of reduced footprint at circa 160m². The original building height proposed was approximately 11.6m, increasing to a height of 17.5m by a lantern feature that projected above the main roof of the

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

structure. In light of Officer concern to the scale of development and resultant impact to the character and visual amenity of the countryside, revision has been received that has removed the lantern feature and reduced the overall height of the building to 10.6m with this rising to 12.4m to the third floor element. The building incorporates a timber shingle mansard roof design that wraps about the periphery of the structure, supported by stone columns and punctured by dormer projections that are dark bronze in colour. Remainder of the structure will be constructed from floor to ceiling glazing and timber cladding. The proposal also includes roof mounted photovoltaics.

The application site is located within the confines of RHHV, which is allocated as a Large Developed Site in the Countryside, as per the FLPPR Proposals Map. Policy GD5 of the FLPPR is relevant and supports partial or complete redevelopment of such sites, subject to a number of criteria. Moreover, Policy EC6 supports the development of additional leisure, culture and tourism uses at RHHV. The leisure uses sought accord with Policy EC6, and whilst the proposal includes café and bar uses, which are not supported by Policy EC6, they nonetheless are considered to be ancillary to the leisure elements of the proposed development, being a beneficial supporting requirement for users of the entertainment complex as opposed to a destination for the general public.

The principle of the land uses proposed therefore accord with Policy EC6, subject to compliance with remaining criteria of Policy EC6 and those of GD5, namely countryside impact, expenditure by public bodies, comprehensive long term planning, highway safety, sustainable travel and mixed use development. Policies GD7, ENV1, ENV2 are also relevant to this assessment.

The development is considered to be of appropriate appearance and in-keeping with the character of the area, providing some regeneration benefit through the removal of an unsightly building. The proposal will be screened from the majority of external viewpoints by mature trees to the periphery of RHHV. The proposal would appear in some restricted views from Browns Lane, however such views are softened by an existing boundary wall and mature landscaping, and the additional landscaping that is proposed. The development is not therefore considered to be harmful within any external views nor would it form a prominent feature in the countryside.

The development would not compromise the safe, efficient or convenient movement of all highway users, there are no drainage or ecological issues of note and the development provides for a satisfactory relationship to neighbours.

Remaining criteria of GD5 are referred to later in this report, but fundamentally the development is considered to be compliant with all relevant criteria of Policy GD5.

The development will encourage job creation during the construction phase and up to 60 jobs once operational.

The proposal therefore accords with the development plan and consequently can be considered sustainable development for the purposes of paragraph 11 c) of the NPPF23 and is therefore recommended for approval to Members of the Planning Committee.

Reason for Decision Level

The application is for 'major development' and officer recommendation for approval conflicts with the views of Ribby with Wrea Parish Council, so it is necessary to present the application to the Planning Committee for determination.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Site Description and Location

The application site relates to an irregular shaped parcel of land located to the western margins of Ribby Hall Holiday Village (RHHV), measuring 1.69 hectares in size.

The site is presently occupied by a steel framed portal building, and external space surrounding that includes a car park to the west, access road and former riding arena to the north, a section of the Wild Discovery area and landscaping to the east. The building has a footprint of 42m x 21.5 m to an overall height of approximately 7m, constructed of timber cladding with a green coloured profiled metal sheet roof. It is now used as an ancillary store by Ribby Hall Leisure Village though originally was occupied by a riding school that also made use of the adjacent land within the application site to the north and east. The application site also incorporates the external enclosure section of the Wild Discovery centre, which is a small animal petting Zoo facility.

The application site is flanked by a group of mature trees to the west adjacent to Browns Lane, which form part of a much larger linear group of trees to the perimeter of Ribby Hall Village. These trees are protected by Tree Preservation Order. A farm house and former agricultural buildings, known as Browns Farm, are located beyond Browns Lane to the west, which are within ownership of RHHV and are presently being converted to holiday accommodation. The remainder of the application site is surrounded by the Leisure Village, including holiday chalets to the north and east, and buildings associated to the Wild Discovery Centre to the south.

The application site is located within a Countryside Area and is allocated as a Large Developed Site, as per the adopted Fylde Local Plan to 2032 (Incorporating Partial Review) Proposals Map.

Details of Proposal

Planning permission is sought for demolition of the existing building on the site, and construction of 2 storey, part 3 storey entertainment centre, including 245 parking spaces (disabled, electric charging spaces), cycle parking, access works and public realm improvements.

The entertainment centre will include uses such as an arcade, soft play area, karting, clip and climb, adventure golf, bowling alley, pool golf, virtual reality room, shuffleboard, café spaces, a bar as well as staff room, officers, kitchen, toilets, buggy parks. All levels of the building will be accessible by stairs and a lift.

The submission confirms that the facility will be used primarily by those holidaying on the Ribby Hall Leisure Village complex, though general public access to the facility will be permitted on a 'pay and play' basis. This is same for all the other facilities available at Ribby Hall Leisure Village.

The application form confirms that the complex will be open between 9am - 11pm and will employ up to 60 staff in addition to those presently employed at RHHV.

The building design has been revised during assessment of the proposal due to initial concerns raised by the Planning Officer as to the scale and appearance of the proposed building. This has rationalised the footprint and design of the structure, whilst reducing its overall height.

The proposal will be sited above the demolished footprint of the building, extending that footprint (900m²) to 2496m² in an easterly and southerly direction. The majority of development will be over 2 floors with the third floor being of reduced footprint at circa 160m².

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

The original building height proposed was approximately 11.6m, though this was increased by a lantern feature that projected above the main roof of the structure to a height of 17.5m. The revision has removed this structure and has reduced the 2 storey height of the building to 10.6m, 12.4m to the 3rd floor element. The building incorporates a timber shingle mansard roof design that wraps about the periphery of the structure, punctured by dormer projections that are dark bronze in colour and supported by stone columns where needed. Remainder of the structure will be constructed from floor to ceiling glazing and timber cladding. The proposal also includes roof mounted photovoltaics.

Externally, a hard landscaped plaza will be formed adjacent to the pedestrian entrance located to the east of the building, and car parking is situated to the north and east, with bays being surfaced by either grasscrete or gravel. will be provided. The applicant confirms that electric vehicle charging will be provided in accordance with Building Regulation standards (1 for every 10 spaces, and cabling to increase capacity to 1/5 of total bays). Tree and shrub planting is proposed within these spaces, with additional tree planting proposed within the western woodland area.

Relevant Planning/Appeal History

There is an extensive planning history associated with the Ribby Hall site as it has evolved into the present day major tourism facility. None of this history is directly relevant to the current application and so it is all omitted here for conciseness in this report.

Parish/Town Council Observations

Parish/Town Council	Observations
Kirkham Town Council	<p>Comments received to the original submission on 24/02/2023, raising concerns that the proposal would affect trade in Kirkham.</p> <p>KTC were consulted on the revised scheme and have removed their initial concerns stating that <i>'they have no objection to this planning application'</i>.</p>
Ribby with Wrea Parish Council	<p>Objection was received to the original submission on 17/03/2023, as follows:</p> <ul style="list-style-type: none">• Drainage is notoriously ineffective within the area.• The development will be imposing within a rural location.• Too little information provided on the type of entertainment including hours of opening. <p>Objection was received to the revised scheme on 18/08/2023, as follows:</p> <ul style="list-style-type: none">• Flooding is already evident along Ribby Road as the ditch to be utilised does not provide adequate volume to disperse water. Surface run-off is already excessive and homes along Ribby Road / Wray Crescent are being flooded on a regular basis.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
Landscape Consultant	<p>Following the submission of an amended building design, site layout and Landscape and Visual Appraisal, it is clear that the applicant has endeavoured to address many of the issues raised in the last consultation round.</p> <p>The scale and massing of the proposed building is much more acceptable and the impact on the landscape and views within the surrounding area would be considerably reduced with the revised scheme. Should the proposal be recommended for approval, there remain opportunities to improve on the design of the site layout, its sustainability and its public safety and these should be conditional to any approval. These are:</p> <ol style="list-style-type: none"> 1. Safe crossing points should be identified across the car parking areas to the east of the entertainments centre for pedestrians and cyclists, by the use of different surface materials. 2. Electric vehicle charging points should be included within the scheme. 3. Include lighting bollards at the entrance to the gravel path to Browns Lane. 4. Low formal hedgerows should be planted along the rows of parking bays around the boundaries of the site. 5. Detailed planting proposals should be prepared for the area around the terrace to the east of the entertainments centre. These proposals should enclose the space and screen views of the car park.
LCC Highway Authority	<p>No highway objections are raised, subject to a number of planning conditions.</p> <p><u>Background.</u> Ribby Hall Leisure Village has been in operation for a considerable period of time and over the years it has been expanded.</p> <p>The proposal would not only cater for existing residents in the holiday village but also be available for use by day visitor, the local community, and the general public. The developer has submitted a Transport Assessment (TA) in support of the application.</p> <p>LCC Highways were aware of the proposal prior to submission and stated that provided that the advice given was followed the proposal could supported.</p> <p><u>Transport Assessment.</u> In preparing the TA the developer undertook traffic count in April 2022 to establish baseline traffic level. Although the developer states that Covid restrictions were not in place at that time LCC Highways</p>

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

	<p>would state that traffic level hadn't returned to pre-Covid levels at that time. However, now that further time has elapsed there is some evidence to support that traffic levels in general have still not returned to pre-Covid levels, due to people working from home or with more flexibility, in areas where network capacity is not critical then observed traffic levels from just after the lifting of Covid restrictions can be accepted. As such the baseline traffic data used for the assessment of this proposal is acceptable.</p> <p>The Trip Rates use in the TA is acceptable. To establish a robust assessment of traffic impact the developer has determined that 50% of demand will be external visitors, this is considered reasonable and therefore acceptable. Junction analysis within the TA shows that junctions will continue to operate within capacity in future years. This is accepted.</p> <p><u>Sustainable Travel.</u> Section 3.4 of the TA discusses site accessibility by non-car travel modes and whilst factually correct it ignores an important factor in sustainable travel, that being quality. Whilst the frequency of bus services is considered adequate for this type of development the existing quality of public transport infrastructure does not make bus an attractive option.</p> <p>If the local bus stops were more accessible on foot and compliant with current standards they would become a more viable alternative to car-borne travel, especially to the residents of Kirkham and Wrea Green.</p> <p>Upgrading the existing bus stops would show a true commitment from the developer to promoting sustainable travel. The detail of these improvement works will need to be agreed and secured by way of a planning condition and constructed under a s278 agreement with LCC.</p> <p>Given the nature and scale of the development proposal it is not considered necessary to require a Travel Plan. However, given the overall scale of the holiday village the developer should be encouraged to adopt and maintain a Travel Plan.</p> <p><u>Construction.</u> Given the scale and location of the development proposal within the holiday village construction traffic is unlikely to have a material impact on highway safety and capacity.</p> <p><u>Highway Improvements.</u> In order to be able to support this application LCC Highways request that the following improvements are delivered through a s278 agreement.</p> <ul style="list-style-type: none">• Upgrade of 2 nearest bus stops to the site access.
--	---

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

	<p>· Footway improvement to ensure adequate access to bus stops from site entrance.</p> <p><u>Suggested Condition(s)</u> Details of highway works (bus stop enhancement) and provision of highway works prior to first occupation.</p>
Lead Local Flood Authority	No objection, subject to condition – development to accord with the submitted flood risk assessment, surface water design, construction surface water design, management and maintenance of sustainable drainage system and verification of constructed sustainable drainage system.
United Utilities	No objection subject to condition – surface water design, and, management and maintenance of the approved sustainable drainage system.
Ecology Consultant (GMEU)	<p>No objection subject to condition – provision of proposed landscaping, bat and bird boxes, and no site clearance during the bird nesting season.</p> <p><u>Biodiversity Net Gain</u> The baseline value and the tree planting proposals are realistic (the main contribution to mitigating and enhancing the site), with some flexibility when it comes to achieving 10% net gain. Biodiversity net gain can be achieved on the site.</p> <p><u>Bats</u> The main building proposed for demolition was subject to a daytime survey for bats and assessed as having negligible potential for roosting bats. I have no reason to doubt the findings of the report. There appear however to be other built structures proposed for demolition to make way for car parking in the area that is currently labelled Wild Discovery Area. Whilst probably very low risk structures, I was unable to find any information on what these structures are or on their appearance. Prior to determination, please request further information on these structures such as photographs in order to determine whether or not a bat assessment could be reasonably requested.</p> <p><u>Great Crested Newts</u> Ponds on site were assessed as very low risk. Given the presence of fish and wildfowl, I would tend to agree. A number of ponds outside the site are located within 250m but well over 100m, I agree that the distance from these ponds, partial barriers and sub-optimal nature of the site are such that even if gcn are present the risk of an offence would be very low. I recommend an informative along the following lines is applied to any permission. Whilst there is only a low risk of great crested newts being present, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill great crested newts. If a great crested newt is found during the</p>

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

	<p>development all work should cease immediately and a suitably licensed amphibian ecologist employed to assess how best to safeguard the newt(s). Natural England should also be informed.</p> <p><u>Nesting Birds</u> Confirmation that birds have utilised the former riding arena for nesting was identified. Young trees and shrubs associated with Wild Discovery area will also be lost potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. I recommend a condition along the following lines be applied to any permission. No works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.</p>
Environmental Protection	No objection and no conditions suggested.
LCC Archaeology	The proposal does not appear to have any archaeological implications.
Lancashire Fire and Rescue	No objection, recommendations made concerning Building Regulation requirements for the turning of emergency vehicles and provision of water on the site.

Neighbour Observations

Neighbours notified: 16 February 2023
Site Notice Date: 16 February 2023
Press Notice Date: 9 March 2023
Number of Responses Total number of comments 1
Summary of Comments Cllr Frank Andrews commented on 09/03/2023:

You may well remember the flooding we have suffered in recent years in my ward. This application refers to an excess of surface water beginning in Ribby Hall adjacent to Browns Lane. Surface water floods, via the Browns Lane ditch, along Ribby Road and especially with its junction at Wray Crescent. I note the Flood Risk Assessment says in its Executive Summary: In order to reduce the overall surface water flood depth on-site, the developer will provide a positive drainage network to serve the proposed development, this will cover all areas of hardstanding which are currently affected.

It is important that Ribby Hall is encouraged to cover the largest possible area of their estate and not just this proposed development. Please can we encourage them to do this? It seems too good an opportunity to miss.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review):

GD5 - Large Developed Sites in the Countryside
GD7 - Achieving Good Design in Development
EC5 – Vibrant Town, District and Local Centres
EC6 - Leisure, Cultural and Tourism Development (Ribby Hall)
T5 - Parking Standards
CL1 - Flood Alleviation, Water Quality and Water Efficiency
CL2 - Surface Water Run-Off and Sustainable Drainage
CL3 - Renewable & Low Carbon Energy Generation
ENV1 - Landscape and Coastal Change Management Areas
ENV2 - Biodiversity

NPPF – National Planning Policy Framework

NPPG – Planning Practice Guidance

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. 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

The main issues pertinent in the assessment of this proposal are considered to be:

- The principle of development.
- Landscape and visual impact.
- Design and visual appearance.
- Highway safety.
- Residential amenity.
- Ecology.
- Flood risk and drainage.

The Principle of Development

The application site, and wider Ribby Hall Leisure Village, is allocated as a Large Developed Site in the Countryside, as per the Fylde Local Plan to 2032 incorporating Partial Review (FLPPR) Proposals Map.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Policy GD5 is the relevant FLPPR Policy to that allocation, providing support for the complete or partial redevelopment of such sites, subject to 6 criteria:

- a) *The proposal would not result in harm to the character, appearance or nature conservation value of land in the countryside, landscape setting, historic environment in comparison with the existing development, in terms of footprint, massing and height of the buildings;*
- b) *The proposal will not require additional expenditure by public authorities in relation to infrastructure and it can safely be served by existing or proposed means of access and the local road network;*
- c) *Proposals for partial re-development are put forward in the context of a comprehensive long term plan for the site as a whole;*
- d) *Proposed re-development can be safely and adequately served by existing or proposed means of access and the local road network without adversely affecting highway safety;*
- e) *Opportunities to improve public transport connections, and pedestrian and cycle links are maximised; and*
- f) *Mixed use development is promoted on all of these sites.*

The above criteria are considered in detail below. In addition, Policy EC6 provides specific guidance concerning development at Ribby Hall Holiday Village (RHHV), referring to the acceptability of additional leisure, culture and tourism uses, provided that the amenities and character of the site are preserved and enhanced.

Planning consent is sought for an entertainment building that will offer leisure and tourism uses to those who stay at RHHV, including arcade, soft play area, karting, clip and climb, adventure golf, bowling alley, pool golf, virtual reality room and shuffleboard. The facilities are also available to the general public, resulting in a far greater leisure and tourism offer, that would also be available to those living within the area. The land uses sought are categorised as leisure uses, and accordingly, they represent an acceptable use of land and buildings within the boundaries of Ribby Hall for the purposes of FLPPR Policy EC6. Moreover, the proposal would enhance the mix of land uses within RHHV, in accordance with criteria f) of Policy GD5.

It is noted that the proposal includes a shop (117m²) and café (283 m²) to the ground floor, as well as a café/ bar area (305m²) to the first floor, with those uses also having space available for the consumption of food and drink within the premises. Such uses would be ancillary to the leisure elements of the proposed development, being a necessary requirement for users of the entertainment complex as opposed to a destination for the general public in their own right.

FLPPR Policy EC5 encourages main town centre uses toward designated Town, District and Local Centres in the first instance so as to maintain vibrancy of those Centres. The Policy also states that retail and leisure development located outside of these Centres will be considered in line with NPPF23, bearing in mind the impacts on those Centres, and requiring sequential and impact assessments to be undertaken to demonstrate impact. This reflects paragraph 87 of the NPPF23 which requires a sequential test to planning applications for main town centre uses, stating that main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

Annex 2 of the NPPF23 defines Main Town Centre Uses as: 'Retail development (including warehouse clubs and factory outlet centres); **leisure, entertainment** and more intensive sport and **recreation uses (including** cinemas, restaurants, drive-through restaurants, **bars and pubs**, nightclubs, casinos, health and fitness centres, **indoor bowling centres** and bingo halls); offices; and arts, culture and

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities). (emphasis added)'

The leisure related land uses proposed are akin to the above definition and thereby are considered to be Main Town Centre uses, that are located outside of an existing Centre. Ordinarily, in this circumstance the proposal is obliged by Policy EC5 and NPPF23 to undertake sequential and impact testing of existing Centres to ascertain if alternative sites are available within those Centres and the potential impact to those Centres resultant from the proposal.

Notwithstanding this position, paragraphs 87 and 90 of the NPPF23 state that local planning authorities should apply a sequential and impact test for main town centre uses which are 'neither in an existing centre **nor in accordance with an up to date plan.**' (emphasis added). In this respect, the FLPPR was adopted in December 2021 and is therefore up to date, Policy EC6 is supportive in principle of the land uses proposed, and therefore has significant weight in the planning assessment and negating the requirement for sequential or impact testing of existing Centres in this circumstance.

On this basis it is considered that Policy EC6, as well as the NPPF23, afford support for the principle of land uses proposed in this out of town location, subject to assessment against criteria of Policy GD5, EC6, and all other relevant policies of the FLPPR, as considered below.

Landscape and visual impact

Policy GD5 supports the principle of development, subject to Criteria a) of that policy which requires the proposal to '*not harm the character, appearance or nature conservation value of land in the countryside, landscape setting, historic environment in comparison with the existing development, in terms of footprint, massing and height of the buildings.*' Policy EC6 provides a similar stance, being supportive of land uses proposed provided that '*the amenities and character of the site are preserved and enhanced*'. Policy ENV1 requires development to have regard to its visual impact within its landscape context and type it is situated and will be assessed to consider whether it is appropriate to the landscape character, amenity and tranquillity within which it is set. ENV1 also requires retention and enhancement of existing landscape features, such as hedgerows and trees.

Paragraph 174 of the NPPF23 requires planning decisions to protect and enhance valued landscapes in a manner commensurate to their statutory status or identified quality in the development plan, whilst recognising the intrinsic character and beauty of the countryside. Paragraph 176 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty (AONB) which have the highest status of protection.

The application site is presently occupied by a timber clad building that is circa 7m in height, as well as tarmac parking area, riding arena and landscaping. It is located to the western margin of the wider RHHV site, flanked by Browns Lane beyond its western boundary. Browns Lane serves as means of access to several dwellings, as well as a Public Right of Way (PROW) that follows a route about the perimeter of RHHV. A 2m high stone wall and mature tree line intervene between Browns Lane and the application site, acting to reduce visibility of the existing built form, although views of the existing building can still be obtained within the gap below the tree canopy and above the wall.

The wider RHHV is approximately 41 hectares in size and has built form spread evenly across the majority of the site, interspersed by open landscaped areas. This comprises of single storey holiday accommodation in the form of detached chalet styled bungalows that have dual pitched roofs, as well as static caravans and lodges. The main facilities buildings associated to RHHV are located to the north,

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

and are a mix of single and 2 storey scale with dormer extensions facilitating use of the roof space, constructed of render and grey roof tile. A 3 storey Spa Hotel is located to the southern boundary constructed of render and having a hipped roof form. Mature trees form a belt of landscaping to the periphery of RHHV, especially to the east, west and southern boundaries, which act to reduce the visibility and prominence of RHHV when viewed externally from PROW's located to the north and south.

The proposal seeks consent to demolish the existing building on the site, and construct a building with a larger footprint (increase of 1500m²) and increased height (increase of 3.7m to ridge of mansard, 5.5m to 3rd storey). The structure will have a wrap around mansard roof that is constructed of timber shingles, timber cladding and glazing. The submission also provides for landscaping within the parking areas, as well as tree planting within/ adjacent to the existing woodland located to the western boundary.

The planning application is accompanied by a Landscape and Visual Impact Appraisal (ref: TPM Landscape, 4233-501, June 2023) (LVIA) which has considered the possible effects of the proposal development upon landscape character and visual amenity. The scope of the LVIA was agreed with the Planning Officer, 10 different external vantage points located on Browns Lane, Ribby Road, and a PROW to the north have been considered, and photomontages have been produced to demonstrate visual impact.

Findings of the LVIA are summarised below:

The LVIA confirms that visibility of the development from external vantage points is contained to a very limited area adjacent to the site, being restricted by the existing holiday village to the north, south and east, woodland belt to the west and variances in topography. The LVIA recognises four potential receptors that could view the development from external vantage points:

Housing - There are no residential properties which would have a notable change to their view. Any potential views to existing residential properties would be from isolated farmhouses at some distance from the site, and through dense winter foliage. In summer these views would not exist at all due to trees being in leaf, and in winter it would be almost indiscernible. It is noted that residents of the holiday village accommodation have not been considered in this appraisal, nor have the visitors to Brown's Farm holiday cottages, as both form part of the Holiday Village complex.

PROW - There are no Public Right of Way footpaths in the near vicinity of the site which would experience a notable change to the view. The footpath 0.5km to the south of the site will have no visibility as the land falls away from the site, and the footpath 0.5km to the north will be screened by the large tree groups surrounding the site. There are potentially very limited views from some footpath locations through dense foliage of winter trees, however this would be very minor (the existing building is not visible), and in summer would not be visible at all.

Road - There will be no views from Ribby Road which is the main road which runs to the north of the site. Browns Lane lies adjacent to the western boundary of the proposal site, however is a minor access road only, serving a few properties. There will be some views of the proposed new building through the tree canopy (predominantly winter), however this is for a short part of the journey (approximately 100m), and will not be readily notable to most travellers in vehicles. The pedestrians who walk along Brown's Lane will have some winter views through the tree, however this is not a Public Right of Way footpath in a rural location, and this receptor is not considered to be a High Sensitivity receptor. The proposed landscape design which accompanies the application proposes strengthening of the tree

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

belt along Brown's Lane, which will provide a new generation of trees for the future, and also include evergreen trees and shrubs to screen lower views in winter from Brown's Lane.

Mid and Long Distance Views - There is very little potential for mid to long distance views due to the flat topography of the wider landscape, the containment of the site by woodland and existing built form of the holiday village, and the lack of elevated locations in the wider landscape where views above the trees might have been possible.

Whilst the site is located in the countryside it is not in an area designated for its landscape quality, (National Park, the Broads or AONB), nor is the site within the green belt. The application site and wider RHHV are characterised by built form that is set within naturally landscaped grounds. RHHV has been developed in such a fashion so as to minimise its impact on the rural landscape, this, primarily, is ensured by the perimeter belt of mature woodland planting that acts as a screen to RHHV, as well as the scale of development not exceeding the height of such. It is in essence a previously developed site, and therefore contributes little toward the character of the open and rural landscape that lies beyond its boundaries. The proposal would not appear out of context alongside the presence of existing built form on the RHHV site.

In terms of visual impact, the proposal will be screened from the majority of external viewpoints by mature trees within the grounds of RHHV. The most frequent visibility of the site occurs from vehicles that use Browns Lane, and it is not considered that these receptors would experience a significantly different visual appearance of the site than at present, bearing in mind the presence of the existing building and structures on site, as well as the intervening stone wall and woodland planting. Moreover, permissible views are from within a moving vehicle, glimpsed through gaps in tree planting and oblique to the direction of travel. However, the LVIA incorrectly advises that there is no PROW to Browns Lane. On the contrary, PROW FP0510007 follows the route of Browns Lane in a southerly direction before linking to others located to the south of RHHV. Views of the development from this PROW would be from street level and obscured in part by a stone wall and the canopy of trees. Moreover, increased tree planting within the woodland belt is proposed, plugging gaps within the canopy, and this could include smaller tree specimens that would act to reduce visual impact in views beneath existing canopies.

The LVIA concludes that *'the proposed development will have no impact on the character of the surrounding landscape. All views of the proposed Entertainment Centre will be contained to the Holiday Village site itself, other than minor winter views from the adjacent Brown's Lane, which will be heavily filtered through bare trees, for a small part of the lane only, and proposed mitigation will reduce these effects.'*

This conclusion is not disputed as discussed above. Whilst the proposal would appear in some views from Browns Lane, such views are softened by existing boundary wall and mature landscaping, and additional landscape mitigation would be provided as part of the development in order to ensure that the proposal would not have an unacceptably harmful impact on landscape character or visual amenity. The development is not therefore considered to be harmful within any external views nor would it form a prominent feature in the countryside.

Taking all of the aforementioned matters into consideration, the proposal would not result in harm to the character or appearance of the countryside. Conditions are recommended that require implementation of the landscape strategy during the first available planting season after the commencement of development. Therefore, satisfactory measures can be put in place in order to mitigate the development's impact in accordance with the objectives of policies GD5, EC6 and ENV1 of the FLPPR and NPPF23.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Design and visual appearance

FLP Policy GD7 requires development to be of a high standard of design, providing a number of criteria for planning applications to be determined against. The following criteria of GD7 are considered relevant to the current application:

- d) Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.
- f) conserving the built environment.
- h) avoiding demonstrable harm to the visual amenities of the local area.
- i) make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

Paragraph 126 of the NPPF states that good design is a key aspect of sustainable development, and para 134 requires development that is not well designed to be refused.

The site is an irregular land parcel that encompasses an existing industrial styled building, as well as parking, access road and landscaped area, being located adjacent to the existing building group on RHHV. The existing appearance of this building detracts from the site and immediate locality of RHHV. Existing building scale on RHHV is mixed, with single storey chalets, static caravans and lodges being prevalent, with larger buildings which house the main facilities of the RHHV to the north, and Hotel Spa to the south. There is little character to the existing built form, with a mix of pitched and flat roof forms, albeit there is a consistency of material palette across the site which comprises differing colours of render. What character exists is borne from the park land setting that is formed by landscaping which intersperses between the built form and to the site perimeter, and includes mature tree planting and water bodies.

The development is sited with the length of the structure orientated in a north/ south direction and rear elevation set back approximately 30m from Browns Lane. The proposed building is predominantly 2 storey in scale, though does have a smaller footprint 3 storey element. It has been designed to reflect the parkland environment it is situated through use of natural timber materials, light weight glazing that provides transparency, soft edges to the building and landscaping. The revision has significantly improved the visual aesthetic of the external elevations, by wrapping the upper portion of the structure in a mansard roof, the angled corners of the building have been softened by rounding the mansard at the juncture of wall plates, and the mansard also overhangs the building footprint providing depth and 3 dimension to the structure. The mass of the mansard is punctured by modern dormer windows which are set below the ridge line but have a variance of width and height, with some extending to floor level, that are finished in a dark bronze colour.

Landscaping is proposed in the form of tree planting within the car parking area and along the access road, which will help to reduce the visual impact of hard surfacing and parked cars. In addition, the surfacing of parking spaces is indicated to be either grasscrete or gravel, avoiding use of tarmac and thereby beneficial to visual appearance also. Additional tree planting will also be provided within the existing woodland to the west, plugging gaps in the existing coverage to sure up this landscape buffer, as well as the planting of smaller ornamental trees.

The building appearance and landscape strategy ensure that the building sits comfortably within its surroundings, without appearing jarring to the eye. The proposal now provides an appropriate

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

appearance when viewed externally from all vantage points, including from within RHHV and, more importantly, Browns Lane. Redevelopment will provide some localised enhancement of the site and locality through removal of the existing building. Taking all of the aforementioned matters into consideration, the proposal relates well to its surrounding context without harming the visual amenity of the area, and enhances the character and distinctiveness of the area. Thereby providing for a high standard of design, in accordance with Policy GD7 and NPPF23.

Highway safety

FLPPR Policy GD5 is supportive of the partial or complete redevelopment of designated large sites in the countryside provided that, amongst other criteria, the proposal can safely be served by existing or proposed means of access and the local road network, and opportunities to improve public transport connections, and pedestrian and cycle links are maximised.

FLPPR policy GD7 supports good design that (p), would not prejudice highway or pedestrian safety, and the efficient and convenient movement of all highway users (q), and, encourages alternative modes of transport including walking and cycling (r). Similarly, Policy T4 encourages walking and cycling to improve quality of life, and provision of ultra low carbon/ electric vehicles to enhance sustainable travel and reduce the Boroughs carbon footprint.

Policy T5 relates to parking provision and indicates that provision should be on site wherever possible to ensure there is no detrimental effect on highway safety and enables a flexible approach to the level of car parking provision, dependent on the location of the development. The Car Parking SPD has not yet been adopted and standards contained in the Joint Lancashire Structure Plan (JLSP) are therefore still applicable. In this circumstance, standards for a leisure use range between 1 space per 23 m² of development to 1 space per 33m² dependent upon site accessibility, non-food retail ranges between 1 space per 21 m² and 1 space per 33 m², café/ pub from 1 space per 8.5m² to 1 space per 12m². based on the high accessibility of the site the relevant standard ranges between 1 car space for every 16 to 22 m² of floor area (retail), and 1 space for every 235 to 308 m², and 1 cycle space per 10 parking spaces. It is noted that these standards are similar to the emerging SPD.

Paragraph 32 of the NPPF states that decision makers should take account of whether 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 limit the significant impacts of the development. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Vehicular access to the application site will be via an upgraded internal road that links to the existing access arrangement to RHHV from Ribby Road. The submitted site plan indicates provision of 245 parking spaces including disabled spaces, within 2 parking areas located to the north and east of the proposed building. This parking area is not solely for use by those frequenting or employed by the entertainment facility, it will also provide parking for the Wild Discovery Centre, as well as over flow parking for RHHV which is presently accommodated on a consented holiday apartment scheme adjacent to the site. The submission confirms that electric vehicle charging spaces will also be provided, as well as 30 cycle spaces. Servicing of the development, including deliveries and refuse, will be undertaken as part of that for the wider site, from a designated area located to the rear of the building. Pedestrian routes will link the front door of the complex to the existing footpath network within RHHV.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

The planning application was accompanied by a Transport Assessment (Focus Transport Planning, J000328-TA01c, 02/2023), the key findings of which are summarised below:

- Traffic levels have been predicted using the TRICS traffic database. The TA recognises that the facility will be used primarily by those existing site based guests, though is also available for use by the general public. It is anticipated that the proposed family leisure facility at RHV could generate up to 70 (32 in / 38 out) additional 'external' vehicle movements during the weekday PM peak period and 81 vehicle trips (41 in / 40 out) during peak weekday afternoons.
- Most of these movements will be expected to utilise road routes to the east of the site – 69 two way trips per hour or 1 extra vehicle movement per minute are predicted. This reduced to 1 extra vehicle every 4 minutes for vehicles approaching from the west on Ribby Road.
- It is not anticipated that this would likely give rise to a material change in network operating conditions or traffic related environmental effects.
- The main site access arrangement to RHHV operates within capacity.
- Expected impact is of limited scale and would not result in 'severe' network operational effects that would require the provision of specific network capacity improvements over and above the existing main RHV access arrangements.

The Highway Authority (HA) have been consulted on the proposal and have not raise objection to the scheme. They comment that the baseline traffic data, trip rates and assumptions regards to public use of the facility (50%) referred to within the TA are acceptable, and confirm that junctions will continue to operate within capacity in future years. To improve sustainable travel to the development the HA have requested upgrade of 2 bus stops and footway improvements located adjacent to the main RHHV entrance, which are presently not compliant with current standards.

The HA have not commented on the parking proposals, and it must be assumed that they are supportive of the parking provision on grounds that they have not raised objection to the development.

The applicant has questioned whether the HA request for bus stop and footway improvements are 'appropriate and necessary to make the development acceptable' on grounds that:

- The existing bus stop have been in-situ in for many years and no attempts have been made by the HA to upgrade provision, including in response to previous planning applications and consents at Ribby Hall Village.
- The currently proposed Family Entertainment Centre scheme is primarily aimed at expanding the on-site leisure offer for existing guests / members. The level of additional 'external' trips to / from the site to be generated by the proposals is therefore anticipated to be very low. We are therefore not convinced that the level of any potential additional bus users that might be generated by the application scheme justifies the requirement for the improvement of existing well established provision.

Whilst the applicant contends that external trips made to the proposal will be 'very low' it is also noted that the findings of the submitted Transport Assessment are based on an assumption that *'para 8.26... that up to 50% of total customer demand could be related to 'off site' general public trips.'* This figure is significantly greater than the 'very low' amount of external trips claimed. Moreover, Policy GD5 is relevant to this scenario and supports partial redevelopment of designated large sites provided that improvements to public transport connections, and pedestrian and cycle links are maximised. Irrespective of previous planning decisions that may have been made, there is an adopted local plan policy which requires sustainable transport improvements to be made where feasible. In light of the potential external trips that could be made and GD5 requirement for sustainable travel enhancement,

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

the HA request for bus stop and footway improvements are therefore supported. Such improvements will be required by condition.

The application site is located within an accessible location with good linkages to and improvements proposed that encourage access by sustainable modes of transport. The development provides for an acceptable means of vehicular access and appropriate levels of parking, including the provision of electric charging points, and servicing arrangements. On this basis the proposal will not prejudice the safe, efficient or convenient movement of all highway users, and forms a strong commitment toward sustainable travel. In the absence of any objection from the Highway Authority, the proposal is in compliance with the policy objectives of FLPPR Policies and the NPPF.

Residential Amenity

FLPPR Policy GD7 requires high design standards and supports new development that would be sympathetic to surrounding land uses, existing residents that live adjacent and prospective occupants of the development. This amenity impact includes privacy, dominance, loss of light, over shadowing resultant from the proximity of buildings to neighbours, or disturbance, including noise from the operation of the intended use.

Nearest neighbours are located 60m north and west of the application site. That to the north is within the grounds of RHHV and is a holiday property. The building group to the west consists of a farmhouse and agricultural buildings that are presently being converted, all of which are within ownership of RHHV and are also holiday accommodation. Due to the holiday use and separation distance, as well as intervening mature woodland, the proposal would not undermine the amenity of these neighbours.

In the wider area, a residential property exists circa 120m to the north located at the junction of Browns Lane and Ribby Road (white House, Ribby Road). Another dwelling exists 110m to the south, to the west side of Browns Lane (Woodside Cottage, Browns Lane). Separation distance, as well as mature trees and buildings that intervene, ensure a satisfactory relationship between the development and these neighbours also.

The planning application is not accompanied by external lighting details. In order to control the possibility of light pollution to neighbours resultant from parking areas, or that which may be required for security purposes, a condition is suggested for this detail to be provided and its impact assessed prior to provision of external lighting.

It is inevitable that there will be some disruption for neighbours during the construction period. This disruption however is temporary, for duration of the build and is therefore acceptable. Conditions will be imposed to reduce this disruption for neighbours including construction hours restriction, wheel wash facility, noise/ dust/ vibration controls.

On this basis it is considered that the development would not unacceptably impinge on the amenity of existing residents that neighbour the site, in accordance with Policy GD7.

Ecology

FLPPR Policy ENV2 states that the Council is committed to the protection and enhancement of the borough's biodiversity and geological assets. Policy ENV2 requires development within or affecting nature conservation or ecological networks to adhere to set criteria. Those relevant to the development include proposals that enhance or conserve biodiversity will be supported, and, provision of mitigation measures where development is considered necessary. Planning permission

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

will be refused in circumstances where significant harm cannot be avoided. Planning permission will not be granted for development which would have an adverse effect on a priority species or its habitat, unless the benefits of the development outweigh the need to maintain the population of the species in situ.

The above policies are considered to reflect guidance within the NPPF23.

The planning application is supported by a Scoping Bat Survey (Envirotech, 12/01/2022), Great Crested Newt Assessment (Envirotech, 12/12/2022), and a Biodiversity Net Gain assessment (Envirotech, ref: 7730(1), 03/07/2023). The

The reports confirm that with the mitigation recommended the development will have no significant impacts to the biodiversity of geological interest of the site. Key findings are reported below:

Scoping Bat Survey:

- There are no records for bats at the site,
- The site was assessed on 11th January 2022 and it was found to be located in habitat which would provide a low-moderate level of foraging opportunities for bat species.
- No evidence of bats were found.
- Undertaking an emergence survey and full habitat assessment of the building and its surroundings is unwarranted. The areas affected by work are likely to have a negligible significance to bats.
- The risk to bats is negligible, as with all sites the following generic working guidelines should be followed.

Great Crested Newt Assessment:

- There are two records of Great Crested Newts within 2km of the site boundary. One record is 1km to the East and the other record is over 1km to the North-east.
- 5 ponds identified in the locality, though only 2 have been assessed since others were located beyond the site boundary and access was not possible as a consequence.
- Given the poor pond suitability, development site habitat, and the poor connectivity between the site and ponds, we consider the risk of use of the pond by GCN is very low.
- Use of the site by GCN is unlikely to occur and the risk posed by development is unlikely to be higher than existing land use.
- Reasonable avoidance measures during construction area advised.

Bio-diversity Net Gain:

- A total of 102 individual urban trees will be planted throughout the site.
- Existing hedgerow will be retained and new planting is proposed.
- Equating to a GAIN of 2.48 units (+ 37%), and a GAIN of 0.09 hedgerow units (+ 6%)

The Council's ecological consultant does not object to the report findings and have suggested conditions to require implementation of various recommendations suggested, including provision of landscape proposals clearance to avoid the bird nesting season, as well as provision of bat and bird nesting opportunities. Whilst the Ecologist does not doubt findings of the bat survey, it has been queried whether buildings within the Wild Discovery Centre should also be surveyed. In that respect the applicant has confirmed that no buildings within this area are to be removed.

The application site is of limited ecological value and biodiversity measures can be incorporated into the final scheme through retention/ new provision of landscaping, bat habitat and bird nesting opportunities in lieu of any ecological value that will be lost. Subject to the imposition of suggested

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

conditions, the development will protect the boroughs biodiversity assets in accordance with Policy ENV2.

Flood risk and drainage

Criteria z) of Policy GD7 states that inappropriate development in Flood Risk Zones 2 and 3 will not be permitted.

Policy CL1 requires planning decisions should follow a sequential, risk based approach to the location of development. It requires all new development to minimise flood risk by a number of specific criteria, including ensuring use of sustainable surface water drainage solutions, ensuring new development is directed away from high risk areas of flooding (Flood Zone 2 and 3) and the incorporation of mitigation in lower risk areas. Policy CL2 provides detailed design guidance for surface water drainage strategies, including attenuation requirements.

The application site falls entirely within Flood Zone 1, as defined by the Environment Agency's Flood Map, and has a low probability of flooding from rivers and the sea. Environment Agency mapping also shows that a portion of the site, focussed on the Wild Discovery Centre, has a high extent of flooding from surface water. Due to this being a major application the planning application is required to be supported by a Flood Risk Assessment (FRA).

The applicant has submitted a Flood Risk Assessment (Flood Risk and Drainage Solutions Ltd, 2022-035-A, 12/12/2022), an Outline Drainage Strategy (RG Parkins, K40426.ODS/001). Key findings are reported below:

- The proposed development site is located within Flood Zone 1 and therefore has a low risk of fluvial flooding.
- The main flood risk is from surface water flooding on site (focused on the existing Wild Discovery Centre) and an increase in surface water as a result of the proposed development
- To reduce the overall surface water flood depth on-site, the developer will provide a positive drainage network to serve the proposed development, this will cover all areas of hardstanding which are currently affected.
- Combined with elevating finished floor levels no less than 150mm above existing ground, the risk of surface water flooding can be suitably managed.
- Ground investigations have shown that the underlying ground conditions across the site have poor levels of permeability and are not deemed suitable for an infiltration-based SuDS.
- In line with the SuDS hierarchy a positive drainage connection will be required to the watercourse.
- It is proposed that surface water drainage shall be attenuated using sub-base storage.
- Controlled runoff for the development will be restricted to match the pre-development greenfield runoff.
- The proposed outfall proposed to the existing surface water drainage ditch in close proximity to the site to replicate existing site conditions.

The Lead Local Flood Authority and United utilities have not raised objection to the proposal, subject to condition relating to construction being in accordance with the FRA, submission of surface water drainage details, construction phase surface water management plan and operation, maintenance and verification report of the constructed drainage system.

It is noted that a Ward Councillor has provided comment on the application, referring to flooding within the Ribby with Wrea Ward, in particular *'Surface water floods, via the Browns Lane ditch, along Ribby Road and especially with its junction at Wray Crescent'*, and requests that the applicant's

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

drainage strategy covers the largest possible area of their estate not just the proposed development. In respect of this matter, the Council and drainage bodies cannot insist that the applicants surface water drainage design for the current proposal deals with land beyond that of the application site, it can only relate to the development applied for. Notwithstanding, the LLFA and UU have requested details of the surface water drainage design to be submitted and approved, which will provide the appropriate opportunity to ensure an appropriate drainage solution for the development.

In the absence of any objection from statutory consultees it is considered that the development poses no unacceptable risk in terms of flooding and that a satisfactory drainage solution is feasible for the development that accords with the drainage hierarchy, in accordance with the development plan and NPPF.

Other Matters

As discussed above, the site is allocated as a Large Developed Site in the Countryside and Policy GD5 supports the partial or complete redevelopment of such sites subject to 6 criteria:

- a) The proposal would not result in harm to the character, appearance or nature conservation value of land in the countryside, landscape setting, historic environment in comparison with the existing development, in terms of footprint, massing and height of the buildings;*
- b) The proposal will not require additional expenditure by public authorities in relation to infrastructure and it can safely be served by existing or proposed means of access and the local road network;*
- c) Proposals for partial re-development are put forward in the context of a comprehensive long term plan for the site as a whole;*
- d) Proposed re-development can be safely and adequately served by existing or proposed means of access and the local road network without adversely affecting highway safety;*
- e) Opportunities to improve public transport connections, and pedestrian and cycle links are maximised; and*
- f) Mixed use development is promoted on all of these sites.*

Criterion a), bii), d), e) and f) are all considered in the above report, with bi) and c) remaining to be assessed. With regards to the first test of criteria b), the development, including off site highway works, will be funded by the applicant and would not therefore require additional infrastructure expenditure by public authorities. Criteria c) is not applicable in this circumstance as the proposed development is for the extended use of RHHV only.

Conclusions

The application site is located within the confines of Ribby Hall Holiday Village, which itself is allocated as a Large Developed Site in the Countryside, as per the FLPPR Proposals Map.

Policy GD5 supports complete or partial redevelopment of designated large developed sites within the countryside, subject to criteria that requires consideration of countryside impact, expenditure by public bodies, comprehensive long term planning, highway safety, sustainable travel and mixed use development. Moreover, Policy EC6 supports the development of additional leisure, culture and tourism uses at Ribby Hall Holiday Village.

Planning consent is sought for an entertainment centre, which includes such leisure uses as an arcade, soft play area, karting, clip and climb, adventure golf, bowling alley, pool golf, virtual reality room, that accord with Policy EC6. Other uses proposed include a café and bar, and whilst these are not supported by Policy EC6, they nonetheless are considered to be ancillary to the leisure elements of the proposed

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

development, being a necessary requirement for users of the entertainment complex as opposed to a destination for the general public in their own right. The development will encourage job creation during the construction phase and up to 60 jobs once operational, in accordance with the FLPPR strategic objective 4 to grow the local economy.

The development is considered to be of appropriate appearance and in-keeping with the character of the area, providing some regeneration benefit through the removal of an unsightly building. The proposal will be screened from the majority of external viewpoints by mature trees within the grounds of RHHV. The proposal would appear in some views from Browns Lane, however such views are softened by existing boundary wall and mature landscaping, and additional landscape mitigation would be provided as part of the development in order to ensure that the proposal, by virtue of its size, scale, massing, layout, materials and design, would not have an unacceptably harmful impact on landscape character or visual amenity.

The development would not compromise the safe, efficient or convenient movement of all highway users, there are no drainage or ecological issues of note and the development provides for a satisfactory relationship to neighbours.

In addition, the proposal would not require public expenditure or comprehensive site master planning, thus the proposal accords with all criteria of Policy GD5.

The proposal therefore accords with the development plan and consequently can be considered sustainable development for the purposes of paragraph 11 c) of the NPPF23. In accordance with paragraph 11 c) development must be approved without delay and the proposal is therefore recommended for approval to Members of the Planning Committee.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of this permission.

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

2. This permission relates to the following plans:

- Location Plan - Drawing no. 2022 1.1A
- Site Plan as Proposed - Drawing no. 2022 3.2E

- Proposed Ground Floor - Drawing no. 2022 3.4E
- Proposed First Floor - Drawing no. 2022 3.5E
- Proposed Second Floor - Drawing no. 2022 3.6E
- Proposed Roof Floor - Drawing no. 2022 3.7E

- Internal Area Break Down - Ground Floor - Drawing no. 2022 3.20E
- Internal Area Break Down - First Floor - Drawing no. 2022 3.21E
- Internal Area Break Down - Second Floor - Drawing no. 2022 3.22E

- Elevation (North) to Front - Drawing no. 2022 3.11E

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

- Elevation (East) toward Sycamore Drive - Drawing no. 2022 3.12E
- Elevation (South) to Rear - Drawing no. 2022 3.13E
- Elevation (West) toward Browns Lane - Drawing no. 2022 3.14E

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

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

3. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works of development shall take place until samples or full details of all materials to be used on the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved details.

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

4. No above ground works of development shall take place until details of finished floor levels for the building and ground levels for the external areas of the site, above ordnance datum, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the development and surrounding countryside area, in accordance with the requirements of Fylde Local Plan to 2032 policy GD5, EC6 and ENV1 and the National Planning Policy Framework.

5. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, the development hereby approved shall not be occupied until a scheme for the construction of all hard surfaced areas of the development has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the surfacing materials. The hard surfaced areas shall thereafter be laid out in accordance with the approved details prior to occupation of the development and retained as such thereafter.

Reason: To ensure satisfactory treatment of hard surfaced areas and an appropriate standard of engineering works in the interests of visual amenity and the amenity of future occupiers of the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7.

6. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the soft landscaping scheme for the development shown on drawing nos. 4233 201 rev C and 4233 202 rev C shall be carried out during the first planting season following first use of the development. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Reason: To ensure appropriate landscaping of the site in order that the development assimilates sympathetically into its surroundings, to provide an appropriate landscape buffer with surrounding land uses, to enhance the character of the street scene by providing tree lined streets and to provide appropriate biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies ENV1, ENV2 and GD7, and the National Planning Policy Framework.

7. The development hereby approved shall not be brought into use until a scheme for the installation of bat and bird boxes within the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the number, location, height, aspect and specification of the bat and bird boxes, and a timetable for their provision. The bat and bird boxes shall thereafter be installed in accordance with the details and timetable in the duly approved scheme, and shall be retained as such thereafter.

Reason: To ensure that the development delivers appropriate biodiversity enhancements, in accordance with the objectives of Fylde Local Plan to 2032 policy ENV2 and the National Planning Policy Framework.

8. No clearance of any vegetation and/or demolition of buildings (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation and/or buildings to be cleared do not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation and/or buildings shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

9. No external lighting shall be installed on the site until a scheme for the installation of any exterior lighting on the buildings and the external areas of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with best industrial practice contained in the Institution of Lighting Professionals and Bat Conservation Trust publication - Guidance Note 08/18: Bats and artificial lighting in the UK, and shall include details of the lighting's:

i) position and height on the building and/or site;

ii) spillage, luminance and angle of installation, which shall be designed to avoid light spillage towards those areas/features on the site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory; and

iii) any hoods to be fixed to the lights.

All exterior lighting shall thereafter be installed in accordance with the duly approved scheme.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Reason: To ensure that any exterior lighting to be installed at the site does not cause a nuisance to surrounding occupiers or undermine the value and use of retained and enhanced habitats within the site for protected species (specifically bats) as a result of light pollution in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, and the National Planning Policy Framework.

10. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment (Flood Risk and Drainage Solutions Ltd, 2022-035-A, 12/12/2022).

The measures shall be fully implemented prior to the first use of the development and 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 in consultation with the Lead Local Flood Authority.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with policies CL1 and CL2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

11. No development shall take place until a scheme for the management of surface water and pollution prevention during each phase of the construction period has been submitted to and approved in writing by the local planning authority. The scheme shall include the following details:

- a) Measures taken to ensure surface water flows are retained on-site during the construction period and, if surface water flows are to be discharged from the site, that they are done so at a specified, restricted rate.

- b) Measures taken to prevent siltation and pollutants from the site entering into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

Construction of the development shall thereafter be carried out in accordance with the duly approved scheme for the entirety of the construction period.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during the construction phase in order that it does not pose an undue flood risk on site or elsewhere and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact existing or proposed water bodies in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies CL1, CL2 and GD9, and the National Planning Policy Framework.

12. Prior to commencement of the development hereby approved, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme(s) must include:
 - (a) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

- (b) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - (c) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (d) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - (e) Foul and surface water shall drain on separate systems.
- f) Sustainable drainage calculations for peak flow control and volume control for the:
- i. 100% (1 in 1-year) annual exceedance probability event;
 - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
 - iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep
- g) Final sustainable drainage plans appropriately labelled to include, as a minimum:
- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels;
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
 - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
 - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- h) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.
- i) Evidence of an assessment of the existing on-site watercourse / culverted watercourse to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.
- J) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

The approved scheme(s) shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with policies CL1 and CL2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

13. Prior to first use of the development hereby approved, a Surface Water Verification Report shall be submitted to and approved in writing by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme discharged by condition 11 (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing.

Reason: To ensure that agreed surface water design is implemented so that the development is not at risk of flooding and does not increase flood risk elsewhere, in accordance with the requirements of Fylde Local Plan to 2032 (Incorporating Partial Review) policies CL1 and CL2 and the National Planning Policy Framework.

14. Prior to first use of the associated phase of development hereby approved, a lifetime management and maintenance plan for the approved foul and surface water drainage for that phase of development shall be submitted to and approved in writing by the local planning authority. The management and maintenance plan shall include as a minimum:

- a) A timetable for its implementation;
- b) Details of the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

The development shall subsequently be maintained and managed in accordance with the approved plan.

Reason: To ensure that flood risks from the development to the future occupiers of the development and the occupiers of neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development is constructed in accordance with the duly approved surface water drainage scheme and that suitable measures are put in place for its future management and maintenance in accordance policies CL1 and CL2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

15. If, during development, contamination which was not previously identified is found to be present on the site then no further development shall take place on the affected part(s) of the site until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

- a) a survey of the extent, scale and nature of contamination;
- b) an assessment of the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; and archaeological sites and ancient monuments.
- c) an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the buildings on the affected part(s) of the site are first occupied.

Reason: To prevent pollution of the surrounding environment and to ensure the safe development of the site in the interests of the amenity of future occupiers and other sensitive receptors in accordance with policy GD9 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

16. No development shall take place until a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837:2012) has been formed around the root protection areas of those trees and hedgerows within and/or overhanging the site which are to be retained and/ or newly planted.

The construction exclusion zone shall be present on site for the period of construction works.

Reason: To ensure that adequate measures are put in place to protect existing trees and hedgerows which are shown to be retained as part of the development before any construction works commence in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies ENV1 and GD7.

17. On site works associated to demolition, site clearance and construction, including any heavy vehicular movements and deliveries to/from the site, shall only take place between the hours of:
 - 08:00 - 18:00 Monday to Friday.
 - 09:00 - 13:00 Saturday.
 - No on site works on Sundays or Bank Holidays.

Reason: To ensure that appropriate measures are put in place to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties during the construction of the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

18. Prior to occupation of the development hereby approved (excluding any demolition, site clearance or groundworks), a scheme for the construction of the off-site works of highway improvement shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The off-site highway works shall be completed before the development is first occupied unless otherwise agreed in writing by the Local Planning Authority. The off site highway works to be covered by this condition includes:

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

- (i) Improvement to the eastbound and westbound bus stops on Ribby Road (adjacent to the main vehicular entrance to Ribby Hall Holiday Village);
- (ii) Footway improvements to those bus stops.

The approved off site highway works shall be constructed in accordance with the details approved and implemented prior to the first use of any part of the development hereby approved, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To secure appropriate and proportionate improvements to surrounding highway infrastructure in order to achieve a safe and suitable means of access to the development for all users in the interests of highway safety, and to promote modal shift and increased use of sustainable methods of travel in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and T4, and the National Planning Policy Framework.

19. The car parking, including disabled and electric vehicle charging bays, and manoeuvring areas shall be marked out and surfaced in accordance with the approved plan (Drawing no. 2022 3.2E) before any use of the development hereby approved becomes operational, and permanently maintained as such thereafter.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that adequate off road parking is provided to serve the development in the interests of highway safety, in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and T4, and the National Planning Policy Framework.

20. The development hereby approved shall only be open to members of the public or guests at the Ribby Hall Holiday Village site between the hours of:

09:00 to 23:00.

Reason: To limit the potential for noise generation and nuisance arising in the locality and to safeguard the amenity of the occupiers of surrounding properties in accordance with policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

21. The shop located to the ground floor of the entertainment building hereby approved shall not exceed 117 square metres in floor area, as per drawing no. 2022 3.20E.

The cafe seating area located to the ground floor of the entertainment building hereby approved shall not exceed 283 square metres in floor area, as per drawing no. 2022 3.20E.

The bar seating area located to the first floor of the entertainment building hereby approved shall not exceed 305 square metres in floor area, as per drawing no. 2022 3.21E.

Reason: The development is located outside a designated Centre. The aforementioned floor areas have been determined to be ancillary to the main leisure use of the entertainment centre, thereby their impact to existing Centres is negligible. Increase of these floor areas could alter the ancillary nature of these uses, and could thereby impinge upon the vitality and viability of existing Centres. It is therefore considered reasonable to restrict the floor space to that applied for so as to ensure that the character of the development does not alter, in accordance with Policy EC5 of the Fylde Local Plan to 2032 (Incorporating Partial Review) and the National Planning Policy Framework.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

22. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the premises shall be used as an entertainment centre for leisure, with ancillary café and bar land uses as identified on drawing no's. 2022 3.4E, 2022 3.5E and 2022 3.6E, and for no other purpose, including any other uses falling within class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to those classes in any statutory instrument amending or replacing that Order).

Reason: Whilst the approved land uses are acceptable, any alternative use permissible under Class E of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 may impinge upon the vitality and viability of existing Centres. It is therefore considered reasonable to restrict the land use to that applied for so as to ensure that the character of the development does not alter, in accordance with Policy EC5 of the Fylde Local Plan to 2032 (Incorporating Partial Review) and the National Planning Policy Framework.

Informative(s)

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

2. Great Crested Newt Precautionary Informative

Whilst there is only a low risk of great crested newts being present, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill great crested newts. If a great crested newt is found during the development all work should cease immediately and a suitably licensed amphibian ecologist employed to assess how best to safeguard the newt(s). Natural England should also be informed.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Location Plan for Item 2 - 23/0115



AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Item 3

Application No:	23/0256	Case Officer:	Rob Buffham Area Team 2
Applicant:	DIXON GRANGE LTD	Agent:	PWA PLANNING
Location:	MILL FARM SPORTS VILLAGE, FLEETWOOD ROAD, MEDLAR WITH WESHAM LANCASHIRE PR4 3JZ		
Proposal:	FORMATION OF A SURFACE WATER ATTENUATION POND & REMEDIATION OF EXISTING SURFACE WATER ATTENUATION POND.		
Ward:	Medlar with Wesham	Parish:	Medlar with Wesham
Statutory Expiry:	22 September 2023	Earliest Decision:	4 September 2023
Reason for any delay:	Awaiting consultation reply from key consultee		Online application file here

Summary of Officer Recommendation: Grant

Summary of Officer Assessment

The application site encompasses two small land parcels within the Mill Farm Sports Village (MFSV) complex, that is located to the north west of Kirkham:

- 1) an existing surface water attenuation pond (40m x 20m) that forms part of the surface water drainage design for MFSV located to the north of the site, and,
- 2) a square shaped land parcel located to the west of Coronation Way formerly used as a menage associated to the adjacent stables that is now overgrown.

The two land parcels have different designations in the Fylde Local Plan to 2032 (Incorporating Partial Review) with the existing pond (1) forming part of a larger Mixed use land allocation that covers MFSV, and the other parcel (2) within a Countryside Area.

The application involves the relocation of the existing surface water pond that forms a key element of the Mill Farm site's drainage arrangements. The works include the infilling of the northern pond, and the excavation and landscaping of a new pond. The existing pond occupies a portion of a site that forms part of a separate planning application for employment development (ref: 22/0616). If this employment development is approved and the consent implemented, then the pond will require relocation since its siting is affected by the building that is proposed under that application.

Policy GD4 is of relevance to the principle of development within the countryside and is restrictive to new development to preserve the rural character of these countryside areas. It is Officer opinion that a pond is an appropriate development for a rural location given its natural form and that such features are commonly found across the Fylde countryside. Water bodies of this type are synonymous with the countryside and would not appear prominent within the landscape or alter the present character of the countryside.

In addition, the relocation of the pond from its current location would facilitate the future development of its current location which is within the mixed use allocation and so allows a more efficient use of land that is specifically allocated for development in the Local Plan. Its removal would free up a larger developable area, that would then be available for the future development of this area of the site which has remained undeveloped since its allocation.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

It is not considered that the development will have an unacceptable impact on highway safety, flood risk and drainage, or ecology.

On this basis the development is considered to be in accordance with the development plan and therefore constitutes sustainable development. In accordance with paragraph 11c) of the NPPF23, the proposal should be approved without delay and the Officer recommendation is that Members support the application subject to a schedule of appropriate conditions.

Reason for Decision Level

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

Site Description and Location

The application site is located to the north of the Mill Farm complex (including roadside services, food supermarket, football stadium, industrial unit and sports village), and encompasses two segregated elements:

- 1) An existing surface water holding pond located to the north of the complex and west of existing sports pitches.
- 2) A square shaped land parcel located to the west of Coronation Way and parking area that serves the Sports Village. Whilst now overgrown, aerial imagery indicates an almost square plot formed by fencing, indicating use as a menage associated to adjacent stables.

The application site has a dual designation within the adopted Fylde Local Plan to 2032 (Incorporating Partial Review), with 1) forming part of a much larger Mixed Use and Large Developed allocation that covers the entire Mill Farm complex, and 2) Countryside area.

Details of Proposal

Planning permission is sought for the relocation of an existing pond that provides a part of the surface water drainage arrangements on the Mill Farm site. The existing pond is located adjacent to the brook which flows along the northern boundary of the Mill Farm site and is designed to hold water which is then discharged into that brook at a controlled rate. The proposal is to replace that with a new pond situated to the south that replicates its function and so is connected to the brook by a new drainage outfall. The new pond is designed with dimensions of circa 50m x 60m and an operating depth of 1.5m.

The submitted Cover Letter confirms that *'The existing pond will be removed subject to approval of the live application for the commercial unit to the north (application ref: 22/0616). Therefore, a new attenuation pond is proposed to be situated on this portion of the site and has been designed to accommodate the discharge of surface water associated with the wider Mill Farm Sports Village.'*

A flood risk assessment and surface water drainage strategy (TRP Consulting, 7198, May 2023) and Ecology Appraisal (Rachel Hacking Ecology, RHE.3500, 08/08/23) accompany the submission.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Relevant Planning/Appeal History

Reference	Description	Decision	Date	Appeal
22/0616	ERECTION OF EMPLOYMENT BUILDING PROVIDING A MIXTURE OF MANUFACTURING/ASSEMBLY (CLASS B2) AND STORAGE / DISTRIBUTION (CLASS B8), AND ANCILLARY OFFICES / SHOWROOM AREA, INCLUDING CAR PARKING AND LANDSCAPING AREAS	Undetermined		
21/0894	ERECTION OF NORTH STAND WITH STANDING CAPACITY OF 1,800 AND ASSOCIATED SUPPORTER FACILITIES BELOW, INCLUDING CAR PARKING AREA AND ANCILLARY FACILITIES	Undetermined		
20/0135	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS ON PLANNING PERMISSION 13/0655 - CONDITION 33 (CAR PARKING MANAGEMENT STRATEGY)	Undetermined		
16/0621	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS ON PLANNING PERMISSION 13/0655 RELATING TO CONDITION 11- MAINTENANCE OF THE COMMUNAL AREAS, CONDITION 33- CAR PARK MANAGEMENT PLAN, CONDITION 34 - AFC FYLDE EVENT MANAGEMENT PLAN, CONDITION 34 - TRAFFIC MANAGEMENT PLAN AND CONDITION 46 - HOURS OF OPERATION	Refused	29 May 2018	CPMS element dismissed / maintenance element allowed 4 Jan 2019
15/0733	CONSTRUCTION OF 11 NO. ALL WEATHER FLOODLIT FOOTBALL PITCHES, 1 NO. ALL WEATHER FLOODLIT HOCKEY PITCH, 1 NO. HOCKEY PITCH SPECTATOR STAND PROVIDING SEATING FOR 256 SPECTATORS AND TEMPORARY CHANGING FACILITIES	Approve Subject to 106	11 July 2016	
15/0309	APPLICATION FOR APPROVAL OF ALL RESERVED MATTERS RELATING TO THE SURFACE WATER ATTENUATION POND LOCATED TO THE NORTH OF THE SITE APPROVED UNDER OUTLINE PLANNING PERMISSION 13/0655	Granted	13 October 2015	
13/0655	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	Approve Subject to 106	17 February 2015	

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

<p>ROAD WITH ACCESS FROM A585 ROUNDABOUT, ASSOCIATED PARKING, LANDSCAPING, DRAINAGE AND INFRASTRUCTURE</p> <p>OUTLINE PLANNING APPLICATION (ACCESS SOUGHT WITH OTHER MATTERS RESERVED)</p> <p>– , 8 X OUTDOOR FLOODLIT ALL WEATHER PITCHES, CHANGING ROOM BLOCK, PETROL FILLING STATION, 785m2 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</p>		
---	--	--

Parish/Town Council Observations

Parish/Town Council	Observations
Wesham Town Council	<p><u>Consultation sent 16 June 2023 – Comments received 22 Sept 2023</u></p> <p><i>“WTC rejects this application on the following grounds: drainage ponds in the designated Countryside area does NOT accord with planning policy or practice.</i></p> <p><i>This attenuation pond is proposed to replace an existing, fit-for-purpose, pond currently sited within the bounds of the MUS3. This proposed, new attenuation pond would be sited on land that is not part of the MUS3 parameters; i.e. designated “employment” land.</i></p> <p><i>The proposed location is part of the designated “countryside” area as per the Fylde Area Local Plan 2032, which is not earmarked for development.</i></p> <p><i>This proposed attenuation pond will blight the current Old Mill Farm property and significantly limit the capability of that Farm to continue to operate in future as a “countryside” venture.</i></p> <p><i>Therefore, moving this attenuation pond to the location identified in this planning application is effectively changing the area from a “countryside” zone to an “employment” zone defacto and without justification or approval for this change of use.</i></p> <p><i>The attenuation pond is currently located adjacent to Bradkirk Brook (designated a Main River by the Environment Agency). Movement of this attenuation pond to the location identified in this application means that the pond is no longer adjacent to Bradkirk Brook and the water course will have to flow through several hundred meters of pipework. The existing attenuation pond at Mill Farm is already not being managed/maintained properly; being already full of</i></p>

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

	<p><i>vegetation and trees that limit its effectiveness. We therefore have reason to conclude that the developer would struggle further to maintain a greater propensity of pipework and gullies.</i></p> <p><i>This new re-sited attenuation pond proposal is increasing the size from the existing one to accommodate further development on the Mill Farm development which indicates that this planning application is to facilitate future development on the Mill Farm development. One of which is the large building application 22/0616 which WTC have previously objected to and for which a revised application has been submitted for review. It would also further hinder the developer from meeting his outstanding planning commitments to provide adequate parking even for the existing site usage.</i></p> <p><i>When reviewing the first submission of 22/0616 Employment building planning application WTC have previously commented:</i></p> <p><i>Drainage in the area is already an issue and this build would exacerbate this issue further.</i></p> <p><i>Previous unrelated planning applications sought to use a significant part of the land proposed for this application for essential drainage for the existing Mill Farm Village development.</i></p> <p><i>Alternative proposals are not appropriate.</i></p> <p><i>This application to move the attenuation pond impacts on areas previously identified for car parking. The car parking issue remains unresolved.”</i></p>
--	---

Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
GMEU	<p>I would raise no overall objections to the proposals, but I would advise –</p> <ul style="list-style-type: none"> • That the initial drain-down and site clearance of the existing SUDS feature should be undertaken with care and under the supervision of a suitably qualified person, to avoid harm to any amphibians or other aquatic wildlife which may use this feature. • That a Landscaping Plan is prepared for the proposed new pond, designed to maximise the biodiversity value of the new feature. • That measures are implemented during any approved works to avoid the possible spread of the invasive plant Himalayan balsam, which has been recorded in the area. Under the terms of the Wildlife and Countryside Act 1981 (as amended), it is an offence to cause this plant to spread.
Lead Local Flood Authority	<p>Initially the LLFA advised that they had no comments to make on this application since it is subject to Standing Advice, and, is not an application that requires assessment by the LLFA.</p>

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

	<p>Following further dialogue between the Officer and the LLFA, further comments were provided as verbatim below:</p> <p><i>As I stated in my response email, the LLFA can only comment on the scope of this specific application. I'd need a lot more information about the existing system to be submitted if I were to comment/object, but even then I can't comment on the implications for the wider drainage design for Mill Farm as I have no information about the future developments referenced in the application.</i></p> <p><i>In theory, just relocating a pond should have minimal consequences, but since they are referring to an additional connection without specifying what that connection is serving, its impossible for me to comment either way. I can only propose that the LLFA will comment on the referenced future developments as and when they are submitted and the LLFA consulted. Otherwise, it is for the LPA to consider whether the drainage implications of this minor development are problematic.</i></p>
<p>United Utilities</p>	<p>No objection subject to condition.</p> <p>UU comment that they may have infrastructure on or adjacent to the application site, including a pumping station and rising main. A condition is suggested that safeguards these assets, as worded below:</p> <p><i>No construction shall commence until details of the means of ensuring the wastewater assets that are laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts from construction activities and the impacts post completion of the development on the wastewater assets that cross the site and identify mitigation measures to protect and prevent any damage to the pipeline both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.</i></p> <p><i>Reason: In the interest of public health and safety and to ensure protection of essential services.</i></p>

Neighbour Observations

Neighbours notified:	16 June 2023
Amended plans notified:	n/a
Site Notice Date:	27 June 2023
Press Notice Date:	n/a
Number of Responses	Total number of comments 0

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review):

EC1 - Overall Provision of Employment Land and Existing Employment Sites

GD4 - Development in the Countryside

GD5 - Large Developed Sites in the Countryside

GD6 - Promoting Mixed Use Development

ENV1 - Landscape

ENV2 - Biodiversity

CL1 - Flood Alleviation, Water Quality and Water Efficiency

CL2 - Surface Water Run-Off and Sustainable Drainage

NPPF – National Planning Policy Framework

NPPG – Planning Practice Guidance

Environmental Impact Assessment

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

Comment and Analysis

The main issues pertinent in assessment of this application are:

- 1) Principle of development, bearing in mind the site mixed allocation.
- 2) Landscape and visual impact.
- 3) Flood risk and drainage.
- 4) Ecology.

Principle of development

The application site, relative to the new drainage pond, is located within a Countryside Area. Strategic Policy GD4 relates to that designation and is a development restrictive policy in order to minimise the impact of such on the natural qualities of the countryside area. Development within such areas is restricted to specific forms only, namely:

- a) *where it is needed for the purposes of meeting local business and community needs; for the purposes of agriculture, horticulture or forestry; or other uses appropriate to a rural area, including uses which would help to diversify the rural economy, including small-scale tourist accommodation, holiday caravan sites and very exceptionally, larger scale tourism development. The development must be sensitive to its surroundings, must not have an unacceptable impact on*

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

local roads and should offer opportunities to make the location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).

- b) the re-use or rehabilitation of existing permanent and substantial buildings;*
- c) extensions to existing dwellings and other buildings in accordance with Policy H7;*
- d) development essentially needed for the continuation of an existing enterprise, facility or operation, of a type and scale which would not harm the character of the surrounding countryside;*
- e) isolated new homes in the countryside which meet the criteria set out in Policy H6;*
- f) minor infill development;*
- g) entry-level exception sites for first-time buyers (or those looking to rent their own home) on land not already allocated for housing which meets the criteria set out in the Framework and Policy GD7.*

A pond is not specifically referred to within GD4 by way of explicitly acceptable land uses, however it is Officer opinion that such a use is appropriate to a rural location given its natural form, and it being a typical feature found widely across the rural landscape of Fylde. It could therefore be considered as a use of land that is appropriate to a rural area and so sit under criterion a) above.

It is understood that the existing pond forms part of the surface water drainage arrangements for the Mill Farm Sports Village (MFSV) and is located to the north of the MFSV site. In the FLPPR this places it within the mixed use allocation under Policy SL4 relating to the strategic location for development of Kirkham and Wesham, Policy GD5 relating to Large Developed Sites in the Countryside, and Policy GD6 relating to mixed use development. All of these policies promote the development of the land for economic or leisure related uses, and whilst a surface water drainage pond is clearly an important element of the establishment of such uses, it is not itself contributing positively to the aims of the policies and is effectively reducing the productive area that is available for those uses. As such the loss of the pond from this area is a benefit of the application by allowing the allocated land to be utilised more effectively.

There is a current application for the employment development on that land (22/0616 listed above) which would require the removal of the pond were it to secure planning permission and be implemented. If this employment development is approved and the consent implemented, then the pond will require relocation since its siting is affected by the building proposed. This position is confirmed by the cover letter submitted with the current planning application. Whilst the relocation of the pond would be essential to facilitate the implementation of the employment development proposed under that application, it would also likely be a necessary element of any future development proposals for that allocation.

On this basis it is considered that the proposal to relocate the pond from the mixed use allocation to the countryside would allow a more effective use of the mixed use allocation, whilst bringing development into the countryside that does not conflict with the rural character of the area. Accordingly this proposal is acceptable in principle, with the new development being consistent with criteria a) and d) of Policy GD4.

In their comments on the application the Town Council refer to the replacement pond creating a 'blight' on the operation of the farm. There are no farming activities undertaken at the Old Mill Farm location, and even if there were it is quite common to find drainage ponds located in close proximity to agricultural activity, and so this concern is not considered to be one that could justify a refusal of the application. They also refer to their objections to the current application for an employment use on the site of the current pond under 22/0616. That application will be considered on its own merits at a later date, but the relevant point is that the land is allocated for a mixed use and so ensuring it is efficiently able to deliver that form of use is a planning benefit of this scheme.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Criteria a) and d) are however subject to 3 other tests, that require the development to be sensitive to its surroundings, must not have an impact on local road network, and should offer opportunities to make the location more sustainable. These are assessed further in the following sections of this report.

Is the development sensitive to its surroundings – landscape and visual impact

In addition to the requirements of Policy GD4a), Policy ENV1 applies to this assessment and requires new development to have regard to its visual impact within its landscape context and type that it is situated. Policy GD7 also states that all development will be expected to be of a high standard of design, taking account of character and appearance of the local area.

The application site of the new pond is designated as countryside, and forms part of a small network of fields that extend in a northerly and north easterly direction. It is however bound by built urban form of MFSV to the south and west, as well as farm and stable buildings to the east. Moreover, land parcels immediately to the north, as well as that to the south and east are allocated for development (Mixed Use and Employment) in the FLPPR. These allocations effectively form a ring of development surrounding a small parcel of countryside area that the application site for the pond forms a part of. The allocation to the north has not as yet been developed and this gives a false representation that the site and surrounds are more rural in character than they ultimately will be when this area is developed.

There are no PROWs on the application site or within fields that surround that the proposal could be viewed from. A footpath is located to the eastern side of Fleetwood Road, although the application site is screened from this vantage point by mature hedgerow and built form. The proposal is not therefore considered to be in a prominent location within the countryside.

Planning consent is sought for a pond, which by its nature is low lying to the existing ground level and would not therefore appear as a prominent feature within the landscape. In addition, a waterbody is a feature that is synonymous with the countryside, indeed there are a number of ponds within vicinity of the application site. The proposal will not therefore alter the present appearance of the site or character of the countryside to any great extent, especially bearing in mind the sites lack of prominence and changing character of the surrounds once allocations are built out.

Highway Safety

In addition to the highway safety aspects of GD4 a), GD7 also requires new development to provide for safe means of access.

The development does not propose any new access arrangement and would not encourage any additional vehicles movements other than that associated to the construction process. The proposal would not therefore undermine highway safety to any greater extent than the existing situation.

Is the location more sustainable?

Policy GD4 a) states that development should offer opportunities to make the location more acceptable, referring to improving the scope of sustainable transport including on foot, cycle and public transport by way of example.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Whilst the proposal would not improve access by sustainable means, the development will provide for a landscaped open waterbody and thereby enhance the biodiversity and habitat value of the site. This would be off set against the loss of the existing pond, but is unlikely to contribute toward any net loss of habitat or biodiversity given the similarities between the two. Notwithstanding, the sustainability requirements of GD4 are not mandatory in any event.

Drainage

Policy CL1 requires all new development to minimise flood risk by a number of specific criteria, including ensuring use of sustainable surface water drainage solutions, ensuring new development is directed away from high risk areas of flooding (Flood Zone 2 and 3) and the incorporation of mitigation in lower risk areas. Policy CL2 provides detailed design guidance for surface water drainage strategies, including attenuation requirements.

The planning application is accompanied by a flood risk and drainage strategy which confirms the site's location within Flood Zone 1. The drainage strategy confirms that the existing MFSV surface water drainage system will be amended to accommodate the revised pond location and to maintain existing connections and outfall to the brook. The strategy also confirms that the current restriction of discharge to the watercourse will be maintained at 126 l/s, with the attenuation volume of the new pond designed to account for climate change and future development.

The Lead Local Flood Authority (LLFA) have been pressed for comment on the planning application. They confirm that 'in theory, just relocating a pond should have minimal consequences' and that 'they cannot comment on the implication for the wider drainage design since no information is available concerning future developments...'. Ultimately they advise that the 'LLFA will comment on any future development at MFSV, but otherwise it is for the LPA to consider whether the drainage implications of this minor development are problematic.'

It therefore appears that the LLFA have no objection to the relocation of the pond and will provide commentary concerning future development and use of the new pond as means of surface water attenuation, as that development comes forward. The submitted drainage strategy gives assurance that the existing surface water drainage runs will be redirected to the new pond, that increased attenuation will be provided, and that the existing discharge rate to Bradkirk Brook will be maintained at 126 l/s. The attenuation rate has been queried with the applicant since it appears high in comparison to the standard greenfield runoff rate. They have responded '*The 126 l/s was effectively the brownfield run off rate agreed for the overall development of the Mill Farm site. This was derived by considering the runoff from the original farm buildings and the green field run off from the new areas to be developed. The derivation of the 126 l/s is set out in the SW Drainage strategy (2013) prepared by PSA Design for the original development of the site and included in Appendix E1 of the current FRA and drainage strategy. The discharge limit of 126 l/s has been maintained in the current proposal and climate change allowances updated to reflect current guidance.*'

Moreover, in their comments to the original MFSV development (13/0655) the Environment Agency confirm acceptance of a run off rate of 126 l/s to Bradkirk Brook, requiring such by condition. Condition 49 of 13/0655 makes reference to this requirement.

It appears that the proposed drainage scheme is based upon that already in situ, with enhancements that include increased attenuation to account for changes in surface water drainage guidance over the past 10 years relating to increased climate change resilience. Officers believe that this is a reasonable approach and so it is not therefore considered that there would be any additional drainage implications from the scheme as proposed compared to the existing arrangement.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

United Utilities have also commented on the scheme and have not raised any objection on drainage grounds. They do however refer to the presence of their infrastructure on/ adjacent to the site and requested a condition to safeguard such from the development.

The development is located within a Flood Zone 1 area, and would not therefore be at risk from, nor would the sites development increase the risk of flood risk elsewhere. On this basis, it is considered that adequate measures can be put in place in order to ensure appropriate drainage provision and that the development poses no unacceptable risk in terms of flooding in accordance with the development plan and NPPF.

The Town Council's objection to the application highlights their view that the current pond is poorly maintained, and that as the current scheme moves the pond 'several hundred metres' from the outfall then the future maintenance arrangements will be more complex. From officer observations it is certainly the case that the existing pond is overgrown with vegetation, although it is unclear that this is compromising its operation as a drainage facility. However, the concerns of the Town Council regarding future maintenance are valid and so a condition should be imposed to ensure that appropriate measures are agreed prior to the construction of the pond on this. These should firstly ensure that it is landscaped as a visual benefit, but then require that this is maintained to ensure the pond continues to effectively operate as a drainage facility. This maintenance condition will also include the implementation and maintenance of the connections to the pond, and for the 300m distance from the pond to its outfall at the brook. These will form part of the officer recommendation along with a further condition regarding the timing of the construction of the pond to ensure that surface water drainage capacity is maintained at all times. This should address the Town Council's concerns in that regard.

Ecology

FLRRP Policy ENV2 states that the Council is committed to the protection and enhancement of the boroughs biodiversity and geological assets. The strongest protection will be given to sites of international importance (Ramsar, Special Area of Conservation, Special Protection Areas or candidate sites of such). Development affecting sites of local importance will be permitted only where there is an overriding local public need. ENV2 also safeguards protected species and states that development that has any adverse effect will not be supported, unless the benefits of development outweigh the ecological impact, and subject to appropriate mitigation. NPPF23 presents a similar situation, with the addition that new development should also provide for biodiversity net gain.

The site has no specific nature conservation designation in the adopted Local Plan.

The application was accompanied by an Ecology Appraisal, which concludes:

- No impacts are anticipated to affect any statutory or non-statutory designated sites due to the distance between the site and protected sites and the absence of impact pathways.
- The proposed development would result in the loss of the majority of the existing habitats on site. These habitats are common and widespread. No Habitats of Principal Importance are present.
- The attenuation pond on site is considered to offer suitable breeding habitat. However, Great Crested Newt is deemed absent due to the negative result of the eDNA test in 2022. Currently, the proposed development is considered unlikely to cause harm to Great Crested Newt.
- The remaining 6 ponds within 250 metres of the site boundary are considered to offer low suitability for Great Crested Newt breeding habitat or are no functionally linked to the site.
- Removal of scrub and ruderal herb could potentially affect nesting birds, should they be present.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

- No impacts to badger are anticipated.
- No impacts to bats are anticipated.
- Further newt survey work will be required if works have not commenced by July 2024.
- Ecological features should be protected through the construction process through submission of a Construction Environmental Management Plan.
- Mitigation measures to protect, maintain and enhance ecological features during the operational phase of development should be provided through submission of a Biodiversity Management Plan (BMP).
- To ensure that Badgers and any other mammals are not trapped or harmed during the construction work, smaller excavations should be covered if left overnight. Larger excavations, if left overnight or for longer periods, should be ramped to enable animals to escape.
- Site clearance should avoid the bird nesting season.
- The Himalayan Balsam present on site is to be eradicated prior to site clearance works using a recognised methodology.

The Council's ecology consultant comments that there are no overall objections to the proposal on ecology grounds. Whilst the Ecology Appraisal makes additional recommendations, GEMU advise that draining of the existing pond should be done with care so as to avoid harm to any amphibians or other aquatic wildlife, and require landscaping of the new pond as measure to deal with invasive species present on the site. Such matters can be controlled by condition or informative.

The proposal is therefore in accordance with the objectives of the FLPPR and the NPPF with regards ecological matters, with conditions imposed to ensure that the recommendations are implemented.

Aviation Safety

Policies T2 and T3 of the Fylde Local Plan states that Warton Aerodrome and Blackpool Airport will be protected from non-airport related development in order to support the continued operation and viability of these aviation centres.

The establishment of new water bodies can be of interest to BAE and Blackpool Airport due to the impact on bird movements that they can have, and so the potential for impact on radar and flight operations. In this case officers determined that the separation distance to these runways and their flight paths, and the fact that there is no change in the number or material scale of the water bodies, meant that aviation safety would not be compromised by the works.

Conclusions

Planning consent is sought for relocation of an existing drainage pond that will be located within a countryside area. The principle of development proposed is considered acceptable given that it would be appropriate to a rural location. In addition, the proposal would meet a local business need and is required for the continuation of an existing enterprise. It would also facilitate better use of land that use allocated for development within the FLPPR. Accordingly the principle of development is consistent with criteria a) and d) of Policy GD4.

The proposal would not undermine the rural landscape character, highway or aviation safety and will conserve the sustainability of its location through biodiversity and habitat creation.

On this basis the proposal is considered to be compliant with Policy GD4 a), GD7, ENV1, T2 and T3 of the Fylde Local Plan to 2032 (Incorporating Partial Review).

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of this permission.

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

2. This permission relates to the following plans:
 - Site Location Plan - Drawing no. 6513_AP_01 revision P2.
 - Proposed Site Plan - drawing no. 6513_AP_03 revision P3.

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

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

3. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, prior to commencement of the development hereby approved, a soft landscaping scheme for the pond to be infilled and the new pond shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs.

The approved landscaping scheme for the infilled pond shall be implemented within the next available planting season following the infilling of that pond.

The approved landscaping scheme for the new pond shall be implemented within the next available planting season following excavation of that pond.

Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD4, ENV1 and ENV2, and the National Planning Policy Framework.

4. No development shall take place until a method statement for the containment, control and/or removal of any invasive plant species (as defined within the Wildlife and Countryside Act 1981, as amended) which fall within the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

- a) measures to prevent the spread of invasive species during any operations (e.g. strimming, soil movement or land remodelling works) and to ensure that any soils brought to the site are free of the seeds, root or stem of any invasive plant (as defined by the Wildlife and Countryside Act 1981, as amended).
- b) a timetable for implementation (including any phasing for removal/control on different parts of the site);

The development shall thereafter be carried out in accordance with the details, timetable and phasing contained within the duly approved method statement.

Reason: To ensure the satisfactory treatment and disposal of invasive plant species which have been identified at the site before any development commences on affected areas of the site in accordance with the objectives of Fylde Local Plan to 2032 (incorporating Partial Review) policy ENV2, the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

5. No construction, site clearance or demolition shall commence until a scheme to protect the United Utilities wastewater assets that are present within the site boundary from damage resultant from construction of, or operation of the development has been submitted to and approved in writing by the Local Planning Authority. The details shall outline the potential impacts from construction activities and the impacts post completion of the development on the wastewater assets within the site boundary and identify mitigation measures to protect and prevent any damage to the assets both during construction and post completion of the development.

Construction of the development shall progress in complete accordance with the approved mitigation measures.

Reason: In the interest of public health and safety and to ensure protection of essential services, in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and INF1 and the National Planning Policy Framework.

6. Prior to commencement of the development hereby approved (including any site clearance, excavation or infilling of the existing pond) a construction phasing scheme that outlines a timetable for implementation of the development shall be submitted to and approved in writing by the Local Planning Authority. The phasing scheme shall include, but not be limited to, the timing of works relating to site clearance, excavation of the new pond, connection of existing surface water drainage to the new pond, infill of the new pond, and that appropriate mechanisms are put in place to ensure that appropriate surface water drainage of the site is maintained throughout that period.

The development shall be constructed in complete accordance with the approved construction phasing scheme.

Reason: To ensure that adequate measures are put in place for the disposal of surface water in accordance with policies CL1 and CL2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

7. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk and Surface Water Drainage Strategy (TRP Consulting, Project 7198, May 2023).

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with policies CL1 and CL2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

8. Prior to first operational use of the replacement pond as part of the surface water drainage arrangements on the Mill Farm site, a Surface Water Verification Report for that phase of development shall be submitted to and approved in writing by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme referred to in condition 7, and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing.

Reason: To ensure that agreed surface water design is implemented so that the development is not at risk of flooding and does not increase flood risk elsewhere, in accordance with the requirements of Fylde Local Plan to 2032 (Incorporating Partial Review) policies CL1 and CL2 and the National Planning Policy Framework.

9. Prior to first operational use of the replacement pond as part of the surface water drainage arrangements on the Mill Farm site, a lifetime management and maintenance plan for the approved surface water drainage system shall be submitted to and approved in writing by the local planning authority. The management and maintenance plan shall include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be maintained and managed in accordance with the approved plan.

Reason: To ensure that flood risks from the development to the future occupiers of the development and the occupiers of neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development is constructed in accordance with the duly approved surface water drainage scheme and that suitable measures are put in place for its future management and maintenance in accordance policies CL1 and CL2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

10. No clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation to be cleared does not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

Informative(s)

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

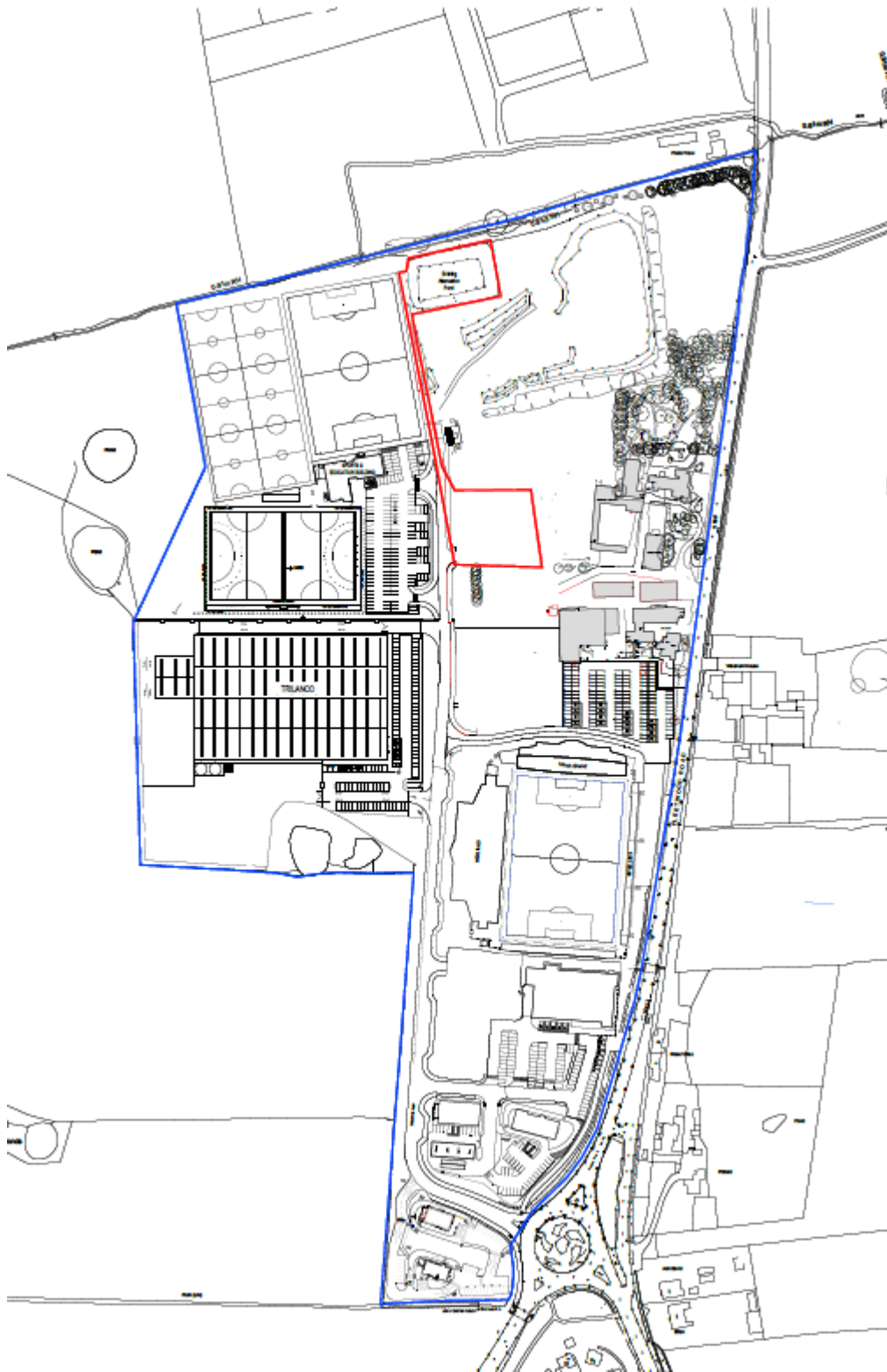
The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

2. Ecology Informative:

The initial drain-down and site clearance of the existing SUDS feature should be undertaken with care and under the supervision of a suitably qualified person, to avoid harm to any amphibians or other aquatic wildlife which may use this feature.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Location Plan for Item 3 – 23/0256



AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Item 4

Application No:	23/0409	Case Officer:	Andrew Stell Area Team 1
Applicant:	MR SMITH	Agent:	MR JAMES MAINWARING
Location:	PLOT 12, THE CHILTERNES, 197 KIRKHAM ROAD, FRECKLETON, LANCASHIRE PR4 1HU		
Proposal:	ERECTION OF DETACHED TWO STOREY DWELLING		
Ward:	Rural East Fylde	Parish:	Freckleton
Statutory Expiry:	11 August 2023	Earliest Decision:	13 July 2023
Reason for any delay:	Need to determine at Committee due to Parish / Town Council request	Online application file here	

Summary of Officer Recommendation: Approve Subject to s106

Summary of Officers Assessment

The application relates to the final plot on a site that has been developed residentially in the green belt outside of Freckleton village. The site was formerly occupied by a hydroponics research facility which contained a dwelling, a sizeable light industrial style building, and a series of glasshouses. That business ceased trading and planning permission was first granted in 2014 to redevelop the site for 12 dwellings. Following some modifications to that original scheme the site has been developed and 11 of the dwellings completed. This application relates to the final plot and proposes the erection of a dwelling of a revised design to that previously approved on that plot.

Local and national green belt planning policy allows for the erection of replacement buildings providing they are not materially larger than the existing building. In this case the existing building is a theoretical one that exists by virtue of the fallback position on the unimplemented, but extant, planning permission for a two storey dwelling on this plot.

The proposed dwelling has been reduced in scale since first submitted and is now of a scale that is comparable with that previously approved on the site. As such it is acceptable in principle as it satisfies the requirements of green belt policy to not be materially larger than the building it replaces,

The design of the dwelling is sympathetic to the rural location and the other dwellings on the site. The scheme provides an acceptable relationship to the neighbouring dwellings, provides appropriate parking arrangements, and is acceptable in all other regards.

Accordingly the proposal satisfies the requirements of Policy GD2 relating to green belt development, and Policy GD7 relating to wider planning considerations in the Fylde Local Plan to 2032 (incorporating Partial Review). It is therefore recommended for approval subject to conditions to require the submission of acceptable design details and to restrict the potential for further development of the plot without planning permission being first obtained. That decision is subject to a legal agreement that links this decision to that on the wider site which is subject to a s106 agreement relating to the payment of a £200,000 contribution to the council in lieu of the provision of affordable housing on site. As those contributions are currently outstanding it is necessary to require that this development makes a proportionate contribution to them, hence the need for a legal agreement to secure that.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

The Parish Council have objected to the development on the basis of the scheme being inappropriate in the green belt. This ignores the planning history of the site which is a relevant consideration as a viable fallback position, and ensures that their objections cannot be sustained as a reason for the refusal of the application. However as they remain on file it is necessary to present the application to Committee for a decision, albeit it is hoped that their further comments will be received in advance of the meeting itself now that officers have been able to provide the Clerk with clarification on the relevance of the planning history in the assessment of the application.

Reason for Decision Level

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

Site Description and Location

The application site is part of a larger rectangular shaped site that was previously a plant hydroponics research facility. This featured a bungalow dwelling to the road frontage that was in use as a series of flats, a large industrial-style building behind that, and an extensive area of glasshouses behind that. These were all demolished some years ago and the site has since been redeveloped for residential purposes as set out in the planning history below. The development is for 12 dwellings in a rural style with all but one of these built, and around half of them now occupied. Unfortunately the developer if the scheme went into administration prior to completing the development and sale of the properties and it is understood that the receivers are currently arranging for the outstanding works to be finalised to permit the completion of the development.

The current application specifically relates to plot 12 of that development which has not been commenced, although the site access road has been constructed to serve the plot and so it appears to be visually available for development.

The site is in the green belt where Policy GD2 of the Fylde Local Plan to 2032 (incorporating Partial Review) applies. This simply refers to national guidance in the NPPF for the assessment of development proposals. The site is in a 'finger' of development that spreads along Kirkham Road out of Freckleton, but has become intermittent at the point where this site is reached when travelling northwards, hence the green belt designation.

The surrounding land uses are open agricultural fields, predominantly in animal grazing uses.

Details of Proposal

Planning permission is sought for the replacement of the approved dwelling on plot 12 with a single dwelling of a different scale and design. The proposed dwelling takes its access from the internal access road which has been constructed to serve the plot with this leading to a parking and turning area. No garage facility is proposed. The dwelling is sited centrally on the plot with garden areas around.

The dwelling itself is two storey in scale with an off-set T-shaped footprint with maximum dimensions of 15.7m x 14m. The ground floor comprises a large central hallway serving 2 lounges, a study, a utility

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

room and WC, and a large dining / kitchen. At first floor the property provides 5 bedrooms, 4 of which are ensuite along with a bathroom and a large landing area.

The dwelling has a general styling to reflect others on the development with a lowered eaves height of 4m and a ridge of 7.6m. Materials are a mix of render and timber cladding to the walls, slates to the roof and timber detail for porches and other features.

Externally it is indicated that a hedgerow will be planted to either side of the access point to the internal access road with a timber gate feature installed at that point. A paved patio is to be provided around the dwelling with a tarmac driveway laid. No details of the boundary to the open space to the south of the site which formed part of the original planning permission are provided, although this area is outside of the application site and so must remain in that use. A condition will require that details of these are provided and are of a suitable rural arrangement with hedges and open fencing utilised.

Relevant Planning/Appeal History

Reference	Description	Decision	Date	Appeal
14/0895	REMOVAL OF EXISTING FLATS, GLASS HOUSE BUILDINGS AND INDUSTRIAL BUILDINGS, ERECTION OF 12 No NEW DWELLINGS, ERECTION OF A FISHING HUT, LANDSCAPING AND PROVISION OF COMMUNAL GREEN SPACE	Granted	03 December 2015	
18/0155	ERECTION OF 12 No NEW DWELLINGS, LANDSCAPING AND PROVISION OF COMMUNAL GREEN SPACE	Approve Subject to 106	27 February 2019	
19/0552	ERECTION OF 12 No. DWELLINGS WITH ASSOCIATED ACCESS ROAD, GARAGES AND PARKING SPACES AND USE OF WESTERN PART OF SITE AS AMENITY OPEN SPACE	Approve Subject to 106	12 June 2020	
20/0943	NON MATERIAL AMENDMENT TO PLANNING PERMISSION 19/0552 FOR AMENDMENTS TO: GARAGES; LAYOUT OF HARDSTANDING; PORCH WINDOWS AND DOORS; ADDITION OF WINDOWS TO SIDE ELEVATIONS AND REAR ELEVATIONS; THE ADDITION OF UTILITY BOXES; AND, INTERNAL LAYOUT CHANGES	Granted	26 March 2021	
21/0134	NON MATERIAL AMENDMENT TO PLANNING PERMISSION 19/0552 TO INCREASE DEPTH OF LINK BUILDING BETWEEN PLOTS 10 AND 11 TO ACCOMODATE A GARAGE ON PLOT 11	Granted	26 March 2021	
21/0329	REPLACEMENT OF APPROVED SINGLE DWELLING AT PLOT 12 ON PLANNING PERMISSION 19/0552 WITH TWO DWELLINGS. ERECTION OF TWO DETACHED CAR PORTS ASSOCIATED WITH NEW DWELLINGS, REVISIONS TO ACCESS AND LANDSCAPING	Refused	28 June 2021	Dismissed 24 June 2022

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review):

GD2 - Green Belt

H2 - Density and Mix of New Residential Development

GD7 - Achieving Good Design in Development

Other National Guidance

NPPF – National Planning Policy Framework (September 2023)

NPPG – Planning Practice Guidance

Environmental Impact Assessment

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

Comment and Analysis

Planning History and Principle of Development

The site is located in the green belt as designated under Policy GD2 of the Fylde Local Plan to 2032 (incorporating Partial Review). That policy refers to national guidance in the NPPF, which in turn states that the majority of new buildings in green belt areas are to be resisted in order to preserve the openness of those areas and to reflect that reason for their designation as green belt. The exceptions to this restriction concerning the construction of new buildings are limited, with those that do exist being set out in in criterion of para 149 of the NPPF, namely:

- a) *buildings for agriculture and forestry;*
- b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) *limited infilling in villages;*
- f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

- g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
- not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

The planning history section of this report confirms that the redevelopment of the former hydroponics site was first approved in 2014. This was then renewed in 2018 and replaced with a revised scheme in 2019. Whilst there have been a couple of non-material amendments to the 2019 scheme, that is the most recent planning permission and is important to the circumstance of this current application since it establishes the principle of the residential development on the site.

All but the application plot have been commenced, and as this plot forms part of that wider scheme the 2019 planning permission is extant and allows the dwelling that was approved under that scheme to be implemented. Whilst the erection of a dwelling on land located in the green belt would normally be unacceptable as it would constitute 'inappropriate development', the existence of the extant planning permission is a fallback position for the assessment of this application that supports the principle of development applied for.

That does not mean that a dwelling of any scale can be constructed on the plot as the guidance in para 149 states that the exception to the restrictions on inappropriate development in the green belt is for "*d) the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces*". This is the exception that was used when the redevelopment of the hydroponics site was first approved, and is the only possible exception that can apply to the current application.

Whilst there is no building on the site at present, the fallback position to build the dwelling approved in the 2019 establishes a theoretical scale of that building.

The planning history also includes an application from 2021 which sought to replace the approved dwelling on plot 12 with a pair of dwellings. That application was refused by the council and was dismissed following an appeal to the Planning Inspectorate. That appeal decision confirmed the situation that whilst a replacement dwelling on the site is acceptable in principle, its scale cannot be materially larger than the approved dwelling as that would represent inappropriate development that would conflict with green belt policy. The 2021 scheme was for a larger building with detached garages that were collectively almost double the size of the approved dwelling. The Inspector found that they were unacceptable as a result, and also as a consequence of their impact on their character and appearance of the area. He found no other material considerations in favour of the scheme and so dismissed the appeal due to the green belt conflict. This decision is a material consideration in the assessment of this application.

The summary of this is therefore that the principle of the erection of a dwelling on the site is acceptable by virtue of the existence of the existing extant planning permission, but the dwelling that is proposed must reflect the scale of the previously approved scheme. It must also satisfy the other normal planning considerations and so these are assessed further in the report below.

It is noted that the Parish Council object to the application on the basis that they see the scheme as being inappropriate development in the green belt. This position would be correct without the planning history set out here, and so officers have advised the Parish Council of this position to see if

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

they wish to offer further comments on the application, with these being provided in a Late Representations report if any are received.

Compliance with Green Belt Policy

With the location of the site being in the green belt and the clarity provided by the recent appeal decision the key test in the assessment of this application will be the scale of the proposed dwelling compared to that of the existing approval, and how that scale could spatially impact on the openness of the green belt.

The approved dwelling (Type F of 19/0552) is a rectangular dwelling with gabled roof over two storeys in a central core that includes some accommodation in the roof and then smaller two storey and single storey elements to each side with one of these providing a garage. It has an overall width of 22.8m and a depth of 6.7m to give a footprint of 153m². The roof has a ridge height of 8.5m and eaves of 5.5m to the tallest part and so the approved building has a volume of 823m³.

The proposed dwelling has been revised since first submission to reduce the scale, and now has a T-shaped footprint with maximum dimensions of 15.7m x 14m. The eaves height is 4m and ridge of 7.6m. This means that the proposed dwelling has a footprint of 142m² and a volume of 832m³.

These measurements confirm that in comparison to the approved dwelling on this plot the proposed scheme has a very slightly greater volume, but a smaller footprint and lower ridge and eaves heights, with this apparent discrepancy accounted for by the rounding undertaken with the measurement of the volume of the more complexly shaped dwelling proposed in this application.

An important background element to the assessment of this application is the appeal decision on the scheme that was considered in 2022. In that case the Inspector found that the increase in the scale (footprint and volume) of the building that was proposed in that scheme was unacceptable as it would reduce the openness of the green belt as a consequence of its greater physical size. That scheme had a volume of around 1,600m³ and so was a considerable increase in the scale of the building compared to the approval. The current scheme has a broadly equivalent volume and reduced dimensions in other respects when compared to the approved development. As such it is considered that it addresses the issues that lead to the earlier scheme being refused and then dismissed at appeal.

In addition to the mathematical assessment of the impact of the proposed dwelling on the openness of the green belt there is a need to undertake a spatial assessment. With its T-shaped form the proposed dwelling provides a greater spatial impact on openness than the approved scheme. However, this is offset by the design being lower in height and with lower eaves detailing it helps reduce the apparent bulk of the dwelling in comparison to the more vertical scale of the approved scheme. The building is proposed for a similar location on the site as the previous approval, with this being at the end of the development on the wider site and so largely seen against its backdrop from the distance vantage points that are available. Accordingly, it is accepted that the spatial impact on openness is also acceptable.

As a final aspect of this assessment the absence of any garaging or other external storage in the scheme creates a concern that further development proposals will come forward at the site. It seems highly unlikely that a 5 bedrooled dwelling that is located at the end of a cul-de-sac of development which is itself outside of the village boundary would not generate a need for vehicle use, and that there would be a need for some storage space for those vehicles and the other domestic equipment associated with the occupation of a dwelling of this scale. The existing approval included an attached

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

garage that contributed 140m³ (17%) of its volume, with the current scheme utilising that volume for habitable accommodation.

To avoid the potential for a garage or other outbuilding to be erected without planning permission, and so create uncontrolled volume on the site, it is appropriate to withdraw the permitted development rights that would allow its construction along with those that would allow other domestic extensions to the dwelling. This point has been raised with the applicant's agent who has not sought to revise the plans to accommodate any garage or storage arrangements, and is aware of the likely impacts that a future proposal for these would raise with green belt policy.

Having considered this aspect carefully, and secured revised plans to reduce the scale of the proposed dwelling from first submitted, it is considered that the scheme now proposed is of a sufficiently similar scale to the approved dwelling that it does not have a greater impact on the openness of the green belt than the approved dwelling. This is the case under both a mathematical and a spatial assessment of its impact. Accordingly the proposal satisfies the requirements of element d) of para 149 of the NPPF which requires that a building is not materially larger than the one that it replaces, albeit this is a theoretical replacement in this case as the approved building has not been constructed. This also therefore ensures compliance with Policy GD2 of the FLPPR.

Design and Landscape Impacts

In the assessment of the 2022 appeal scheme the Inspector made criticism of the development proposed at that time as a result of that scheme's failure to reflect the farmhouse and associated rural outbuilding style development that is a characteristic of the remainder of the development on the wider site. He found that the design and the arrangement of the two properties would be awkward in that context and so dismissed the appeal on this basis also.

The scheme proposed in the current application is of a slightly different style to that found elsewhere but it has many commonalities with that scheme in that it is two storey, is constructed with elements of brick and timber cladding, it has gabled roofs with low eaves, and timber supports to porches. Furthermore, the windows are traditional in their scale with a vertical emphasis to their layout, and there is a chimney to the side of one of the gables.

The dwelling clearly reads as a single dwelling and with the above characteristics will appear as a largely comfortable addition to the wider development. As such it will satisfy the requirements of Policy GD7 in that respect.

Externally the site does include a larger area of hardstanding, and includes gates that were not shown on the previously approved scheme. These do add some urbanising features to the site over that previously approved but are unlikely to be excessively harmful to the appearance of the site or its contribution to the wider landscape, with a condition to be imposed to ensure that the gates and all other boundary treatments reflect the rural location.

A key element of this will be the provision of an effective landscaping treatment to the south of the site where the curtilage of this dwelling meets an area of open space that is designed as a buffer between the residential development on the agricultural land around the site. This is a part of the former hydroponics site that features some glasshouses and the removal of these and the planting of this area was an important benefit from that scheme with regard sites overall compliance with green belt policy.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

With the imposition of a condition regarding boundary treatments, one relating to the landscaping of the site, and one relating to the materials of the dwelling the council will be able to ensure that these details are all appropriate of the site prior to the construction of the dwelling. With these safeguards the proposal will satisfy the requirements of Policy GD7.

Neighbour Relationships

The application site is a rectangular area at the head of the cul-de-sac of development now known as The Chilterns. The previous approval placed the dwelling so that its rear elevation faced the rear of the dwellings to the east as the only direct neighbours to the site. Whilst that elevation featured a range of habitable windows, this was adequately separated from the neighbours on that side to ensure that the privacy and massing relationships between the dwellings were acceptable.

The current scheme takes a different approach to the development and rotates the dwelling so that its main aspects face to the open countryside to the west and sides, with its 'rear' elevation facing the nearest neighbours. This elevation contains a window to a kitchen and a window and door to a utility room at ground floor, and a pair of bathroom windows at first floor facing this property. As these first floor windows will be obscurely glazed then there will be no impact on amenity of the neighbours arising from the revised dwelling that is proposed in this application. Equally, the proposal retains the same separation to the neighbours at 14m from the boundary and then a further 10m to the dwelling. This separation is adequate to ensure that the occupiers of the application property will not suffer undue overlooking into the kitchen window from those dwellings.

It is also the case that the separation and roof height of the proposed building are such that it safeguards any massing impacts or other such physical impacts on the neighbouring dwellings. Accordingly the scheme satisfies the requirements of Policy GD7 in this respect.

Access and Parking

The site is accessed from a new residential estate road that serves the wider development and has been constructed to adoptable standards with a width that permits passing vehicles and a footway along one side. This meets Kirkham Road with a priority junction that has involved the provision of an improved standard of footway across the site frontage and appropriate pedestrian crossing points,, visibility spays, and other highway improvements. This arrangement is all in place and the replacement of the approved dwelling with that proposed in this application will not involve any further highway implications.

The scheme does not provide any garaging, but does provide ample areas for the parking and turning of vehicles to meet the 3 car parking space requirements of a dwelling of this scale. Therefore there are no concerns over the design and arrangement of the access and parking provision proposed with this scheme and it satisfies Policy GD7 in that regard.

Other Matters

One point of note with this application is the provision of affordable housing. The wider scheme as approved in 2014 and later permission included a s106 agreement to secure the provision of contributions in lieu of on-site affordable housing provision. Those contributions were based on the 12 dwelling scheme, with the requirement for payment of two £100,000 contributions phased on the occupation of 6 and then 9 dwellings. As this scheme forms part of that wider development it is necessary for the obligations of that s106 agreement to apply to this application as part of that wider development. Accordingly the decision on this application will need to be subject to a Deed of

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Variation which extends the scope of the existing s106 agreement to include this current application, thereby ensuring the proposal the required affordable housing obligations are met.

The other aspect of note for a scheme of this nature where a dwelling is proposed in a green belt location is the drainage of the site. However, this was resolved through the original planning permission for the development of the wider site which saw new drainage infrastructure provided to serve that development to modern standards. This property will therefore simply tie into that drainage in the same way that the approved dwelling on plot 12 of that wider permission would do.

Conclusions

The application relates to the erection of a detached two storey dwelling on the one remaining plot on a residential site in the green belt outside of Freckleton. The application site benefits from the fallback position of there being an extant planning permission for a dwelling. The proposed dwelling is not materially larger than that dwelling and so satisfies the requirements of green belt guidance in the NPPF and so Policy GD2 of the FLPPR.

The scheme is acceptable in all other regards such as its design, relationship to neighbours and the provision of a suitable landscaping scheme. It is therefore in full accordance with Policy GD7 and the other relevant policies of the FLPPR. The officer recommendation is therefore to grant planning permission on conclusion of a legal agreement to link this decision to that which applies over the wider site to ensure that it makes its proportionate contribution to the wider s106 obligations regarding affordable housing provision.

Recommendation

That Planning Permission be GRANTED subject to the satisfactory completion of a planning obligation that links the development on this plot on the wider site under this application to the outstanding obligations of the s106 agreement associated with planning permission 19/0552 relating to the payment of a proportionate element of the overall financial contribution due in lieu of the provisions of affordable housing on the wider site, and the following conditions:

1. The development must be begun not later than the expiration of three years from the date of this permission.

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

2. This permission relates to the following plans:

- Location Plan - Stanford Drawing dated 21/07/2014
- Proposed Site Plan - JMW drawing 127-02-01 Rev A
- Proposed Floor plans - JMW drawing 127-03-02 Rev B
- Proposed Elevations - JMW drawing 127-03-03 Rev A

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

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

policies contained within the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework.

3. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works of development shall take place until samples or full details of all materials to be used on the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved details.

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

4. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, before the dwelling hereby approved is first occupied a soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs. This shall include details of the boundary to the south west of the site which shall be a native species hedgerow only.

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

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

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

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the revocation and re-enactment thereof, with or without modification), no development permitted by Schedule 2, Part 1, Classes A, B, C, D and E shall be carried out at the dwelling hereby approved.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Reason: The development has been permitted within the green belt on the basis that the proposed dwelling would have no greater impact on the function and purposes of designating land within the green belt in comparison to the approved dwelling on this plot. Accordingly, it is necessary to withdraw permitted development rights that would otherwise allow the construction of large extensions, alterations to roofspace and/or the erection of large outbuildings within garden of the replacement dwelling in order to ensure that such development would not undermine the function and purposes of the green belt in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD2 and the relevant section of the NPPF relating to the development that can be accepted in green belt areas.

7. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof (with or without modification), no gates, fences, walls or other means of enclosure shall be erected, constructed, improved or altered within or to the boundaries of the curtilage of the dwelling (identified on the approved site plan listed in condition 2 of this permission).

Reason: To ensure that any boundary treatments provided to enclose the extended garden area are of an appropriate design that is sympathetic to the character and appearance of the site and its rural surroundings in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7, and the National Planning Policy Framework.

Informative(s)

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Location Plan for Item 4 – 23/0409



AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Item 5

Application No:	23/0457	Case Officer:	Alan Pinder Area Team 2
Applicant:	NESTER ESTATES	Agent:	NESTER ESTATES
Location:	AD ASTRA GUESTHOUSE, 39 DERBE ROAD, LYTHAM ST ANNES FY8 1NJ		
Proposal:	CHANGE OF USE OF BUILDING FROM A GUEST HOUSE (USE CLASS C1) TO A HOUSE IN MULTIPLE OCCUPATION FOR UP TO SIX RESIDENTS (USE CLASS C4)		
Ward:	Carnegie	Parish:	St Anne's on the Sea
Statutory Expiry:	18 September 2023	Earliest Decision:	15 August 2023
Reason for any delay:	Need to determine at Committee due to Parish / Town Council request	Online application file here	

Summary of Officer Recommendation: Grant

Summary of Officer Assessment

This application site relates to a three storey semi-detached property which is located in an area of similarly scaled properties in St Annes. The scheme is for the change of use of the property from its current lawful use as a holiday guesthouse (Class C1 Use) to use as a House in Multiple Occupation (HMO) providing six bedsits (Use Class C4).

Having assessed the application and the issues raised by it, including the comments of St Annes Town Council and the neighbour objection, it is considered that the proposal would not result in unacceptable prejudicial impacts and that the application accords with policies GD7 and H3 of the Fylde Local Plan to 2032 (incorporating Partial Review) and policy HOU2 of the St Annes Neighbourhood Plan 2016-2031. Conditions relating to the provision of the bicycle store and all the internal and external works approved being carried out prior to occupation are all considered to be appropriate and with their inclusion the officer recommendation is for approval.

Reason for Decision Level

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

Site Description and Location

The application site is the 'Ad Astra Guesthouse' at 39 Derbe Road, Lytham St. Annes. The guesthouse is a semi-detached, three storey property situated on the east side of the road. The area is characterised by similar scaled semi-detached properties, many of which have been subdivided into flats. The adjoining property to the south (No.41) is also a three storey holiday guesthouse and neighbouring directly to the north is No.37 which is a similar three storey semi-detached property that has been converted to residential flats.

The site is within the settlement of Lytham St. Annes as designated on the Fylde Local Plan to 2032 (incorporating Partial Review).

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Details of Proposal

Planning permission is sought for a change of use of the property from a holiday guesthouse (Use Class C1) to use as a House in Multiple Occupation (HMO) for up to six residents (Use Class C4).

The ground floor of the building consists of the main body of the building and an outrigger. Under this proposal the main body of the building would provide a communal kitchen and lounge area with the rear outrigger remaining in its current state as separate accommodation. At first floor there is also an outrigger and this floor provides four ensuite rooms, with a further two rooms provided on the second floor which does not have any outrigger element. No external changes or additions are proposed to the property to facilitate the change of use, with the frontage of the property remaining hard surfaced and available for the parking of 3 vehicles.

Relevant Planning/Appeal History

There is no recent planning history to report, with the only previous applications dating back to the 1970s and including a reference to providing additional accommodation to the rear for the manager of the guest house indicating the building has been in its current use for a considerable period.

Parish/Town Council Observations

Parish/Town Council	Observations
St Annes Town Council	<u>Comments received on 15 August 2023</u> <i>OBJECT - In conflict with Neighbourhood Plan Policy HOU2 C&E. One shared kitchen and lounge on the Ground Floor to accommodate 6 - 12 residents and guests. No outside amenity spaces. Concerns regarding only three parking spots for six residents, if all residents have cars that will add to the congestion on Derbe Road which impacts access/traffic.</i>

Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
LCC Highways	<i>LCC Highways does not have any objections in principle to the proposed change of use of building from a guest house (Use Class C1) to a house in multiple occupation for up to six residents (Use Class C4) - retrospective application, providing the applicant can address the issues regarding cycle storage, as detailed in this report.</i> <i>We would request that the applicant provides secure, covered cycle storage with space for a minimum of 6 cycles for communal cycle storage areas, to support social inclusion and promote sustainable forms of transport.</i>
Environmental Protection	No objections

Neighbour Observations

Neighbours notified: 25 July 2023
Site Notice Date: 25 July 2023

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Number of Responses	Total number of comments	1
Summary of Comments	The comments received are in opposition to the application and can be summarised as:	
	<ul style="list-style-type: none">• The change of use would create a security risk for the adjoining Cumbria Guesthouse due to an internal fire escape door that links into the application property• The shared internal wall with the Cumbria Guesthouse are very thin and not soundproofed. Permanent residents will create a noise nuisance due to loud music, TV, social gatherings, etc.• Would create a fire risk due to residents smoking• Will attract low income residents on benefits that have social issues and will potentially cause a nuisance to neighbouring properties• The adjoining Cumbria Guesthouse will be devalued and become less desirable to buyers• There is insufficient off street parking for six residents	

Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review):

GD1 - Settlement Boundaries

GD7 - Achieving Good Design in Development

H3 - Conversions and Change of Use to Residential

STANP - St Annes on the Sea Neighbourhood Plan³

National Guidance

NPPF – National Planning Policy Framework

NPPG – Planning Practice Guidance

Environmental Impact Assessment

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

Comment and Analysis

Principle of Development

The application site is located in a residential area of Lytham St Annes and within the settlement

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

boundary as defined by Policy GD1 of FLPPR where development is generally directed by the plan, subject to assessment against all relevant Local Plan policies. In this case that would be Policy H3 regarding the conversion of and change of use of properties to residential use, and Policy GD7 which cover general design principles required for development to be looked upon favourably. Whilst the property is in a holiday / tourism use, it is not within the area that is specifically designated for that use under Policy EC7 and so the protection to properties in a tourism use in those areas from being changed to other uses under that policy do not apply in this case.

As the site is within St. Annes Town Council's area, policy HOU2 of the St Annes Neighbourhood Plan (STANP) is also a relevant consideration for this application. HOU2 relates to the conversion of existing properties to Houses in Multiple Occupation (HMOs) and lists six criteria that a proposal should accord with which are listed and assessed later in this report.

Impact on the Streetscene and Design

The application property is a large 6 bedroomed three storey guesthouse located on the eastern side of Derbe Road including managers accommodation in a ground floor rear outrigger. The application does not propose any additions or alterations to the exterior of the building or the front forecourt area to its curtilage. Accordingly the appearance of the existing building and streetscene would remain unaltered and the development therefore accords with the criteria of policy GD7 and H3 that relate to such matters.

Impact on Neighbour Amenity

The application property is a three storey semi-detached guesthouse where the immediate neighbours to each side are another three storey guesthouse (The Cumbria, No. 41) which forms the other half of the semi-detached property, and No.37 to the other side which is in lawful use as six residential flats. The remainder of the road comprises a mix of single dwellings, properties sub-divided into flats, and other small hotels and guest houses.

One neighbour has objected to the application on the grounds that the change of use would result in noise disturbance and potentially an increase in anti-social behaviour (ASB). However given that the application property has a lawful use as a holiday guesthouse and is located on a road where there are several multiple occupancy properties and holiday uses properties, it is considered that the potential for increase in noise and disturbance as a result of the use as a HMO would be negligible given the character of the area and the occupancy of the properties. If late night noise nuisance were to become a regular occurrence these can be dealt with via the Council's Environmental Protection Team or the Police in the same way that any noise nuisance or ASB would be dealt with.

Accordingly the proposed development is considered to accord with policy H3 and the criteria of policy GD7 that relate to neighbour amenity.

Highways and Parking

The Town Council and one neighbour have objected to the application on the grounds that there is insufficient off street car parking provision to meet the needs of the proposed HMO's residents.

Residents of Derbe Road do not have allocated on street parking, and private parking is restricted to those spaces within the owner's own property, as is the case with the application property. The forecourt of the site is capable of providing parking for three vehicles, which is the same parking provision for the majority of the properties in this road. Alternative parking is available on-street as

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Derbe Road and several of the neighbouring streets around the area have unrestricted parking which could accommodate a potential increase in demand for parking spaces as a result of this proposal.

Whilst the potential increase in demand for parking spaces may result in some residents looking elsewhere for parking spaces, which may be an inconvenience for them, the impact of the development is not considered to be of such a level as to result in a detriment to highway safety nor residential cumulative impact on the road network be at a level which is severe and as a consequence warrants a refusal of the application.

Furthermore the level of parking required for the HMO use would not be dissimilar to that required by the lawful use as a six bedrooled holiday guesthouse. A main bus route, with a bus stop *circa* 240 metres distant on Clifton Drive South and served by three bus services, also provides good public transport links between Lytham and Blackpool via St Annes. It is noted that LCC Highways have not objected to the proposed scheme but have requested that secure cycle storage provision be provided in order to support social inclusion and promote sustainable forms of transport. A condition to that effect would be attached to the permission if granted.

Having regard for the above the development is considered to accord with policy H3 and the criteria of Policy GD7 that relate to highways impacts.

Compliance with Policy HOU2 of St Annes Neighbourhood Plan

The Town Council's comments highlight that in their view the scheme is in conflict with Policy HOU2 of the St Annes Neighbourhood Plan. As this is a 'made' Plan it is part of the development plan and so must be given full weight in the decision on the application. Policy HOU2 refers to the conversion of existing properties into flats and HMOs and so is directly relevant to this scheme. The Policy states:

In determining planning applications to convert property to flats or Houses in Multiple Occupation (HMOs), the council will have regard to:

- a) *the standard of accommodation for the intended occupiers of the premises,*
- b) *effects on adjoining houses as a result of noise from flats passing through party walls and affecting adjoining houses;*
- c) *adequacy of car parking provision,*
- d) *general effects on the character of the neighbourhood, including the extent to which flat conversion schemes are a new or an established feature of the immediate area, avoiding the loss of front gardens and the retention of existing trees and shrubs;*
- e) *adequate private outdoor amenity space*
- f) *adequate provision and screening for, waste and recycling facilities.*

To assess this application against these requirements the officer views are as follows:

- a) The proposal meets the standards set out in the Housing Act 2004 to allow the council to licence the HMO under that legislation, and so it is considered that the scheme must comply with this requirement. If planning permission is granted for this development then the applicant would also require a HMO Licence from the council's Housing Department who would assess both the suitability of the accommodation at the property and the applicant's suitability to hold such a Licence.
- b) There are no planning or building regulation controls over this. If a statutory noise nuisance situation occurs in the future as a result of the activities of the HMO's residents then the council could use its Environmental Protection powers to intervene as with any domestic situation.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

- c) Whilst there are only 3 spaces provided the site is in allocation where there is good accessibility to all services in St Annes town centre, the facilities on Alexandria Drive Road, the open space on the dunes and the beach, the Island facilities, etc.
- d) The general character of Derbe Road is one where flats and other 'non single dwelling' uses are found, and so the conversion of this property from one such use to another would not be incongruous
- e) The amenity space available is limited but many properties that are laid out as flats or HMOs do not benefit from private amenity space. The property is located less than 100m from Fairhaven Dunes from where there is ready access to open space should any resident wish to spend time outdoors.
- f) The refuse provision will remain as per the existing six bedroomed guest house.

For the reasons set out above it is considered that the proposal complies with policy HOU2 of the STANP.

One neighbour has raised objections on the grounds of impact on property values, the type of tenants that may reside at the property, and potential fire hazards/escapes that might result from the development. These are not material planning considerations which are relevant to the determination of a planning application; the behaviour of residents and potential fire hazards would be dealt with by other legislation. It is an established principle of the planning system that it does not exist to protect the private interests of one person against the activities of another. Instead, the basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

This is clarified in paragraph 008 of the 'determining a planning application' chapter to the NPPG which states that "the scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations."

Conclusions

The application relates to the change of use of an existing six bedroomed holiday guesthouse (Use Class C1) to use as a House in Multiple Occupation with six residential rooms (Use Class C4). Having considered the impact on the amenity of the streetscene and the neighbouring properties, and potential highways impacts it is considered that the proposed development complies with Policies GD7 and H3 of the FLPPR and Policies HOU2 of the St Annes Neighbourhood Plan 2016-2031. The application is therefore recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of this permission.

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

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

2. This permission relates to the following plans:
 - Location Plan - Supplied by 'UK Planning Maps', dated 26 April 2023
 - Proposed Elevations & Floor Plans - Drawing no. 03-202 Sheet-02

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

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

3. The individual bedsits shall be arranged within the building as shown on the approved floor layout plan listed in condition 2 of this permission, and shall provide the bed sitting and en suite accommodation shown on that plan only, with the communal kitchen, dining and sitting areas all available at all times that the property is occupied in accordance with this use for their respective purposes.

Reason: To ensure that the bedsits provide an appropriate level of space for their occupiers, and to ensure that communal facilities are provided and retained to support that occupation in accordance with the requirements of Policy H2 of the Fylde Local Plan to 2032 and Policy HOU2 of the St Anne's Neighbourhood Plan.

4. Prior to the first occupation of any part of the House in Multiple Occupation (HMO) hereby approved a secure and covered cycle store for 6 bicycles shall be provided for use by occupiers of the HMO. Full details (including siting) of the cycle store are to be submitted to, and approved in writing by, the Local Planning Authority prior to its provision. The cycle store shall thereafter be retained in its approved form.

Reason: In the interests of promoting sustainable forms of transport, in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

Informative(s)

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Location Plan for Item 5 – 23/0457



AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Item 6

Application No:	23/0508	Case Officer:	Mark Evans Area Team 1
Applicant:	ROYAL LYTHAM & ST ANNES GOLF CLUB	Agent:	MR MIKE HUGHES
Location:	ROYAL LYTHAM AND ST ANNES GOLF CLUB, LINKS GATE, LYTHAM ST ANNES LANCASHIRE FY8 3LQ		
Proposal:	GOLF COURSE REMODELLING WORKS: A) RELOCATION OF THE GREEN TO 7TH HOLE FURTHER SOUTH TO PROVIDE SPECTATOR ACCESS ON BOTH SIDES AND ASSOCIATED RE-ROUTING OF PART OF THE FAIRWAY AND ALTERATIONS TO BUNKERS; AND B) REMOVAL OF THE DUNE TO THE SOUTH OF THE 10TH FAIRWAY AND GROUND RESHAPING, LEVELLING OF A LOW AREA OF 10TH FAIRWAY AND FORMATION OF LOW DUNES AND NEW BUNKER, TOGETHER WITH ASSOCIATED LANDSCAPING AND DRAINAGE WORKS.		
Ward:	Heyhouses New	Parish:	St Anne's on the Sea
Statutory Expiry:	24 October 2023	Earliest Decision:	24 August 2023
Reason for any delay:	Not applicable		Online application file here

Summary of Officer Recommendation: Grant

Summary of Officer Assessment

This application proposes amending the position of the 7th green and works to improve the 10th fairway at Royal Lytham St Annes Golf Course. The proposed works would be in keeping with the landform of the course and have been proposed so that it continues to meet organisers' expectations and requirements to host major international competitions and championships.

The importance of the championship status of the course to the local area is well recognised and the works are considered to be in line with the objectives of the local plan that seek to secure the future of areas of open space such as this and to promote high-quality sporting facilities. This must be balanced against any potential adverse impacts from the works, primarily to the ecological habitats present on the course. The applicant's supporting studies and surveys indicate that the alterations to the course can be implemented in a sensitive manner, avoiding any adverse impact on the ecology of the site. The council's ecological advisor has reviewed the submitted studies and surveys and is satisfied that, subject to the imposition of appropriate planning conditions, there should not be any negative impact on the conservation value of the Biological Heritage Site (BHS) or any protected species.

Accordingly, members are recommended that the scheme should be supported as it satisfies the requirements of the Local Plan with regard the promotion of the course as a high-quality golf facility which in turn is a key driver to the borough from a social and economic perspective and the works will not have any negative impact on the ecology of the area.

Reason for Decision Level

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

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Site Description and Location

The Royal Lytham St Annes Golf Course is located to the north of the South Fylde Rail Line between St Thomas' Road and Woodlands Road. Being a traditional links course, it is generally open in nature with the fairways running through the dune system within which there are several copses of trees.

The golf course is generally surrounded and overlooked by residential properties, with those on the south side of the course being on the opposite side of the railway line. The exceptions to this are St Thomas' C of E Primary School to the west, the playing fields associated with Lytham St Annes High School/Blackpool and Fylde Collage along part of the north-eastern boundary and the rear of several commercial and residential properties fronting onto Woodlands Road, Ansdell to the east.

The site falls within the settlement boundary as defined in the policies map of the Fylde Local Plan to 2032 (incorporating Partial Review), which also identifies the golf course as a Biological Heritage Site, being cited for its species rich dune grassland, heath and scrub that sits alongside the greens and fairways of the course.

A public footpath crosses the course between Arundel Road and Links View. This passes between the two areas of work, but is not directly impacted by the proposed works.

Details of Proposal

The proposed alterations and improvement works relate to two separate areas of the course and comprise:

Works to 7th hole

This hole runs adjacent to and broadly parallel with Arundel Road. The tee is positioned just inside the course boundary to the immediate north of the hospital and heads in an easterly direction to a green that is situated to the west of the public footpath that crosses the course.

The works propose relocating the green further south so that spectator access and viewing areas can be created on both sides. As a consequence, an associated re-routing of part of the fairway and alterations to bunkers and surrounding landscaping features are also proposed.

Works to 10th hole

This hole runs adjacent to and broadly parallel with Links View and Rossall Road to the northern side of the course. The tee is positioned just inside the course boundary to the immediate rear of the Ansdell Social Club and heads in a westerly direction to a green that is situated immediately to the east of the public footpath that crosses the course.

The works proposed to this hole would involve the removal of the sand dune to the south of the fairway and ground reshaping, levelling of a low area of the fairway and formation of some low dunes and a new bunker, together with associated landscaping and drainage. This is also aimed at improving spectator access to the hole, as well as improving the hole by removing an area where balls tend to collect due to its current sunken topography.

General information

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

The applicants have indicated that this is the first phase of a schedule of proposed works to improve the golf course so that it continues to meet organisers' expectations and requirements to host major international competitions and championships.

The application is supported by a suite of documents including plans and visualisations of the proposals, landscaping details, ecological assessments and mitigation, a planning statement, and drainage details.

Relevant Planning/Appeal History

There have been many applications at the golf course over the years, both to undertake alterations and extensions to the buildings on the course, and to make alterations to the course itself, none of which are directly relevant to the current proposal. The most recent application to remodel the course itself was application 16/0007 which granted planning permission for the formation of a sand dune to the rear of the 9th hole to improve spectator facilities in that location which is at the extreme east of the course. Prior to that, application 08/0810 proposed remodelling of the dunes adjacent to the second and third holes ahead of the 2012 Open Championship.

Parish/Town Council Observations

Parish/Town Council	Observations
St Annes Town Council	<p><u>Comments received on 15 August 2023</u></p> <p><i>The Town Council recognises the need to upgrade the facility and Support the Application to encourage tourism and promote sporting events, (often major international tournaments), which, in turn, will benefit and improve surface water drainage, whilst ensuring no adverse effect on wildlife habitats and biodiversity. In keeping with Neighbourhood Plan EN1.</i></p>

Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
Natural England	<p>Raise no objection to the proposals stating "<i>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.</i>"</p> <p>They also signpost the council to the need to assess the application for its potential impacts on priority habitats and species, and the possible impacts on the Sites of Special Scientific Interest Impact Risk Zone which covers the golf course. The council has sought guidance from GMEU on these matters.</p>
Greater Manchester Ecology Unit (GMEU)	<p>They have reviewed the scheme and sought some clarifications on elements from the applicant's ecological advisors. The final GMEU comments are:</p>

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

	<p><u>Introduction</u> <i>The ecological survey work that has been submitted has been undertaken by suitably qualified ecologists and has followed best practice guidance in the survey methodology and mitigation design.</i></p> <p><u>Designated sites</u> <i>The site is within 1km of the Ribble Estuary (SPA, Ramsar, SSSI) designated for its coastal habitats and bird assemblages. The Preliminary Ecological Appraisal (PEA) report concludes that there are no potential Likely Significant Effects (LSE) on the Ribble Estuary, and based on the submitted evidence, GMEU would agree with this conclusion. This is also supported by the planning consultation response received by Natural England (03/08/2023) which raised no objection to the application. No further information is required with regards to Statutory Designated Sites.</i></p> <p><u>Biological Heritage Sites/Habitats</u> <i>The planning application site is entirely within a Biological Heritage Site (Royal Lytham St Annes Golf Course) which is selected for species-rich dune grassland, heath and scrub, representing one of the few remaining examples of fixed dune and heath on the Lancashire coast.</i></p> <p><i>The ecology survey recorded fixed dune habitat, an Annex 1 habitat, within the boundary of the application site, including in areas that will be directly impacted by the proposed works in this application, for example by the proposed work to move the 7th green.</i></p> <p><i>The PEA and Biodiversity Enhancement Plan have assessed the impacts of the proposed works on the BHS and Annex 1 habitat and provided mitigation measures and compensatory habitat creation which includes reshaping of the existing 7th green and translocation of the existing species rich turf/sand dune habitat to re-create the dune habitat that will be impacted as a result of the proposal. Further detailed methodology is proposed to be provided via a Landscape and Habitat Management Plan, should the application be granted planning permission.</i></p> <p><i>The submission of the Ecological Management Plan (2021), along with evidence of previous dune creation observed during the site visit, provides confidence that this translocation/habitat creation can be achieved on the site and that the personnel involved have the necessary expertise and experience to deliver such a project.</i></p> <p><i>The proposals will result in the direct loss of fixed sand dune habitat within Royal Lytham St Annes Golf Course BHS. The proposed submission includes outline details of appropriate working methodology and compensatory habitat creation of this habitat.</i></p> <p><i>Assuming these measures are implemented there should not be a negative impact on the conservation value of the BHS or the</i></p>
--	--

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

	<p><i>associated habitats, in compliance with Strategic Policy ENV2 of the Fylde Local Plan to 2032 (adopted December 2021).</i></p> <p><i>To ensure this is the case, it is advised that a pre-commencement condition is used to secure a Landscape and Habitat Management Plan, which should include details of the proposed grassland translocation method statement, details of the dune habitat creation, and long term habitat management and monitoring of the site.</i></p> <p><u><i>Protected Species</i></u></p> <p><i>Reptiles</i></p> <p><i>All species of reptile are protected from harm under the Wildlife and Countryside Act, 1981 (as amended). Optimal habitat for reptiles was recorded on the site. A small number of common lizard (2 adults and 1 juvenile) were recorded on the site, including 1 individual recorded in the dune habitat adjacent to the 7th green, within the application boundary.</i></p> <p><i>A precautionary method of works for reptiles is proposed within the reptile survey report, which provides outline measures for the works to safeguard individual reptiles from harm. Further detailed methodology is proposed to be provided in a detailed Precautionary Working Method Statement, should the planning application be granted.</i></p> <p><i>The translocation of the dune turves, and creation of fixed dune habitat around the 7th green will ensure that there is no loss of suitable reptile habitat as a result of the proposals.</i></p> <p><i>No further survey work or ecological information is required prior to determination, with regards to reptiles.</i></p> <p><i>We would recommend that a pre-commencement condition is used to ensure submission of a detailed Precautionary Working Method Statement (PWMS) for reptiles.</i></p> <p><i>Other protected species</i></p> <p><i>Survey work/habitat assessment for a number of other protected species has been undertaken as part of the PEA.</i></p> <p><i>Amphibians and riparian mammals were scoped out of the survey due to lack of suitable waterbodies on and within 250m of the site.</i></p> <p><i>No suitable bat roosting habitats are located within the application boundary, nor features which would provide suitable commuting/foraging habitat for bats located within the application boundary.</i></p> <p><i>No evidence of badger was recorded during the ecology survey.</i></p> <p><i>Suitable nesting bird habitat was recorded on the golf course, associated mainly with the woodland and scrub habitats present outside the application boundary.</i></p>
--	--

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

	<p><u>Comments/Recommendation</u> <i>No further survey work is required in relation to other protected species.</i></p> <p><i>Site clearance or works to habitat that is suitable for nesting birds (including ground nesting birds) should not be undertaken in the main bird nesting period (March – August) unless nesting bird checks have been undertaken by a suitably qualified person.</i></p> <p><i>An informative should be attached to any planning permission which may be granted so the applicant is aware of the legislation that is in place to protect biodiversity. If at any time they find or suspect a protected species is present on site, work must stop immediately and the LPA/Ecologist contacted for advice."</i></p>
FBC Drainage Engineer	Has suggested some enhancements which he believes could enhance the effectiveness of the drainage arrangements, but raises no objections to the scheme as presented.
Network Rail	<p>They highlight that the works are proposed in close proximity to the operational railway and so the developer needs to liaise with Network Rail to ensure that the works on site do not impact the safe operation, stability and integrity of the railway & its boundary.</p> <p>To facilitate this they provide a 'basic Asset Protection Agreement' which is for the developer to complete to set out the operational details of the proposed works so that these can be considered by Network Rail.</p> <p>This agreement has been passed to the developer for their attention, who is liaising directly with Network Rail in regard to these requirements.</p>
LCC Rights of Way Team	No comments have been received.

Neighbour Observations

<p>Neighbours notified:</p> <p>Site Notice Date:</p> <p>Press Notice Date:</p> <p>Number of Responses</p> <p>Summary of Comments</p>	<p>27 July 2023</p> <p>27 July 2023</p> <p>27 July 2023</p> <p>Total number of comments 4</p> <p>The comments received are all from residents on Arundel Road and all express concerns with the development proposals. Their concerns can be summarised as:</p> <ul style="list-style-type: none"> · The current arrangement of the 7th hole leads to stray balls regularly striking properties and cars on Arundel Road. Any
---	--

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

redesign of the course must introduce measures to remove that risk.

- Highlight that the right of way across the course is an important local connection and should not be impacted by the works, even during construction phases.
- This right of way is particularly well used as an access to local schools. If this were not available it would lead to longer, and possibly car-borne, journeys.
- Express concerns that trees may be lost from the course through these works.
- The scheme should be presented as a total package rather than in a series of phases. The showing of only these limited elements in this application may be an attempt to mask the ecological impacts of the wider development.

Relevant Planning Policy & Government Guidance

Paragraph 38(6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review):

GD1 - Settlement Boundaries Lytham St Annes)

ENV2 - Biodiversity - Biological Heritage Sites

ENV3 - Protecting Existing Open Space (Part of the Green Infrastructure Network)

EC6 - Leisure, Cultural and Tourism Development

HW3 - Protection and Provision of Indoor and Outdoor Sports Facilities

Other Policies and Guidance

NPPF – National Planning Policy Framework

NPPG – Planning Practice Guidance

STANP – St Annes on the Sea Neighbourhood Plan

EN1: Sites of biological and geological importance.

EN2: Green Infrastructure, Open Spaces, Local Green Space and Outdoor Recreational Facilities

Environmental Impact Assessment

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

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Comment and Analysis

Background to Scheme and Planning Policy

Royal Lytham St Annes Golf Club are proposing to make a series of alterations and improvements to the course so that it continues to meet organisers' expectations and requirements to host major international competitions and championships. It is proposed that the alterations will be carried out in two phases. This planning application is for the Phase One works and comprises relatively minor improvements to the 7th and 10th holes as described below. It is proposed that the Phase Two improvements will be the subject of a separate planning application, to be submitted later in the year.

The works proposed in this first phase are being brought forward ahead of the proposed Phase Two improvements as they include the formation of a new/re-located green for the 7th hole which will take several years to become established and reach championship standard. The improvement of the 10th hole is needed because it has gradually fallen below standard and has become an unsatisfactory hole for Club members and visiting players. This is because the mid-fairway sand dune makes a section of the hole 'blind' and there is also an area of the fairway where golf balls tend to 'collect' due to the sunken topography. In addition, the enhancement of the 10th hole will also improve the health and safety of the course for players as it will increase visibility along the fairway from the tee. The proposed works are shown on the submitted layout and cross section drawings, together with existing and proposed visualisations, and the rationale is explained further in an accompanying Planning Statement. The works also necessitate some limited alterations to the golf course drainage system which are shown and described in the submitted indicative drainage strategy and plans.

The alterations to the course proposed in this application are not reliant on the Phase Two works and so are not dependant on any future planning permissions being granted. Accordingly, it is considered appropriate to determine this application ahead of any future application.

The Vision for Fylde set out in the FLPPR envisages that: *"Fylde will have enhanced its unique qualities including its historic and built environment, the classic seaside resort towns of Lytham and St Annes, the historic market town of Kirkham, tranquil coastline, high quality golf courses, tourism offer, picturesque rural settlements and attractive landscapes. The visitor economy will have been strengthened by the area's resort appeal, its reputation as a centre for world famous golf championships and its attractive rural areas."*

In order to achieve this vision, the FLPPR contains 5 strategic objectives that address the key issues that have been identified for the Borough. Strategic Objective 4 (g) seeks to maximise *"the potential of the visitor economy through the development of a widely recognised image of the Borough as a quality regional tourism and visitor destination, based on existing assets such as the high quality hotels and the coastline (including the championship golf courses, and implementing the Coastal Strategy)."*

The golf course forms an important part of the Green Infrastructure Network which policy ENV3 of the FLPPR seeks to protect. Paragraph 13.40 of the Plan advises that the council will work with owners of privately owned golf courses to ensure their long term viability.

Policy EN2 of the St Anne's on the Sea Neighbourhood Development Plan (the neighbourhood plan) identifies the golf course as an area of Green Infrastructure, Open Space, Local Green Space, and Outdoor Recreational Facility. The policy seeks to protect the green infrastructure of the area from inappropriate development that would compromise the Green Infrastructure Network.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Policy HW3 of the Local Plan supports the provision (and by association, the improvement) of outdoor sports facilities, including golf courses, in Fylde, whilst Policy EC6(f) seeks to "*protect tourism, cultural, heritage and leisure assets, such as golf courses and the seaside resort facilities, with a view to helping them to adapt to new challenges by the use of development briefs.*"

Principle of Development

Whilst the site is not specifically allocated as a golf course in the FLPPR, it is clearly a key facility in the borough from a sporting, landscaping, heritage and economic perspective. There is a specific reference to this in Policy EC6 relating to 'Leisure, Culture and Tourism Development'. This scheme is driven by a desire to enhance the attractiveness of the course to staging future major championships and to retain its status as one of the premier sporting facilities in the region. As such the works satisfy the aims of Policy EC6 and so are acceptable in principle, subject to satisfying other policy and legislative requirements. The proposed works would retain and improve the golf course and so would be in line with the objectives of Policy EN2 of the neighbourhood plan.

Ecological Implications

The majority of the golf course sits within a Biological Heritage Site (BHS), therefore, an assessment of the potential impact of the proposals on the BHS is required in line with Policy ENV2 of the local plan and Policy EN1 of the neighbourhood plan. The site is important as it is one of the few remaining examples of fixed dune and heath on the Lancashire coast, a habitat which was once extensive on the inland sand dune systems before the 19th and 20th century resort development and coastal defence works. Botanically, the site is most important for the occurrence of fine-leaved sheep's-fescue (*Festuca filiformis*), slender parsley-piert (*Aphanes inexpectata*) and sand cats-tail (*Phleum arenarium*) which are all included in the Provisional Lancashire Red Data List of Vascular Plants.

The habitats affected by the Phase One improvement works range from very low to high distinctiveness (Natural England, 2022). The works would directly affect and result in the loss of priority habitat identified in Annex 1 of the EU Habitats Directive (H2130 Fixed coastal dunes with herbaceous vegetation) as well as areas of scrub and lowland dry acid grassland. This is a primary consideration in the determination of this application.

A Preliminary Ecological Appraisal (PEA) has been undertaken and submitted in support of the application. This confirms that, in respect of wildlife and protected species which may be present at the golf course, there is no requirement for further surveys and assessments to be carried out in relation to birds, great crested newts and riparian mammals.

Golf courses are known to provide suitable reptile habitat and so a reptile survey report has been provided in support of the application. This indicates that common lizard were present at the time of the survey. No other reptile species (or amphibians) were recorded during the survey and so the report concludes that the site has a Low Population of common lizard and the site does not meet any of the criteria that would result in the site being considered a "Key Reptile Site".

The applicant has proposed that, prior to undertaking the work associated with the relocation of the 7th hole green, a 'grassland trans-location method statement' will be prepared and submitted to the Council for approval. The method statement will set out appropriate working methods to ensure that the species-rich turf is stored, translocated, and re-laid appropriately. If approved, this could be secured by an appropriate planning condition.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

The applicant's supporting studies and surveys indicate that the alterations to the course can be implemented in a sensitive manner, avoiding any adverse impact on the ecology of the site. The council's ecological advisor, GMEU, has reviewed the submitted studies and surveys and is satisfied that, subject to the imposition of appropriate planning conditions, there should not be any negative impact on the conservation value of the Biological Heritage Site (BHS) or any protected species.

Natural England have raised no objection to the proposals stating *"Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes."*

Landscaping and Tree Matters

Although there are several of copses of trees spread across the golf course, none are affected by the works proposed in this application. The remodelling of the course has been carefully designed to follow the landform of the existing course and so would not appear as an alien feature. Accordingly, there are no landscape or tree matters that are of concern.

Social and Economic Benefits

The Golf Club consider that the improvement works will help to deliver a range of long term social and, primarily, economic benefits to the local St Anne's area and wider Fylde local economy with The Royal Lytham & St Anne's golf course being a major economic asset to Fylde Borough as a leisure and tourism destination that attracts golfers to the area from across the UK and internationally. This generates business for local shops, restaurants, pubs and bars, hotels and accommodation providers, and other businesses, and supports full and part time jobs (directly and indirectly) in the golf, tourism, leisure and hospitality sectors. The importance of the golf course and its status is reflected in various Fylde Council policies and plans, reflecting the view of the Club.

Although the works are specifically required to enable the Club to continue hosting major international tournaments and championships by meeting the requirements and expectations of organisers, professional players and the media, the primary benefits are those which hosting competitions of this calibre bring to St Anne's, Lytham and the wider Fylde area. According to the Open Impact Report 2012, the last Open Championship held at Royal Lytham & St Annes attracted 181,400 visitors and generated over £27.62 million for the Lancashire economy.

The ability of the Club to maintain its status as a host venue for major international tournaments and championships, and to increase the number and frequency of competitions in the future, is a significant benefit of the proposed course improvements and so are an important material consideration in determining this application.

Drainage Arrangements

Parts of the course have been identified as areas of potentially weaker drainage performance.

Existing and proposed drawings have been submitted to show the surface water drainage arrangements for the improvement works to the 7th and 10th holes and associated bunkers, together with standard details and a specification and methodology for the works. In summary, the drawings show that the proposed Phase One works and revised bunkers will connect to the existing drainage ditches on the course via lateral drainage pipes. On this basis, the Phase One improvement works will have no meaningful impact on the operation of the current surface water drainage network on the golf course and pose no risk of on-site or off-site flooding. The Council's drainage engineer has

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

considered the proposed drainage works and, although he suggests some minor technical amendments to improve the longevity of the drainage infrastructure, he confirms that he has no objections to the proposed works.

Neighbour Amenity

The works are located away from the boundary of the course and so would not directly impact on neighbouring occupiers as a result of the change in landform. Although the proposed relocation of the 7th green would move it slightly closer to the boundary of the course with Arundel Road, the 7th green is located towards the central area of the course and is separated from Arundel Road by the 8th fairway, beyond which is the railway and a line of trees. It is not considered that the relocation of the green will have any material impact on the number of errant golf balls leaving the confines of the course.

Public Right of Way

Public footpath LSA50 2003 crosses the golf course between Arundel Road and Links View. From Arundel Road the footpath crosses the railway line, a golf course service road and the 8th fairway before running to the east of the 7th green, between the 10th green and 11th tee and finally through an area of mixed grassland and woodland before joining Links View. The two areas of works would not directly impact on the line of the footpath, although it would be necessary for construction traffic to cross the line of the footpath to access the area of works associated with the alteration of the 10th fairway. The applicants have confirmed that a construction management plan would be produced which will include measures to ensure the safety of users of the footpath during construction.

Rail Safety

Network Rail have highlighted that the works are proposed in close proximity to the operational railway and so the developer needs to liaise with them to ensure that the works on site do not impact the safe operation, stability and integrity of the railway and its boundary. Network Rail require the developer to enter into an 'Asset Protection Agreement' which is for the developer to complete to set out the operational details of the proposed works so that these can be considered by Network Rail. This agreement has been passed to the developer for their attention and they are liaising directly with Network Rail in regard to these requirements.

Conclusions

The on-going success of the Golf Course is in line with the vision and strategic objectives set out in the Fylde Local Plan to 2032 (incorporating partial review). Improvements to maintain the attractiveness and prominence of the course are also supported by Policies ENV3 and HW3 of the local plan and Policy EN2 of the neighbourhood plan.

The course sits within a biological heritage site (BHS) which contains important and rare habitat and species. The applicant's supporting studies and ecological survey work has been undertaken by suitably qualified ecologists and has followed best practice guidance in the survey methodology and mitigation design. These studies indicate that the alterations to the course can be implemented in a sensitive manner, avoiding any adverse impact on the ecology of the site. The council's ecological advisor has reviewed the submitted studies and surveys and is satisfied that, subject to the imposition of appropriate planning conditions, there should not be any negative impact on the conservation value of the Biological Heritage Site (BHS) or any protected species.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Members are, therefore, recommended to approve the application, subject to the imposition of suitable planning conditions.

Recommendation

That planning permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of this permission.

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

2. This permission relates to the following plans:

Drawings:

- MacKenzie and Ebert: Site location plan
- MacKenzie and Ebert: Detailed Site Location Plan
- MacKenzie and Ebert: Existing and Proposed Sections Hole 7
- MacKenzie and Ebert: Existing and Proposed Sections Hole 10
- MacKenzie and Ebert: Existing and Proposed Detailed Layout Hole 7
- MacKenzie and Ebert: Existing and Proposed Detailed Layout Hole 10
- MacKenzie and Ebert: Existing and Proposed Layout Holes 7 and 10
- MacKenzie and Ebert: Proposed Layout Vegetation Holes 7 and 10
- R & A: Proposed Bunker Drainage Hole 7 - reference RA0010 001 - dated 08/07/2023
- R & A: Proposed Bunker Drainage Hole 10 - reference RA0010 002 - dated 08/07/2023
- R & A: Proposed drainage details – reference RA005 005 - dated 21/06/2023

Studies:

- Pennine Ecological: Reptile Survey Report July 2023
- Pennine Ecological: Preliminary Ecological Appraisal (Rev 1) September 2023
- Pennine Ecological: Biodiversity Enhancement Plan (Phase 1) September 2023
- Bob Tayloe Ecology: Ecological Management Plan 27 May 2021

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

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

3. No development, ground works or vegetation clearance shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- a) A risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

- c) A method statement setting out practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Pollution prevention measures to avoid contaminated water run-off entering nearby watercourses.

The duly approved CEMP shall be adhered to throughout the construction period in strict accordance with the details contained therein.

Reason: To ensure that appropriate measures are put in place during the construction period to mitigate the development's potential effects on water quality, linked water-dependent nature conservation sites, habitats and species of biodiversity value in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy ENV2 and the National Planning Policy Framework.

4. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include the following details:
- a) hours and days of work for site preparation, delivery of materials and construction;
 - b) areas designated for the loading, unloading and storage of plant and materials;
 - c) arrangements for the provision of wheel washing and road sweeping facilities to minimise the deposit of mud and other similar debris on adjacent highways, including details of how, when and where the facilities are to be used;
 - d) arrangements for the parking of vehicles for site operatives and visitors;
 - e) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
 - f) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
 - g) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;
 - h) measures to control the emission of dust and dirt during the construction period;
 - i) measures to monitor and control noise and vibration during the construction period, including the management of complaints;
 - j) the siting, luminance and design of any external lighting to be used during the construction period;
 - k) the erection and maintenance of security hoarding;
 - l) details of measures to prevent the obstruction of the public right of way crossing the golf course and to ensure the safety of users of the footpath during construction works.

The development shall thereafter be carried out in full accordance with the duly approved CMS.

Reason: In order to ensure that appropriate measures are put in place before any development commences to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties and to avoid obstruction of the surrounding highway network during the

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

construction of the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

5. No clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation to be cleared does not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

6. No development shall take place until a Habitat and Landscape Management Plan (HLMP) has been submitted to and approved in writing by the Local Planning Authority. The HLMP shall include details of the following:
 - a) protection measures for all retained vegetation during the course of construction;
 - b) long term design objectives;
 - c) management responsibilities;
 - d) maintenance schedules; and
 - e) a timetable for implementation.

The HLMP shall thereafter be implemented in full accordance with the duly approved details and timetable contained therein.

Reason: In order to ensure adequate protection of existing landscape features of ecological value and to achieve appropriate landscape and biodiversity enhancements as part of the development in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

7. Prior to the commencement of development, a grassland translocation method statement containing details of the working methods to be followed in order to ensure that the species-rich turf is stored, translocated, and re-laid appropriately shall be submitted to and approved in writing by, the local planning authority. The development shall be carried out in full accordance with the approved method statement.

Reason: In order to preserve and safeguard the flora associated with this sensitive grassland habitat and prevent the degradation of the Biological Heritage Site in accordance with Policy ENV2 of the Fylde Local Plan to 2032 (incorporating partial review) and Policy EN1 of the St Annes on the Sea Neighbourhood Development Plan

8. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the soft landscaping scheme for the development shown on MacKenzie and Ebert drawing titled "Proposed Vegetation Holes 7 and 10" shall be carried out during the first

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

planting season that occurs before the development is substantially completed. The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with a maintenance scheme which has been submitted to and approved in writing by the local planning authority. Any planting that is removed, dies, is severely damaged or becoming seriously diseased within five years of planting shall be replaced by planting of a similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in order that the development assimilates sympathetically into its surroundings and to provide appropriate biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies ENV1, ENV2 and GD7, and the National Planning Policy Framework.

9. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, surface water from the development hereby approved shall be disposed of in accordance with the drainage details shown on drawings R & A: Proposed Bunker Drainage Hole 7 - reference RA0010 001 - dated 08/07/2023, R & A: Proposed Bunker Drainage Hole 10 - reference RA0010 002 - dated 08/07/2023 and R & A: Proposed drainage details – reference RA005 005 - dated 21/06/202. All drainage infrastructure shown on the aforementioned plans shall be fully installed and made available for use before the revised golf course hereby approved is first brought into use and shall be maintained as such thereafter.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of surface water in accordance with the requirements of Fylde Local Plan to 2032 policies CL1 and CL2 and the National Planning Policy Framework.

10. No development shall take place until a Construction Exclusion Zone (CEZ), in the form of appropriate protective fencing, has been formed around the Root Protection Areas of those trees within the vicinity of the works that are located along the southern boundary of the golf course. The CEZ shall be provided, installed and maintained in the duly installed positions during the entirety of the construction period insofar as it relates to the affected area of the site.

Reason: To ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence in order to safeguard existing natural assets at the site in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and ENV1, and the National Planning Policy Framework.

Informative(s)

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during pre-application discussions in order to ensure that the proposal comprises sustainable development and would improve the economic, social and environmental conditions of the area in accordance with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

therefore implemented the requirement in Paragraphs 38 and 39 of the National Planning Policy Framework.

2. Protected Species Precautionary Informative

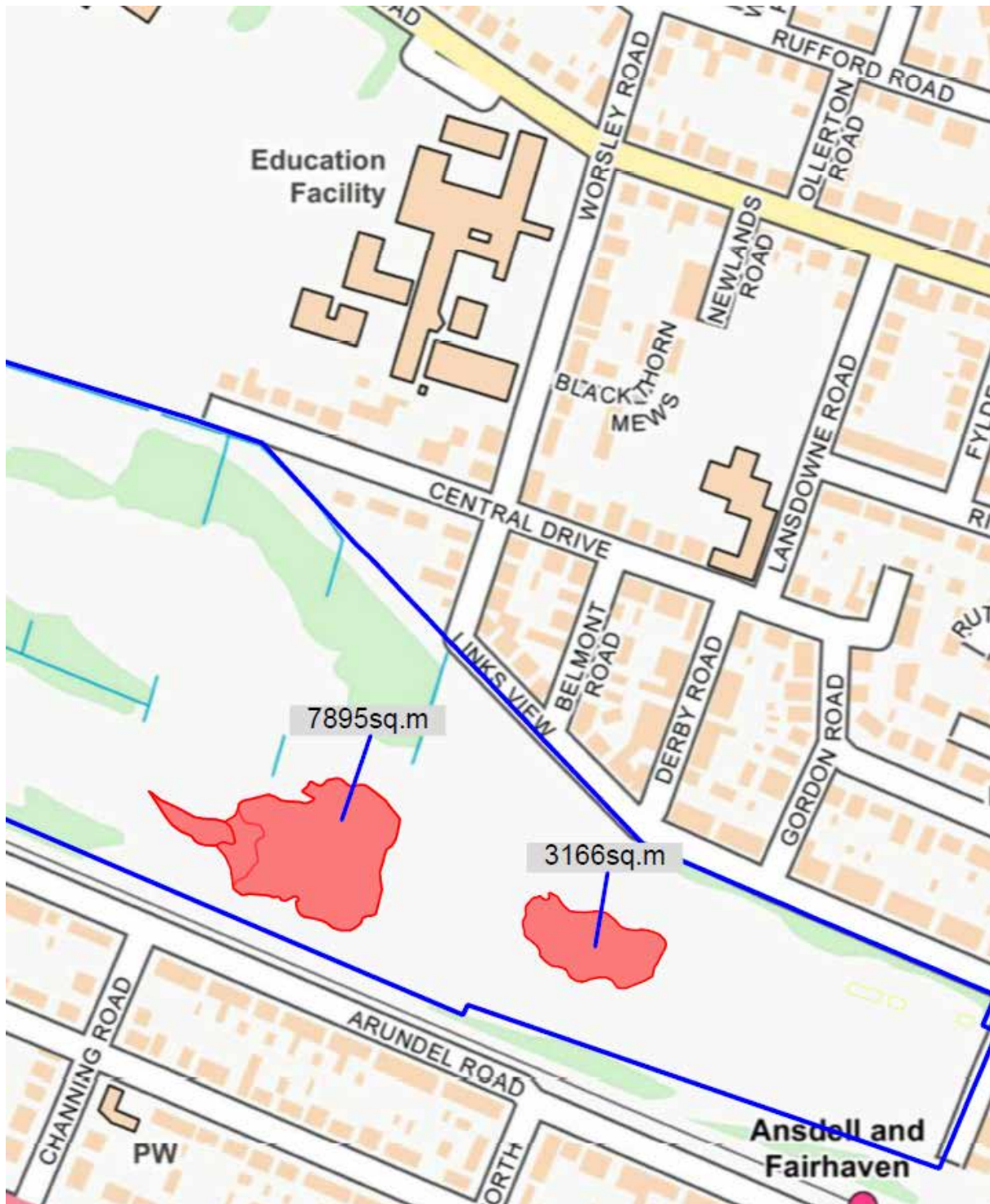
Whilst the development has been assessed as low risk for protected species (including bats, great crested newts and nesting birds), the applicant is reminded that these species benefit from legal protection under the Habitat Regulations and the Wildlife and Countryside Act 1981 (as amended) and that it is an offence to disturb, harm or kill any protected species that may be encountered while carrying out the development. If any protected species are found during the development all work must cease immediately and a suitably licensed ecologist employed to assess how best to safeguard the protected species in question. Natural England should also be informed as a protected species license may be required.

3. Network Rail Risk Assessment Informative

Network Rail advises that the developer submits a risk assessment and method statement (RAMS) to Network Rail Asset Protection once construction works commence. The RAMS should consider all works to be undertaken within 10 metres of the operational railway. Network Rail will review the RAMS to ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway. The developer should contact Network Rail Asset Protection prior to works commencing at AssetProtectionLNWNorth@networkrail.co.uk to discuss the proposal and RAMS requirements in more detail.

AGENDA FOR 4 OCTOBER 2023 PLANNING COMMITTEE

Location Plan for Item 6 – 23/0508



INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING	PLANNING COMMITTEE	4 OCTOBER 2023	5

LIST OF APPEALS DECIDED

PUBLIC ITEM

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

SUMMARY OF INFORMATION

The council received no appeal decisions between 25 August and 22 September 2023.

SOURCE OF INFORMATION

Development Services

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform the Committee on appeals that have been decided.

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473