

Agenda

Development Management Committee

Date:

Wednesday, 29 April 2015 at 10:00 am

Venue:

Town Hall, St Annes, FY8 1LW

Committee members:

Councillor Ben Aitken (Chairman)
 Councillor Kevin Eastham (Vice-Chairman)
 Councillors Tim Armit, Maxine Chew, Peter Collins, Fabian Craig-Wilson, Charlie Duffy, Dr Trevor Fiddler, Peter Hardy, Kiran Mulholland, Barbara Nash, Linda Nulty, Albert Pounder, Richard Redcliffe, Heather Speak, Vivienne M Willder

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1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council’s Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes of the meeting held on 1 April 2015 as a correct record (as previously circulated).	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24.	1
4	Development Management Matters	3 - 39
5	List of Appeals Decided	40 - 43

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

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Development Management Committee Schedule

29 April 2015

Item Number: 1

Committee Date: 29 April 2015

Application Reference:	13/0562	Type of Application:	Outline Planning Permission
Applicant:	TWO BROOKS VALLEY LTD	Agent :	
Location:	GEORGES GARAGE, 45 LYTHAM ROAD, BRYNING WITH WARTON, PRESTON, PR4 1AD		
Proposal:	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR UPTO 7 DWELLINGS, WITH ACCESS FROM LYTHAM ROAD APPLIED FOR AND ALL OTHER MATTERS RESERVED.		
Parish:		Area Team:	Area Team 1
Weeks on Hand:	85	Case Officer:	Alan Pinder
Reason for Delay:	Held in abeyance at the applicant's request in order to allow determination of alternative interim applications.		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application relates to the part of the Georges Garage site on Lytham Road in Warton that lies to the rear of the Tesco/Subway building. It seeks outline planning permission for the provision of 7 new dwellings on a previously developed site with access provided from Lytham Road following the demolition of the adjacent dwelling at 43 Lytham Road with this used for construction and all future purposes.

The site already benefits from an extant full permission (ref. 14/0833) for 16 affordable dwellings with access from Post Lane and from a permission that allows those 16 dwellings to be constructed through the demolition of No. 43 and then this access point replaced with a pair of semis.

The current proposal is considered by officers to accord with Policies SP1 and HL2 of the Fylde Borough Local Plan and makes good use of this redundant settlement site to provide new residential development and contribute to the Council's current undersupply of housing. The highway authority have not raised any objection to the development with this number of dwellings and so it is recommended that Members support the proposal.

Reason for Reporting to Committee

The Parish Council's objection is at odds with the officer recommendation of approval.

Site Description and Location

The application site is located within the settlement boundary of Warton and forms part of the former Georges Garage site; the northern part of which has recently been developed with two retail units (Tesco Express and Subway). The site is a square shaped parcel of land measuring approximately 0.3 hectares in size and was previously used for car dismantling in connection with the car sales that took place from Georges Garage.

Residential dwellings lie to both the east and west of the site. To the west are the two storey red brick dwellings on Post Lane and to the east is the rear garden of No.41 Lytham Road. To the south is a small stream which marks the site boundary and beyond that is the former GEC Marconi site that is currently undergoing residential development.

Details of Proposal

Outline planning permission is sought for the construction of 7 dwellings, with access applied for and all other matters reserved. Vehicle and pedestrian access to the site is proposed to be via the creation of a new access from Lytham Road. This would involve the demolition and removal of an existing dwelling at No.43 Lytham Road in order to enable the formation of the new access. The submitted documentation includes an indicative site layout showing 6 detached four bedroomed dwellings with integral garages, and one four bedroomed detached dwelling with separate garage.

This application has been with the council for some time as the applicant has sought to address concerns over the access. It originally sought outline permission for 36 residential apartments, which was subsequently reduced to 13 dwellings and since further reduced to the 7 dwellings now sought.

Relevant Planning History

Application No.	Development	Decision	Date
14/0833	PROPOSED ERECTION OF 16 NO. AFFORDABLE DWELLINGS AS EXTENSION OF POST LANE	Granted	12/01/2015
14/0287	VARIATION OF CONDITION 12 ON PLANNING PERMISSION 12/0524 TO ALLOW STORE TO OPEN BETWEEN 0600 AND 2300 HOURS ON EACH DAY OF THE WEEK, AND DELIVERIES TO THE UNIT BETWEEN 0700 HOURS AND 2000 HOURS.	Refused	21/05/2014
13/0779	ADVERTISEMENT CONSENT FOR 1 No. INTERNALLY ILLUMINATED TOTEM SIGN	Granted	21/01/2014
13/0771	ADVERTISEMENT CONSENT TO DISPLAY FASCIA SIGN AND SIDE PANELS TO FRONT, ATM VINYL, 3 X CAR PARKING SIGNS AND 2 X POST SIGN	Granted	21/01/2014
13/0752	INSTALLATION OF SECURITY ROLLER BARRIERS ALONG TOP OF APPROVED 2.4M CLOSE BOARDED ACOUSTIC FENCE.	Granted	21/01/2014
12/0527	OUTLINE APPLICATION FOR THE PROPOSED DEVELOPMENT OF UP TO 16 NO. DWELLINGS (ACCESS FROM POST LANE APPLIED FOR WITH ALL OTHER MATTERS	Withdrawn by Applicant	10/03/2015

12/0524	RESERVED) PROPOSED ERECTION OF BUILDING PROVIDING TWO CLASS A1 RETAIL UNITS (COMBINED INTERNAL FLOOR AREA OF 469M2) INCLUDING A NEW PEDESTRIAN CROSSING OVER LYTHAM ROAD FOLLOWING DEMOLITION OF EXISTING BUILDINGS ON SITE (RESUBMISSION OF APPLICATION 11/0564)	Granted	16/11/2012
11/0564	PROPOSED ERECTION OF BUILDING PROVIDING TWO CLASS A1 RETAIL UNITS (COMBINED INTERNAL FLOOR AREA OF 469M2) FOLLOWING DEMOLITION OF EXISTING BUILDINGS ON SITE.	Withdrawn - Appeal against non-determine	10/04/2012
10/0001	OUTLINE APPLICATION FOR LOCAL FOOD STORE OF 1394M2	Withdrawn by Applicant	31/05/2013
09/0420	OUTLINE APPLICATION FOR LOCAL FOOD STORE OF 1394M2	Withdrawn - Appeal against non-determine	12/01/2010

Relevant Planning Appeals History

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

Parish/Town Council Observations

Bryning with Warton Parish Council notified on 12 September 2013 in respect of the proposal for 36 dwellings and again on 20 March 2015 in respect of the current 7 dwelling scheme. They have raised objection to both with the comments made in respect of the current scheme being as follows:

“Objects to the proposal. The proposal to place a further road junction at this point off Lytham road, to provide access to a residential development, is highly questionable in light of the current highway and road changes being undertaken. The Enterprise Zone, new access to BAE systems and the neighbouring retail properties of Tesco and Subway are all adding to a gridlock of Lytham Road and a further junction cannot be supported. A junction at this point will create a bigger serious traffic

hazard with extreme risk of accidents with injury, if not fatalities, to pedestrians, cyclists and motorists on this stretch of road. The retail property has increased pedestrian footfall in the immediate vicinity and has created numerous vehicles attempting to access and exit the retail site car park. The knock on effect on predicted volume and traffic flow to and from the Enterprise Zone and BAE, which is already highly contentious, will also be effected even by the vehicles from the occupants of seven houses as proposed. Stationary traffic waiting to access the retail site is already causing problems and excessive wait times on the 'A' Road so an additional junction will only make this worse.

In the matter of the Outline application for a residential development of up 7 dwellings the Parish Council obviously have no objection to the reduced number of properties but it is strongly believed that once any access from Lytham road is approved the developers will revert to proposals for increased number of properties on the site.

Members strongly make representation that if it minded to support the application the final decision should be brought before the Development Management Committee due to the major long term traffic effect this will have on the village."

Statutory Consultees and Observations of Other Interested Parties

Ministry of Defence - Safeguarding

No safeguarding objections.

BAE Systems

No objections.

Electricity North West

No objections but highlights that the development is adjacent to Electricity North West operational land and/or distribution assets and the developer should contact ENW to verify such details if permission is granted.

United Utilities

No objections but refer to the site being within an area that drains directly to the Fylde Tunnel so encourage the developer to reduce the overall volume of surface water discharging from the site. They request that the developer installs soakaway /suds wherever practical and construct all hard standing areas such as footpaths, driveways & parking areas using permeable materials, and that other measures to reduce the volume of surface water discharging from the site are introduced. This is to minimise the impact to the Fylde tunnel and subsequently bathing water quality standards is minimised.

They suggest a series of conditions to allow these measures to be enforced as part of the reserved matters submission and then development.

Environment Agency

No objection in principle subject to the inclusion of conditions relating to the removal of any possible contamination from the site, and the imposition of a sustainable surface water drainage strategy.

Lancashire County Council - Highway Authority

They have been consulted on all versions of this application and raised objection to the

initial schemes. As their views are critical to this application they are recorded here in full in response to the consultation on the 7 dwellings now proposed.

“It is noted that the previously proposed 36 dwellings have now been reduced to 7. In the highways response of 31 October 2013 and 19 May 2014 concerns were expressed about vehicle turning movements associated with 36 dwellings at the proposed access and the impact on existing adjacent accesses. It was also considered that vehicular trips to be generated by the proposed 36 dwellings might contribute to queuing on the A584 Lytham Road during peak hours taking into account other committed developments in the area and there were safety concerns relating to right turn manoeuvres round the new refuge for retail development.

The retail development is now operational and the refuge in place. This has provided an opportunity for on-site highway appraisal of turning movement of vehicles and pedestrian movements. Although there are still concerns, it is considered that the proposed reduction in the number of dwellings to 7 will substantially reduce vehicular trip generation of the site and the consequential number of vehicle turning movements at the access. As such Highway’s objection to the proposed access on grounds of severe highway impact can no longer be sustained.

As regards the internal layout of the proposed development, I have no issues as parking seems to have accorded with Standard and there seems adequate space for turning manoeuvres. The layout will however be required to be constructed to the Lancashire County Council Specification for Construction of Estate Roads to ensure satisfactory access and in order for the development to be acceptable for adoption under the section 38 agreement of the Highways Act 1980.

There are no highways objections to the current proposal.”

They then suggest that conditions be imposed relating to the design, phasing and of the access and that a wheel wash facility be introduced.

Neighbour Observations

Neighbours notified: 12 September 2013

Amended plans notified: 11 March 2015

No. Of Responses Received: Four (three in response to the original proposal for 36 dwellings and one in response to the revised number of 7 dwellings)

Nature of comments made:

In light of the reduction in the number of dwellings to seven the now relevant concerns raised by the objections relate to the formation of the new access and can be summarised as follows:

- More vehicles entering Lytham Road from the site will add to the congestion on Lytham Road.
- The new access would make it impossible for the residents of No.62 Lytham Road to turn right out of their property due to the combination of traffic that would be leaving the site together with that leaving the Tesco Express

One objection letter simply states that there should be no more building in Warton or it will no longer be a village.

Relevant Planning Policy

Fylde Borough Local Plan:

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

Other Relevant Policy:

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

Site Constraints

Within settlement boundary

Environmental Impact Assessment

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

Comment and Analysis

Full planning permission was granted by the Development Management Committee on 12 January 2015 (permission ref. 14/0833) for the construction of 16 affordable dwellings on this site. Hence the principle of residential development on this site has recently been established and does not form part of this consideration.

The number of dwellings proposed is well below that previously approved and so can be accommodated on the site without it appearing cramped, yet still provides the effective use of the site required by NPPF and Policy HL2 given the varied densities of the neighbouring residential properties.

Unlike the earlier permission this alternative scheme does not propose to provide any affordable housing however the number of dwellings has been reduced to seven which is below the threshold, set by the council's Interim Housing Policy, over which an element of (or contribution in lieu of) affordable housing is required. Hence the lack of any affordable dwelling provision in this scheme does not conflict with Policy.

Given that principle of the development has been established and the outline nature of this application it falls only to consider the proposed new access arrangements from Lytham Road. All objections received by the Council relate to the new proposed access created from Lytham Road and the potential impacts that this might have on highway safety. LCC Highways did raise an objection against the original proposed scheme of 36 new dwellings on the grounds that the resulting additional vehicle movements to and from the development would be of such a level as to unduly impact on the safe use of Lytham Road. However the amended scheme has substantially reduced

the number of dwellings from 36 to 7. With this in mind LCC Highways have reassessed the proposal and are now satisfied that this reduced level of development would not result in an unacceptable increase in vehicle movements and would not unduly impact on the safe use of the wider highway network.

The approved scheme for the construction access through No. 43 also approves 2 dwellings on that plot once that access is no longer required. The 7 dwellings here is clearly well above that approved level of movements, but will still only generate a modest number of turning movements through the access. Officers agree with County Highways that the level of development, and so use of this access point, as proposed in this application is now at an acceptable level. Para 32 of the NPPF requires an assessment of whether *“a safe and suitable access to the site can be achieved for all people”*, and officers believe that to be the case with this proposal.

Conclusions

This application seeks outline planning permission for the provision of 7 new dwellings on a previously developed site with access provided from Lytham Road. The site already benefits from an extant full permission (ref. 14/0833) for 16 dwellings with access from Post Lane. This new proposal is considered by officers to accord with Policies SP1 and HL2 of the Fylde Borough Local Plan and makes good use of this redundant settlement site to provide new residential development and contribute to the Council's current undersupply of housing. Members are recommended to approve the application.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. In the case of any ‘Reserved Matter’, application for approval shall be made not later than the expiration of three years beginning with the date of this permission, and the development shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. Before any works are commenced on site, details of the reserved matters, namely appearance, landscaping, and scale, shall be submitted to and approved by the local planning authority and the development thereafter carried out in accordance with such approval.

The application was submitted in outline and details of these matters still remain to be submitted

3. This consent relates to the following plans and / or reports:
 - Site Location Plan - Dwg no. OS01, 02 August 2013
 - Proposed A3 Site Layout - Dwg no. 451/LRW/SLP, dated Feb 2015 and received by the LPA on 10 March 2015

- Design & Access Statement produced by Two Brooks Valley and dated September 2013

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

4. Prior to the commencement of any development hereby approved a schedule of all materials to be used on the external walls and roofs of the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority. This specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwellings and only varied with the prior written consent of the Local Planning Authority.

Such details are not shown on the application and to secure a satisfactory standard of development.

5. Prior to the commencement of any development hereby approved a schedule of all hard surfacing materials to be used on the access roads, driveways, paths and any other hard surfaced areas within the development shall be submitted to and approved in writing by the Local Planning Authority. This specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwellings and only varied with the prior written consent of the Local Planning Authority.

Such details are not shown on the application and to secure a satisfactory standard of development.

6. Prior to the commencement of any development hereby approved, a schedule of all boundary treatments around the site perimeter, between individual neighbouring plots and between plots and the internal roadway shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in full accordance with this approved schedule of boundaries.

To provide an appropriate finished appearance of the development and to maintain an appropriate level of privacy between dwellings as required by Policy HL2 of the Fylde Borough Local Plan.

7. Prior to any on site construction a Construction Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan is to include method and details of construction; including vehicle routing to the site, construction traffic parking and any temporary traffic management measures, times of construction, access and deliveries. Such a Construction Plan is to be implemented and adhered to during the construction of the development.

To maintain the safe operation of the pedestrian and highway network in the area during

construction given the proximity to residential properties.

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

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

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

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

10. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy approved under planning permission ref. 05/14/0833 and prepared by SKM Enviros (Final report dated September 2013 reference BHI_SKM_AH_001). The effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

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

11. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority, and thereafter been constructed and completed in accordance with the approved scheme.

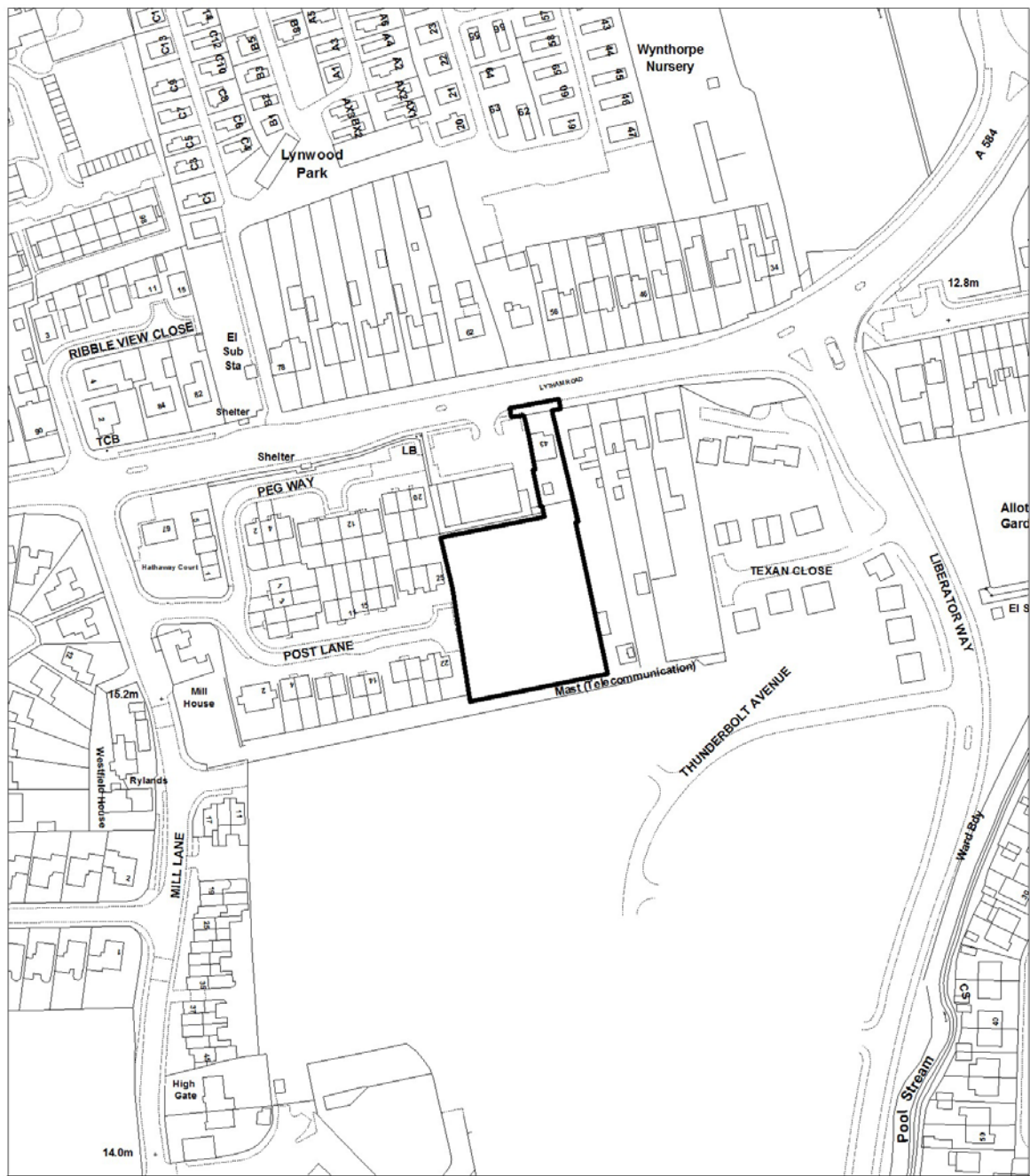
In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

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

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

13. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing foul or combined sewerage systems. Unless otherwise agreed in writing by the Local Planning Authority any surface water draining to the public surface water sewer must be restricted to a maximum pass forward flow of 5 l/s. The development shall be completed, maintained and managed in accordance with the approved details.

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



Development Services Fylde Council		(c) Crown Copyright and database right (2015). Ordnance Survey (100006084).	
Application No. 5/13/0562	Address Georges Garage, 45 Lytham Road, Warton	Grid Ref. E.3417 : N.4286	Scale 0 10 20 30 40 m

Application Reference:	14/0887	Type of Application:	Full Planning Permission
Applicant:	Mr Ireland	Agent :	Engineering and Building Design
Location:	THE CONIFERS, BAMBERS LANE, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5LH		
Proposal:	PROPOSED NEW DWELLING TO REPLACE A MOBILE HOME ON EXISTING GYPSY SITE		
Parish:	WARTON AND WESTBY	Area Team:	Area Team 1
Weeks on Hand:	20	Case Officer:	Rob Clewes
Reason for Delay:	Negotiations to overcome concerns		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposal relates to the erection of a detached bungalow on one of the pitches on this site which has planning permission to be occupied by gypsies. The bungalow is presented to provide improved accommodation for that particular family as it contains a member who has medical needs that cannot be satisfied in a mobile home.

The site is in the Countryside and so the erection of a dwelling is contrary to Policy SP2 of the Fylde Borough Local Plan. However, there are circumstances that weigh in favour of the application in this case: the principle of the residential development of the land by a gypsy family is established, there is a known and accepted medical need for the accommodation, the dwelling is single storey and will not have a significantly prejudicial effect on the character of the countryside, there are no flooding or other such objections to the development.

Therefore it is considered that the proposal complies with paragraph 17 of the NPPF and Policies SP2 and HL2 of the Fylde Borough Local Plan and is recommended for approval.

Reason for Reporting to Committee

The planning history of the site is one where all previous applications have been determined by Committee, and so this application is brought forward for this consideration for consistency.

Site Description and Location

The application site is part of The Conifers which is on the western side of Bammers Lane and is divided into 6 pitches for use by gypsies. This application relates to the western most pitch which is at the rear of the site when viewed from Bammers Lane. It is gravel surfaced and contained a mobile home, shed and caravan at site visit along with areas for parking. There is a stable block associated with the gypsy site in the adjoining plot to the south. Ditches run along the northern and western boundaries with that to the north designated as main river. To the north and east of

the Conifers site there are neighbouring residential properties and to the south there is a Nursery. To the west, within the district of Blackpool, there is a piece of land which belongs to the adjacent property on Jubilee Lane.

Details of Proposal

The proposal is for the erection of a single dwelling. Providing three bedrooms. The dwelling is single storey and has a foot print of 18.3m by 7.6m. It has a pitched roof with two front dormers to allow light into the ground floor rooms. It is located in the western most section of the Conifers site adjacent the existing stable block.

Information supplied with the application refer to the medical needs of the applicant’s daughter and explain how she has a number of medical complaints that require on-going care and specialist equipment. The scale and range of this equipment will change as she grows and it is argued that the current mobile home accommodation will not be adequate in its size and structure to provide for her needs, hence the motive in the construction of the bungalow.

Relevant Planning History

Application No.	Development	Decision	Date
12/0609	PROPOSED CHANGE OF USE FROM GRAZING LAND TO FORM EXTENSION TO EXISTING 6 PITCH ROMANY GYPSY CARAVAN SITE WITH ASSOCIATED FENCING, SURFACING, LANDSCAPING AND OTHER WORKS	Granted	20/02/2013
10/0321	REMOVAL OF CONDITION 1 ON PLANNING PERMISSION 07/0899 AND CONDITION 2 ON PLANNING PERMISSION 09/0383 TO ENABLE PERMANENT RETENTION OF GYPSY CARAVAN SITE AND ASSOCIATED STABLES.	Granted	07/01/2011
09/0383	ERECTION OF STABLE BLOCK CONTAINING 6 NO. STABLES & 1 NO. TACK ROOM	Granted	02/09/2009
07/0899	CHANGE OF USE TO GYPSY CARAVAN SITE	Granted	10/11/2008
04/0267	ERECTION OF 4NO STABLES FOR PRIVATE USE PLUS TACK ROOM AND STORE AND CREATION OF SAND PADDOCK AND CAR PARKING	Granted	07/06/2004

Relevant Planning Appeals History

None.

Parish/Town Council Observations

Westby with Plumpton Parish Council notified on 06 January 2015 and confirm they have no objections.

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

No objections

Blackpool Borough Council

No comments received

Environment Agency

No objection to the revised plan

Neighbour Observations

Neighbours notified: 06 January 2015

No. Of Responses Received: 2 letter received

Nature of comments made:

No objection in principle to the development

Screening is required along the northern boundary

Proposal too near the watercourse

Works required under previous consents have not been carried out/completed

Development would be better located closer to the road

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
HL02	Development control criteria for new housing proposals
EP11	Building design & landscape character

Other Relevant Policy:

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

Site Constraints

Within countryside area

Environmental Impact Assessment

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

Comment and Analysis

The principle of the development

The site is located within the countryside as shown on the adopted local plan. Therefore Policy SP2 applies which restricts the majority of development to preserve the rural character of the countryside. The policy does allow for some exceptions, however new housing does not fall within these identified exceptions. Whilst the proposal does not fall within the identified exceptions the principle of the development is in this particular case considered acceptable on two fronts. Firstly the proposal is for the benefit of a member of the applicant's immediate family whose needs cannot be adequately provided for via the existing means of accommodation. Evidence has been provided outlining the individuals' circumstances and this has been accepted by the Council as a material consideration for the application. Secondly the site has an established use for residential

accommodation and is adjacent to residential properties to three sides and forms part of the larger Gypsy site currently occupied by the applicant and their extended family. The proposal is not introducing an additional residential use to the site, and it is not considered that there is any conflict with Policy SP2.

Design

The design of the proposed dwelling is as a bungalow, and whilst rooflights are provided to the front, these do not provide any upper floor accommodation and none is possible due to the limited height of the building. The rooflights will add light to the internal area and be decorative. This proposed style and appearance is considered acceptable and its size is not considered overly dominant within the site nor to adjacent sites. Its overall design reflects that of other nearby properties and therefore it is considered acceptable and complies with the criteria set in policy HL2 and EP11 of the Fylde Borough Local Plan.

Impact to the character of the countryside and street scene

The proposal will have minimal impact to the character and openness of the countryside. The site sits to the rear of the existing gypsy site which is used as residential accommodation for the applicant and their extended family therefore the proposed development will not appear detached from the main cluster of caravans within the site. Furthermore the proposed curtilage of the proposal does not extend any further out than the existing site boundary. The single storey scale of the development will reflect the scale of the other residential properties in the surrounding area and will not appear out of keeping with the general rural character of the area. It is therefore considered that the character of the countryside and street scene will not be detrimentally affected.

Impact to neighbouring amenity

The proposal will not create any detrimental impact to the amenity of the nearest neighbouring properties due to the orientation with and separation distance from these properties. It is therefore considered that the proposal complies with policy HL2 of the Fylde Borough Local Plan.

Impact to the adjacent main river

The original proposal resulted in the proposed dwelling being within 8m of the main river which runs parallel with the northern boundary of the site. The Environment Agency (EA) objected to the proximity of the development to the main river which resulted in the positioning of the dwelling being altered to ensure it is at least 8m away. The dyke running alongside the western (rear) boundary is not classed as a main river therefore the EA raised no issue with the proximity to it.

Other matters

The representations received raised concern over boundary treatments/screening and of uncompleted works required from previous consents. The northern boundary is currently marked by a fence approximately 1.5m high at the western end of the site and stops at the beginning of this last section of the site. It is considered that the need for screening or not along this boundary would not alter the assessment of the application in terms of its acceptability. Whilst screening would create an improved appearance and visual amenity to the wider area the existing boundary treatments are not considered inappropriate nor out of keeping with the wider area where similar boundary treatments can be seen.

With regard to works incomplete from previous consents, this is a matter to be investigated by the enforcement officer and is a separate matter from this application.

Conclusions

The proposal relates to the erection of a detached bungalow on one of the pitches on this site which has planning permission to be occupied by gypsies. The bungalow is presented to provide improved accommodation for that particular family as it contains a member who has medical needs that cannot be satisfied in a mobile home.

The site is in the Countryside and so the erection of a dwelling is contrary to Policy SP2 of the Fylde Borough Local Plan. However, there are circumstances that weigh in favour of the application in this case: the principle of the residential development of the land by a gypsy family is established, there is a known and accepted medical need for the accommodation, the dwelling is single storey and will not have a significantly prejudicial effect on the character of the countryside, there are no flooding or other such objections to the development.

Therefore it is considered that the proposal complies with paragraph 17 of the NPPF and Policies SP2 and HL2 of the Fylde Borough Local Plan and is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

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

In the interests of visual amenity.

3. The occupation of the dwelling shall be limited to the applicant and their immediate family only including any dependants of such a person residing with him/her, or a widow or widower of such a person.

Reason: The dwelling is considered acceptable partly due to the personal circumstances of the applicant and so this restriction is necessary to ensure compliance with Policy SP2 of the Fylde Borough Local Plan, and its location within the wider Conifers site that is occupied by Gypsies & Travellers.

4. Notwithstanding the provision of Article 3, Schedule 2, Part 1, Class(es) A, B, C, D, E and F of the Town and Country Planning General Permitted Development Order 2015 [or any Order revoking or re-enacting that Order], no further development of the dwelling[s] or curtilage[s] relevant to those classes shall be carried out without Planning Permission.

CLASS VARIABLES

A	House Extensions.
B&C	Roof Extensions/alterations
D	Porches
E	Curtilage buildings
F	Hardstanding

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

5. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing foul, combined or surface water sewerage systems. The development shall be implemented, maintained and managed in accordance with the approved details.

To ensure the site and development are adequately drained.

6. Prior to the commencement of development a detailed levels plan indicating the existing and proposed ground levels and proposed finished floor levels throughout the site shall be submitted to and approved in writing by the local planning authority. The development thereafter be implemented in full accordance with the approved plan.

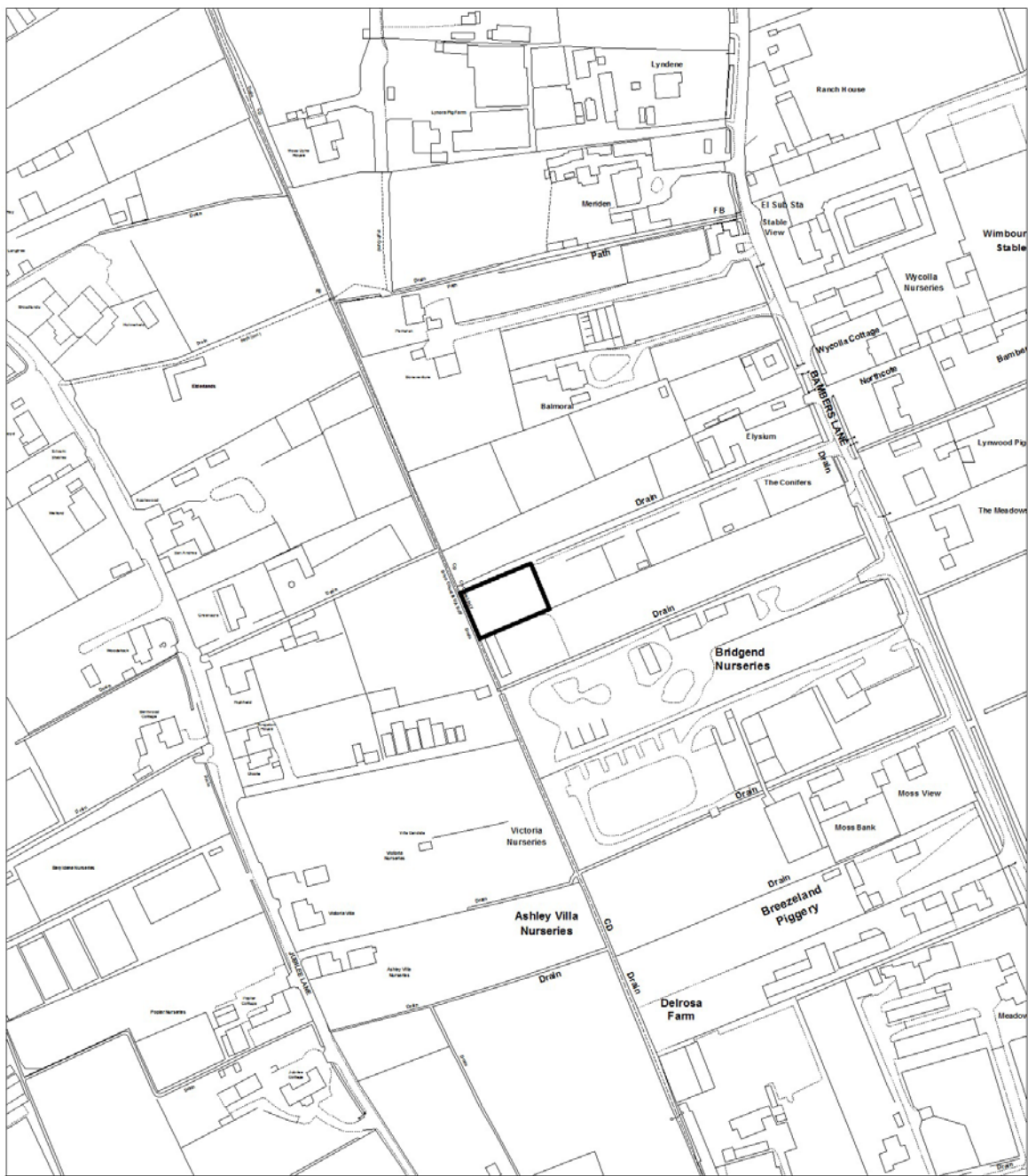
To ensure that the development has an acceptable impact on neighbouring amenity and visual impact.

7. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 9 December 2014, including the following plans:

C14/295/2C - Proposed site layout

C14/295/1 - Proposed dwelling

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



Development Services Fylde Council		(c) Crown Copyright and database right (2015). Ordnance Survey (100006084).	
Application No. 5/14/0887	Address The Conifers, Bammers Lane, Westby	Grid Ref. E.3340 : N.4324	Scale 0 10 20 30 40 m

Item Number: 3

Committee Date: 29 April 2015

Application Reference:	15/0093	Type of Application:	Householder Planning Application
Applicant:	Mr & Mrs Wadsworth	Agent :	Homeplan Designs
Location:	8 SPRING GARDENS, LYTHAM ST ANNES, FY8 3BT		
Proposal:	PROPOSED REAR GROUND FLOOR EXTENSION TO REPLACE EXISTING CONSERVATORY, OUTBUILDING AND GARAGE		
Parish:	KILNHOUSE	Area Team:	Area Team 2
Weeks on Hand:	8	Case Officer:	Alan Pinder
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

Planning permission is sought for the construction of a single storey rear extension to an end terrace dwelling that would replace an existing extension and a conservatory. The proposed extension is considered to accord with all the criteria of Policy HL5 of the Fylde Borough Local Plan and members are recommended to approve the scheme.

Reason for Reporting to Committee

The applicants are employees of Fylde Borough Council and as such the scheme of delegation requires the application to be determined by the Development Management Committee.

Site Description and Location

The application site is a three storey dwelling located within a residential area of St Annes. The property is at the end of a terrace of similar properties, with the adjoining neighbouring property being in use as residential flats.

Details of Proposal

Planning permission is sought for the construction of a single storey dual pitch roofed extension that would replace an existing conservatory and a single storey flat roofed extension. A detached garage in the rear garden is also to be removed from the site. The proposed extension runs for the full 7.1m width of the property and has a projection of 7m. It provides a kitchen, lounge and utility room and is to be finished in external materials to match the existing property.

Relevant Planning History

Application No.	Development	Decision	Date
92/0692	CHANGE OF USE FROM SHOP TO RESIDENCE.	Granted	02/12/1992

Relevant Planning Appeals History

None.

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 04 March 2015 and confirm they have "*No specific observations.*"

Statutory Consultees and Observations of Other Interested Parties

None to report.

Neighbour Observations

Neighbours notified: 04 March 2015

No. Of Responses Received: None

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL05	House extensions

Other Relevant Policy:

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

Environmental Impact Assessment

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

Comment and Analysis

The issues to consider in the determination of this application are the criteria set out in policy HL5 of the Fylde Borough Local Plan.

Design, scale and appearance

The design, scale and appearance of the proposed extension are not considered to be at odds with the existing building and given that it would be located wholly to the rear of the property it would not impact on the wider street scene of Spring Gardens. There is an existing brick boundary wall to the rear boundaries that will be retained and ensures there is no harm to the streetscene.

Neighbour amenity

The only property potentially affected by the proposal is the adjoining ground floor flat at No.7 Spring Gardens. The proposed extension would replace an existing extension of similar rearward projection and given that No.7 also has a single storey rear extension of similar rearward projection, against which the proposed would be constructed, it is considered that there would be no greater impact than already exists.

Garden area, off street parking, and vehicle access

None of the remaining criteria of policy HL5 would be prejudiced by the proposal.

Conclusions

The proposed extension is considered to accord with the criteria of policy HL5 of the Fylde Borough Local Plan and members are respectfully recommended to approve the scheme.

Recommendation

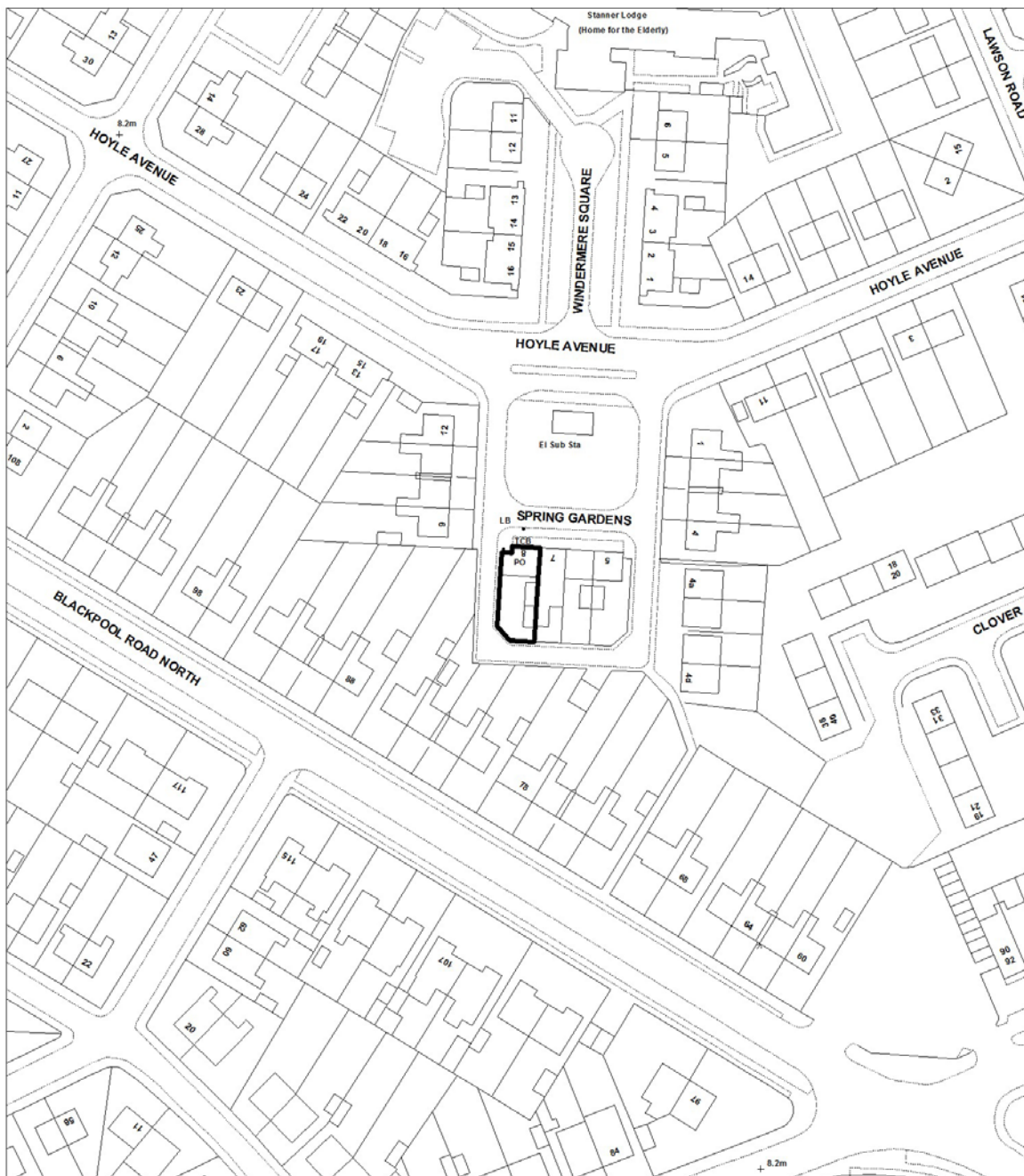
That Planning Permission be GRANTED subject to the following conditions:

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

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

2. The materials of construction and/or finish in respect of the extension hereby approved shall match those of the existing building entirely to the satisfaction of the Local Planning Authority.

To ensure visual harmony in respect of the overall development.



Development Services Fylde Council		(c) Crown Copyright and database right (2015). Ordnance Survey (100006084).	
Application No. 5/15/0093	Address 8 Spring Gardens, Lytham St Annes	Grid Ref. E.3329 : N.4304	Scale 0 6 12 18 24 m

Application Reference:	15/0115	Type of Application:	Full Planning Permission
Applicant:	Mythop Road Allotment Association	Agent :	
Location:	ALLOTMENT GARDENS, MYTHOP ROAD, LYTHAM ST ANNES		
Proposal:	PROPOSED SITING OF STORAGE CONTAINER FOR GENERAL ALLOTMENT STORAGE PURPOSES, AND INSTALLATION OF 2 NO. ECO-TOILETS.		
Parish:	ST JOHNS	Area Team:	Area Team 1
Weeks on Hand:	9	Case Officer:	Rob Clewes
Reason for Delay:	Need to determine at Committee		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposal relates to the siting of two toilets and a storage container within these council owned allotments in Lytham. The proposed development does not result in the loss of any allotment space and is for the benefit of the existing allotment users. The eco-toilets are appropriately designed and will have no impact on residential amenity. The storage container is close to the boundary with the neighbouring property at No.34 Ribchester Road but is considered to be appropriately located to minimise potential impacts on disturbance and the visual appearance of the container. A condition to require the container to be coloured green will help it blend into its surroundings. The proposal is therefore considered to comply with the NPPF and with policy TREC18 and SP1 of the Fylde Borough Local Plan and so is recommended for approval.

Reason for Reporting to Committee

This application has been brought before Development Management Committee as the application is on land owned by the Council.

Site Description and Location

The application site is the Mythop Road Allotments. It is located between Mythop Road to the north and the railway line to the south. Either side of the allotments there are residential properties on The Glades to the west and Ribchester Road and Whitecoats Drive to the east. The site is a large allotment garden with multiple individual allotments. There are three main access points to the site, one at the end of Ribchester Road, and two off Mythop Road. The site is located within the settlement and as defined allotments under Policy TREC18 in the Fylde Borough Local Plan.

Details of Proposal

The proposal is for the siting of two eco-toilets and a storage container. The eco-toilets are to be located adjacent each internal access track within the site. They are small structures measuring

2.55m high and with a foot print of 1.5m by 2.3m.

The storage container is to be located at the south of the site on the existing parking area closest to Ribchester Road. It will be positioned adjacent the southern boundary which also forms the side boundary of the rear garden No.34 Ribchester Road. The container measures 6m by 2.4m and is 2.6m high.

Relevant Planning History

Application No.	Development	Decision	Date
94/0489	CHANGE OF USE OF ALLOTMENT TO CAR PARK	Granted	17/08/1994
92/0255	PROVISION OF 4 CAR PARKING SPACES FOR ALLOTMENT HOLDERS.	Granted	20/05/1992

Relevant Planning Appeals History

None

Parish/Town Council Observations

None

Statutory Consultees and Observations of Other Interested Parties

None

Neighbour Observations

Neighbours notified: 26 February 2015

No. Of Responses Received: None

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
TREC18	Allotments

Other Relevant Policy:

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

Site Constraints

None

Environmental Impact Assessment

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

Comment and Analysis

Principle of the development

All three elements of the proposed development are located entirely within the allotment site. Therefore Policy TREC18 of the Fylde Borough Local Plan applies. TREC18 seeks to protect the land for allotment use and does not permit any other uses unless it can be proven that there is no need for the land as allotments. The proposal is for the benefit of the existing allotment holders and does not result in the loss of any individual allotments therefore it is considered that the proposal complies with policy TREC18.

Impact to neighbouring residential amenity

The eco-toilets are sited centrally on the site and will have no impact on residential amenity. The toilet buildings will appear similar to a garden shed in terms of size and with the nearest one being at least 20m away from the nearest properties to the west therefore they are considered small enough and located a far enough distance away from the boundaries of the allotment site. They operate without any need for water or electricity and are designed for locations such as this.

The proposed storage container is to be sited adjacent to the boundary with No.34 Ribchester Road and so has a potential impact in terms of its mass and bulk adjacent the shared boundary. Although there will be an impact it is considered acceptable as it is not situated immediately next to the dwelling and whilst it is taller than the boundary fence it is not considered so tall that it would be detrimentally overbearing. The existing boundary vegetation will also help screen the container and reduce its overbearing. In addition views from the dwelling of No.34 are rearwards down its own rear garden and not over the boundary towards the allotments. It will create no impact to other nearby neighbouring properties.

Design and visual amenity

The eco-toilets are of an appropriate design and due to their small size will not form an incongruous feature within the allotment site. The container is not overly large when compared against the typical buildings and structures seen in the allotment site overall but to help ensure that the container is not a dominant feature and incongruous a container is proposed to require that it is painted an appropriate green colour to help it blend in with adjacent vegetation and the surroundings.

Conclusions

The proposal relates to the siting of two toilets and a storage container within these council owned allotments in Lytham. The proposed development does not result in the loss of any allotment space and is for the benefit of the existing allotment users. The eco-toilets are appropriately designed and will have no impact on residential amenity. The storage container is close to the boundary with the neighbouring property at No.34 Ribchester Road but is considered to be appropriately located to minimise potential impacts on disturbance and the visual appearance of the container. A condition to require the container to be coloured green will help it blend into its surroundings. The proposal is therefore considered to comply with the NPPF and with policy TREC18 and SP1 of the Fylde Borough Local Plan and so is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

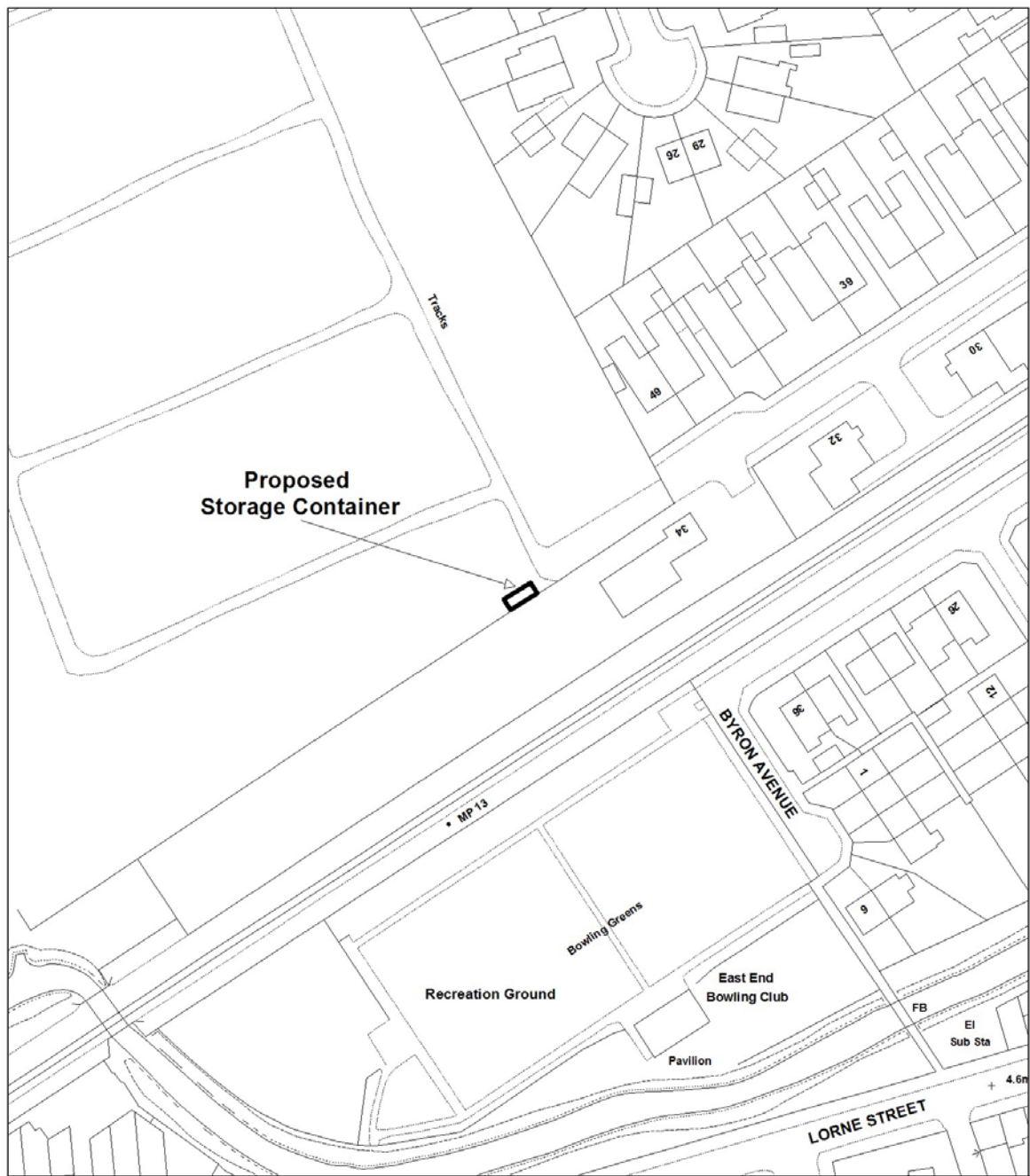
2. Prior to the first siting of the storage container details of its colour shall be submitted to and approved in writing by the local planning authority. The container shall be painted/finished in the agreed colour prior to its first use and retained as such thereafter.

In the interests of visual amenity of the area.

3. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 19 February 2015, including the following plans:

Site location plan/site plan

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



Development Services Fylde Council		(c) Crown Copyright and database right (2015). Ordnance Survey (100006084).	
Application No. 5/15/0115	Address Allotment Gardens, Mythop Road, Lytham St Annes	Grid Ref. E.3375 : N.4276	Scale 0 5 10 15 20 m

Item Number: 5

Committee Date: 29 April 2015

Application Reference:	15/0118	Type of Application:	Full Planning Permission
Applicant:	Mr Ashworth	Agent :	Croft Goode Limited
Location:	MOSS SIDE VILLA FARM, CARTMELL LANE, LYTHAM ST ANNES, FY8 4JW		
Proposal:	PROPOSED CONVERSION OF DISUSED AGRICULTURAL BUILDINGS INTO TWO DWELLINGS INCLUDING TWO STOREY LINK ELEMENT, EXTENSIONS TO FORM DOUBLE GARAGES, SINGLE STOREY EXTENSIONS, OTHER ALTERATIONS TO THE BUILDINGS AND DEMOLITION OF OTHER DISUSED FARM BUILDINGS		
Parish:		Area Team:	Area Team 2
Weeks on Hand:	9	Case Officer:	Alan Pinder
Reason for Delay:	Need to report at Committee		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application seeks planning permission for the conversion of vacant agricultural barns to create two new dwellings. Planning permission has already been granted in January 2014 for a similar scheme (permission ref. 13/0002). The differences sought by this scheme are as a consequence of a prospective purchaser of the buildings looking to revise the scheme to suit his requirements. Whilst these involve an increase in new building as part of the development the alterations are not significant.

The buildings are generally sound and capable of conversion to residential use without substantial rebuilding works. The location of the site is not considered appropriate for a commercial use of the buildings and their conversion to dwellings would ensure the retention of these buildings which are of historical interest and would contribute towards the delivery of the Borough's housing supply.

The development is considered to accord with Policy SP6 of the Fylde Borough Local Plan relating to residential conversions and hence members are recommended to approve the application subject to a series of planning conditions.

Reason for Reporting to Committee

The Parish Council's objection is at odds with the officer's recommendation of approval of the proposed scheme.

Site Description and Location

The application site is a disused dairy farm located within designated countryside, midway between the settlements of Lytham St Annes and Wrea Green. It consists of a farmhouse (which is unaffected by this application) and associated redundant agricultural buildings consisting of two brick built

barns and 6 small/medium portal framed buildings. The site is within designated countryside and is neighboured to the north east by Smeath Hill Farm (approx. 360 metres) and to the south by Woodside Farm (290 metres).

Details of Proposal

Full planning permission is sought for the demolition of six redundant portal frame sheds in order to facilitate the conversion of redundant brick built barns to form two new attached residential properties. The scheme remains largely the same as that previously approved under planning permission ref. 13/0002 but with the following amendments:

- Addition of a single storey extension to the side of unit 1 to provide additional kitchen/dining space
- Single storey fully glazed 'sun room' to the rear of unit 1
- Increase in height by 1 metre of unit 1's attached garage to provide an additional bathroom and dressing room at first floor
- Unit 2's double garage now to be attached rather than separate, and its roof slope re-oriented by 90 degrees
- Alterations to proposed fenestrations - some additional and some repositioned

Relevant Planning History

Application No.	Development	Decision	Date
14/0906	RESUBMISSION OF APPLICATION 13/0002 FOR CONVERSION OF DISUSED AGRICULTURAL BUILDINGS INTO TWO DWELLINGS INCLUDING ERECTION OF TWO STOREY LINK ELEMENT, EXTENSIONS TO FORM DOUBLE GARAGES, SINGLE STOREY EXTENSIONS OTHER ALTERATIONS TO THE BUILDINGS AND DEMOLITION OF OTHER DISUSED FARM BUILDINGS.	Withdrawn by Applicant	15/01/2015
13/0002	PROPOSED CONVERSION OF DISUSED AGRICULTURAL BUILDINGS INTO 2 NO. DWELLINGS INCLUDING ERECTION OF TWO STOREY LINK ELEMENT, 2 NO. DETACHED DOUBLE GARAGES, OTHER ALTERATIONS TO THE BUILDINGS AND DEMOLITION OF OTHER DISUSED FARM BUILDINGS. PROPOSED ERECTION OF DOUBLE GARAGE TO FARM HOUSE	Granted	16/01/2014
96/0452	TWO STOREY SIDE EXTENSION, SIDE CARPORT & FRONT PORCH	Granted	14/08/1996
78/0752	OUTLINE - FARM WORKERS DWELLING.	Refused	08/11/1978
79/0535	OUTLINE - FARM WORKERS DWELLING.	Refused	26/10/1979

Relevant Planning Appeals History

Application No.	Development	Decision	Date
79/0535	OUTLINE - FARM WORKERS DWELLING.	Dismiss	16/07/1980

Parish/Town Council Observations

Bryning with Warton Parish Council notified on 26 February 2015 and object to the application making the following comments:

“From the application the development of two residential units in this farm is not designed or intended to support the agricultural property by either providing living accommodation for existing workers, family operators of the farm or potential new residents to support the property. It is appreciated that dairy farming has been in decline nationally and this may well in time force the farm to cease operation as such. However there could also be reversal in fortunes, a change in the future, so development of these buildings purely as independent residential properties would be detrimental to the agricultural nature of the property. Local farming is an important part of the Fylde and random piece meal small developments directly sited within agricultural properties should be prevented unless there is a genuine need evidenced as it will inevitably accelerate the decline of available agricultural facilities in the area.

Members feel that if it minded to support the application the final decision should be brought before the Development Management Committee.”

Statutory Consultees and Observations of Other Interested Parties

BAE Systems

No objections

Ministry of Defence - Safeguarding

No safeguarding objections

Lancashire County Council - Highway Authority

No highway objections.

United Utilities Group Plc

No comments received at the time of writing, however no objections were raised for the similar scheme approved under 13/0002.

National Grid

No comments received at the time of writing

Building Control Manager

No objections

Neighbour Observations

Neighbours notified: 26 February 2015

No. Of Responses Received: None

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
SP06	Conversion of rural buildings to residential use
HL02	Development control criteria for new housing proposals

Other Relevant Policy:

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

Environmental Impact Assessment

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

Comment and Analysis

Principle of Residential Use

The principle of the residential conversion and use of these agricultural buildings has already be established by planning permission ref. 13/0002, which was issued on 16 January 2014 and remains extant. This application is supported with a structural survey which confirms that although some structural improvement works are required, the buildings are not structurally unsound. This confirms the position is as it was at the time of the previous assessment of their suitability for conversion.

Appearance

The main form and character features of both buildings would be retained as part of the conversion. However in order to adapt the two buildings for residential use additional fenestrations are required to provide adequate natural light to the interior areas. These additional openings are considered to respect the original character of the buildings and would not result in an overdeveloped appearance that unacceptably harms the original character.

With regard to the proposed two storey linking element this has the gabled form of a traditional barn style structure but with elements of a more contemporary nature (e.g. the form of fenestrations and external materials) that provide a helpful contrast and indicate that this element is a modern addition whilst maintaining a traditional feel. Overall it is considered this works well within this setting. The proposed amendments to the previously approved scheme would maintain the character of the original buildings and are not considered to be overly intrusive within the context of the site.

Neighbour Relationship

The only property likely to be affected by the proposal is the existing farmhouse that sits opposite the main barn. The separation distance between the properties and the relative aspects of their windows is such that privacy issues are not considered to be a concern.

Access

The site benefits from three existing vehicle access points and the application proposes to retain and use these. LCC Highways have raised no objections to the proposed scheme

Ecology

As the application involves alterations to redundant farm buildings there are potential ecological implications for bats and barn owls. No bat/barn owl survey results have been submitted with this application however they were submitted with the previous application (13/0002) and at that time identified the potential for Barn Owl roosts within the site, a bat roost within the main barn, and bat foraging areas around and inside the other buildings. The LCC Ecologist was consulted on these surveys and their proposed mitigation measures and raised no objection subject to the requirements for a protected species licence being issued by Natural England. Also that should any trees be removed as part of the development a further bat assessment/survey should be carried out

Given the findings of these previous surveys it is not considered that additional surveys are required and that the mitigation required for the previous permission will be equally applicable to this amended scheme.

With regard to protected species licences these are issued by Natural England and are subject to 3 tests which have to be met by the applicant, these being:

1. The development is required for other imperative reasons of over-riding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment
2. There is no satisfactory alternative
3. The proposal will not be detrimental to the maintenance of the population of the species at a favourable conservation status in their natural range.

Planning case law has confirmed that Local Planning Authorities must be satisfied that the proposed development meets these three tests prior to the granting of planning permission. The County Ecologist has assessed the submitted mitigation measures and is of the opinion they are sufficient to meet the requirements of test 3. With regard to test 1, the buildings are considered to be of historic interest and the proposed conversions will enable the buildings to be preserved in good condition. With regard to test 2 the buildings are no longer used and vacant, and hence there is no incentive to maintain their already deteriorating fabric. This may ultimately result in the loss of this bat habitat if the deterioration extended to a point where the buildings had to be demolished for health and safety reasons. In the absence of any published guidance from Natural England in respect of assessing arguments for the three tests this Council's officers are satisfied that there is no satisfactory alternative for these buildings and hence the requirements of test 2 have been met. Subject to the proposed mitigation schemes being secured by condition the proposal will comply with the requirements of Policy EP18 and the relevant part of the NPPF.

Other matters

The parish council have objected to the proposal on the grounds that it would result in the loss of agricultural facilities in the area. However this notwithstanding the conversion of the buildings to residential use has already been established in principle by the extant planning permission ref. 13/0002. It is noted that when the Parish Council were consulted on this previous application they raised no objections or observations against the scheme.

Conclusions

The application relates to the conversion of two vacant and unused brick built agricultural buildings at Moss Side Villa Farm. The buildings are generally sound and capable of conversion to residential use without substantial rebuilding works. The location of the site is not considered appropriate for

a commercial use of the buildings and their conversion to dwellings would ensure the retention of these buildings which are of historical interest and would contribute towards the delivery of the Borough's housing supply. The development is considered to accord with Policy SP6 of the Fylde Borough Local Plan relating to residential conversions and hence members are recommended to approve the application subject to a series of planning conditions.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. The development hereby approved shall relate to the works shown on the following plans;

- Site Location Plan – Croft Goode Architects drawing no. 14-2008 L01 Rev A
- Demolition Plan - Croft Goode Architects drawing no. 14-2008 P11
- Proposed Site Layout - Croft Goode Architects drawing no. 14-2008
- Proposed Elevations - Croft Goode Architects drawing no. 14-2008 PN201 Rev A
- Proposed Floor Plans – Croft Goode Architects drawing no. 14-2008 PN101 Rev A
- Proposed Boundary Treatment - Croft Goode Architects drawing no. 14-2008 P08

For clarity in defining the permission.

3. Notwithstanding any denotation on the approved plans samples of the facing materials, roof treatment and wall cladding shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

Such details are not shown on the application and must be agreed to ensure a satisfactory standard of development.

4. Samples of materials proposed for all hard surfaced areas of the site shall be submitted to the Local Planning Authority for approval prior to the commencement of any surfacing work on site, and thereafter only approved materials shall be used either during the initial works or subsequently in any repairs to the surfaces.

In the interests of visual amenity and to contribute to the overall quality of the development.

5. Prior to the installation of new doors and windows detailed drawings of those doors and

windows, at scale 1:20, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter only those approved details shall be used in the development. All window frames shall be set in no less than 100mm reveal and thereafter maintained as such to the satisfaction of the Local Planning Authority.

To secure appropriate materials and details of fenestration given the special interest of the former agricultural buildings.

6. The development hereby approved shall be implemented in full accordance with the recommendations set out in the Protected Species Survey Report (Bats & Barn Owl) produced by 'Ecology Services', dated September 2013, and approved as part of planning permission ref. 05/13/0002.

To safeguard the habitat and population of protected species around the site during the development in accordance with Policy EP19 of the Fylde Borough Local Plan as Altered (October 2005)

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

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

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

[CLASS VARIABLES

A	House Extensions.
B&C	Roof Extensions/alterations
D	Porches
E	Curtilage buildings
F	Hardstanding
G	Fuel containers
H	Satellite antenna]

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

9. Notwithstanding the provision of Classes A, B, C of Part 2 to Schedule 2 in Article 3 of the Town and Country Planning General Permitted Development Order 1995 [or any Order revoking or re-enacting that Order], no further development of the dwellings or curtilages

relevant to those classes shall be carried out without Planning Permission.

[CLASS VARIABLES

- A Gates, walls, fences
- B New access
- C Exterior treatment]

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

10. A full drainage scheme incorporating details of foul and surface water connections are to be submitted to the Local Planning Authority for written approval prior to the commencement of development and subsequently only those works shall be implemented.

To ensure the provision of a satisfactory drainage scheme.

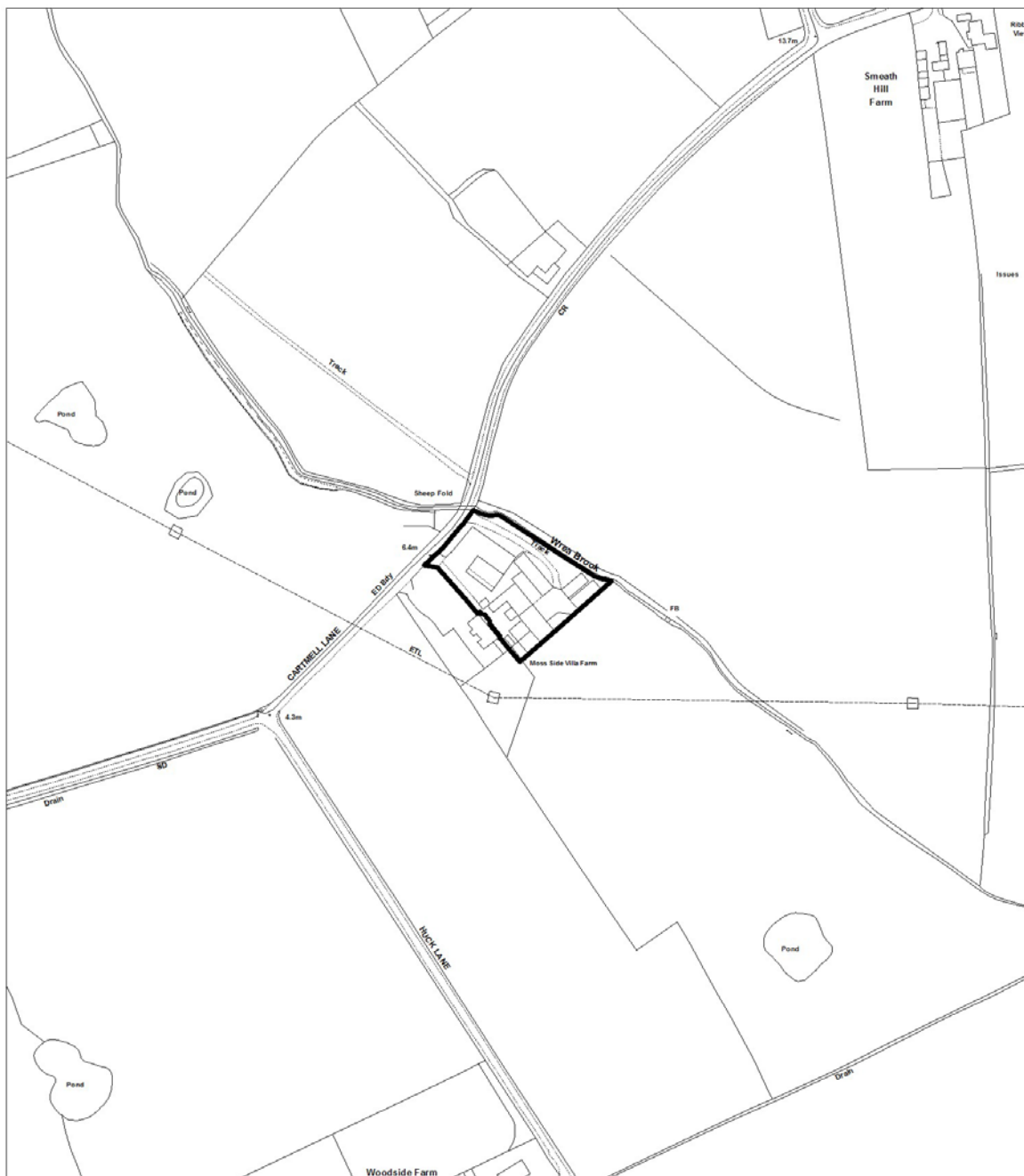
11. The extent of the repair and rebuilding works to be undertaken as part of the conversion of the building hereby approved shall be strictly limited to the works identified in section 5 of the structural inspection report produced by Thomas Consulting, referenced as P4491-13 and dated 21 March 2013.

To ensure that the building is appropriately converted without excessive rebuilding elements.

12. Prior to the first occupation of either of the approved new dwellings the curtilage boundary treatments shall be erected in accordance with the following approved drawings:

- Proposed Boundary Treatment - Croft Goode Architects drawing no. 14-2008 P08
- Proposed Site Layout - Croft Goode Architects drawing no. 14-2008

To ensure the agreed curtilage areas are established and set out as approved.



Development Services Fylde Council		(c) Crown Copyright and database right (2015). Ordnance Survey (100006084).	
Application No. 5/15/0118	Address Moss Side Villa Farm, Cartmell Lane, Lytham St Annes	Grid Ref. E.3385 : N.4296	Scale 0 15 30 45 60 m

LIST OF APPEALS DECIDED

The following appeal decision letters were received between 18/03/2015 and 16/04/2015. Copies of the decision letters are attached.

Rec No: 1

05 February 2015 14/0539

SHEEP FOLD GRANGE, MEDLAR LANE, MEDLAR
WITH WESHAM, PRESTON, PR4 3HR
RETROSPECTIVE APPLICATION FOR FORMATION
OF ROOF LINK BETWEEN DWELLING AND
DETACHED GARAGE, AND ALTERATIONS TO
APPEARANCE OF GARAGE TO FACILITATE ITS USE
AS A RESIDENTIAL ANNEX

Householder
Appeal
AS

Appeal Decision: Allowed: 18 March 2015



Appeal Decision

Site visit made on 11 March 2015

by **David Fitzsimon MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 March 2015

Appeal Ref: APP/M2325/D/15/3003210

Sheepfold Grange, Medlar Lane, Medlar with Wesham, Kirkham, Preston, Lancashire PR4 3HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Gazey Developments against the decision of Fylde Borough Council.
 - The application Ref 14/0539, dated 10 May 2013, was refused by notice dated 29 October 2014.
 - The development undertaken is 'formation of roof link between dwelling and detached garage, and alterations to appearance of garage to facilitate its use as a residential annex'.
-

Procedural Matter

1. The external elements of the development were substantially complete at the time of my visit. This has no bearing on my decision which is based on the planning merits of the case.

Decision

2. The appeal is allowed and planning permission is granted for 'formation of roof link between dwelling and detached garage, and alterations to appearance of garage to facilitate its use as a residential annex' at Sheepfold Grange, Medlar Lane, Medlar with Wesham, Kirkham, Preston, Lancashire PR4 3HR in accordance with the terms of the application, Ref 14/0539, dated 10 May 2013, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 08112367/5 and 08112367/6.
 - 2) The windows, doors and infill panels for the development hereby permitted shall be timber and shall be painted or stained, in accordance with details to be submitted to and agreed in writing by the local planning authority. The accommodation shall not be occupied until the windows, doors and infill panels are installed and finished in accordance with the approved specification and they should be retained thereafter, unless the Council agrees in writing to any variation.
-

- 3) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Sheepfold Grange.

Main Issue

3. The main issue in this case is the effect of the proposal on the privacy of neighbouring residents.

Reasons

4. The appeal relates to one of two linked dwellings set within a courtyard which I understand have been created by the conversion of redundant agricultural buildings. The development before me has linked a detached garage to the appeal dwelling and several rooflights and a glazed pediment have been installed to enable accommodation to be provided within the roof space. The Council raises no objection to the general form of the work which has been undertaken and I am satisfied that it is broadly in keeping with the character and appearance of the host dwelling and its setting.
5. The Council does, however, have concerns that the glazed pediment overlooks the dwelling across the courtyard, Harts Barn, whilst at least one of the rooflights overlooks the garden of the adjacent North Green Hills Farmhouse. Whilst the glazed pediment does overlook the communal courtyard, towards the two storey dwelling of Harts Barn, this dwelling is a reasonable distance away. Further, the overlooking from the glazed pediment is similar to the overlooking from the first floor windows of this dwelling across to the appeal dwelling.
6. Views from the glazed pediment across North Green Hills Farmhouse are oblique. It is possible to look out from the nearest rooflight across part of the front garden of this neighbouring dwelling, but this is not a particularly private space in any event because it sits at the front of the property and is widely visible from the public domain.
7. For the above reasons, I conclude that the development undertaken does not unduly compromise the privacy of neighbouring residents. In such terms, there is no conflict with saved policy HL5 of the adopted Fylde Borough Local Plan.

Other considerations

8. I have considered the additional concerns raised by nearby residents. It has been suggested that the development is not compliant with the Building Regulations, but this is not a matter for me to consider. It has also been advanced that the additional accommodation will result in increased noise and disturbance, a greater demand for car parking and more vehicle movements. I am mindful, however, that the development provides accommodation associated with the main dwelling rather than a separate residence and adequate parking is available. The use of the accommodation could be restricted by an appropriately worded planning condition and as such, I see no reason why the current situation would materially change.

Conditions

9. As the external elements of the development are largely complete, a condition to limit the lifespan of the planning permission is not necessary. A condition to

ensure the development takes place in accordance with the approved plans is required for the avoidance of doubt. The Council has suggested two other conditions in the event the appeal succeeds. The first is to ensure that the external materials match those of the existing building. I saw at my visit that a number of windows and doors installed at the host dwelling are 'oak effect' UPVC, although it is unclear whether these are lawful.

10. I appreciate that as a general rule, the installation of oak effect UPVC windows and doors is not recommended when converting former agricultural buildings to dwellings. This is because they rarely respond well to the original character of such buildings. Nevertheless, if the existing UPVC windows are lawful, I consider that it would be unreasonable to insist on the UPVC windows, doors and infill panels which have been installed within the development before me being replaced with timber units. In allowing the appeal, I shall impose a condition which appropriately deals with this matter. The second suggested condition seeks to restrict the occupancy of the accommodation and I agree this is necessary for reasons I have already explained.

11. In allowing the appeal, I shall impose conditions accordingly.

David Fitzsimon

INSPECTOR