

Agenda

Planning Committee

Date:	Wednesday, 3 July 2024 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 Peter Collins, Chris Dixon, Martin Evans, Kelly Farrington, Gail Goodman JP, 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 12 June 2024 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	3-30
	INFORMATION ITEMS:	
5	List of Appeals Decided	31

Email: democracy@fylde.gov.uk

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

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Planning Committee Agenda

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Item	Appn No.	Location and Description	Officer Rec.	Page No.
1	24/0149	LAND TO THE REAR OF 1 CLIFTON LANE, NEWTON WITH CLIFTON, PRESTON PR4 0YD	Grant	5
		PERMISSION IN PRINCIPLE FOR ERECTION OF ONE DWELLING		
2	24/0204	SMITHY FARM, KIRKHAM ROAD, TREALES ROSEACRE AND WHARLES, PRESTON PR4 3SD	Grant	16
		APPLICATION TO VARY CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION 22/0525 FOR ALTERATIONS TO SIZE AND DESIGN OF DWELLING ON PLOT 1 COMPRISING: 1) ENLARGEMENT OF GROUND AND FIRST FLOOR FOOTPRINT OF BUILDING; 2) INCREASE IN RIDGE HEIGHT AND REDUCTION IN ROOF PITCH OF DWELLING; 3) LOWERING IN RIDGE HEIGHT AND REDUCTION IN ROOF PITCH OF ATTACHED GARAGE; 4) REDUCTION IN DEPTH OF GROUND FLOOR REAR OUTRIGGER; 5) INCREASE IN WIDTH AND RIDGE HEIGHT OF FRONT PORCH; 6) REMOVAL OF CHIMNEY AND ALTERATIONS TO SIZE OF TWO FIRST FLOOR WINDOWS ON EAST FACING SIDE ELEVATION; 7) REMOVAL OF PEDIMENT TO GARAGE ROOF ON FRONT ELEVATION; 8) ALTERATIONS TO SIZE AND DESIGN OF FRONT AND REAR DORMER WINDOWS; 9) ALTERATIONS TO DESIGN OF GROUND FLOOR WINDOWS AND DOORS ON FRONT AND REAR ELEVATIONS OF DWELLING; AND 10) ADDITION OF DOORWAY TO REAR ELEVATION OF GARAGE		

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Background Papers

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

- Fylde Local Plan to 2032 (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

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Item 1

Application No:	24/0149	Case Officer:	Jennifer Rawcliffe Area Team 2
Applicant:	Mr W Riding	Agent:	Mr Neil Anyon
Location:	LAND TO THE REAR OF 1 CLIFTON LANE, NEWTON WITH CLIFTON, PRESTON PR4 0YD		
Proposal:	PERMISSION IN PRINCIPLE FOR ERECTION OF ONE DWELLING		
Ward:	Rural East Fylde	Parish:	Newton with Clifton
Date Received:	8 April 2024	Earliest Decision:	23 May 2024
Reason for any delay:	Need to determine at Committee due to scale or nature of application	Online application file here	
Officer Recommendation:	Grant		
Location Plan	<p>©Crown Copyright, Fylde Borough Council Licence No. AC0000817559 (2024)</p>		

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Summary of Officer Assessment

The application is for Permission in Principle (PiP) for the erection of one dwelling on an area of land which currently forms part of the residential curtilage of 1 Clifton Drive in Clifton. This is a semi-detached dwelling which is located in an area within the defined settlement of that village which is wholly residential in character. The proposal would require the demolition of an existing detached garage on the site to facilitate the formation of the additional residential plot.

Unlike with a planning application the scope of matters for consideration in a Permission in Principle application is limited to the location, the land use, and the amount of development proposed. All other matters are for consideration at the later Technical Details Consent stage should Permission in Principle be granted.

The Parish Council have objected to the application and have requested that the application is presented and determined at the Planning Committee should officers be recommending that the application be supported, hence this report. Their objections refer to concerns over the publicity arrangements, over the scale of the development on the plot, over concerns with the access. and that the development would conflict with the character of the area.

Officers are satisfied the publicity undertaken was correct. It is also the case that the Parish Council's concerns with regard to the size, scale, design and layout of the proposed dwelling/ plot cannot be considered as part of this PiP application due to the limitations imposed by this legislation, although those matters would be very relevant during the Technical Details Consent stage which would be required subsequent of this application. The adequacy of the access arrangements for the development can be considered, although it is noted that the Local Highway Authority raise no objection to the development and officers agree that the access is acceptable.

As above, the scope of the consideration of this application is limited to location, land use and amount of development proposed. In this case, the whole of the application site is within the settlement boundary of the settlement of Clifton as designated on the FLLPR Policies Map, therefore the principle of residential development on this plot of land is acceptable in accordance with the development strategy set out in FLPPR policies S1, DLF1 and GD1.

Accordingly, this PiP application for the construction of a dwelling within a settlement area should be granted in line with the limitations and requirements of Part 2A of The Town and Country Planning (Permission in Principle) Order 2017 (as amended) with other matters, including those raised by Members to be considered during Technical Details Consent stage.

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 site relates to land to the rear of no. 1 Clifton Lane which is situated on a corner plot at the junction with Ash Lane, Clifton. The land currently forms part of the residential curtilage of no. 1 Clifton Drive and comprises of a large detached single storey garage with an open access taken from the Ash Lane elevation. No 1 Ash Lane is situated to the east side of the plot.

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The site is within a settlement boundary area as shown on the Policies Map within the Fylde Local Plan to 2032 (incorporating Partial Review).

Details of Proposal

The application is submitted pursuant to Part 2A of The Town and Country Planning (Permission in Principle) Order 2017 (as amended) (referred to hereafter as the 'PIP Order') and seeks permission in principle for the erection of 1 dwelling on the site. The application is accompanied by the following plans and documents:

- Existing site plan drawing no. PIP/23PL1 Rev A
- Location plan drawing no. 27/72LOC Rev A
- Proposed elevations and floor plans drawing no. PL1/23P1 Rev A
- Proposed street scene & levels drawing no. SSL/20PSSL1 Rev A

Relevant Planning/Appeal History

There is no planning history at the property relating to the erection of a dwelling, with the only planning history being an application under reference 10/0153 which was refused in respect of the formation of an additional access to the property from Clifton Lane.

Parish/Town Council Observations

Parish/Town Council	Observations
Newton with Clifton Parish Council	<p><u>Comments received on 7 May 2024</u></p> <p>The Parish Council object to the proposal on the following grounds:</p> <p><i>"The application was considered at a meeting held on Thursday 2nd May 2024 and council adopted a resolution that it be recommended the application is refused planning permission. Prior to considering the application members again expressed their concern regarding the apparent lack of planning site notices i.e. usually displayed on street lighting columns or similar for 21 days near a development address and request an explanation from the planning authority.</i></p> <p><i>Members determined the proposed development is considered inappropriate due to a perceived incongruence with existing residential development, and as a consequence detrimental to the street scene in the locality. Therefore the proposed development is inconsistent with the requirements of Fylde Local Plan to 2032 (FLPPR) policy GD7 and the NPPF.</i></p> <p><i>A proposed new access on a narrow country lane subject to vehicle width restrictions and opposite existing residential development is considered detrimental to highway safety and the proposal is contrary to FLPPR policies GD7j, GD7q, National planning policy framework paragraph 110b and general highway safety principles.</i></p> <p><i>The proposed single dwelling is within a small-scale confined area contiguous to a pumping station, and members consider the</i></p>

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	<p><i>proposed development conflicts with FLPPR policy GD7d, which is intended to prevent over development and ensure building to plot ratio, design, layout, massing, scale, and siting of the proposed dwellings proportionately relate to the surrounding location, and paragraphs 130, 134 and 174 b) of the National Planning Policy Framework.</i></p> <p><i>Should the application case officer be minded granting the proposed development planning permission members will appreciate the matter being referred to the Fylde council planning committee and request an assurance that council's observations are duly considered, recorded in full and not otherwise abridged as part of a report."</i></p>
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Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
LCC County Highways	<p>County highways have been consulted with and have provided the following comments:</p> <p><i>"LCC Highways does not have any objections regarding the proposed permission in principle for erection of one dwelling and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.</i></p> <p><i>It is requested at technical submission that the applicant demonstrates that safe access can be provided to and from the highway to both the existing dwelling and the proposed dwelling.</i></p> <p><i>We would also request that adequate off-street parking is provided for both dwellings. We would expect the applicant to provide:</i></p> <ul style="list-style-type: none"> <i>• The single vehicle width private drives to have a minimum width of 3.2m where they are used for vehicular access and pedestrian access to the property. From Approved Document M (Access to and use of buildings), recommends an unobstructed width of at least 900mm to access the property.</i> <i>• The double vehicle width private drives to have a minimum width of 5.6m where they are used for vehicular access and pedestrian access to the property. From Approved Document M (Access to and use of buildings), recommends an unobstructed width of at least 900mm to access the property.</i> <i>• Where the private drives are sand wedged between walls and fences, it is recommended that single width drives to have a minimum clear width of 3.0m, to provide additional room to open the doors. The recommended width of 3m is based on the width of a large family car (Ford Mondeo Estate 2.09m wide), clearance at the passenger side to the fence/wall (200mm), clearance at the drive side of the car</i>

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	<ul style="list-style-type: none"> • <i>To protect pedestrians passing the drive the applicant should provide 45° visibility splays between the back of the existing adopted footpath measured 3m back from the nearside edge of the footway. The applicant should provide accurate details of the required sight line requirement, before determining the application, ensuring the entire sight line requirement is fully achievable over land within the applicants control and to fully show all works which would be required to provide the sight lines.</i> • <i>Any proposed additional or amended vehicular access for the dwelling, within the adopted highway fronting the property will need to be constructed. The applicant is required to apply for a vehicle crossing on the LCC Highways website. Approved contractors will be under agreement with Lancashire County Council to ensure the use of appropriate materials and workmanship, the safety of any walking surfaces and the protection of pipes and cables under the footway from damage. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. Further information and advice can be found at www.lancashire.gov.uk/roads-parking-and-travel/roads/vehicle-crossings</i> • <i>Any redundant dropped kerbs to be reinstated to full height kerbs.</i> <p><i>To make an accurate assessment of the proposed private car parking for the existing dwelling, LCC Highways would require an accurate plan of the existing building including the porch and the bay window. This would need to be included within the red edge of the site”.</i></p>
United Utilities	<p>Comments were received from UU on 24/0149:</p> <p>They refer to the need for a further consultation to be undertaken at the time of the Technical Details Consent to allow a fuller consideration of the proposal. However they confirm that the proposals are acceptable in principle based on the submitted details with this PiP application.</p> <p>They also refer to the proximity of a rising main to the site and so highlight this to the developer as it will need to be considered as it may influence the future development of the site.</p>

Neighbour Observations

Neighbours notified:	9 April 2024	
Site Notice Date:	9 May 2024	
Number of Responses	Total number of comments	0

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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):

S1 - The Proposed Settlement Hierarchy
DLF1 - Development Locations for Fylde
H1 - Housing Delivery and the Allocation of Housing Land
H2 - Density and Mix of New Residential Development
GD1 - Settlement Boundaries
GD7 - Achieving Good Design in Development
ENV1 - Landscape and Coastal Change Management Areas
ENV2 - Biodiversity

Other Policies and 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

Scope of the application and main issues:

Applications for Permission in Principle are a relatively new introduction to planning legislation and so to assist Members this section of the report will set out the scope of the matters under consideration with these submissions.

The ‘permission in principle’ chapter of the PPG sets out the matters that are to be taken into account when deciding this type of application. In particular, paragraph 001 (ID 58-001-20180615) clarifies that *“the permission in principle consent route [...] separates the consideration of matters of principle for proposed development from the technical details of the development. [...] The first stage (or permission in principle stage) establishes whether a site is suitable in-principle”*.

Paragraph 012 of the PPG (ID 58-012-20180615) clarifies the distinction between matters that can be taken into account at the permission in principle and technical details consent stages as follows:

*“The scope of permission in principle is limited to **location, land use and amount of development** [emphasis added]. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In*

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addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.”

Accordingly, consideration of this application is limited to matters relating to the location, land use and amount of development. While paragraph 003 of the ‘permission in principle’ chapter to the PPG (ID 58-003-20190615) states explicitly that statutory *requirements “such as those relating to protected species or listed buildings”* should only be taken into account at the technical details consent stage, it does not include an exhaustive list of other issues that can or cannot be taken into account by local planning authorities when determining applications for permission in principle. It follows, therefore, that any issues pertinent to the principle of development – providing that they relate to its location, land use and amount – can be taken into account at the permission in principle stage. In particular, paragraph 042 of the ‘permission in principle’ chapter to the PPG (ID 58-042-20170728) sets out the information sources and tools that local planning authorities should use to support decisions on whether to grant permission in principle as follows:

“Local planning authorities should draw on relevant existing information sources and tools to support decisions on whether a grant of permission in principle is appropriate. These may include local sources of evidence eg the development plan evidence base, historic environment records or landscape character assessments and external information sources and tools eg advice published by statutory consultees”

With reference to the above guidance it is necessary to consider the site’s designation in the Local Plan and the comments of statutory consultees in the determination of this Permission in Principle application. As the main issues relate to the whether the site is a suitable location for the land use and amount of development proposed it is appropriate to consider the following “in-principle” matters in this report:

- The scheme’s compliance with policies of the FLPPR which set out the spatial strategy for the location of residential development.
- Whether surrounding highway infrastructure is, as a matter of principle, capable of providing a safe and suitable means of access for all users of the development.

Compliance with Development Strategy in FLPPR:

The Fylde Local Plan to 2032 (incorporating Partial Review) sets out the quantum of development to be secured in the borough over that plan period, and a strategy for delivering that development. This is focussed on a four-tier settlement hierarchy as set out in Policy S1 that then seeks to direct 90% of homes developed during the plan period to the four strategic locations for development. FLPPR policy INF1 a) states that, in order to protect and create sustainable communities, proposals for development should “make the most of existing infrastructure by focusing on sustainable locations with the best infrastructure capacity”.

The application site falls within the settlement boundary of Clifton as defined on the FLPPR policies Map. This village falls outside of the four strategic locations for development but is a Tier 2 Smaller Rural Settlement where modest levels of development can be supported.

With respect to small housing sites (those comprising between 1 and 9 homes) that are not allocated, FLPPR policy DLF1 indicates that these can occur throughout the borough where compliant with other policies of the plan. FLPPR policy GD1 is permissive of development within settlement boundaries, subject to compliance with other relevant policies.

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In this case, and as the whole of the application site is within the settlement boundary of Clifton, it is considered that the 'location' for the residential development proposed is acceptable in accordance with the development strategy set out in FLPPR policies S1, DLF1 and GD1.

With this proposal being for a dwelling in an area where residential uses surround the site this means that the 'land use' is considered appropriate. Further, the 'amount' of development proposed is a single dwelling and given the scale of the site it would clearly not be feasible to provide a more intensive scale of development and so this must be acceptable subject to further considerations in the remainder of the report and then at Technical Details Consent stage should the current application be approved.

Commentary on other Considerations

Were this a planning application then the assessment of the submission would move on to look at more detailed matters such as the layout of the site, the adequacy of the space on the plot to accommodate a dwelling, the scale of that dwelling, the relationship to the application site property, relationship to neighbours, etc. However, these matters are all outside of the scope of a Permission in Principle application as explained in the guidance set out above.

The submission is supported with an indicative plan, and whilst it has no weight in the decision and the matters raised can only be considered at Technical Details Consent stage should this Permission in Principle application be granted officers have noted a number of areas of concern for any future application.

The plans provided demonstrate a narrow two storey dwelling with limited outdoor amenity space and two carparking spaces to the site's frontage onto Ash Lane. The plot is unduly small compared to others in the area and so this constrained plot size restricts the scale of the dwelling and the availability of amenity space for it and the existing dwelling. This is out of keeping with the character of the surrounding area that includes larger two storey dwellings situated on generous plots. The dwelling itself appears odd in its immediate surrounding, due to its narrow width and features including the front facing chimney stack which at first glance appears as though the dwelling is side facing onto the road. Amenity concerns are also raised in terms of overlooking and privacy issues, particularly towards those neighbours immediately to the north and east, which would be created from the first-floor windows within the new dwelling.

Notwithstanding this, these considerations in regard to layout, scale and appearance of the development are not part of the matters that can be considered in the determination of this application, but will be factors to take into account at Technical Details Consent stage. An informative note has been added to highlight the LPA's expectations at that stage.

Highways:

The access arrangements are a matter that can be considered at this stage in that the location of the development is a Permission in Principle matter and so the relationship between the site and the highway network is for relevant. The details of the design, width, parking, etc of that access are not relevant considerations though and are for Technical Detail Consent stage.

In this case the location of the site ensures that it can only be feasibly accessed from an existing opening along the northern side of Ash Lane. This is adopted highway that provides the existing access to the site. It is of a width that allows passing vehicles and has footways on both sides with these being lit. Lancashire County Council as Local Highway Authority have been consulted with and have

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confirmed that they do not raise any objections in principle towards the proposed dwelling, albeit they have set out a series of requirements as listed above that would need to be incorporated into the development should a Technical Details application be made.

Officers are satisfied that the location of the site is appropriately positioned to the local highway network such that access to it can be obtained in a safe manner for vehicles and pedestrians. It also appears that there is potential for a safe and suitable means of access to be provided through the subsequent application for technical details consent. There is not, as a matter of principle, therefore any reason to conclude that the development would have an adverse impact on highway safety or capacity in conflict with FLPPR policy GD7 and the NPPF.

Comments of Parish Council

The Parish Council comments are reported in full in the earlier section of this report, and raise objection to the application. The comments raised have largely been addressed in the report above, but are covered briefly here to assist members of the Committee and the Parish Council.

As a general point, the Parish Council refer to the application as being for planning permission. That is not the case, and this factual error is key to this response as many of the comments raised by the Parish Council are outside of the scope of issues that are capable of consideration in a Permission in Principle. The specific issues raised are listed below and responses provided:

- Lack of site notice – It is a requirement of the Permission in Principle regulations that applications are advertised by a site notice. This was undertaken at this site with a notice posted on 9 May 24 when the case officer undertook their site visit. This is a couple of days after the Parish Council met and so the comment made was a valid one at the time of their meeting but was subsequently addressed as part of the normal case handling work on the application.
- Poor Relationship to Streetscene – A Permission in Principle application is simply considering the principle of a dwelling on the site, with no scope for consideration of its design or how it would appear on that site. These matters are however valid consideration for the Technical Details Consent application that must follow a Permission in Principle application to allow the site to be developed.
- Cramped appearance on site -This is a further issue that is outside of the scope of a Permission in Principle application, but relevant for consideration at Technical Details Consent stage. This is an area where officers expect to have significant concerns with any proposal that can conceivably be presented at that stage, but these matters cannot be considered at this stage.
- Access to narrow country land creating highway safety issues – This is an area that does fall into the Permission in Principle stage due to the need to consider the ‘location’ of the development. It is an area where officers disagree with the Parish Council. Ash Lane does have a narrow and country land character to the east of the village, but this site is alongside the section of Ash Lane that is within the village boundary and which serves a number of residential properties and cul-de-sacs, has a width that comfortably allows passing traffic, and is surfaced, lit, drained and with footways on both sides. As such it is an appropriate road to serve the amount and location of development that is proposed in this application.

Contents of decision notice:

Paragraph 020 of the PPG (ID 58-020-20180615) makes clear that *“it is not possible for conditions to be attached to a grant of permission in principle”*. However *“Local planning authorities can inform applicants about what they expect to see at the technical details consent stage.”*

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Paragraph 045 of the PPG (ID 58-045-20180615) expands on this by indicating that, when granting permission in principle following an application, the decision notice can contain information *“about what they expect the detailed proposals to include at the technical details stage. This information may include where further impact assessment is needed by the applicant or where a particular scheme of mitigation may be required.”*

Paragraph 014 of the PPG (ID 58-014-20180615) indicates that “where permission in principle is granted by application, the default duration of that permission is 3 years [and] local planning authorities should indicate on the face of the decision notice [...] whether the duration period is different from the default duration.”

Paragraph 052 of the PPG (ID 58-052-20180615) sets out the information that must be included on a decision notice for permission in principle applications. Specifically, this should include:

- the location of the site;
- the type of development;
- an indication of the amount of development the site has permission in principle for. The amount of residential development must be expressed as a range, indicating the minimum and maximum net number of dwellings (ie taking in to account any existing dwellings on the site) which are, in principle, permitted.
- a structure which meets the requirements of Article 5T of the Town and Country Planning (Permission in Principle) Order 2017 (as amended) – though those provisions are only applicable in cases where permission in principle is refused and so are not relevant here.

As it not possible to impose conditions on a grant of permission in principle, it is considered that the decision notice should, in addition to clarifying the location and type of development, include the following informative notes to satisfy the requirements of the PPG:

- That an application for Technical Details Consent must be made within 3 years of the date of the permission in principle decision (the default period).
- Specifying the plan upon which the Local Planning Authority has based its decision.
- Design, layout and appearance concerns at this stage having received indicative plans within this submission.

Recommendation

That Permission in Principle is GRANTED subject to the following informative notes to be included on the decision notice:


1. The applicant is advised that any application for Technical Details Consent submitted pursuant to this permission must be made not later than the expiration of 3 years from the date of this decision.
2. This decision grants permission in principle for a residential development of one dwelling - a minimum and maximum net increase of one dwelling.
3. For the avoidance of doubt, this decision relates to the following plans: Scale 1:1250 location plan - drawing no. 27/72LOC Rev A.

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4. The applicant is advised that the Local Planning Authority will expect any application for Technical Details Consent submitted pursuant to this permission to include details which address the following issues:
- Although the grant of permission in principle is not within the scope of biodiversity net gain (as it is not a grant of planning permission), any subsequent application for technical details consent (as a grant of planning permission) would be subject to the biodiversity gain condition and so must be accompanied by the minimum information set out in Article 7, Paragraph (1A) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).
 - Whilst the application is accompanied by illustrative plans indicating the development's access, appearance, layout and scale (drawing nos. PL1/23P1 Rev A and SSL/20PSSL1 Rev A), these have not been (and cannot be) taken into account in the determination of this application for Permission in Principle. Accordingly, it should not be assumed or construed that the details shown on these illustrative plans will be found to be acceptable by the Local Planning Authority at the Technical Details Consent stage. In particular, any proposal submitted at the Technical Details Consent stage will need to demonstrate that: i) the appearance and scale of the dwelling is in keeping with its surroundings and achieves a high standard of design; ii) the scale of the dwelling is proportionate to the size of the plot and provides sufficient garden space for future occupiers commensurate with the general levels of amenity space available to other dwellings in the area, without appearing cramped; and iii) the appearance and scale of the dwelling (including the arrangement of its windows) would not harm the privacy and amenity of surrounding occupiers.
 - The development's access strategy should have due regard to the comments of the Local Highway Authority dated 03.05.24 with respect to matters concerning parking provision (including driveway dimensions), visibility splays and the means of ensuring a safe and suitable means of access for both the existing and proposed dwellings.

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Item 2

Application No:	24/0204	Case Officer:	Andrew Stell Area Team 2
Applicant:	Mrs E Pickervance	Agent:	Mrs E Pickervance
Location:	SMITHY FARM, KIRKHAM ROAD, TREALES ROSEACRE AND WHARLES, PRESTON PR4 3SD		
Proposal:	APPLICATION TO VARY CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION 22/0525 FOR ALTERATIONS TO SIZE AND DESIGN OF DWELLING ON PLOT 1 COMPRISING: 1) ENLARGEMENT OF GROUND AND FIRST FLOOR FOOTPRINT OF BUILDING; 2) INCREASE IN RIDGE HEIGHT AND REDUCTION IN ROOF PITCH OF DWELLING; 3) LOWERING IN RIDGE HEIGHT AND REDUCTION IN ROOF PITCH OF ATTACHED GARAGE; 4) REDUCTION IN DEPTH OF GROUND FLOOR REAR OUTRIGGER; 5) INCREASE IN WIDTH AND RIDGE HEIGHT OF FRONT PORCH; 6) REMOVAL OF CHIMNEY AND ALTERATIONS TO SIZE OF TWO FIRST FLOOR WINDOWS ON EAST FACING SIDE ELEVATION; 7) REMOVAL OF PEDIMENT TO GARAGE ROOF ON FRONT ELEVATION; 8) ALTERATIONS TO SIZE AND DESIGN OF FRONT AND REAR DORMER WINDOWS; 9) ALTERATIONS TO DESIGN OF GROUND FLOOR WINDOWS AND DOORS ON FRONT AND REAR ELEVATIONS OF DWELLING; AND 10) ADDITION OF DOORWAY TO REAR ELEVATION OF GARAGE		
Ward:	Rural East Fylde	Parish:	Treales, Roseacre and Wharles
Date Received:	7 May 2024	Earliest Decision:	7 June 2024
Reason for any delay:	Need to determine at Committee due to Parish / Town Council request	Online application file here	
Officer Recommendation:	Grant		
Location Plan	 <p>©Crown Copyright, Fylde Borough Council Licence No. AC0000817559 (2024)</p>		

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Summary of Officer Assessment

The application site is one plot on a development of four dwellings within the village settlement area of Treales with its access taken from Kirkham Road, the main road through the village.

The application proposes a series of relatively minor changes to the scale and design of the dwelling that is approved on that plot, and is submitted as a s73 'minor material amendment' application as a consequence of the nature of the changes. The changes are restricted to matters such as the depth of the garage, the pitch of the roof, the shape of some windows, etc.

There is no proposal to substantially alter the height or footprint of the dwelling or the scale of the accommodation provided, with the amendments seemingly presented as a practical evolution of the scheme from the plan drawing stage to the implementation of the development stage. Officers have assessed these changes and conclude that they do not bring any harm to the character of the area, do not diminish the design quality of the development, and do not raise any planning concerns. Accordingly, the application satisfies the requirements of Policy GD7 and is recommended for approval.

This report is present to Committee for a decision as the Parish Council have raised objection to the application based on their apparent uncertainty over the nature of the changes that were proposed, and a concern that the garage door width being marginally less than that now sought by the council's recently introduced Parking SPD, and the potential for highway safety concerns as a result.

In response to this, officers have explained the changes to the Parish Clerk, and the applicant has confirmed that they will be willing to widen the garage door with a condition therefore imposed to secure that revision. These matters have been highlighted to the Parish Council but their response was outstanding at the date of the closing of the agenda for Committee. Hence the application is included in the agenda to ensure a decision is not unduly delayed should the Parish Council maintain their objection.

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 plot 1 of a larger development of 4 dwellings, granted planning permission under reference 22/0525 at the Planning Committee meeting of 7 December 2022. The site is located within the village element of Treales Parish and is immediately to the south of Kirkham Road which is the main road through the village. As with the remainder of the parish the application site is washed over by the Countryside designation imposed under Policy GD4 of the Fylde Local Plan to 2032 (incorporating Partial Review).

The site is currently surrounded by construction hoardings and it is understood that work has commenced on the foundations for plot 1, but no work has been undertaken on the other plots.

To the west of the site is the access to the other dwellings on the wider site with the formerly listed Smithy Cottage beyond. To the rear of that property are the disused farm buildings that were associated with Smithy Farm. To the east are other residential dwellings fronting Kirkham Road

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through the village, to the south (rear) is a development of new dwellings at Foundry Court, and to the north across Kirkham Road are newly built detached dwellings.

There are some protected trees on the site which are protected under TPO 1989 No. 12.

Details of Proposal

The application is submitted to vary the details approved under condition 2 of planning permission 22/0525. This is the condition that lists the approved plans for that planning permission, with the changes proposed all relating to Plot 1 only and proposing a series of alterations to the design, appearance and scale of the approved dwelling on that plot. These are numerous but relatively minor and so will be assessed individually and then collectively in the assessment section of this report.

Relevant Planning/Appeal History

Reference	Description	Decision	Date
23/0384	APPLICATION TO DISCHARGE CONDITIONS 3 (MATERIALS), 4 (SURFACE AND FOUL WATER DRAINAGE SCHEME), 6 (TREE PROTECTION MEASURES) AND 8 (BOUNDARY TREATMENTS) OF PLANNING PERMISSION 22/0525	Issued	02 August 2023
22/0525	RESIDENTIAL DEVELOPMENT OF FOUR DWELLINGS WITH ASSOCIATED INFRASTRUCTURE	Granted	20 January 2023
21/0645	APPLICATION FOR APPROVAL OF RESERVED MATTERS OF APPEARANCE AND LANDSCAPING PURSUANT TO OUTLINE PLANNING PERMISSION 19/0300 FOR A RESIDENTIAL DEVELOPMENT OF FOUR DWELLINGS		
19/0300	OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF FOUR DWELLINGS (2NO. TWO STOREY SEMI-DETACHED, 1NO. TWO STOREY DETACHED AND 1NO. DETACHED BUNGALOW) WITH ASSOCIATED INFRASTRUCTURE (ACCESS, LAYOUT AND SCALE APPLIED FOR WITH APPEARANCE AND LANDSCAPING RESERVED)	Granted	25 March 2020

Parish/Town Council Observations

Parish/Town Council	Observations
Treales, Roseacre and Wharles Parish Council	<p><u>Comments dated 12 June 2024</u></p> <p><i>At the request of Fylde Borough Council (FBC), Treales Roseacre & Wharles Parish Council (TRW PC) has considered the material aspects of application reference 24/0204 using the information and plans made available to it through FBC's planning website.</i></p> <p><i>At this stage the TRW PC wishes to object to that application on the material matter detailed below. It would however strongly wish to receive documentation that is compliant with FBC's Validation Checklist to enable it to assess the changes to material matters</i></p>

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	<p><i>already approved. This would also enable the applicant to address the issue the subject of the TRW PC's objection.</i></p> <ul style="list-style-type: none">• <i>In considering the description and published content of the development application reference 24/0204, the TRW PC has been unable to objectively determine what are all the material differences from the existing approved development proposal with the proposed amendments. This is because it is considered that the documentation displayed on FBC's website for this application does not comply with FBC's requirements for documentation quality and completeness in FBC's Validation Application Checklist.</i> <p><i>TRW PC requests that the documents are to be made available to FBC's required standard and with suitable notification to TRW PC that this has been completed, TRW PC will be pleased to reassess the application and provide feedback on material issues as a statutory consultee on the matter.</i></p> <ul style="list-style-type: none">• <i>TRW PC is raising an objection to the current design of the application on the material issue of highway safety that is apparent from the proposal. The TRW PC is notifying this now so as to enable the applicant to redesign the scheme to address it, before making other compliant data available. It would trust that this would make for a faster and more efficient process.</i><ul style="list-style-type: none">i. <i>Safe and suitable access to the site is required to be achieved for all users to avoid the residual cumulative impacts on the road network being severe.</i>ii. <i>For a four-bedroom family property outside settlement boundaries, such as this proposed development, FBC requires that there needs to be on-site parking provision for three vehicles per dwelling of which one may be a suitably-sized garage.</i>iii. <i>FBC also states that all new developments will be required to provide the means to ensure that all vehicles that will be used in association with the development are able to enter and leave the site in forward gear.</i>iv. <i>It is evident that in the proposed design, the dimensions of the outside parking space is not sufficient to enable the above.</i>v. <i>To comply with the required provision of on-site parking, the garage will be required to be of adequate dimensions to be considered to be counted as an eligible parking space.</i>vi. <i>Despite the dimensions of the garage being proposed to be changed in this application, they are not compliant with FBC's requirements. For example, the width of the larger garage door is only 2.1m and is required to be 2.5m to enable suitable vehicle access. There may be other matters too.</i>vii. <i>TRW PC would also note that it may be possible that these matters could be readily corrected and in the event that these</i>
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	<p style="text-align: center;"><i>are, then the Parish Council would be most prepared to receive and reconsider a revision of the application.</i></p> <p><i>At this stage the TRW PC objects to the proposal on the grounds detailed above. It is most willing to reconsider a compliant set of plans and proposals including a compliant set of plans sufficiently showing the dimensional changes of proposed amendments. This is in accordance with the requirements of the FBC validation application checklist (https://new.fylde.gov.uk/validation-checklist/) TRW PC would then be re advised accordingly which would enable their adequate assessment as a statutory consultee in a timely manner.</i></p>
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Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
LCC Highways	LCC Highways does not have any objections regarding the proposed application.

Neighbour Observations

Neighbours notified:	10 May 2024
Amended plans notified:	N/A
Site Notice Date:	16 May 2024
Press Notice Date:	N/A
Number of Responses	Total number of comments 0

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):

- GD4 - Development in the Countryside
- GD7 - Achieving Good Design in Development
- SPD6 - Provision of Parking on New Developments

Other National Guidance

- NPPF – National Planning Policy Framework
- NPPG – Planning Practice Guidance

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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 Background to Application

The site was subject to an outline planning application under 19/0300 which was approved and so granted planning permission for the erection of 4 dwellings. This outline permission confirmed access, layout and scale. Subsequently a reserved matters application was submitted to approve the appearance and landscaping, but when this was assessed it was found that the dwellings shown in that submission were taller than the scale of the dwellings approved at the outline stage. As such it was not possible for that application to be determined without the plans being revised to reduce the height to that approved by the outline planning permission.

Rather than amend the reserved matters application, a new full planning application was submitted to allow consideration of the development with the increased height and other appearance and landscaping elements of the scheme that had initially been proposed at reserved matters stage. This is application 22/0525. This was approved subject to a series of planning conditions, with a number of these being 'pre-commencement' conditions as is usual for a development of this nature. These have been approved under application 23/0384 and so it is possible for a lawful start on that planning permission to have been made. This has occurred and so planning permission 22/0525 is now an extant planning permission. This is an important consideration as it establishes a fallback position for the determination of this application.

The current application is submitted under the s73 process which allows for minor, but material, amendments to be made to existing planning permissions. With regard to S73 applications, the National Planning Practice Guidance advises:

"Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.

A decision notice describing the new permission should clearly express that it is made under section 73. It should set out all of the conditions imposed on the new permission, and, for the purpose of clarity restate the conditions imposed on earlier permissions that continue to have effect."

In this case the proposal relates to the design and other elements of the dwelling approved as plot 1 of planning permission 22/0525. Whilst the proposal will be considered as if it were a new planning application, as the existing planning permission creates a "fall back" position, the matters for consideration effectively come down to a comparison of the differences between the dwellings approved under that earlier permission and those now proposed. However, the application must be considered against the planning policies and other considerations that currently apply, whilst bearing in mind that the principle of erecting a dwelling on the plot and the design and arrangements of that are established by the existing planning permission.

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Assessment of Proposed Changes

As part of the usual validation process for applications of this type officers compared the scheme that is proposed to that approved and set out a detailed list of the changes in the description of the development to assist neighbours and consultees in understanding the scope of the application. This provides a logical way of setting out this report on the assessment of those change in advance of a consideration of the acceptability of the development as a whole. Accordingly, this section of the report lists the proposed changes in order with details of them set out below.

1) ENLARGEMENT OF GROUND AND FIRST FLOOR FOOTPRINT OF BUILDING

The approved dwelling has a generally rectangular footprint over two storeys with a single storey element to the rear, a single storey garage element to the side, and a single storey porch to the centre of the front elevation. The plans confirm a maximum width of 13.646m and a maximum depth of 12.6m

The proposed dwelling reflects the same general design and layout as that approved, and has overall dimensions of 13.650m wide and 12.6m deep which almost exactly reflect the approved property. However there are two main changes:

- The main two storey element of the dwelling as approved is 10.3m wide x 8.3m deep. The proposed dwelling is 10.4m wide and 9.0m deep
- The length of the garage increases from 6.2m externally to 6.5m externally.

The proposed dwelling is therefore slightly larger than that approved, with the main difference being a 700mm increase in the depth of the main two storey element of the dwelling.

2) INCREASE IN RIDGE HEIGHT AND REDUCTION IN ROOF PITCH OF DWELLING

The approved dwelling has a gable roof design with typical eaves and ridge heights, which in this case are 3.9m to eaves and 7.8m to the ridge.

The proposed dwelling retains the same arrangement as that of the approved dwelling but has 4.3m eaves and 8.0m to ridge.

These changes bring a slight increase to the ridge height of the proposed dwelling and a slightly greater increase to the eaves of the proposed dwelling. This is to accommodate the increased depth of that main part of the dwelling highlighted in point 1. This means that there is also a consequential change to the roof pitch which becomes shallower as it spans a wider area with only a limited increase in height.

3) LOWERING IN RIDGE HEIGHT AND REDUCTION IN ROOF PITCH OF ATTACHED GARAGE

The approved dwelling features an attached garage to one side, with this featuring a gabled roof. The approved eaves are 2.3m and the ridge is 5.5m with the eaves featuring a central pediment feature.

The proposed dwelling also features an attached garage in this location, but the pediment feature is removed and the eaves height is raised to 2.7m and the ridge reduced to 5.2m.

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4) REDUCTION IN DEPTH OF GROUND FLOOR REAR OUTRIGGER

The approved dwelling features a single storey outrigger element from the rear corner with a projection of 3.1m.

The proposed dwelling retains this feature, but the rearward projection reduces to 2.5m. This change allows the overall depth of the property to remain unchanged despite the increase in depth of the two-storey element as explained in point 1.

5) INCREASE IN WIDTH AND RIDGE HEIGHT OF FRONT PORCH

The approved dwelling features a single storey porch feature located centrally on the front elevation of the main part of the proposed dwelling. This has a width of 2.6m and a height to ridge of 3.3m.

The proposed dwelling also features a porch in that location but this is increased to 2.75m in width and in height to 3.6m.

6) REMOVAL OF CHIMNEY AND ALTERATIONS TO SIZE OF TWO FIRST FLOOR WINDOWS ON EAST FACING SIDE ELEVATION

The approved dwelling features a chimney that is located centrally on the eastern elevation of the dwelling. This is omitted from the proposed plans.

The approved property has a narrow vertically emphasised window to each side of the gable at first floor level which serve the master bathroom to the property. Under the proposal now under consideration these windows are retained but are each increased in width from 300mm to 450mm.

The arrangement of the rooms at first floor is revised, with these windows now serving an ensuite in the bedrooms in this side of the property. This creates the same arrangement as the approved scheme with these windows being to bathrooms and so no consideration of the potential neighbour impacts is required.

7) REMOVAL OF PEDIMENT TO GARAGE ROOF ON FRONT ELEVATION

As discussed in the commentary to item 3, a central gabled pediment feature to the approved garage is removed from the proposal. This simplifies the design of this element of the property.

8) ALTERATIONS TO SIZE AND DESIGN OF FRONT AND REAR DORMER WINDOWS

The approved dwelling features a row of 3 dormer windows to the front elevation and to the rear elevation which provide light to the main rooms in the first floor of the dwelling. The glazed elements of each have a width of 1.3m and a height of 900m.

The proposed dwelling retains the number of windows and their arrangement and position on the dwelling but alters their size so that each has a glazed element with a width of 1m and a height of 1.3m.

In addition to the change in the arrangement of the windows the stone cill element was initially removed from these windows, but has been reinserted as a modification to the application secured by officers.

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9) ADDITION OF GALLOWS BRACKETS BELOW CENTRAL FRONT DORMER;

Whilst this was included in the description of development it is a misinterpretation of the drawings as the feature shown is actually the drainage downspout from the roof gutter. This is to be removed from the description prior to the decision being made and so the following elements will have a revised numbering when the decision is made.

10) ALTERATIONS TO DESIGN OF GROUND FLOOR WINDOWS AND DOORS ON FRONT AND REAR ELEVATIONS OF DWELLING

The approved dwelling features a ground floor window at each side of the central porch feature that sits underneath the first floor dormers. Each has an overall width of 1.6m and a depth of 1.1m and is split into two elements that are side opening.

The proposed revision retains the position of the windows to either side of the porch and underneath the first floor dormers, and retains the same overall size. However, they are designed so that each window splits into three rather than two windows. The cills and headers have also been re-introduced to these windows during the consideration of this application.

Similar changes are made to other windows around the property with the glazing arrangement to the rear and side facing windows to the rear outrigger revised, the glazing arrangement to the rear patio doors changed to reduce the number of doors in the same sized openings and the size and position of Velux windows to the garage and rear outrigger altered.

11) ADDITION OF DOORWAY TO REAR ELEVATION OF GARAGE

The rear elevation of the garage of the approved dwelling is blank, with the only access to that element being possible from the vehicle door to the front and from within the dwelling. The current application revises that to include a single personnel door to the rear elevation of the garage.

Overall Conclusion on Changes

The changes proposed fall into two main areas. First there is a minor increase in the overall scale of the dwelling through the increased depth of the main body to the dwelling and consequential changes to the roof, garage and rear outrigger. Secondly there are some revisions to the design with the change to the windows, loss of chimney and revisions to the porch.

The changes to the scale of the dwelling are inconsequential in the overall scheme. They will not materially alter the appearance of the property in the Kirkham Road or other views and will not materially alter the relationship of the dwelling to its built and unbuilt neighbours. Whilst they are collectively beyond the scope of a 'non-material amendment' application, they are not significant and are not considered to bring any planning harms.

The changes to the design of the property are mixed as they involve a weakening of that design with the loss of the chimney, but bring an enhancement through the revisions to the shape of the windows to the dormers. The plans that were first submitted with this application also included the loss of the cills and headers from the main windows, but these have been reintroduced to the proposal. With that change being made, the proposals are considered to be an overall enhancement to the approved dwelling on plot 1 and so are supported.

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Comments of Parish Council

The Parish Council make two points in their representation.

The first is that they don't believe that the information provided by the applicant is adequate to allow the application to be appropriately considered. That is not the case. The application relates to the revision of one plot on a larger development and provides a set of plan and elevation drawings for that plot along with a site plan. This can be readily compared to the approved plans for that dwelling, with the council's work at validation in describing the changes in some details an additional assistance to the Parish Council and others notified of the application so that they can reasonably consider the changes that are proposed. Whilst it would be possible in many cases for a single plan to be provided to highlight the changes that are proposed, in this case that would be difficult to do as the changes shown are so minor in their scale and is not a requirement set out in the council's published validation checklist.

The second point relates to a perception that the proposal is in conflict with the recently adopted Parking SPD. This indicates that a four bedroomed property such as this should provide for three parking spaces that are each accessible. In this case the Parish Council believe that this level of parking is not provided with the areas for parking and turning provided to the front of the property, and that as the garage door is too narrow to be included as a parking space with reference to the SPD.

The submitted plans exactly replicate the parking arrangements provided in the approved scheme with the same access point, driveway length, driveway width and on-site turning area. The only change being that the garage is marginally increased in internal depth as set out above. The driveway has a length of 17m which would allow for 3 vehicles to be parked in a "tandem" arrangement. There is also a double width element to the front of the garage that would allow a further vehicle to be parked. Whilst the "tandem" element could lead to reversing manoeuvres onto the road, the use of this for two spaces and the area in front of the garage for a third would seem to provide for sufficient parking without the need for the garage to be used, and that the vehicles could be turned on site. Even if that were not possible the relatively lightly trafficked nature of Kirkham Road and good visibility that is available at the site access are further elements that contribute towards a conclusion that this arrangement is an acceptable one. This reflects the views of the local highway authority who have not raised any objection to the application.

In addition, it is important to note that the nature of a s73 application is such that the developer could implement the approved scheme without any need to satisfy the requirements of the SPD as they can implement the approved plans which, in regard the proposed parking arrangements, are exactly the same as the submitted proposal.

Notwithstanding this position the applicant has advised that they are keen to work with the Parish Council and so are intending to provide the garage with a 2.5m wide opening to allow it to satisfy the SPD reference for a garage door width. This means that the development as proposed would undeniably satisfy the indicated level of parking and turning for a new dwelling with four bedrooms. Unfortunately, due to the unavailability of their architect there are no plans to confirm this and so a planning condition will be imposed to secure this change.

These clarifications and revisions have been brought to the attention of the Parish Clerk in advance of the closing of the agenda for this Planning Committee in the anticipation that they are able to reconsider their position and remove the objection. However, to avoid any unnecessary delay in the decision making process, officers consider it appropriate to bring this application forward for consideration by Committee to allow a decision to be made without the need to delay that decision

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to a future meeting of Committee in the event that the Parish Council retains its objections. Such a delay would seem to be unnecessary in the circumstances and would inconvenience the applicant who, it is understood, is in a position to actively construct this property and so bring forward the housing delivery and economic benefits that the implementation of the scheme will deliver.

Obviously if the Parish Council are able to provide comments in advance of the meeting these will be reported to Members as part of the Late Observations Schedule as normal.

Conclusions

The application relates to revisions to the dimensions and some elements of the design of a residential dwelling which is approved as plot 1 on a 4 plot development within the village element of Treales Parish. The submission is made as a s73 'minor material amendment' application which seeks to vary the plans that were approved under an earlier planning permission to a set of plans that do not alter the principles of the development but make changes to the details of it.

Under this process, and in this case, the planning permission that was previously granted is extant and so provides a fallback to the developer. This means that whilst it is necessary to consider the application against the relevant policies of the development plan, the scope of the consideration is effectively limited to the differences between the approved scheme and that which is now proposed. Therefore, whilst there is a theoretical need to consider the principle of residential development of the site in a Countryside location against Policy GD4, this principle is satisfied by the applicant's ability to implement the extant approved dwelling on the plot. Similarly the highway safety implications of the access to the site, the visual implications of the general design in the village streetscene, the neighbour relationship considerations, etc are all satisfied by virtue of the existing planning permission. The exception to this is where the proposed scheme varies from that which is approved.

The officer assessment of those variances is set out in detail in the report above and concludes that whilst there are a number of changes proposed, these are all relatively minor and do not bring any overall harm to the quality of the development or the planning implications of its development. The only material change in local policy relates to the Council's adoption of the Car Parking in New Developments SPD which sets out standards for the provision of car parking spaces, including garaging. The applicant has agreed to amend their application to include a wider garage door that meets the criteria set out in the SPD. The application therefore satisfies the requirements of the relevant local plan policies, primarily Policy GD4 and Policy GD7, and so is recommended for approval by Committee.

The conditions recommended are a repeat of those which were attached to the original planning permission with modifications made to reflect the changes proposed under this application and where conditions required details to be supplied and have subsequently been satisfied. An additional condition is proposed to secure the revision to the garage door size in response to a concern over that raised by the Parish Council.

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 planning permission 22/0525 (i.e. by 20 January 2026).

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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 and to ensure that the date of expiry of this permission is consistent with the extant planning permission that is to be varied.

2. This permission relates to the following plans:

Plot 1 details

- Proposed Site Layout Plan (Plot 1) – GA/0220/LP001 Revision V2
- Proposed Elevations (Plot1) - EL0220/LP002 Rev V2
- Proposed Ground Floor Plans (Plot 1) – GA0220/LP810 Revision V1
- Proposed First Floor Plans (Plot 1) – CD/1002/161 Revision V3
- Proposed Landscaping Plan (Plot 1) - GA0220/LP400 Revision V1
- Proposed Surface and Foul Drainage (Plot 1)- GA0220/LP300 Revisions V1

Remaining development details

- Location Plan - Drawing no. 18 0521 OP 03
- Proposed Site & Planting Layout - Drawing no. SP/BJ/8011R5
- Proposed Floor Plans & Elevations (Plot2) - PL/0221/BJ201 Rev 3
- Proposed Floor Plans & Elevations (Plots 3 & 4) - PL/0221/BJ0025 Rev 2
- Finished Floor Levels - Drawing no. TO/BJ/7001
- Proposed Highway Works - Drawing no. D3256-H-01 Rev P1
- Transport Management Plan - Drawing no. CN/BJ/1091

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 detail are subsequently submitted to and approved in writing by the local planning authority, the development hereby approved shall be constructed in the finished materials approved under condition discharge application 23/0384, namely:

- Roof covering – Blue/grey Spanish Slate
- Brick - Wienerberger Cassandra Multi Red Brick
- Windows - Veka Halo range white UPVC

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. The development hereby approved shall be implemented in accordance with the foul and surface water drainage arrangements approved under condition discharge application reference 23/0384, including the drainage arrangements for plot 1 shown on the drainage plan listed in condition 2 of this planning permission.

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The drainage arrangements for plot 1 shall be implemented prior to the first occupation of that dwelling. The drainage arrangements for plots 2-4 and the communal areas of the site and its access shall be implemented prior to the first occupation of any of those plots. These arrangements shall then be 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 the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies CL1 and CL2 and the National Planning Policy Framework.

5. 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 no. SP/BJ/8011R5 shall be carried out during the first planting season that occurs: i) in the case of landscaping within the curtilages of the dwellings hereby approved, after the dwelling on each associated plot is first occupied; and ii) in the case of landscaping on all the other areas of the site located outside the curtilages of the dwellings, after the development is substantially completed. The additional trees identified on drawing no. SP/BJ/8011R5 shall be planted in accordance with BS8545:2014 and be of a minimum heavy standard 12 - 14 cm girth, taken at 1 metre up from root flare of the main stem, and a minimum height when planted of 3.5 metres or greater.

The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with a maintenance scheme which has been submitted to and approved in writing by the local planning authority before any of the dwellings are first occupied. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To 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 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.

6. Unless alternative details are subsequently submitted to and approved in writing by the local planning authority, the development shall be carried out in strict accordance with the tree protection measures contained in the scheme approved by condition discharge application reference 23/0384, throughout the construction period.

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.

7. 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

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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).

8. Unless alternative details are subsequently submitted to and approved in writing by the local planning authority the boundary treatments for each plot (including the siting, type, height and materials of treatment) shall be constructed in accordance with the details approved under condition discharge application with reference 23/0384 prior to the first occupation of the dwelling that they relate to. These shall be retained as such thereafter.

Reason: To ensure clear demarcation of public and private areas, to achieve adequate levels of privacy between neighbouring dwellings and to ensure that the design of boundary treatments is sympathetic to the character and appearance of the street scene in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy 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, the development shall be constructed in accordance with the finished building floor levels for each plot shown on drawing no. TO/BJ/7001

Reason: To ensure a satisfactory relationship between the proposed development and surrounding buildings, and between the approved dwellings, in the interests of ensuring a high standard of amenity for existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

10. Unless alternative details are subsequently submitted to and approved in writing by the local planning authority, the development hereby approved shall be carried out in full accordance with the details contained within the submitted Construction Management Plan (prepared by 'Build & Design Construction Planning and Management Services, and received by the LPA on 21 November 2022)

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 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.

11. The site access and parking areas for each plot shall be constructed in accordance with the details shown on the approved Proposed Site Layout (Drawing no. SP/BJ/8011R5) and the approved Proposed Highway Works (Drawing no. D3256-H-01 Rev P1). The site access and parking areas indicated for each dwelling shall be available for use prior to the first occupation of any approved dwelling, with those areas thereafter retained available for the parking of motor vehicles. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent order following the

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revocation or re-enactment thereof (with or without modification), the visibility splay of the site access onto Kirkham Road shall thereafter be kept free of any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction).

Reason: To ensure a suitable and safe means of access to the site for vehicular traffic, to achieve a satisfactory standard of engineering works in the interests of highway safety, and to ensure the provision of adequate off street parking in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

12. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the dwellings hereby approved for plots 1 and 2 (as shown on the approved site layout) shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

Reason: In order to prevent overdevelopment of the site, to ensure that satisfactory provision of outdoor amenity space for the dwellinghouses is maintained and to safeguard the amenities of the occupiers of adjacent dwellings in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD4, GD7 and H7.

13. No later than one month following the date of the first occupation of the final dwelling hereby approved the entire area of the construction compound (including contractor parking, site office, storage areas, and general circulation areas) indicated on the approved Construction Management Plan shall be reinstated and returned to support its existing lawful use in accordance with a scheme of remediation that has been submitted to and approved in writing by the Local Planning Authority in advance.

Reason: To ensure that the construction compound area is suitably restored on completion of the development to reflect the rural character of the area and the requirements of Policy GD4 and GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review)

14. Notwithstanding the size of the garage door as shown on the elevation and plan drawings for plot 1 listed in condition 2 of this planning permission, the garage to that plot shall be built with a 2.5m wide door to the front so that it is capable of providing for a parking space of the size specified in the Fylde Council Parking on New Developments SPD.

Reason: to provide clarification over the specification of the garage door in the interests of maximising the available parking spaces on the site in the interests of highway safety as required by the Fylde Council Parking SPD and Policy GD7 of the Fylde Local Plan to 2032 (Incorporating Partial Review).

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING	PLANNING COMMITTEE	3 JULY 2024	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 31 May 2024 and 21 June 2024

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