



MINUTES

Planning Committee

Date:	Wednesday, 6 March 2024
Venue:	Town Hall, St Annes Road West, St Annes, FY8 1LW
Committee Members Present:	Councillor Richard Redcliffe (Chairman) Councillor Gavin Harrison (Vice-Chairman) Councillors Tim Armit, Peter Collins, Chris Dixon, Martin Evans, Kelly Farrington, Noreen Griffiths, Jordan Ledger, Jayne Nixon, Sandra Pitman, Vince Settle.
Officers Present:	Mark Evans, Ian Curtis, Andrew Stell, Rob Buffham and Katharine McDonnell
Other Attendees:	Twenty-eight members of the public

A recording of the meeting can be viewed online at the following link: Planning Committee, [6 March 2024](#)

Public Speaking at Planning Committee

Fourteen requests to speak relating to the applications had been received.

In regard to application 23/0651 Ice cream kiosk, Stannah Bank, Fairhaven Lake, Mr Firth on behalf of the civic society, Mr Plant, Mr Ashton, Mr Lake, Mrs Coupe, Ms Hitchins, Mr Gledhill and Honorary Alderman Eastham spoke against the application.

Ms Drazen, Mr Milner, Mr Mylroie and Mr Betteridge, agent for the applicant, spoke in support of the application.

In regard to application 21/0894 North Stand, AFC Fylde, Mill Farm, Wesham Mr Nulty, on behalf of Greenhalgh with Thistleton Parish Council, spoke against the application, and Mr Wyatt, agent for the applicant, spoke in support of the application.

Procedural Items

1. Declarations of Interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members. There were no declarations on this occasion.

2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee meeting held on 24 January 2024 as a correct record for signature by the Chairman.

3. Substitute Members

There were no substitutions on this occasion.

Decision Items

4. Planning Matters

The Committee considered the schedule of planning applications. Following detailed consideration of each application, and with also having regard to the late observations, it was RESOLVED to decide the applications as set out in the following table, with the detailed reasons and conditions set out in the schedule that follows.

Appn No.	Location	Summary of Decision
21/0894	North Stand, AFC Fylde, Mill Farm, Wesham	Delegated to officers for approval subject to receipt of completed planning obligation in the terms discussed at the meeting.
23/0651	Ice cream kiosk, Stannah Bank, Fairhaven Lake	Grant

In regards to application 21/0894, and following a request from five members of the committee, a recorded vote was taken on application 21/0894.

For (8): Armit, Dixon, Evans, Harrison, Nixon, Pitman, Settle and Redcliffe

Against (4): – Collins, Farrington, Griffiths and Ledger

Abstained (0):

The application was therefore delegated to officers for approval subject to the receipt of a completed planning obligation in the terms discussed at the meeting.

5. Establishment of a Local Plan Member Steering Group

Mr Evans, Head of Planning, introduced a report seeking to establish a Local Plan Member Steering Group. He explained that the Planning Peer Review Action Plan had included a provision to establish a cross-party group to oversee and provide input into the production of the next Local Plan period beyond 2032.

It was RESOLVED to nominate Councillors Redcliffe, Harrison, Evans and Collins to attend the Local Plan Steering Group.

Information Items

The following information item was received and noted by the Committee.

6. List of Appeals Decided

There had been no appeals decided between 11 January 2024 and 23 February 2024.

Application No:	21/0894	Application Type:	Full Planning Permission
Applicant:	Tangerine Group Holdings Ltd	Agent:	Mr Wyatt
Location:	AFC FYLDE, MILL FARM SPORT VILLAGE, CORONATION WAY, MEDLAR WITH WESHAM, PRESTON, PR4 3JZ		
Proposal:	ERECTION OF NORTH STAND WITH CAPACITY OF 1,800 AND ASSOCIATED SUPPORTER FACILITIES BELOW, INCLUDING CAR PARKING AREA AND ANCILLARY FACILITIES		
Ward:	Medlar with Wesham New	Parish:	Medlar with Wesham

Decision

Delegated authority to grant planning permission to the Head of Planning with that decision only to be taken when in receipt of a completed Unilateral Undertaking that links the capacity of the stadium to the available car parking on site, and then the list of conditions below.

Conditions

1. This permission relates to the following plans:

- Location Plan – FWP Drawing 6513_ NorthStand_L001 Rev S1
- Site Plan – FWP Drawing no. 6513_ NorthStand_L003 Rev P4
- Proposed Car Parking Plan - FWP Drawing 6513_Jan 2022 Car Parking Rev S9
- North Stand Ground Floor Plan FWP drawing 5948/03 Rev P8
- North Stand Roof Plan - FWP drawing 5948/04 Rev P3
- GA Sections - FWP drawing 5948/05 Rev C1
- North Stand Elevations – FWP drawing 5948/06 Rev P7
- Stadium Control, Groundsmans Store and Turnstile Area - FWP drawing 5948/12 Rev P3

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

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

2. The north stand and associated concourse and parking areas hereby approved shall only be used as part of the operation of Mill Farm Stadium and shall not be physically or operationally separated from that Stadium.

Reason: To ensure that the use of the stand and associated accommodation remains available for the football stadium use only and so is compatible with its surrounding land uses and the designation of the site in accordance with the requirements of policies GD7, SL4 and GD5 of the Fylde Local Plan to 2032 (incorporating Partial Review), and the National Planning Policy Framework.

3. Within three months from the grant of this planning permission a scheme for the layout, drainage, surface treatment, and any lighting of the vehicle parking areas referenced as ‘south stand’ and ‘east stand’ on the match day parking plan listed in condition 1 of this permission shall have been submitted to and approved in

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writing by the Local Planning Authority. These areas shall be laid out and made available for parking in accordance with the duly approved scheme no later than 1 August 2024 and shall be retained as such thereafter.

Reason: To ensure that adequate provision is made for vehicle parking and that these parking areas achieve an appropriate surface treatment and an adequate standard of engineering work in the interests of highway safety and visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and T5, and the National Planning Policy Framework.

Item Number 2

Application No:	23/0651	Application Type:	Full Planning Permission
Applicant:	FYLDE BOROUGH COUNCIL	Agent:	MRS LAURA FOSTER
Location:	ICE CREAM KIOSK - STANNAH BANK, FAIRHAVEN LAKE AND GARDENS, INNER PROMENADE, LYTHAM ST ANNES		
Proposal:	1) DEMOLITION OF EXISTING ICE CREAM KIOSK BUILDING, 2) ERECTION OF ICE CREAM KIOSK BUILDING FOR THE PRODUCTION AND SALE OF ICE CREAM, AND SALE OF FOOD AND DRINK, WITH COVERED SEATING AREA, HARD LANDSCAPING AND GROUND RE-PROFILING WORKS, AND 2 PARKING SPACES.		
Ward:	Ansdell & Fairhaven	Parish:	

Decision

Granted

Conditions

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

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

2. This permission relates to the following plans:

- Site Location Plan - Drawing no. 22-11 PL01 rev A
- Proposed Floor Plan - Drawing no. 22-11 PL04 rev B
- Proposed External Works Plan - Drawing no. 22/11 PL07 rev A
- Proposed Elevations Shutters Open Sheet 1 of 2 - Drawing no. 22-11 PL05
- Proposed Elevations Shutters Closed Sheet 2 of 2 - Drawing no. 22-11 PL06

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 otherwise agreed in writing by the local planning authority, the development shall be constructed in complete accordance with the levels detail annotated on drawing no. 22-11 PL07 rev A.

Reason: To ensure a satisfactory relationship between the development and surrounding area, in accordance with Policies GD7 and ENV1 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

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

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

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

- a) A risk assessment of potentially damaging construction activities.
- b) A method statement setting out practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, including those relating to visual disturbance and dust pollution.
- c) Responsible persons and lines of communication.
- d) Use of protective fences, exclusion barriers and warning signs.
- e) Pollution prevention measures to avoid contaminated water run-off entering nearby watercourses.

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

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

6. The development hereby approved shall not be brought into use until details of the following biodiversity enhancement measures and a timetable for their continued management and maintenance has been submitted to and approved in writing by the Local Planning Authority:

The grass sedum roof

The biodiversity enhancement measures shall thereafter be provided in accordance with the details and timetable in the duly approved scheme, and shall be retained as such thereafter.

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

7. No external lighting shall be installed on the site until a scheme for the installation of any exterior lighting on the buildings and the external areas of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the lighting's:

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

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

Reason: To ensure that any exterior lighting to be installed at the site does not cause a nuisance to surrounding occupiers or undermine the general amenity of the area, in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and ENV2, and the National Planning Policy Framework.

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

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

9. The development hereby approved shall be constructed in complete accordance with the principles set out within the submitted Flood Risk Assessment (Ref: Sparc, 22-11 PL08 rev B, October 2023). The mitigation measures shall be fully implemented prior to occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies GD7, CL1 and CL2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

10. Prior to commencement of the development hereby approved (excluding any demolition, site clearance), a final surface water sustainable drainage strategy for the site shall be submitted to and approved in writing by, the Local Planning Authority. The detailed surface water sustainable drainage strategy shall be based upon the site-specific flood risk assessment submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with

policies CL1 and CL2 of the Fylde Local Plan to 2032 (Incorporating Partial Review) and the National Planning Policy Framework.

11. The development hereby approved shall only be open to members of the public between the hours of 08:00 - 22:00 on any day.

Reason: To provide appropriate control over the hours of use of the premises in the interests of safeguarding the amenity of the occupiers of nearby residential properties and the general area, in accordance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

12. There shall be no playing of amplified music (including radios, speakers or other, similar devices) or live music within the building or any external areas of the site hereby approved at any time.

Reason: To limit the potential for noise nuisance being caused to neighbouring occupiers in order to safeguard the amenity of surrounding occupiers and the area in general, in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

13. Unless otherwise agreed in writing by the Local Planning Authority, within 8 weeks of the practical completion of the new facility hereby approved, the existing ice-cream kiosk building shall be demolished in its entirety (including the removal of any bases and foundations) and the land surfaced in accordance with the 'Proposed External Works Plan' (drawing no. 22-11 PL07 rev A).

Reason: This permission is issued on the basis that the development proposed is a replacement of the existing ice-cream kiosk building, which would not on that basis undermine the vitality or viability of Ansdell District Centre, would provide visual enhancement through removal of a dated structure and encourage views into Fairhaven Lake as a result of that demolition, whilst providing highway safety benefit, in accordance with Policies GD7, EC5, EC6 and ENV1 of the Fylde Local Plan to 2032 (incorporating Partial Review) policy GD2 and the National Planning Policy Framework.

14. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification) the premises shall only be used for the purposes applied for, and for no other purpose (including any other use falling within Class E of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that class in any statutory instrument amending or replacing that Order).

Reason: To ensure that the future use of the premises is limited to one which can be carried out without detriment to the amenity of the area in order that it remains compatible with and does not have any adverse amenity impacts upon the occupiers of nearby dwellings; and to preserve the vitality and viability of neighbouring centres by preventing the building being changed to a main town centre use without the application of the sequential test in accordance with the requirements of policies GD7 and EC5 of the Fylde Local Plan to 2032 (incorporating Partial Review), and the National Planning Policy Framework.

15. There shall be no loading or unloading of vehicles or deliveries at or dispatched from the development hereby approved (including waste collections) outside the hours of 07.00 to 19:00 Monday to Friday.

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

16. On site works associated to demolition, site clearance and construction, including any heavy vehicular movements and deliveries to/from the site, shall only take place between the hours of:

08:00 - 18:00 Monday to Friday.

09:00 - 13:00 Saturday.

No on site works on Sundays or Bank Holidays.

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

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

a) a survey of the extent, scale and nature of contamination;

b) an assessment of the potential risks to:

i) human health;

ii) property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;

iii) adjoining land;

iv) groundwaters and surface waters;

v) ecological systems;

vi) archaeological sites and ancient monuments.

vii) an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

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

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

18.Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall be constructed in complete in accordance with the submitted Construction Management Plan (ref: Sparc, 22-11, 08/09/2023).

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, to avoid obstruction of the surrounding highway network and minimise disturbance to features of ecological importance during the construction of the development in accordance with Policies GD7 and ENV2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

Informative(s)

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

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

2. Habitat Regulation Assessment Adoption Informative:

In issuing this decision the local planning authority has had regard to the document titled 'Shadow Habitats Regulations Assessment Report' (ecology services, 23138, September 2023) and the comments from Natural England in their letter dated 19th December 2023 confirming that they are in agreement with the report findings that the development, either alone or in combination with other plans or projects, would not have significant adverse impacts on designated sites (Ribble and Alt Estuaries Special Protection Area (SPA) and Ribble and Alt Estuaries Ramsar) or damage or destroy the interest features for which Ribble Estuary Site of Special Scientific Interest (SSSI) has been notified.

In order to fulfil its duty as a Competent Authority in accordance with the requirements of regulations 63 and 64 of The Conservation of Habitats and Species Regulations 2017 (as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019), the Local Planning Authority has adopted the above mentioned Shadow Habitat Regulations Assessment as part of its decision.

3. Crane Height Informative

The developer is advised that in the event that the construction of the development hereby approved is to be undertaken using a crane that exceeds a height of 10m above ground level to the tip of any jib or other point, then the details of the dates that the crane is to be present at site, its specific location within the site, and the specific timing that it is to be extended above that height are to be provided to the Ministry of Defence no less than 28 days before its arrival at site. This is to ensure that air safety is not compromised by this activity.

4. Food Safety Informative:

The applicant/operator is advised to contact the Council's Food Safety Team (commercialteam@fylde.gov.uk) to ensure compliance with Food Hygiene legislation as there will likely be implications for internal layout, construction and design that could affect a food hygiene rating awarded.

5. Protected Species Informative

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

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