

Development Management Committee

Wednesday 04 March 2015

Late Observations Schedule

Schedule Items

<u>Item</u>	<u>App No</u>	<u>Observations</u>
2	14/0823	<u>Additional Consultation Response</u>

Environment Agency (EA) - Following submission of a revised Flood Risk Assessment (FRA) the EA have removed their previous objection subject to the inclusion of a condition. The condition requires the development to be in accordance with the submitted FRA and specifically that the surface water run-off generated by the 1 in 100 year storm event be limited to 4.8 l/s so that does not exceed the run-off from the undeveloped site. This condition will be added the decision notice as set out as condition 9 below.

Amended Conditions

Some minor grammatical amendments have been made to conditions 2, 4, 5, and 8 with condition 9 being removed as it replicates condition 8 and being replaced with the condition requested by the Environment Agency. The amended conditions read as follows:

2. This consent relates to the following plans and / or reports:

- Location Plan - Just H Architects
- Topographical Survey - Powers & Tiltman Ltd 6695-A-D3-D4
- Proposed Parking Plan - Just Architects AL20-Rev D
- Existing Services - Curtins TPIN1111-003
- Proposed Drainage Strategy - Curtins TPIN1111-501 Rev A
- Flood Risk Assessment - Curtins TPIN111/FRA Rev B
- Interim Travel Plan - Curtins TPMA1236
- Design & Access Statement - Just H Architects

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

4. That the parking area hereby approved shall cease to be used for car parking and the fencing, automatic barrier and height restrictor removed by 4 March 2020. Prior to that date, or any earlier cessation of the car parking use, a scheme for the reinstatement of the land shall have been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall then be implemented within a timescale that is to form part of the scheme and retained.

Reason: To ensure that the development is temporary and does not result in the permanent loss of employment land, and to ensure that the site retains an appropriate appearance for the character of the surrounding area.

5. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory means of drainage

8. Landscaping, including hard surface landscaping shall be carried out and preserved in accordance with a scheme and programme which shall be submitted to and approved by the Local Planning Authority before any development is commenced. Specific details shall include finished levels, means of enclosures, car parking [as applicable] hard surfacing materials, minor artefacts and street furniture, play equipment, refuse receptacles, lighting and services as applicable soft landscape works shall include plans and written specifications noting species, plant size, number and densities and an implementation programme. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

To enhance the quality of the development in the interests of the amenities of the locality.

9. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated 1 in 100 year critical storm to 4.8 l/s so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

The mitigation measures shall be fully implemented prior to occupation and subsequently 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.

The applicants have requested that condition 4 which requires the ceasing of the car park use after 5 years from the date of the permission being implemented to change to 5 years from the date of implementation of the permission.. Officers consider this not appropriate as this would potentially sterilise the site from a productive employment use for a lengthier period. For this reason and for those outlined in the report the recommendation remains as set out in the agenda.

3 14/0824 **Amended Conditions**

Some minor grammatical amendments have been made to conditions 2 and 7. The revised conditions read as follows:

2. This consent relates to the following plans and / or reports:

- Existing Site Plan - Fletcher rae drawing 13021_PL01
- Proposed Site Plan - Fletcher rae drawing 13021_PL02
- Unit 1 General Arrangement Plan - Fletcher rae drawing 13021_PL03
- Unit 1 Elevations - Fletcher rae drawing 13021_PL04
- Unit 1 Sections - Fletcher rae drawing 13021_PL05
- Unit 1 Roof Plan - Fletcher rae drawing 13021_PL06
- Unit 2 General Arrangement Plan - Fletcher rae drawing 13021_PL07
- Unit 2 Elevations - Fletcher rae drawing 13021_PL08
- Unit 2 Sections - Fletcher rae drawing 13021_PL09
- Unit 2 Roof Plan - Fletcher rae drawing 13021_PL10
- Location Plan - Fletcher rae drawing 13021_PL11
- Drainage and Utilities Plan - Fletcher rae drawing 13021_PL12
- Planning Statement - Indigo Planning November 2014
- Design and Access Statement - Fletcher rae September 2013
- Flood Risk Assessment/Ground Conditions report - argyll environmental November 2010

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

7. Landscaping, including hard surface landscaping shall be carried out and preserved in accordance with a scheme and programme which shall be submitted to and approved by the Local Planning Authority before any development is commenced. Specific details shall include finished levels, means of enclosures, car parking [as applicable] hard surfacing materials, minor artefacts and street furniture, refuse receptacles, lighting and services as applicable. Soft landscape works shall include plans and written specifications noting species, plant size, number and densities and an implementation programme. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning

Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

To enhance the quality of the development in the interests of the amenities of the locality.

4 14/0826 Following the publication of the agenda this application was **withdrawn** by the applicant and so will not progress to a decision.

6 14/0880 Additional Neighbour Comment

A further representation has been made by CAPOW. This refers to other planning permissions that have been granted in the village for new dwellings since the appeals were determined in 2014 which increase the number of new dwellings quoted in the report from 67 to 76.

Additional Comment and Analysis

The comment made is a valid one and the number of new dwellings granted in the Parish of Ribby-with-Wrea since the Inspector's decision is 76. However, this is not material to the planning merits of the proposal as set out in the report as such small scale 'windfall' development is to be expected.

7 15/0001 Additional Comments Received from Applicant

Following a contact from the ward councillor who raised concerns set out to him by Station Road residents the applicant has responded to the ward councillor to clarify the reasoning behind the proposal as follows:

"You advise that some residents on Station Road object to the proposal; particularly to the corpus. You wanted to organise a meeting with yourself, residents and us with a view to us amending our application and for us to perhaps consider erecting a plain cross instead of the planned crucifix. This however is something that we cannot consider and I hope you will allow me to explain.

Whilst some denominations use a bare cross this is not used nor has any significance in the Catholic Faith. To Catholics, the crucifix is a powerful symbol that represents the focal point of our beliefs: that Jesus died on the cross to redeem humanity. Catholics include the image of Christ's body on the cross to represent his sacrifice.

So really it is a case of a crucifix is erected or it isn't. There is, in this case, no

compromise to be found. For the clergy and our 500 parishioners it is our desire to erect this sacred sign of our Faith onto St Peter's Catholic Church which as a Catholic Church has been in Lytham for 175 years.

The application process for advertising consent includes a public notice which was put in the Lytham Express and as part of that process there is the opportunity for any objections to said proposal to be submitted to officers at Fylde Borough Council. We respect that statutory and democratic process and we will need to put our Faith in that process. We hope that the Development Management Committee who meet on the 4th March approve our application, however our fate is very much in their hands."

Resident Comment

A further collective letter has been received from the residents of the 5 properties facing the site via the MP. This letter queries the accuracy of the dimensions in the application, highlights that there has been no communication with them from the council or applicant, highlights that a symbol of this nature is not seen on any of the other 20 churches in Lytham St Annes, and comments that the elevation in question already has 4 crucifixes and so they question why another is required.

Additional Comment and Analysis

The site has been measured and officers are satisfied that the submitted information has sufficient accuracy to appreciate the proposal and so allow a determination of the application.