

Development Management Committee

Wednesday 27 April 2016

Late Observations Schedule

Schedule Items

<u>Item</u>	<u>App No</u>	<u>Observations</u>
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1	15/0562	<u>Observations:</u>
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The following have been received since the publication of the Committee Report:

1. Additional representations from the Parish Council and three further public objections regarding the revised access arrangements shown on drawing no. 0988-F01 Rev C publicised as part of planning application 15/0903.
2. A revised access plan from the appellant – drawing no. 0988-F01 Rev F.
3. Comments from the Local Highway Authority (LHA) regarding the revised access arrangements show on drawing no. 0988-F01 Rev F.

The implications of each are addressed in turn below:

1. Additional representations:

Bryning with Warton Parish Council have made the following additional comments in respect of the access arrangements shown on drawing no. 0988-F01 Rev C, which proposed to relocate the site access onto Lytham Road approximately 30m to the east of its original position:

- The Parish Council objections are not altered by these revised access arrangements as submitted and portrayed in the Illustrative Masterplan. The revised access does not negate or reduce the serious traffic concerns that have been expressed.
- The revised access plan raises further concerns as to how the proposals will affect road safety issues for those using the existing bus stops, particularly increased pedestrian road safety risks from traffic coming from the proposed junction of this development, travelling east, or those vehicles attempting to manoeuvre past stationary or slow moving traffic as a result of this junction.

The points raised in the additional public objections are summarised as follows:

- The bend into Warton near the proposed site access is already dangerous. If the road is to be widened and part of the pavement taken away, it will be much more dangerous than it already is.
- The addition of dragon's teeth 'go slow' signs will not make any difference to the speed of vehicles travelling through the village from Lytham.
- The proposed pedestrian refuge would be located directly opposite the entrance to the unadopted back lane of Denwood Bank. This entrance is used frequently to access the driveways to the rear of properties on

Lytham Road. The positioning of the refuge would stop vehicles from entering/exiting this access from Lytham Road and would require vehicles to drive on the wrong side of the road to gain access.

- There are, on average, 2-3 accidents per year at this point. The installation of a pedestrian island at the location proposed would make the entry/exit road even more dangerous. Encouraging pedestrians to cross at this accident black spot will also endanger their safety.
- The proposed access into the site would be located directly opposite a bus stop and the private access to no. 291 Lytham Road. The proximity of the access to these features will severely hinder the ability of traffic to turn right onto Lytham Road.
- The proposed widening of the road to 9m will exacerbate safety concerns as this will create opportunities for overtaking at the bus stop while future residents are using the right hand turn lane to access the site. It is also unclear how the additional road width is to be provided.
- The proposal includes improvements for cycling. However, the southern flank of Lytham Road may not be suited to a cycle path as residents have direct access over it and limited visibility when entering onto Lytham Road.
- The site access should be moved to the east side of no. 278 Lytham Road to give a clearer line of visibility and avoid conflicts between the site access and vehicles exiting onto Lytham Road from Florence Avenue and the private access between nos. 303 and 305.
- A pelican or zebra crossing should be provided rather than a refuge in order to ensure a safe crossing for pedestrians and a better form of traffic calming. A speed camera would also be a useful traffic calming measure.

2. Revised access plan (drawing no. 0988-F01 Rev F):

The appellant submitted a revised access plan to the LPA on 25th April 2016 (drawing no. 0988-F01 Rev F). This access plan is to supersede the arrangements shown on drawing no. 0988-F01 Rev C (to which the Parish Council's and objectors' additional comments relate) and proposes the following alterations:

- The repositioning of the access approximately 1m to the east of its original location shown on the initial access plan (drawing no. 0988-F01).
- Visibility splays of 2.4m x 52m at the junction of the site access with Lytham Road, including the removal of the hedge to the west side of the access to maintain visibility.
- The provision of a pedestrian refuge to the west of the ghost island right hand turn lane, including a new footpath over the grass verge to the southern frontage of Lytham Road to tie in with the existing footway.
- The upgrading of two bus stops on Lytham Road (eastbound and westbound) to Quality Bus Standard.
- The provision of coloured surfacing to eastbound and westbound cycle lanes on Lytham Road in the vicinity of the site access.
- The formation of a 1.2m wide traffic island and hatching to the centre of the carriageway to the west of the site access.

The appellant has submitted the revised access plan to the Planning Inspectorate and has requested that this is the access plan to be considered by the Inspector

as part of the appeal. Accordingly, the LPA's Statement of Case (due 3rd May 2016) should also refer to the most up-to-date access plan. As the revised plan proposes to reposition the access in substantially the same location as the original scheme (drawing no. 0988-F01), the initial indicative masterplan (drawing no. 013-006-P009 Rev C) is also to be taken into account as the revised masterplan (drawing no. 013-006-P009 Rev D) has been superseded by the revised access drawing.

3. Comments from the LHA regarding the revised access arrangements:

The revised access arrangements shown on drawing no. 0988-F01 Rev F have been prepared following discussions between the appellant and the LHA. Subsequent to the submission of the revised access plan, the LHA have confirmed as follows:

- "The latest site access plan 0988-F01 (Revision F) is considered acceptable in principle to LCC, subject to detailed design."

Accordingly, the LHA's previous objection to the proposed access arrangements shown on drawing no. 0988-F01 Rev C has been overcome through the submission of the revised plan (drawing no. 0988-F01 Rev F).

Officer recommendations:

It is recommended that the Committee:

1. Note the additional representations made by the Parish Council and public in respect of the access arrangements shown on drawing no. 0988-F01 Rev C.
2. Acknowledge that the Council has received a revised plan showing alterations to the proposed access arrangements as set out above and that, subject to this drawing being accepted by the Planning Inspectorate, the appeal will proceed on the basis of the revised scheme shown on drawing no. 0988-F01 Rev F.
3. Acknowledge that the LHA consider the access arrangements shown on drawing no. 0988-F01 Rev F to be acceptable in principle, and that their detailed design could be secured through the imposition of an appropriate planning condition and an agreement under section 278 of the Highways Act.

For the avoidance of doubt, the following plans are to be taken into account in preparing the Council's case for the appeal:

- Drawing no. 0988-F01 Rev F – proposed access arrangement.
- Drawing no. 013-006-P009 Rev C – Illustrative masterplan.
- Drawing no. 013-006-P002 Rev C – Site boundary.
- Drawing no. 013-006-P008 Rev B – Warton west spatial masterplan.
- Drawing no. 013-006-P007 Rev D – Parameters masterplan.

As the LHA have indicated that they have no objection to the proposed access arrangements shown on drawing no. 0988-F01 Rev F, it is recommended that the

first reason for refusal relating to the development's failure to provide a safe and suitable means of access is deleted and, accordingly, that this will not form part of the Council's case in respect of appeal APP/M2325/W/15/3141398. The remaining reasons (2 and 3) will, however, continue to be applicable at this stage.

Amended resolution:

Given the above, it is recommended that the resolution in the Committee report be amended to read as follows.

That, in respect of appeal reference APP/M2325/W/15/3141398 against the Council's non-determination of application 15/0562:

- (i) Had the Local Planning Authority made a decision on application 15/0562, it would have refused planning permission for the following reasons:
 - 1. The proposed access for the development is onto the busy thoroughfare of the A584 (Lytham Road) – a main arterial road which provides a direct route between Lytham St Annes and Preston. The proposed access is located approximately 0.75km from the Lytham Road/Church Road/Highgate Lane junction. Once other committed developments in Warton are implemented (most notably that associated with planning permission 13/0674 at Blackfield End Farm) this junction will operate over capacity and, accordingly, will be incapable of accommodating the level of additional traffic generated by the development. The proposed development, when considered in combination with increased vehicle movements arising as a result of other committed developments in Warton, would have significant adverse effects for traffic movements at the Lytham Road/Church Road/Highgate Lane junction and would lead to greater, unacceptable queue lengths at this junction which would obstruct the free flow of traffic along Lytham Road. The additional vehicle movements arising as a result of the development would unacceptably exacerbate existing network capacity issues and, accordingly, its residual cumulative impact would be severe. No mitigation measures have been proposed in order to alleviate this impact. The proposal is therefore contrary to the requirements of Fylde Borough Local Plan policy HL2, policy BWH2 of the submission version of the Bryning-with-Warton Neighbourhood Plan, and paragraph 32 of the National Planning Policy Framework.
 - 2. The proposed development is required to make contributions towards the delivery of affordable housing and public open space on the site and financial contributions off-site towards the provision of new secondary school places, public realm enhancements and transport improvements. The applicant has failed to put any mechanism in place to secure these contributions and, accordingly, the development is contrary to the requirements of Fylde Borough Local Plan policies TREC17, CF2, EP1, TR1, TR3 and TR5, policies SL3 and H4 of the Fylde Local Plan to 2032: Revised Preferred Option (October 2015), the submission version of the Bryning-with-Warton Neighbourhood Plan and chapters 4, 6 and 8 of the National Planning Policy Framework.

AND

- (ii) The Local Planning Authority's case in respect of defending appeal APP/M2325/W/15/3141398 be limited to the issues identified in the reasons above and authority be delegated to the Head of Planning and Regeneration to prepare and submit the Local Planning Authority's case on these grounds (including its Statement of Case, Proofs of Evidence and Statement of Common Ground) in respect of appeal reference APP/M2325/W/15/3141398.

3 15/0872 Agent Comments

Having considered the content of the suggested conditions the agent :

- Confirms that the separate boxes for bats / barn owls have been erected over the previous weekend
- Hopes to provide a further update on timescale for the construction of the swallow shelter and purchase of swallow cups to go inside
- Confirms the applicant is compiling the drainage information to allow for an early discharge of proposed condition 5

Officer Comments:

No amendment of the conditions are required so that these matters can be implemented and then monitored.

4 16/0065 Consultation responses

With regard to the revised plans Medlar-with-Wesham Town Council have made the following comments;

It was unclear to the Council what the revisions to the plans are and there was difficulty accessing the plans. The Council requires clarification regarding pedestrian access particularly around the main entrance to the development.

Officer comments

The difference in the originally submitted and revised plans was that the drive thru building has been moved slightly further north and at a different angle. The buildings appearance has changed from a largely red flat roof building to one with a sloped roof and a mix of timber cladding, glazing, beige cladding and grey textured wall panels. An outdoor seating area is also proposed to the east of the building.

With regard to pedestrian access this will be taken by walking on the pavement adjacent to the access road and through into the site. Pedestrians can also access the site from the north off the combined footpath and cycle route which joins the pedestrian access located adjacent to Aldi.

One of Officers concerns was that members of the public that were not driving

to the petrol station or drive thru restaurant would cut across and take the shortest possible route. However there will be a number of landscaping features along the sites southern perimeter, including a hedge, shrubs and native tree planting. These combined with the entrance wall to the south east of the site will act as a physical barrier which will deter pedestrians from entering the site from the south (off the main entrance).

Additional Condition

Officers propose that an additional condition is appropriate to secure the details and implementation of appropriate materials for the surfacing of the site.