



Agenda

Planning Committee

Date:	Wednesday, 7 February 2018 at 10:00am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Christine Akeroyd, Jan Barker, Michael Cornah, Neil Harvey, Kiran Mulholland, Linda Nulty, Liz Oades, Heather Speak, Ray Thomas.</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 meetings held on 10 January 2018 , 17 January 2018 and 18 January 2018 as correct records.	1
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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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Background Papers

In accordance with Section 100D of the Local Government Act 1972, 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 Act.

- Fylde Borough Local Plan (As Altered) October 2005 (Saved Policies)
- Joint Lancashire Minerals and Waste Local Plan
- Fylde Local Plan to 2032 (Submission Version) December 2016
- Bryning-with-Warton Neighbourhood Plan
- Saint Anne's on The Sea Neighbourhood Development Plan
- National Planning Policy Framework
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- Strategic Housing Market Assessment (SHMA) 2014 and Addendum I and II November 2014 and May 2015 and Housing Market Requirement Paper 2016
- Five Year Housing Land Supply Statement at 31 March 2017 (as amended July 2017)
- Strategic Housing Land Availability Schedule (SHLAA)
- Consultation on Additional Evidence in Support of Fylde Local Plan to 2032 – August 2017
- 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 either at www.fylde.gov.uk/resident/planning or for inspection by request at the Town Hall, St Annes Road West, St Annes.

Planning Committee Schedule

07 February 2018

Item Number: 1

Committee Date: 7 February 2018

Application Reference:	17/0568	Type of Application:	Outline Planning Permission
Applicant:	Taylor Wimpey UK Limited, Richard George Towers and Jane Marjorie Towers	Agent :	
Location:	LAND TO NORTH OF WEETON ROAD / WEST OF A585 KIRKHAM BYPASS, MEDLAR WITH WESHAM, PRESTON, PR4 3NA		
Proposal:	OUTLINE APPLICATION FOR THE DEVELOPMENT OF UP TO 190 DWELLINGS WITH ACCESS FROM WEETON ROAD AND ALL OTHER MATTERS RESERVED		
Ward:	MEDLAR WITH WESHAM	Area Team:	Area Team 2
Weeks on Hand:	30	Case Officer:	Kieran Birch
Reason for Delay:	Held in abeyance at applicant's request		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7948777,-2.8965543,1108m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

The application is for an outline application for 190 dwellings on a 9.3ha agricultural site located on the north site of Weeton Road and on the west side of the A585, on land allocated as Countryside in the Fylde Borough Local Plan and in the Local Plan to 2032. The A585 forms the boundary for the settlement of Wesham.

The residential development of Countryside land in contrary to Policy SP2 of the Fylde Borough Local Plan and Policy GD4 in the Local Plan to 2032, as such the development is contrary to the allocations in the adopted and emerging development plan. Fylde at this moment in time is able to demonstrate a five year supply of housing and as such there is not the requirement to support developments that are sustainable unless they cause significant and demonstrable harm. The ecology of the site has been considered and the evidence submitted shows the development would not impact upon protect species. The highways impact of the development is acceptable with appropriate conditions and contributions. There are no objections from LCC Highways with regard to traffic generation or safety, nor are there any drainage issues with the site, no drainage consultee has objected to the development.

The approval of 190 dwellings on this unallocated site would be at odds with the Development Strategy in the Local Plan to 2032 skewing the development in this area to a level beyond what is considered appropriate and which has been carefully considered in the Local Plan making process. It would distort the distribution of development and could

threaten the delivery of other sites as well as adding additional pressure to existing infrastructure. Officers also consider that the development will be cause visual harm to the landscape character of the area as well as to the setting of Wesham due to the scale and location of the development. As such the proposal is not considered to deliver sustainable development and therefore the presumption in favour set out in the NPPF does not apply. The adverse impacts of the proposal would outweigh the benefits and the proposal is considered to be unacceptable having regard to the NPPF. The proposal is therefore recommended for refusal.

Reason for Reporting to Committee

The application is a Major application and whilst the recommendation is for refusal and so the application could be determined under delegated powers, the Head of Planning and Housing has decided that the amount of recent development in this area and scale of the application is such that it is appropriate that the application be determined by Committee.

Site Description and Location

The application site is 9.3ha of green field agricultural land located on the west side of the A585 Fleetwood Road and north of Weeton Road. Hedgerows with intermittent trees form the boundary to the site which comprises grazing land and is split into two fields divided by a hedgerow running across the middle of the site in an east-west direction, a Public Right of Way (PRoW ref. 5-8-FP19) crosses the site adjacent to this field boundary. There are a few trees within the site in the most southern corner adjacent to the roundabout adjacent Weeton Road and a group of trees around a small pond within the northern hedgerow boundary. The site undulates falling to the south-east, with the high point being 27m AOD on the northern boundary to 22mAOD at the south east boundary. To the south and west of the site is the open countryside comprising agricultural land, to the east is the A585 which is adjacent to the settlement boundary of Wesham beyond and to the north is further arable agricultural land and the Mill Farm commercial development. Further afield is Wesham and Kirkham and the railway line and the M55. The site is located wholly within Flood Zone 1.

Details of Proposal

The application seeks outline permission for the development of up to 190 residential dwellings, with all matters except for access (landscaping, layout, scale and appearance) reserved for future determination. The application has been submitted with a Parameter Plan and illustrative masterplan in order to demonstrate that 190 dwellings can be accommodated on the site together with landscaping and a play area.

The site is proposed to be accessed from Weeton Road and it also proposed to provide a new pedestrian crossing facility on the A585, a new pedestrian refuge island on Weeton Road, a new internal pedestrian link connecting with the A585, a new 2m footway on the western side of the A585, connections to and improvements of the existing PRoW bisecting the site in an east-west direction, and pedestrian refuge islands on all arms of the proposed roundabout at the site access.

The application is seeking to establish the principle of residential development at the site, alongside the detail of the main vehicular access. The application has been submitted with the following supporting reports and documents;

- Site Location Plan
- Illustrative Layout
- Parameters Plan
- Detailed Access drawings
- Summary of Highway Proposals
- Design and Access Statement, prepared by Randall Thorp;
- Transport Assessment, prepared by Curtins;
- Interim Travel Plan, prepared by Curtins;
- Noise Constraints Assessment, prepared by REC;
- Flood Risk Assessment and Outline Drainage Strategy, prepared by Curtins;
- Ecological Assessment, prepared by TEP;
- Winter Bird Survey Report, prepared by TEP;
- Landscape and Visual Appraisal, prepared by Randall Thorp;
- Air Quality Assessment, prepared by REC;
- Phase 1 Site Investigations, prepared by e3p;
- Agricultural Land Classification Report, prepared by Reading Agricultural; and
- Tree Survey and Constraints Report, prepared by TEP.

Since the initial submission of the application some minor changes have been made to the access and parameter details, but these have not altered the scope or quantum of development proposed.

Relevant Planning History

There is no planning history associated with this site, although there is an extensive history associated with Bradkirk Hall Farm which the site is associated with. This history is not relevant to the current proposal and so is not listed here.

Relevant Planning Appeals History

None to report.

Parish/Town Council Observations

The site is within the area of **Medlar with Wesham Town Council** who were notified on 11 July 2017 and comment:

Summary

Medlar-with-Wesham Town Council (MWWTC) object to the development on this Best Most Versatile (BMV) agricultural land north of Weeton Road/ west of A585 Kirkham Bypass, Medlar-with-Wesham.

The application 17/0568 is the first phase of a 900 home development being planned by Taylor Wimpey.

MWWTC recognise there have been changes in the current situation regarding housing supply in recent years. In particular, the current 5 year supply figure has now been achieved (as at April 2017). These changes only strengthen the reasons to decline permission, based upon the following existing policies:

- 1 *SP2 (Revised to GD4) of the Emerging Local Plan*
- 2 *EP22 (Revised to GD1) of the Emerging Local Plan*

- 3 EP17 (Revised to ENV2) of the Emerging Local Plan
- 4 HL2 (Revised to GD7) of the Emerging Local Plan
- 5 NPPF policy 111 (Re-use of Brownfield Land)
- 6 NPPF policy 112 (BMV)

Environmental Sustainability

The application would negatively impact on the surrounding countryside of Wesham. To follow policy set out in the saved Local Plan, Fylde BC need to seek to promote environmental sustainability and protect countryside areas. Granting permission of this application would be contrary to policy SP2 of the Local Plan and core planning principles as set out in the NPPF.

Disruption to Agricultural Industry

MWWTC actively support agriculture, one of the main industries in Fylde. The Council recognises the economic importance of farming within the area as well as the valued custodianship of our countryside this role demands. To build on this land, Fylde Borough Council (FBC) would be in direct contravention of Local Plan policy EP22, also NPPF policy 111 & 112, in that current housing supply has been positively affected by recent permissions on sites at Queensway, Warton, Wrea Green and Kirkham. These sites (or parts thereof), although classed as agricultural land were not in constant use as such, nor intrinsically necessary in crop/grazing rotation, nor were graded as Best Most Versatile agricultural land. To this end, the land should not be treated within the same minimal necessary use of agricultural land for housing supply.

Protection of Wildlife

MWWTC are resolute in the opinion that that both during the construction phase and in the future there will be further depletion of habitats for all wildlife, specially newts, frogs, bats, owls, badgers and deer.

Scale of Development

MWWTC are concerned that initial proposed development of 190 dwellings is the first stage in a 900 house development, all to be built outside the settlement boundary on the edge of a Local Service Centre will result in the degradation and oversubscription of local services in Wesham. This will directly affect existing residents and residents of any homes built on this application site. Recent development within Wesham must also be taken into account. Redevelopment of land previously not used for housing over the past few years, has undeniably increased the population of this geographically small town exponentially. With Arundel Lodge (12), Stearns Nurseries (12) and Oak Wood, Derby Road (26) recently completed, along with the Pastures (264) due for completion shortly shows that Wesham has already grown on a huge scale. Local Plan policy HL2 is in place to protect communities such as Wesham from the harmful effects of excessive development.

Emerging Fylde Local Plan to 2032

MWWTC are concerned that approval of this site on the basis of the area appearing in the Preferred Option Document Part 1, which is as yet unadopted and is not yet ratified as the Fylde Local Plan to 2030. An approval for this application would be seen as an acceptance of an incomplete document. The Local Plan to 2030 is still in the evaluation phase and approval would show disregard to the public consultation carried out in Fylde. MWWTC fear approval of this application would set a damaging and dangerous precedent, harmful to a democratic process. No weight should be given to any preferred options until ratified in the right and proper manner and the Fylde Local Plan to 2030 is actually produced.

Conclusion

1. EP22 - there would be a loss of BMV agricultural land to the Fylde.

2. *SP2 - the planned development is outside the settlement border and is not included in the emerging local plan.*
3. *The application is not environmentally sustainable*
4. *Highways – traffic will increase exponentially on A585, Weeton Road and throughout the towns of Wesham and Kirkham as this application does not take into consideration the Little Tarnbrick Farm, Mill Farm and the Pastures Developments. Nor do those developments take into account this application. In addition the increase in traffic related to the Fracking operations at Preston New Road utilizing the A583 and A585 roads will have an additional impact on the road network.*
5. *The roundabout at Weeton Road/A585 is totally unsuitable for the traffic entry.*
6. *HL12 - the Town Council are concerned about the impact on the Infrastructure of Wesham and Kirkham - schools, doctors, dentists etc.*
7. *There is a potential flood risk. And concerns regarding drainage of the site*
8. *EP17 neighbouring Biological Heritage Site would be irreversibly damaged and protected species put in danger.*
9. *SP2 - the scale of development would degrade the community of Wesham. (SP2)*
10. *SP2 - the Town Council is concerned about the loss of the countryside and rural landscape. (SP2)*

Medlar-with-Wesham Town Council object to this application and respectfully request Fylde Borough Council Development Management Committee carefully consider the concerns set out in this document.

Should the Committee have mind to consider this application sufficient section 106 monies to greatly improve and enhance the infrastructure of Wesham must be part of the conditions.

The site is close to the boundary with **Weeton with Preese Parish Council** who were also notified on 11 July 2017 but have not provided any comments on the application.

Statutory Consultees and Observations of Other Interested Parties

Highways England	
	No objections subject to a Travel Plan being secured by condition.
Lancashire County Council - Highway Authority	
	<p>LCC Highway's initial response on 26 October 2017 was that additional information was needed to allow proper consideration of the application. This was subsequently provided by the applicants in the form of two response notes dated 13 November 2017 and 13 December 2017. These have been considered by LCC and the summary of their response is as follows;</p> <p><u>Introduction</u></p> <p><i>This is an outline application with all matters reserved except for access. With consideration for all the information now provided, LCC would have no objection to the proposed development providing that appropriate funding (s106) for sustainable measures is secured and that all s278 measures as agreed and detailed within the attached statutory comments are delivered by the developer in line with agreed trigger points. It will also be essential that suitable conditions are put in place to ensure these necessary measures are delivered. The agreed s278 and s106 measures are summarised below:</i></p>

S278 Works

The s278 Works agreed in regard to this proposed development are set out below, under each I have indicated the trigger point considered appropriate by LCC Highways:

i) Site access and emergency access onto Weeton Road;

Trigger for the above works to be prior to any development on site.

ii) Speed Limit Review on Weeton Road, Supporting Infrastructure and Gateway measures:

- A review of the speed limit and signing on Weeton Road in the vicinity of the proposed site is considered appropriate;

- I would therefore recommend, should approval be granted, that a Condition is attached that would require the applicant to fund investigation/consultation and if appropriate implementation of TRO's to support a change or reinforcement of the appropriate speed limit on Weeton Road in the vicinity of the site (to include waiting restrictions and Gateway Measures, as necessary). Works to be carried out as part of access/off-site highway works under s278 agreement.

Trigger for the above works to be prior to any development on site.

iii) Pedestrian crossing facilities over all arms of the proposed access junction and also over Weeton Road (with pedestrian refuge) west of main site access;

iv) Toucan crossing over A585, north of Weeton Road roundabout;

v) Shared pedestrian/cycle facility to appropriate width (3.5m) from site access to A585 and also on western side of A585 to connect to the proposed Toucan crossing and then to A585/Fleetwood Road roundabout and the Mill Farm development, providing wider connectivity to recent and emerging development in the A585 corridor in line with LCC's developing A585 Sustainable Transport Strategy.

vi) Provision of 2 No. Bus Stops (with laybys) – north and southbound (EA compliant) on Weeton Road;

Trigger for the above works to be prior to any occupation on site.

vii) Interim Improvement Scheme M55/A585 Junction 3;

The Trigger for all the above works to be prior to occupation of the 100th dwelling on site.

Planning Obligations (s106 Planning Contributions)

Should the LPA be minded to approve this application, it is considered appropriate to seek planning contributions to support improvements to sustainable transport links on the local highway network, in line with LCC's developing A585 Corridor Sustainable Transport Strategy. This funding will be used to implement changes to limit the negative impact of this large development on the existing, at times, congested network. Within the TA the applicant has indicated a level of commitment to the A585 Corridor, Sustainable Transport Strategy.

The trigger point for s106 sustainable transport planning contributions should be prior to commencement of development unless otherwise agreed with LCC and the LPA.

The mitigation measures requested by the LHA to be funded by the developer through s106 contributions, include the following:

- Public Transport service improvements;*

	<p>To support service and frequency improvement to additional locations including, Blackpool, Wyre villages, Wrea Green, Warton, Lytham St Annes and Preston. Requested contribution, £240,000 (Note: this limited request typically provides a bus for two years) Trigger point => 1st anniversary of the 1st occupation of the 1st dwelling, £120,000. 2nd anniversary of the 1st occupation of the 1st dwelling (any occupation) £120,000further</p> <ul style="list-style-type: none"> • Travel Plan Support contribution: Requested contribution, £12,000 Trigger point => 1st occupation of the 1st dwelling.
Lancashire CC Flood Risk Management Team	
	Initially objected, but on further consideration this was revised to a position of No objections to the proposal. Have not requested any conditions.
Lancashire Archaeology	
	No objections subject to condition requiring a written scheme of investigation.
Chief Education Officer	
	Highlight that there is a shortfall of capacity in local primary and secondary schools to meet the education needs expected to be generated by the development. To address this they request contributions towards primary and secondary education in the area amounting to circa £1.65m, but have not named the local schools that this is to be allocated to at this stage.
NHS Fylde and Wyre CCG	
	No comments received.
Natural England	
	Natural England have no comments to make on the application and have not assessed the development for its impact on protected species as it is outside their remit.
Greater Manchester Ecology Unit	
	<p>They have assessed the implications of the development and the submitted information, and conclude as follows:</p> <p><i>The Ecology surveys and assessments have been undertaken by suitably qualified ecologists and are to appropriate and proportionate standards. No further surveys need to be undertaken before deciding the application.</i></p> <p><u>Impacts on protected sites</u> <i>Although the site is within the impact risk zone for the 'Newton Marsh' Marsh SSSI I would not consider that this development, if approved, would have any impact on the special interest of the SSSI. No other designated nature conservation sites will be affected by the development proposal.</i></p> <p><u>Impact on protected species</u> <i>I am satisfied that the ecology surveys have demonstrated that the development is unlikely to cause substantive harm to any specially protected species, although small numbers of bats will use the site for foraging and a range of common bird species do use parts of the site for breeding.</i></p>

	<p><u>Habitats</u></p> <p><i>The site is dominated by species-poor and rather featureless improved agricultural grassland of limited current habitat value, but there are more important habitats at the boundaries, particularly the ponds to the north and hedge lines at the eastern boundaries. These features should be retained and protected, or re-created nearby if lost, if the development is permitted. I note that the Illustrative Masterplan shows these habitat features retained and enhanced. To ensure that this happens I would recommend that, as a Condition of any permission –</i></p> <p><i>A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority as part of any Reserved Matters application. The content of the LEMP shall include the following.</i></p> <ul style="list-style-type: none"> <i>a) Description and evaluation of habitat features to be retained, created and managed.</i> <i>b) Aims and objectives of management.</i> <i>c) Appropriate management options for achieving aims and objectives.</i> <i>d) Prescriptions for management actions.</i> <i>e) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).</i> <i>f) Details of the body or organization responsible for implementation of the plan.</i> <i>g) Ongoing monitoring and remedial measures.</i> <p><i>The LEMP shall also include details of the legal and funding mechanism{s} by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.</i></p> <p><u>Protection of nesting birds</u></p> <p><i>No vegetation clearance required to facilitate the scheme should take place during the optimum period for bird nesting (March to July inclusive)</i></p> <p>.</p>
United Utilities - Water	
	No objections subject to the provision of conditions. These require the development to be carried out in accordance with the FRA and the submission of details of the management of the surface water drainage system.
Regeneration Team (Trees)	
	<p><i>A new tree preservation order has been served that captures the better trees on the site. While these trees in the main are of landscape value, few offer any strong influence on possible layouts at this stage, and it has been acknowledged that some hedgerow sycamores are in fact not strong candidates for long –term retention because the severity of their previous management has damaged them.</i></p> <p><i>The council should seek retention of the roadside hedges as screening appropriate to the locality, which is now peri-urban in character. The central hedge that divides the site on</i></p>

	<p><i>an east-west axis is however quite fragmented and flanks a drainage ditch that would presumably be upgraded as part of the proposal.</i></p> <p><i>The council should seek some formal avenue/street tree planting as well as tree planting on proposed public open spaces.</i></p>
Regeneration Team (Landscape and Urban Design)	
	<p><i>This is an outline application which proposes over 190 dwellings with all matters reserved. The proposed scheme and supporting documents raise the following points of concern with regards to landscape and visual issues:</i></p> <p><i>The site is located over two fields which have been identified as in a 'countryside area' to the northwest of Wesham (Policy SP2, Fylde Local Plan [As Altered] 2005). The topography slopes gently from a higher ground which lies to the north, gradually towards the A585. A public right of way (5-8FP19) crosses the site. The fields are currently farmed and are Grade 3 agricultural land quality. Existing hedgerows enclose the field parcels and these are augmented by several mature trees and copses along their length which provide a valuable landscape contribution and habitat. Two ponds lie on the northern boundary and these are surrounded by dense undergrowth and scrubby Willow.</i></p> <p><i>The position of the site is prominent, lying on the junction with Weeton Road and the A585. It is visible from residential development on the edge of Wesham and from the commercial and retail areas at Mill Farm. As such, the proposed development would have adverse visual impacts on viewpoints from footpaths and users of the roads adjacent to the site, as well as from receptors on the edge of Wesham. Whilst landscaping would undoubtedly help mitigate and soften the effects of the development on these views, there would be long term residual impacts which could not be mitigated. In particular, the effects of night time lighting when viewed against the backdrop of the unlit rural landscape.</i></p> <p><i>The open agricultural landscape with scattered farm buildings, woodland, field ponds and hedgerows all contribute to the recognised landscape character of this area. Development of the site would result in an irreversible change to this landscape character. It would also have a significant impact upon the important habitats which it supports. As such would be against the requirements of Policy EP10 of the Fylde Borough Local Plan (as altered 2005). Neither would it have regard to the landscape context and landscape type, as set out in Policy ENV 1 of the emerging Local Plan to 2032. As such, this application cannot be supported.</i></p>
CPRE	
	<p>Object to the application for the reasons summarised below;</p> <ul style="list-style-type: none"> • Not plan-led sustainable development – Not an allocated housing site. Not needed to meet housing requirement. Sustainable development must be plan led to allow long term forward planning of education and health services and any infrastructure requirements. • Local Plan policy conflict – Within allocated countryside and conflicts with the policies of both plans. • Contribution to 5 year supply – The Council has a 5 year supply of housing. Due to time taken to develop site it would not make any significant contribution to the 5 year housing land supply.

	<ul style="list-style-type: none"> • Loss of agricultural land – If the current owners don't want to continue farming it is not justification for loss of site. 39% of the 9.3ha site is grade 3a. This is a problem for farming across south Fylde due to no use of the pumps at Liggard Brook but this has is now being addressed and in the CPRE's opinion this land could be improved to predominately BMV. Contrary to NPPF and Local Plan policy EP22. • Highways congestion – cumulative impact of this proposed housing development on the local highways network in conjunction with development already committed in the area has not been completely assessed. • Visual impact - The Landscape and Visual Appraisal (Reference 8) refers to the local landscape being dominated by 'the prominent and severe features' of the Mill Farm stadium and warehouse complex. The consequences on the landscape of this unfortunate planning decision are plain to see, but this should be used as justification to make any visual impact from any further developments allowable and acceptable. The Appraisal makes reference to only 'fleeting glimpses' of the application site by road and pedestrian users from Weeton Road and the A585 bypass due to 'vegetation': hedgerows, trees, etc.. However, such vegetation is much reduced in Autumn/Winter, in conjunction with normal hedge trimming, allowing clearer views. Weeton Road is a gateway into Wesham and in our opinion the site will have significant visual impact from the higher points of this route on approach to the town. • No presumption in favour of sustainable development - In our opinion the relevant development plan policies are not out-of-date, and therefore for decision-taking there ought not to be a presumption in favour of sustainable development under NPPF Para 14. • Also demonstration of a 5-year supply of deliverable housing sites does not trigger a presumption in favour of sustainable development under NPPF Para 49.
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Neighbour Observations

Neighbours notified: 11 July 2017
Amended plans notified:
Site Notice Date: 20 July 2017
Press Notice Date: 27 July 2017
Number of Responses One objection
Summary of Comments

- There is no Risk Assessment Audit.
- TA not clear on how committed developments links to traffic flows.
- There is an adverse impact on some junctions.
- The emergency exit is too close to the bend in the road.
- There is no proposed bus-stop on the opposite site of Weeton Road or an appropriate pedestrian crossing.
- Metacre site has a plant to alter the road layout at the A51192/A585 roundabout and also to reduce approach speeds from 50mph to 40mph on the A585. I see no consideration of this in the Applicant's Transport Assessment
- The Applicant's TA makes an assumption that the accidents were human error and not road layout issues. This is a dangerous assumption to make, and the actual reasons for the accidents must be found out. This will allow an informed decision to be made regarding highway improvements.
- The Preston Western distributor is yet to be approved and so far in the future that other

developments yet to be approved will impact on the traffic flows and this should be discounted.

- There have been more accidents than those shown in the TA.
- Object to loss of farmland.
- If the Council has a five year supply then this application is not necessary.

Relevant Planning Policy

Fylde Borough Local Plan:

EP11	Building design & landscape character
EP14	Landscaping of new developments
EP19	Protected species
EP22	Protection of agricultural land
EP23	Pollution of surface water
EP24	Pollution of ground water
EP25	Development and waste water
HL02	Development control criteria for new housing proposals
SP02	Development in countryside areas
TREC17	Public Open Space within New Housing Developments

Fylde Local Plan to 2032:

NP1	Presumption in favour of Sustainable Development
S1	Proposed Settlement Hierarchy
DLF1	Development Locations for Fylde
SL5	Development Sites outside Strategic Locations for Devt
GD1	Settlement Boundaries
GD4	Development in the Countryside
GD6	Promoting Mixed Use Development
GD7	Achieving Good Design in Development
EC5	Vibrant Town, District and Local Centres
H1	Housing Delivery and the Allocation of Housing Land
H2	Density and Mix of New Residential Development
H4	Affordable Housing
HW1	Health and Wellbeing
HW3	Protection & Provision of Indoor & Outdoor Sports Facilities
INF1	Service Accessibility and Infrastructure
INF2	Developer Contributions
T1	Strategic Highway Improvements
T4	Enhancing Sustainable Transport Choice
CL2	Surface Water Run-Off and Sustainable Drainage
ENV1	Landscape
ENV2	Biodiversity
ENV4	Provision of New Open Space

Other Relevant Policy:

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

Site Constraints

Within countryside area

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended; category 10 (b) 'Urban Development Projects' as it proposes more than 150 dwellings on a site over 5 hectares. Officers have screened the development for any potential environmental impact and concluded that the application need not be accompanied by a formal Environmental Statement.

Comment and Analysis

The main issues when considering this application are;

The principle of the development

Housing supply

Does the proposal form sustainable development in line with the Development Strategy?

Visual impact on character of the area.

Highways

Flooding and drainage

Residential amenity

Ecology

Other issues

The principle of the development

The weight to be accorded to relevant policies

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 indicates that development proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF advocates a presumption in favour of sustainable development. In terms of decision taking, this means approving development proposals that accord with the development plan without delay. Where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in Framework. It advises that planning decision takers should seek to approve applications for sustainable development where possible.

The application site is located in the open countryside in the adopted Fylde Borough Local Plan allocated under Policy SP2. In the emerging Fylde Local Plan to 2032 it is also in the open countryside. The Fylde Local Plan to 2032 was submitted to the Secretary of State on 9 December 2016 and since then three hearing sessions to consider representations made to the plan have taken place. The most recent of these was on the 12-13 December 2017 and members considered a report for the schedule of proposed modifications to the Fylde Local Plan to 2032 on the 17 January 2018. Whilst the examination hearings have not been formally closed it is not anticipated that further hearing sessions will be required. The report to members considered the proposed draft modifications to the plan as recommended by the Inspector to make the Local Plan sound, these being the 'Schedule of Proposed Main Modification's for Consultation'. The modifications will be subject to sustainability appraisal and a six week public consultation with any further comments being considered by the Inspector ahead of her issuing a final report which is expected towards the end of May 2018. The Inspector will need to take into account the consultation responses before finally concluding whether or not a change along the lines of the modifications is required to make the Plan sound. The Plan would then be able to proceed to adoption. The proposed main

modifications for consultation included an Objectively Assessed housing Need (OAN) figure of 415 dwellings per annum for the plan period. The Fylde Local Plan to 2032 includes sufficient allocations, commitments and allowances to provide for this OAN without the need to allocate any additional sites. As such the site remains in the open countryside. Given the advanced stage of the Fylde Local Plan to 2032 officer's view is that the policies within the Local Plan to 2032 can now be afforded moderate weight.

The Fylde Local Plan to 2032 is therefore a material consideration in the assessment of the application. It identifies Kirkham and Wesham as a strategic location for development and states that within the settlement hierarchy Kirkham serves the role of a Key Service Centre, which is the same as St Annes and Lytham. Paragraph 216 of the NPPF states weight should be given to these emerging Local Plan policies according to their stage of preparation, the extent to which there are unresolved policy objections and the degree of consistency with the NPPF.

The starting point in determining this planning application remains the saved policies of the Fylde Borough Local Plan. If there is a conflict between these policies and the NPPF then the NPPF should take precedence but be read as a whole and in context. The NPPF is a material consideration in planning decisions and should be given considerable weight. Thus, the statutory starting point is the development plan and development that accords with an up-to-date Local Plan should be permitted, unless material considerations indicate otherwise. The NPPF seeks sustainable development. Paragraphs 7 and 8 of the NPPF explain that there are three dimensions to sustainable development - economic, social and environmental - which are mutually dependant, so that gains in each should be sought jointly and simultaneously.

In addition, the first and third bullet points to the 'Rural Housing' chapter of the NPPG identify that:

- It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements. This is clearly set out in the National Planning Policy Framework, in the core planning principles, the section on supporting a prosperous rural economy and the section on housing.
- Assessing housing need and allocating sites should be considered at a strategic level and through the Local Plan and/or neighbourhood plan process. However, all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

Why is this site not included in the Local Plan to 2032?

As outlined above it is considered now that the Fylde Local Plan to 2032 can be applied moderate weight. In the plan making process this site was known as H15 and was not included in the emerging Local Plan as it was not considered to be deliverable (available or achievable) and raised other concerns. Work on the emerging Local Plan commenced back in 2009 and there were calls for sites which fed into the production of a SHLAA. This site was not submitted via any of the calls for sites. The SHLAA was used to inform the production of a Preferred Options Local Plan which was published for consultation in June 2013. The site known as H15 the Land North of Weeton Road was assessed by policy officers but not included in the Preferred Option because *'There is no developer interest, the site is not well defined and the development would create significant visual impacts. Inclusion of the site would also result in an unsustainable amount of development at Wesham, rather than development being distributed throughout the Borough'*. The visual impacts were assessed by the Council's landscape officer at that time and the site was therefore not included in the Revised

Preferred Option Local Plan to 2032 (Plan 13) which was published for consultation on 15th October 2015. The Council produced two Site Assessments Background Papers which summarized the results of its site assessment work. The later 2016 version included the results of a Call for Sites carried out in January – February 2015. Land North of Weeton Road was not submitted via this last call for sites either. This site is recorded on page 33 as follows; *'This site is NOT included in the Local Plan. There is no landowner or developer interest, the site is not well defined and the development would create significant visual impacts. Too much development in this area would have negative impact, development should be well distributed throughout the borough in line with the sustainability appraisal of the Issues and Options and Preferred Option'*.

The Council received a response to the consultation exercise on the Publication version of the Plan from Cushman and Wakefield who had been instructed by Taylor Wimpey UK Ltd (TWUK), on 22nd September 2016. The response advised that TWUK *"have recently secured an option on this 78 acre site which has the potential to become a sustainable, deliverable and developable residential extension to the settlement of Kirkham, and therefore directly assist the Council in maintaining a flexible and responsive supply of land for housing through to 2032"*.

This site was not included in the Local Plan because it was not brought forward as an available or achievable site until after the Publication version of the plan was agreed. However, even if the site had been available and achievable at that time, the Council would have had to consider the impacts it would have on the overall development strategy and the surrounding rural landscape as well as carrying out consultation on its inclusion. At the Publication Stage the Local Plan allocated sufficient land to meet the needs of Fylde to 2032 and the Council considered that no further sites were required. Accordingly the site does not feature in the emerging Fylde Local Plan to 2032 as it will progress to adoption.

Housing supply

The NPPF emphasises the importance of housing delivery and requires a five year supply for housing to be maintained by Local Planning Authorities. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing are not considered up to date if a 5 year supply of deliverable sites cannot be demonstrated.

The Council has recently produced an up to date Housing Land Supply Statement with a base date of 30 September 2017 to inform the Local Plan Examination. This Statement provides an explanation of Fylde Council's current housing land supply position, as it relates to the requirement for a five-year housing land supply, and in relation to the expected rate of delivery for sites included in the Fylde Local Plan to 2032.

Local planning authorities should identify sufficient deliverable sites to provide five years' worth of housing against their housing requirement. In other words, a five year supply of deliverable housing land must be identified. This is required under paragraph 47 of the National Planning Policy Framework (the Framework). The paper explains how the Borough's five year supply position has been calculated and takes latest thinking into consideration, in addition to the Framework and the National Planning Practice Guidance (NPPG).

For the purposes of this report and recommendation it is not necessary to consider the merits of the methodology used by the Council however it is necessary to provide an informative overview so that members when making a decision on this application are clear on the latest position. The Planning Committee at its meeting of the 8 May 2017 considered 'Fylde Addendum 3: Analysis of the

Objectively Assessed Need (OAN) in light of the 2014-based SNPP and SNHP' which is an addendum to the Fylde Coast Strategic Housing Market Assessment (2013). In light of this new evidence the Planning Committee resolved that a figure of 415 homes per annum will meet Fylde's objectively assessed need for housing. Since 2011, Fylde has met the OAN annual housing requirement in one year (2016/17). As a result there has been a cumulative under delivery (shortfall) of 890 homes against the annual housing requirement. At present there has been a persistent under delivery of housing in Fylde and accordingly under paragraph 47 of the Framework, a 20% buffer has been applied. The buffer is not an additional 20% to the housing requirement. Rather, it brings sites forward from later in the plan period and consequently the annual housing requirement for later in the plan period will be lower to reflect this. The adjusted five year requirement for Fylde comprises five years' worth of the annual housing requirement, plus the shortfall; and a 20% buffer in accordance with the Framework paragraph 47.

There are two approaches taken to deal with any shortfall in supply, the differences coming from the time period over which the shortfall should be addressed. The first is a residual approach, or 'Liverpool approach', where the shortfall is spread across the remaining plan period i.e. the total number of homes still left to build is divided by the number of years remaining in the plan period; in Fylde's case that would be until 2032. The second, the 'Sedgefield approach', seeks to make up the shortfall within the next five year period. The Framework is not prescriptive as to which approach Local Planning Authorities should adopt when calculating their five year housing land supply. The position in the latest five year housing supply paper base date 30 September 2017 is that using the Liverpool approach is that the Council has a 6.3 year supply of housing, and using the Sedgefield approach a 5.1 year supply of housing and that there are enough allocations, commitments and allowances to provide this without the need to allocate any additional sites.

This five year supply position is the most up to date information including reactions to delivery assumptions agreed in the hearings of the examination in public. The Local Plan Inspector will need to take into account the consultation responses before finally concluding whether or not a change along the lines of the proposed modifications is required to make the plan sound. However, at the time of writing the Council does not anticipate that there will be a change to the OAN/housing requirement figure, therefore no additional sites are required to meet the housing requirement. The Local Plan includes a monitoring framework and the Council will monitor completions and the five year housing supply using the Liverpool Approach, as well as the Distribution of Completions in line with the Development Strategy. Targets, Triggers and Contingencies have also been agreed through the examination process. As such the current situation when members consider this application is that the Council is able to demonstrate a deliverable five year housing land supply, and whilst the Framework is not prescriptive as to which of the two commonly known approaches Local Planning Authorities should adopt when calculating their five year housing land supply, the current Fylde position is that the council is able to demonstrate a 5 year supply using both. Therefore, as the Council's position in respect of this application is that it is able to demonstrate a five year supply of housing and so paragraph 14 of the Framework is not engaged. When considering the overall planning balance as Fylde has a 5.1 year (Sedgefield) or 6.3 (Liverpool) supply of housing the benefit of the housing deliver on this site is less of a positive factor in that balance, when weighed against the negatives. The fact that Fylde has a 5.1 year supply of housing is significant as it means that paragraph 14 of the Framework is not engaged and the requirement to approve this development is removed. There are considered to be enough sites allocated within the Local Plan to 2032 to ensure that Fylde can maintain this 5 year supply without approving this development. The overall development strategy of the Plan to 2032 is considered below.

Does the proposal form sustainable development?

The NPPF requires developments to be sustainable. There are several different elements to what constitutes sustainable development, with the NPPF making it clear that to be truly sustainable development needs to take account of the three interdependent dimensions to sustainable development; the economic role, social role and environmental role. Economically to ensure sufficient land of the right type is available in the right place to support growth and innovation. Socially by providing the supply of housing required with access to local services and environmentally by protecting and enhancing natural, built and the historic environment and improving biodiversity. The application as proposed will provide up to 190 dwellings, of which 30% will be affordable dwellings. The provision of affordable housing is also a key element of sustainability as well as being a policy requirement. There are a number of main factors to assess in determining if a particular development proposal constitutes sustainable development. The main ones here are; the accessibility of the site to services, the scale of the development that is proposed and whether it is line with the Development Strategy and the impact this scale of development has on the landscape character of the site and the settlement. Other factors such as the ecological impact, site drainage, highway safety and capacity are also relevant, but are looked at separately in following sections of this report.

Accessibility of the site

The application site is located directly adjacent to the settlement of Wesham, adjacent to the Mill Farm commercial development and the A585 which provides vehicular transport links to the wider area. It is 0.25m miles from St Joseph's Catholic Primary School in Wesham, and 1.38 miles from Carr Hill High School, making both suitably accessible. The railway station is approximately 1km walk along Weeton Road, with Mill Farm Sports Village having retail and leisure facilities. It is considered that with the appropriate measures identified in the highway sections of this report that this site could be considered to be accessibly located to appropriate supporting services for the residential development. Kirkham and Wesham is also identified as a strategic location for development and a Key Service Centre in the emerging Local Plan, which in itself is a recognition that there is an existing level of service provision that offers more than the basic provisions available in smaller settlement. Taking all the above it has to be considered that Kirkham and Wesham is an appropriate location for growth.

Scale of the development in line with the development strategy of the Local Plan to 2032

As stated above Kirkham and Wesham is a key service centre and a significant settlement which serves both residents of the town and the surrounding rural area. The Spatial Development Framework of the Fylde Local Plan was originally derived from the Issues and Options Fylde Local Plan which was published in June 2012. This document set out five separate options:

- Focus on Lytham St Annes
- Equal Focus on Lytham St Annes and Kirkham
- Lytham St Annes and Key and Local Service Centres
- Lytham St Annes and Rural Dispersal
- Equal Focus on Lytham St Annes and Land on the SE edge of Blackpool

The Summary Interim Sustainability Appraisal of the Spatial Options (page 58) of the Issues and Options Local Plan concluded that development at all of the four strategic locations of Lytham St Annes, Kirkham and Wesham, Freckleton and Warton and on the edge of Blackpool had sustainability advantages. In refining its Preferred Option the Council considered the feedback on

the alternative options and the findings of the Interim Sustainability Appraisal. The Spatial Development Framework as set out in Policy SD1 of the Preferred Option Local Plan included four strategic locations for development at Lytham St Annes, The Blackpool Periphery, Warton and Kirkham and Wesham.

The Local Plan Inspector then considered the Development Strategy at the Examination hearings and a Schedule of Proposed Main Modifications for Consultation has been proposed. This states that the Local Plan Development Strategy is to direct the majority of future growth to the most sustainable locations, specifically the four strategic locations for development. Policy DLF1 has also been amended to state that 90% of homes to be developed in the plan period (including small sites) will be located in the four Strategic Locations for Development. The Local Plan has five strategic objectives, these being;

- (1) To create sustainable communities
- (2) To maintain, improve and enhance the environment
- (3) To make services accessible
- (4) To diversify and grow the local economy
- (5) To develop socially cohesive, safe, diverse and healthy communities

The Local Plan to 2032 sets out how these five strategic objectives can be achieved and express the purpose of the Local Plan and what the Development Strategy aims to achieve. The Development Strategy of the Local Plan to 2032 is outlined in chapter 6. It identifies the proposed Settlement Hierarchy and the Strategic and Non-strategic Locations for Development, which will accommodate the level of development in new homes, jobs and associated services, required across Fylde during the entire plan period. The overall strategy for directing where new development and investment will be located in Fylde is set against the backdrop of underlying development trends. It involves providing for new homes, employment, services, tourism, renewable energy and the infrastructure that supports them. Development must be achieved in the most sustainable way in order to protect and, where possible, enhance Fylde's historic, environmental, social and economic assets. In particular, choosing the most sustainable locations for development will help mitigate the impacts of climate change. Encouraging a mix of uses on larger development sites and locating homes and businesses in close proximity will reduce the need to travel. The Development Strategy requires infrastructure to be integral to the development of the strategic sites appropriate to the number of dwellings proposed, including physical features such as roads and sewers, and services such as education, community services and green infrastructure.

The monitoring framework of the Local Plan (Indicator 4) will monitor the proportion of net homes completed in the Strategic Locations for Development (taken together). New market and affordable housing is needed at all of the strategic locations for development along with employment development. The provision of new housing and employment land is aligned and this is reflected in the OAN of 415 dwellings per annum. Housing and employment land are provided at Lytham St Annes, Warton, which has an Enterprise Zone and will become a sustainable community with the provision of a new local service centre and on the Periphery of Blackpool where again there is employment land and a new local service centre will be provided at land west of Cropper Road. Kirkham has been identified as a key service centre and Wesham as a local service centre, combined they are a strategic location for development. Based on the need to locate development within sustainable communities, a large proportion of new development is proposed at the four Strategic Locations for Development, providing essential key services and facilities, as well as the provision of employment opportunities or access to them. Overall within SL4 the Kirkham and Wesham Strategic Location for development 1141 dwellings are proposed, with various sites identified as being capable of providing these dwellings, along with 1.1ha of new employment land. Along with those

allocations permission has been granted for 170 dwellings at appeal at Dowbridge (in Newton with Scales but adjacent to the settlement of Kirkham) (ref; 15/0547) and 30 dwellings (16/0112) at Campbell's Caravans.

If additional housing land in the form of this site were provided it would undermine the Council's proposed development strategy by increasing the proportion of development at the Strategic Locations for Development and distorting the distribution of development. Also this site would then compete with other sites included in the Council's Development Strategy and could potentially affect their delivery. Sites at St Annes, the Fylde Blackpool Periphery and Warton are needed to deliver the Development Strategy in a balanced way, and form sustainable communities. It is therefore considered that significant allocations have already been made in this area, along with the approvals mentioned above, as well as smaller windfall sites and that it is clear that the development of this site would take the scale of growth identified as being appropriate for Kirkham and Wesham beyond what is required or appropriate for the area in this overall Development Strategy. This is outlined by the current 5 year supply of housing which as discussed above means that the LPA is able to meet the principle objective of §47 NPPF which is to identify a deliverable supply of housing land.

Visual impact on the character of the area

The application has been submitted with a Landscape and Visual Appraisal prepared by Randall Thorp which outlines their opinion of the baseline landscape conditions and the assessment of the landscape and visual effect of the proposed development on this setting.

A key issue is the impact of the development visually on the character of the area. The NPPF states that the intrinsic character and beauty of the countryside should be recognised. The site is not in an area designated for its landscape quality (AONB for example). The site falls within the Natural England National Character Area 32 Lancashire and Amounderness Plain (2011). The landscape is described as a relatively flat and gently rolling plain broken by isolated hills, and a large scale agricultural landscape with a patchwork of arable fields and blocks of wind sculptured mixed woodland. More detailed descriptions of landscape character types and landscape character areas are provided in the Lancashire Landscape Strategy. The development lies within the Coastal Plain (15), which is described as gently undulating or flat lowland farmland. The development is located within the Fylde landscape character area (15d), which the Lancashire Landscape Strategy describes as comprising gently undulating farmland. 'The field size is large and field boundaries are low clipped hawthorn, although hedgerow loss is extensive. Blocks of woodland are characteristic, frequently planted for shelter and/or shooting and views of the Bowland Fells are frequent between blocks. There are many man-made elements; electricity pylons, communication masts and road traffic are all highly visible in the flat landscape. In addition, views of Blackpool Tower, the Pleasure Beach rides and industry outside Blackpool are visible on a clear day. The nearby Mill Farm development also influences the site to a degree. Within the Fylde Borough Green Infrastructure Strategy the site is within the Fylde Coastal Plain and described as 'predominately lowland agricultural plain characterised by large arable fields whose generally poor drainage results in ponds that provide important wildlife habitats. Shelter belts of trees and estate woodland and modern societal infrastructure such as telecommunication masts, electricity pylons, roads and rail tracks are all highly visible in the Borough's flat landscape'.

The character of the site itself consists of a two roughly rectangular gently undulating fields used for agriculture. The site is bounded by hedgerows and occasional trees. The site is generally flat with a gentle slope falling towards the southern boundary from the north. There is a PROW that traverses the site from east to west. It is located west of Fleetwood Road to the south of the Mill Farm development. To the south and west of the site is the open countryside. It is considered that the site

whilst possessing few landscape features of importance the sites location is important when considering the relationship between the settlement and the countryside.

Randall Thorp's assessment is that this landscape character is in keeping with the national and local character assessments and offer some scenic quality to medium-range views, but that the Mill Farm development diminishes scenic quality, local character value and interrupts long range views thus making the value of the existing landscape character within the area as moderate to low. They assessed that the most important impacts would be the effects on the existing features within the site and the site's immediate vicinity including hedgerows and trees, effects on the Fylde local landscape character area, effects on views from the A585, effects on views from Weeton Road, effects on views from PRoW 5-8-FP19, effects on views from PRoW 5-6-FP8 and 5-8-FP18 and the effects on views from private properties along the A585. Their assessment is that the proposed scheme would not result in a loss of high quality landscape features and that the magnitude of change is minor as there is a minimal loss of existing features, and that with mitigation the proposed development would have a slight beneficial effect on the landscape features within the site. They state that the landscape of the site within the study area (within 1km of the site) has a low susceptibility to change as the landscape has the ability to accommodate the proposed development without undue harm and that this is due to its urban fringe location amongst existing residential and industrial development and the limited number of existing features within site.

Taking into account the value of the character and susceptibility to change, the landscape of the study area is considered by RT to have a low sensitivity to change. They state *'The magnitude of change is considered minor as there would be minimal loss of landscape elements that contribute to the character of the wider landscape character area. The nature of the development would be in keeping with existing residential development and built form to the east and north of the site. It could improve the character of the western edge of Wesham by enhancing the landscape features on the site and creating a softer transitional edge to Wesham than the current severe edge of the Mill Farm development. Overall it is considered that the proposed development would have a neutral effect on the landscape character of the study area upon completion. Positive effects would be felt by creating a softer urban edge to Wesham with a higher affinity towards The Fylde character area than the Mill Farm development achieves. Any negative effects would reduce over time as new planting proposed as part of the development matures, serving to blend the appearance of the development to that of the adjoining settlement edge on the A585.'* The transient views for motorists, cyclists and pedestrians using the A585 are considered to have low sensitivity to change as the primary purpose of this road is to connect to the wider road network, including the M55 to the north. Users of the A585 are not focussed on the appreciation of landscape. In the vicinity of the site, footpaths are only present on the eastern side of the road, which limits pedestrian views to the site. The transient views for motorists, cyclists and pedestrians using Weeton Road are considered to have a medium sensitivity to change as views from the road may be considered important on the approach to Wesham from the west. The landscape of the site is viewed by users of the public footpath network for whom the appreciation of the landscape may be their focus. The users of the PRoW 5-8-FP19, which passes through the site, and PRoW 5-6-FP8 and 5-8-FP18 which is located to the north of the site, are therefore considered to be of high sensitivity. Residents of private dwellings at the western edge of Wesham, off the A585, who currently have a glimpsed view of the site from the top floor windows of 2.5 storey properties will be expected to have a high sensitivity to any changes within the site. However, since these are private receptors, views will be assessed in terms of residential amenity, and the assessment of changes to these viewpoints will be of less significance than any changes to public views. It is then discussed that the users travelling along the A585 will have a negligible residual effect with mitigation, along Weeton Road will have a slight adverse effect with mitigation, PRoW 5-8-FP19 which passes through the site a slight adverse effect upon maturity of the proposed tree planting, the other two PRoW having a negligible effect upon maturing of the

proposed planting and also negligible impact on the occupiers of dwellings on the A585.

The Councils Landscape officer has a different assessment, as outlined in the consultation responses section above they have identified the following points of concern with regard to landscape and visual issues. They state that the existing hedgerows and trees within them provide a valuable landscape contribution and ecological habitat, as well as the ponds on the northern boundary which are surrounded by dense undergrowth and habitat. They state that the site is prominent in its position on the junction of Weeton Road and the A585, visible from the existing residential dwellings on the edge of Wesham and from Mill Farm, as such the development would have adverse visual impacts on viewpoints from footpaths and users of the roads adjacent to the site as well as from receptors on the edge of Wesham. Their opinion is that whilst landscaping will undoubtedly help mitigate and soften the effects of the development on these views, there would be long term residual impacts which could not be mitigated against, in particular the effects of night time lighting when viewed against the backdrop of the unlit rural landscape. They state that the open agricultural landscape with scattered farm buildings, woodland, field ponds and hedgerows all contribute to the recognised landscape character of this area. The development of the site would result in an irreversible change to this landscape character, it would therefore be contrary to the requirements of Policy EP10 of the Fylde Borough Local Plan and Policy ENV1 of the Local Plan to 2032 and as such they do not support the application.

Whilst there is variance in these professional opinion, the officer view on this is that the proposed development will have a negative impact upon the existing landscape character and as such would create harm which needs to be considered in the overall planning balance. The development would have a negative impact on the open countryside and views of which it is a part. The A585 forms a strong solid boundary to the settlement of Wesham. It is acknowledged that to the south at the Kirkham Triangle site the LPA has allowed development to the west of the A585, however the visual impact of developing that site is significant lower than the application site due to the differences in land levels, with landscaping and the presence of the A583 and the railway line effectively enclosing that site. It is also acknowledged that to the north of this site the mixed use Mill Farm commercial site is to the west of the A585, Officer's assessment of that application was that the development's scale, formal layout and use would be notably different to the existing and surrounding rural areas, with the overall impression of the site being one found in an urban fringe location and so in contrast to the then rural appearance. Officers stated that this harm was a negative aspect of the development but when weighed against the benefits of allowing the sites development. In the overall planning balance the benefits of that scheme were found to outweigh the harm. The impact of this site will be marginally less than the Mill Farm development due to the lower height scale and format however it will still detract from the rural nature currently experienced and this weighs against the application. Furthermore the projection of the development approximately 324m into the countryside from the A585 is significantly more than the Mill Farm site and means that the Mill Farm site does not screen it from all views from the north.

It is considered that the proposed development due to its scale and location would not be in character with the local landscape character, scale or pattern where open countryside predominates. The development if allowed would erode that character with a substantial urban extension beyond the strong settlement boundary into a sensitive part of the setting of Wesham, being out of character with the surrounding area and the general pattern of development. This would conflict with criterion 2 of LP Policy HL2 as it would be out of keeping with the character of the area.

The main direct visual impacts would be from the A585 to the east and Weeton road to the south and west. Other important views are from the PROW's 5-8-FP19, 5-6-FP8 and 5-8-FP18. Views from

these locations are of open countryside typical of the character of the area and the introduction of built development into these views would have a detrimental landscape impact. The development will introduce an incongruous residential development into this area of countryside in the Fylde landscape character area that is currently undeveloped and open and which would have a significant visual impact due to its prominent location. Paragraph 58 of NPPF refers to the quality of developments and includes a requirement for planning decisions to respond to the local character of an area. This is a similar requirement to criteria 2 of Policy HL2 which requires that a development is in keeping with the character of the locality. The development of the site in the open countryside could not be said to be in keeping with the character of the locality.

Impact on the settlement of Wesham

The application site is located adjacent to the settlement boundary. The development site is considered to be rural in character, with the most prominent views of the site from the east and south close to the site, however the site is more visible in more distant views from the north and west. In this agricultural landscape directly adjacent to a rural setting, the extent of the residential development would be a prominent feature that is exacerbated by the shape and size of the site projecting west, particularly at night when illuminated, which would have an adverse impact on the immediate landscape context. Due to the A585 the relationship between the application site and the established built form of Wesham is not a natural one and whereas the settlement of Wesham is seen as one mass of cohesive development, this site would be visually detached from the settlement when viewed from the north and south. The landscape setting described would make the development visually prominent and difficult to assimilate, which has been the case with the Mill Farm development to the north. This incongruous form of development would be visually prominent due to the flat open nature of the surrounding area. The sheer scale of the development means the proposal cannot fail to have a visual impact and overall this is considered to be unacceptable. The site would be visible from both short and wider views and would clearly be seen as a manmade intrusion into the rural landscape that would be an alien and incongruous mass of dwellings out of character to the rural area. In this open, rural, agricultural landscape setting directly adjacent to the rural settlement the residential development would be a prominent feature which would have an unacceptable impact on the immediate landscape context. This appreciation of the landscape character of the locality renders the proposal's impact on the setting of the settlement unacceptable.

Paragraph 58 of the NPPF refers to the quality of developments and includes a requirement for planning decisions to respond to the local character of an area. Policy SP2 criterion 5 and Policy HL2 criterion 2 follow the aims of the NPPF in this regard. The site referred to in this appeal is not in compliance with these policies and the guidance in the NPPF for the reasons outlined above. It is the LPA's opinion that the scale of harm in this location is such that it would not be outweighed by the benefit of housing provision. This visual harm will be significant and will adversely affect the character of the area and the pleasant rural setting that it provide. This is contrary to criteria 2 of Policy HL2 of the Fylde Borough Local Plan and to criteria a, c, g, h, j and l of Policy GD7 of the Fylde Local Plan to 2032.

Overall planning balance and principle of the development conclusions

The key issue for consideration is whether or not the benefits of allowing this development of 190 dwellings in the open countryside outweigh the negatives in terms of landscape impact and the proposal being at odds with the Development Strategy in the Fylde Local Plan to 2032. In the applications favour is that the site is located directly adjacent to the proposed settlement boundary of Wesham, however it is located in an area classified as open countryside in both the Fylde Borough

Local Plan and the Fylde Local Plan to 2032. The proposal would contribute to housing supply for the Borough and the provision of affordable housing is a benefit of the application that weighs in its favour. The marginal benefits such as economic from the building of the houses and the increase in landscaping in the site are not particular to this proposal and therefore only attract limited positive weight. However this alone does not mean that the development is sustainable.

The starting point for determining the application is the development plan, Policy SP2 in the adopted Local Plan and Policy GD4 in the Local Plan to 2032 allocate the site as being in the countryside, with development in those areas restricted to proposals and uses appropriate for the rural areas which does not include new dwellings except in particular circumstances. The development therefore is clearly in conflict with that allocation and therefore there is a statutory presumption against the granting of planning permission which material considerations (including the NPPF) would need to overcome. Policies written pre NPPF can still be applied significant weight and are not automatically out of date with a judgement needed to be made as to their consistency with the NPPF. The principle of countryside allocation and its protection is entirely consistent with the NPPF. The NPPF paragraph 49 states that 'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a five year supply of housing sites'. As described above Fylde can demonstrate a five year supply of housing as per para 47 of the Framework and as such the tilted balance is not engaged through para 49 and as set out in para 14 of the Framework; *'where the development plan is absent, silent or relevant policies are out of date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or specific policies in this Framework indicate development should be restricted'* is not engaged.

Furthermore even if Fylde were not able to demonstrate a 5YS this does not mean that countryside policy is out of date as that is not a housing policy. The approval of this development would be at odds with the Development strategy of the Fylde Local Plan to 2032 not just for the Kirkham and Wesham strategic location for development, but for the Borough as a whole. Approving the application would increase the proportion of development at the Strategic Locations for Development and distort the distribution of development. The site would also then compete with other sites included in the Council's Development Strategy and could potentially affect their delivery, which are needed to deliver the strategy and sustainable development for the Borough as a whole. The level of growth in Wesham would also be beyond what is identified as being appropriate for the area and would add further pressure to existing infrastructure. Officers have also found that the development will have demonstrable harm to the local landscape and the setting of Wesham which is of significance and the permanent loss of this countryside area and the resultant visual intrusion weighs heavily against the application.

As such having regard to the NPPF and its requirement for sustainable development and the different strands, for the reasons outlined above the proposal is not considered to be sustainable development and therefore the presumption in favour set out in the NPPF does not apply. The adverse impacts of the proposal would outweigh the benefits and the proposal is considered to be unacceptable having regard to the NPPF

Highways

Paragraph 34 of the NPPF requires that decisions should ensure that developments that generate significant movement are located where the need for travel can be minimised and the use of sustainable transport modes can be maximised. The NPPF promotes sustainable transport. It requires that all developments that generate significant amounts of movement should be supported

by a Transport Statement or Transport Assessment, and that decisions should take account of whether;

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

It states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are 'severe'.

The consultee comments of the local highway authority are reported in the consultee section. They have no objections to the proposal subject to various conditions being imposed, off site works being implemented, and contributions provided. The application was submitted with a TA dated 21 June 2017 which was supplemented by two highways notes following discussion with LCC. When considering the development proposals LCC have considered the submitted illustrative Masterplan (Drawing No. 6138-28A), the Parameters Plan (Drawing No. 6138-098), Proposed Site Access Plan (Drawing No. 64019-06009, Revision PO6), Proposed Pedestrian Crossing and Footway Plan (Drawing No. 64019-06010, Revision PO2), Application and Boundary Plan (Drawing No. 64138-05A (dated 27.06.17), Swept Path Analysis 16.5m Articulated vehicle (Drawing No. 64019-05001, Revision PO1); and M55/Fleetwood Road Roundabout Improvements Plan (Drawing No. 64019-06011, dated 13.12.17).

LCC outline in their response the need to fully assess and understand the cumulative impact of development on the A585 corridor adjacent to which this site falls. They state that the A585 provides the primary route to/from M55 Jct. 3 to Blackpool (to the west), Preston and the M6 (to the east) and A585 (T) to the north and as such it is important that the impact of this development and all other emerging development does not compromise reliability and safety in the movement of people and goods by any mode on any part of the network. They state they have concerns with regard to capacity issues on the A585 corridor as the network beyond the site does suffer from a level of congestion, with queuing occurring at peak times on the A585, in particular on the approach to the M55 Jct. 3 roundabout. They outline their strategy to work with developers to ensure that suitable infrastructure is secured to mitigate against impacts, these initiatives include public transport facilities, service improvements, pedestrian and cycle improvements, speed limit reviews, junction improvements, crossing facilities and signage reviews to be provided through a combination of s278 works and s106 contributions.

They then comment on the proposed development with regard to its access strategy, the information provided within the TA and the works required to make the development acceptable in planning terms. With regard to the access strategy they state that the main access to the site will be provided by a standard 38m inscribed circle diameter (ICD) roundabout with adequate deflection and is generally acceptable, with the latest plan showing uncontrolled pedestrian crossing facilities are to be provided on all arms of the junction as requested by LCC Highways – the detailed design of which will be subject to a s278 agreement. It is confirmed that the applicant can provide all these works within the highway and land that they have within their control. LCC state that this roundabout will need to be delivered prior to the commencement of development on the site. The applicants have also demonstrated that the proposed access can incorporate the approved access to Bradkirk Hall Farm and can accommodate the vehicular movements from this access. A Bus stop will be required on both the northern and southern side of Weeton Road to future proof development (s278 works); these have been agreed and are shown in the latest Proposed Site Access Plan

(Drawing No. 64019-06009, Revision PO6). LCC have also requested that a layby be provided to allow buses to layover on the south side of Weeton Road and this has been shown on the same site access plan along with a 3.5m shared footway/cycleway from the site access to the A585 roundabout, the same to be provided on the western side of the A585 to connect from Weeton Road to the proposed pedestrian/cycle (Toucan) crossing and also then on toward the A585 Fleetwood Road Roundabout and the Mill Farm development. The applicants have agreed to provide the Toucan crossing which will be subject to detailed design. An emergency access and exit has been provided by a 3.7m emergency link with 'demountable bollards' in the south west corner of the site together with a pedestrian cycle link into the site. LCC state that part of the access strategy will need to include a speed limit review of the 60mph limit on Weeton Road, and that the developer will need to fund this review and implementation of any changes found necessary. Also necessary will be a gateway/traffic calming scheme in conjunction with the review on Weeton Road from the west of the site to the A585. Thus with the proposed access and the offsite works detailed above LCC are satisfied with the proposed access strategy to the site.

With regard to the submitted Transport Assessment and the two supplementary statement which consider the impact of the development on the surrounding highway network LCC state that the composite information submitted has been considered when reaching their recommendation with regard to this application. The submitted TA considers committed development and measures the impact of the development on the following junctions;

Junction 1 – M55 Junction 3/A585 Fleetwood Road;
Junction 2 – A585 Fleetwood Road/AFC Fylde Access/B5192 Fleetwood Road;
Junction 3 – A585/Weeton Road;
Junction 4 – St George's Park/A585;
Junction 5 – A583 Blackpool Road/A585/B5259 Ribby Road;
Junction 6 – B5192/ Weeton Rd/Garstang Rd /Station Rd;
Junction 7 – A583 Kirkham Bypass/Freckleton Street/Freckleton Road;
Junction 8 – A583 Kirkham Bypass/B5192 Blackpool Road;
Junction 9 – A583 Preston New Road/Weeton Road/Fox Lane Ends;
Junction 10 – A583 Blackpool Road/B5259 Ribby Road; and
Junction 11 – B5259/B5192/Station Road/Orders Lane.

The analysis of these junction found that there are no capacity issues for any of the junction's. For the M55 Jct. 3/A585 Fleetwood Road junction LCC state that the A585 at times experiences congestion with queueing/slow moving traffic during some peaks. Queueing has also been observed on the strategic network (managed by Highways England) particularly on the westbound off slip in the peak periods, particularly the PM peak traffic. The level of traffic in the PM peak results in slow moving, sometimes stationary traffic heading northbound on the A585 away from the J3 roundabout, this has a knock on effect on the south side of the motorway junction. The information presented in the TA is that by 2027 the junction is likely to experience total flows of 4756 vehicles in the AM peak period and 4603 vehicles in the PM peak period. The percentage impact of the development traffic is therefore 0.7% in the AM peak period and 0.8% in the PM peak period. The accident record is not a concern and Highways England (HE) have not objected to the development and do not consider the impact to be severe from this development alone, although they have raised concern about the level of piecemeal development and therefore the cumulative impact of the traffic generated by all committed and emerging development proposals in this area. HE have previously indicated their intention to deliver an £800,000 improvement scheme at the A585/M55 Jct. 3 which would seek to somewhat address issues of capacity and safety (i.e. in particular limit the queueing on the slip roads that at times impacts on the M55 mainline traffic flows). Within paragraph 2.5.5 of the TA reference is made to this future improvement scheme. The works which

have been identified as part of the government's Congestion Relief Programme have an estimated delivery by spring 2020. Whilst Highways England is committed to delivering a future improvement at M55 Jct. 3, LCC understand that no improvement scheme for this junction has currently been developed to a stage whereby any judgement can be made as to its effectiveness. As such it is HE's view that any assertion that this project will provide relief to existing traffic conditions or provide mitigation for this development is premature at this stage.

The analysis at each junction listed above has shown that the impact of the development proposals do not significantly impact upon their operational performance. Traffic flow estimates at the junctions were calculated based on the future scenario of the year 2022 + committed developments + development proposals. The traffic flows predicted are that the development will generate 27 AM arrivals, 86 departures, and 83 PM arrivals with 43 departures in the peak hour. The distribution routes has been calculated with the traffic impact spread across the junctions with the biggest impact being nearest the site on the A585/Weeton Road junction, with the traffic then splitting across the different routes, for example the impact on the M55/A585 junction is 32 movements in the AM peak and 34 in the PM. The TA outlines that the junctions can accommodate the traffic from the development and there will only be a minor impact now and in future years. It also outlines that the site can be well served by public transport with a number of commercial services operating within a reasonable walking distance of the site. The possibility for buses to enter into the site and new stops on Weeton Road will further enhance public transport as a realistic mode of travel. LCC have not raised any objections to the data presented or the impact of the development on the network subject to the mitigation discussed below.

An interim Travel Plan has been submitted, LCC state that a Full Travel Plan will be required and a contribution of £12,000 necessary to enable LCC to provide a range of Travel Plan services. With regard to the internal site layout and parking as this is an outline application this will be dealt with at Reserved Matters and LCC have only made advisory comments which the applicants would need to consider when developing a detailed layout plan.

LCC have detailed the s278 works that have been agreed along with trigger points they consider appropriate, and these are as follows:

- Site access and emergency access onto Weeton Road - Trigger for the above works to be prior to any development on site.
- Speed Limit Review on Weeton Road, Supporting Infrastructure and Gateway measures - Trigger for the above works to be prior to any development on site.
- Pedestrian crossing facilities over all arms of the proposed access junction and also over Weeton Road (with pedestrian refuge) west of main site access - prior to any occupation on site
- Toucan crossing over A585, north of Weeton Road roundabout - prior to any occupation on site
- Shared pedestrian/cycle facility to appropriate width (3.5m) from site access to A585 and also on western side of A585 to connect to the proposed Toucan crossing and then to A585/Fleetwood Road roundabout and the Mill Farm development, providing wider connectivity to recent and emerging development in the A585 corridor in line with LCC's developing A585 Sustainable Transport Strategy - prior to any occupation on site
- Provision of 2 No. Bus Stops (with laybys) – north and southbound (EA compliant) on Weeton Road - prior to any occupation on site
- Interim Improvement Scheme M55/A585 Junction 3 - prior to occupation of the 100th dwelling on site.

They have also detailed the planning obligations that they consider appropriate this development should deliver, to support improvements to sustainable transport links on the local highway network, in line with LCC's developing A585 Corridor Sustainable Transport Strategy. This funding will be used to implement changes to limit the negative impact of this large development on the existing, at times, congested network. Within the TA the applicant has indicated a level of commitment to the A585 Corridor, Sustainable Transport Strategy;

The trigger point for s106 sustainable transport planning contributions should be prior to commencement of development unless otherwise agreed with LCC and the LPA.

The mitigation measures requested by the Local Highway Authority to be funded by the developer through s106 contributions, include the following:

- Public Transport service improvements - To support service and frequency improvement to additional locations including, Blackpool, Wyre villages, Wrea Green, Warton, Lytham St Annes and Preston -Requested contribution, £240,000
(Note: this limited request typically provides a bus for two years) Trigger point on 1st anniversary of the 1st occupation of the 1st dwelling, £120,000, 2nd anniversary of the 1st occupation of the 1st dwelling (any occupation) £120,000.
- Travel Plan Support contribution - Requested contribution, £12,000. Trigger point on 1st occupation of the 1st dwelling.

With these contributions, physical works and various conditions LCC Highways have no objections to the development, nor do Highways England.

Officers accept their views as the relevant statutory consultees on such matters and so no objection to the application is raised based on the principle highway issues. The local highway authority have outlined a series of infrastructure works and contributions that are required to allow them to reach a 'no objection' position. At the time of the determination of the application there is no mechanism in place to secure these works and so a reason for refusal on that basis would be appropriate, notwithstanding the general acceptability of the access matters.

Flooding and drainage

The submitted Flood Risk and Outline Drainage Strategy by Curtins confirms that the application site is located within Flood Zone 1 on the Environment Agency's flood maps and that the site is at low risk of flooding from various potential sources and that a drainage scheme can be delivered which ensures that the site will not increase the risk of flooding off site. Surface water drainage is anticipated to flow south and discharge to the Wrongway Brook. Topographic levels indicated that a gravity solution to the brook will be possible. The surface water drainage scheme will be designed so that flood water generated from up to the critical 1 in 100-year plus climate change storm event shall be constrained within the areas on site so not to cause damage to buildings, essential services or adjoining developments and services. The drainage strategy notes that the infiltration report states that groundwater is likely to be less than 3m from the ground surface and as such would be unsuitable for infiltration SuDS. The surface water discharging into the brook will be restricted to Greenfield run-off rates which has been calculated at 53 l/s, with attenuation pond provided on site with a cubic capacity of 1154m. This type of discharge would require the consent of the LCC as the LLFA and they have confirmed they have no objections to the application and at this stage do not require any conditions.

With regard to foul water drainage it is proposed that it will drain to the public combined/ foul sewer network in Weeton Road, south-east of the site. The suggested point of discharge would be to

the 225mm combined sewer on Weeton Road at a rate that must not exceed 10l/s and would therefore be sufficient for the development. The drainage is proposed to be discharged by gravity within the site to the lowest area on site, with the pumped main from the pumping station to a termination chamber within the site boundary (at the southeast corner) and then discharged by gravity from this point to the outfall location. United Utilities have confirmed that they have no objections to the proposal and request conditions that the development is carried out in accordance with the FRA and relating to the design of the surface water scheme to be submitted, that no development will be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details and that a management and maintenance plan for the drainage system is submitted and approved. There are therefore no flooding or drainage issues with the application that could warrant a reason for refusal of this application.

Residential amenity

Policy HL2 of the FBLP and Policy GD7 of the Fylde Local Plan to 2032 supports new residential development that would have no adverse effect on the amenity and privacy of neighbouring properties. This amenity impact includes privacy, dominance, loss of light, over shadowing or disturbance resultant from the development itself on neighbours, or during the construction period. The SPD provides additional guidance with particular reference to separation distances between dwellings to ensure the amenity of residents is safeguarded. The proposed layout whilst indicative shows that dwellings can be appropriately located so as not to create any unacceptable overlooking or loss of light to neighbouring dwellings, the nearest of which are located on the opposite side of the A585 and at Bradkirk Hall Farm. Dwellings within the site can be located to meet the Council's spacing standards and will not create any unacceptable overlooking or loss of privacy. The level of vehicle activity associated with the development is not considered to have a significant noise impact on adjacent residents and is therefore unlikely to cause an unacceptable disturbance. Conditions can be imposed to reduce this disruption for neighbours and construction hour's restriction, wheel wash facility and dust controls are recommended.

Ecology

The application has been submitted with a phase 1 habitat survey, an ecological assessment, breeding bird report, winter bird survey, bat survey and amphibian survey. The Winter Bird Survey found that no pink-footed geese were recorded as landing on the site. Geese were recorded landing within 500m of the site on just one occasion during the survey period, however this field was separated from the application site by a main road, superstore and football ground. The survey found some birds within adjacent fields outside the site boundary, with some Birds of Conservation Concern noted nesting in scrub or hedgerows in the site. The ecological assessment advises this impact can be easily mitigated by either retaining the hedgerows or replacing any to be lost. The newt surveys confirm that there are no Great Crested Newts at ponds within the site and within a 250m buffer of the site boundary. The ecological assessment confirms that the proposed development will not have any adverse implications for protected species, including Great Crested Newts, reptiles, water voles and wintering birds.

GMEU have reviewed the submitted documents for the Council and state that the submitted surveys and assessments have been undertaken by suitably qualified ecologists and are to appropriate and proportionate standards and that no further surveys need to be undertaken before deciding the application. They state that with regard to impact on protected sites whilst the site is in the impact zone for the Newton Marsh SSSI they do not consider that development of this site will be affected by the proposal. They also confirm that they are satisfied that the ecology surveys have demonstrated that the development is unlikely to cause substantive harm to any specially protected species, although

small numbers of bats will use the site for foraging and a range of common bird species do use parts of the site for breeding.

With regard to the site they state that the site is dominated by species-poor and rather featureless improved agricultural grassland of limited current habitat value, but that there are more important habitats at the boundaries, particularly the ponds to the north and hedge lines at the eastern boundaries. These features should be retained and protected, or re-created nearby if lost, if the development is permitted. The Illustrative Masterplan shows these habitat features retained and enhanced. To ensure that this happens they would recommend that a condition is placed on the permission requiring a Landscape and Ecological Management Plan to be submitted with any Reserved Matters condition. They also request a condition requiring no vegetation clearance during bird nesting season. The Council's Tree Officer has no objections but has placed on Tree Preservation Order on trees within the boundaries of the site and as such any Reserved Matters application would need to respect these and ensure their retention. Therefore with such conditions the impact of the development with regard to ecology is acceptable.

Other issues

Affordable housing

The provision of affordable housing is an accepted element of residential development and is underpinned by para 50 of the NPPF. The council's position on this is established by Policy H4 of the Fylde Local Plan to 2032 which confirms that all residential schemes of more than 10 dwellings should provide for 30% of the total dwellings for affordable purposes and secured through that policy and Policy INF2. The scheme proposes up to 190 residential dwellings and as such, the affordable housing requirement will be 57 affordable dwellings. If members were minded to approve the scheme, the Applicant will have to enter into a section 106 agreement to ensure the provision of up to 30% of the site as affordable dwellings, which would then be resolved through the usual reserved matters applications. At this moment there is no legal agreement so this could form a reason for refusal. The provision of affordable housing weighs in the applications favour in the overall planning balance.

Agricultural Land

An agricultural land classification survey has been undertaken by Reading Agricultural Consultants, the assessment concludes that approximately 40% (3.6 hectares) of the site comprises Grade 3a agricultural land, with approximately 60% (5.7 hectares) comprising Grade 3b agricultural land. Therefore this weighs against the application proposal in the overall planning balance. The applicants highlight that The Council have recently accepted the loss of Grade 3a land for residential development elsewhere in the Borough (Appeal ref. APP/M2325/W/16/3144925) due to the large amount of Grade 2 and Grade 3 agricultural land remaining in the Borough and it is likely that if the loss of Agricultural land was the only harm identified by officers that this would be outweighed by the benefits of allowing the development, however as described above this is not the case.

Education

The improvement of any identified shortfalls in local education facilities is a recognised aspect of a major residential development proposal such as this one, with Policy CF2 of the Fylde Borough Local Plan providing a mechanism to secure for this where Lancashire County Council advise that such an anticipated shortfall is identified. In this case there is an anticipated short fall of 72 primary school places in the area to accommodate the additional children that would result from the development

and the applicant would have to make a contribution in the order of £1,023,646.32 towards this. There would be a shortfall of 29 secondary school places and the applicant would have to make a contribution of £621,274.83 towards this. Because the application has been made in outline this amount will be re-calculated when the precise number of bedrooms is known upon submission of a reserved matters application. This contribution would be secured through a section 106 agreement, if permission was granted. A named school for both these contributions has not been identified but if members supported the application this would need to be established for the legal agreement.

Archaeology

The advisory service comment that they have considered the Heritage Assessment provided by Orion Heritage July 2017 and that whilst they have issues with the content they agree with the conclusions that the impact of the proposal on the setting of the nearby Listed Grade II Bradkirk Hall Farmhouse is low to negligible, particularly given the presence of large modern farm buildings immediately adjacent and the woodland on the east side of the farm. Also that there is a low to moderate potential for the presence of buried archaeological remains on the site – the advisory service consider that the Prehistoric and Roman potential in particular is higher than that assigned in the Assessment – but that there is no evidence to suspect that any such remains would merit preservation in situ at the expense of development. They state that a phased scheme of archaeological investigation and recording, required by planning condition, is an appropriate method of mitigating the impact of the development. As such a condition requiring this work to be done would need to be placed on any approval.

Public Open Space

The Local Plan requires that open space be provided on site in residential developments of this scale in line with the amount per plot detailed in Policy TREC17, with appropriate provision made for the on-going maintenance of this. The outline nature of the application means that there can be no clarity on this matter, however the submitted illustrative masterplan identifies an area that would meet the requirement of the policy, and the submitted planning statement outlines that the development would provide a connected network of green spaces including 3.3 hectares of new public open space, a play area and new connections to / from and enhancements to the Public Right of Way crossing the site. The open space on site is shown to be overlooked by building frontages alongside the 190 dwellings. It is therefore considered that the proposal would provide the POS than required by Policy TREC17 and so no reason for refusal on this matter is justified.

Public Realm

Fylde Local Plan to 2032 Policy INF2 covers developer contributions as are required to make appropriate infrastructure enhancements to enable that development to be accommodated locally. Category 'd' of that Policy refers to "Transport (highway, rail and tram infrastructure, bus, and cycle / footpath / bridleway network and any associated facilities)" and category 'i' refers to public realm. As such it provides an emerging policy frameworks to secure appropriate contributions from this development.

It is proposed that the development contributes to public realm in Kirkham and Wesham centres and the improvement of sustainable transport through improving footpaths to improve accessibility to and desirability of Kirkham and Wesham. The provision of this contribution will allow for the site to be more sustainably linked to the town centre and that this area will be a more attractive destination for the residents of the site which is considered to be key in meeting the requirements of the NPPF. As such it is directly related to the development and serves a planning purpose in ensuring

that attractive access to services is available to support the development proposed. Accordingly this aspect is also in accordance with the requirements of the CIL regulations. The payment of £1000 per plot totalling £190,000 is proportionate in its delivery, and is proportionate to that delivered by other recent developments in the Borough. The phasing of the payment is a matter to be concluded in a s106 agreement. Other developments in the area including that at the Kirkham Triangle have made contributions towards public realm in Kirkham and Wesham for which there is an identified scheme, and the contribution was found to be CIL compliant by the Planning Inspectorate when allowing the appeal at Dowbridge.

Conclusions

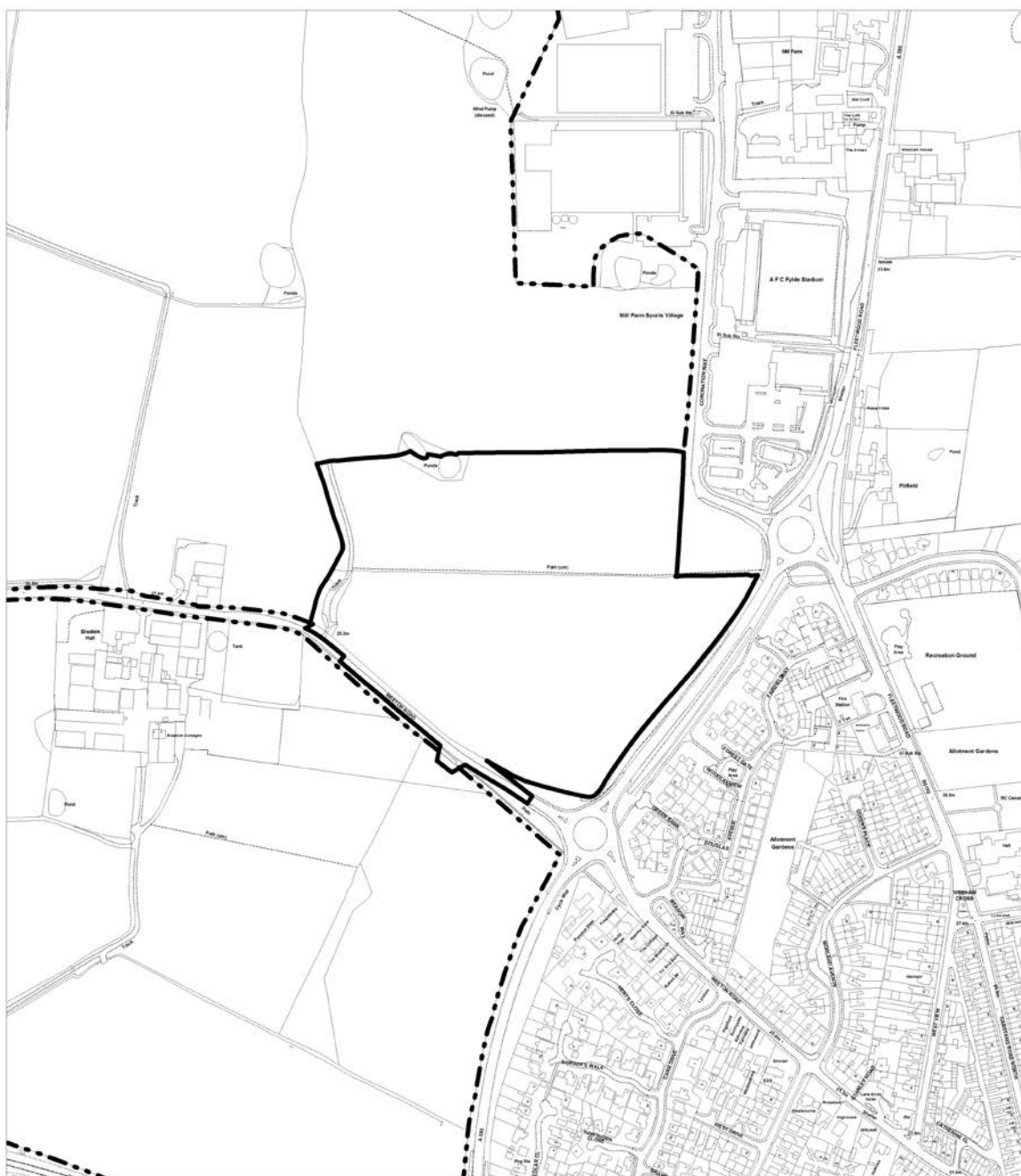
The proposal is for the erection of 190 dwellings. The site is considered to be in an accessible location and would add to the supply of housing in the area. There would be some economic benefits but these are not site specific. The development is able to mitigate itself with regard to technical issues such as highways, drainage and ecology, but these do not add any weight to the balance in favour of approving the application as they only ensure that the site has an acceptable impact on these issues. It is not considered these benefits outweigh the harm that has been identified with the visual impact of the development considered unacceptable and would have an unacceptable impact on the local landscape character. Whilst this landscape is not designated for its special landscape quality it is considered that due to the site area and location of the development, the development proposed would cause unacceptable landscape harm. Furthermore the Council is able to demonstrate a 5YS of housing as per para 47 of the Framework and as such the tilted balance is not engaged through para 49. The approval of this development would be at odds with the Development Strategy of the Local Plan to 2032 not just for the Kirkham and Wesham strategic location for development but for the Borough as a whole. Approving the application would increase the proportion of development at this Strategic Location for Development and distort the distribution of development, potentially impacting on the delivery of the other sites as well as adding additional pressure to existing infrastructure. It is therefore considered an unacceptable development and should be refused as it is contrary to the Adopted Local Plan, the Local Plan to 2032 and the NPPF.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The approval of this proposed development of 190 dwellings on land allocated as countryside in the Fylde Borough Local Plan through Policy SP2 and the Fylde Local Plan to 2032 through Policies GD1 and GD4 would be contrary to these countryside allocations in the adopted and emerging Development Plans which, together with Policy EP22 of the Fylde Borough Local Plan, seek to preserve the best and most versatile agricultural land and the character of rural areas. It would also be contrary to the Development Strategy in the Fylde Local Plan to 2032 as set out in Policy DLF1 which seeks to provide sustainable development over the plan period by spreading the housing growth needed for the Borough across four strategic locations for development. Approving this development would be at odds with this Development Strategy and would increase the proportion of development in this area and so distort the distribution of development across the Borough. This would result in this site competing with other sites in the Borough and affecting their delivery, which when considering the development of the Borough as a whole would not represent sustainable development. If approved the level of growth experienced by Wesham would be beyond that which is identified as being appropriate for the area and would add further pressure to existing infrastructure. Further to this Fylde Council is able to demonstrate a five year supply of housing land as per paragraph 47 of the Framework and as such the tilted balance is not engaged through paragraph 49 and the Development Plan's policies are not out of date removing the requirement to approve this application.

2. The proposed development is located at a critically sensitive location on the western edge of the settlement where the character of the open countryside predominates. The application site makes a positive contribution to the defined rural character of the area. Whilst the council accepts that the delivery of these dwellings will add to the supply of housing within the borough, it is the case that the Council can demonstrate a five year supply of housing land and so the benefits of providing additional housing do not outweigh the significant and demonstrable harm to the established character of the area. The residential development proposed will detract from that rural character both by the nature of the land use and the loss of open countryside views from all directions and the existing edge of settlement properties. The development by virtue of its siting, extent and projection to the west of the settlement would have a significant detrimental visual impact on the landscape character of the area, contrary to Policy ENV1 of the Submission Version of the Fylde Local Plan to 2032. As such it is considered that this would be a significant and demonstrably harmful consequence of this development that would ensure that it does not constitute sustainable development as required by the National Planning Policy Framework.
3. The proposed development would result in substantial harm to the setting of Wesham by virtue of the siting, scale and pattern of development adjacent to this rural settlement when viewed from the surrounding area. Because of the A585 forming a significant strong settlement boundary line the residential development of this area would be detached and viewed separately from the settlement lacking any logical relationship with existing development and would have a detrimental impact that is out of keeping and does not respect the form, character and setting of the locality contrary to criteria 2 of Policy HL2 of the Fylde Borough Local Plan and paragraphs 17, 58 and 109 of the National Planning Policy Framework. Accordingly, the proposal does not represent sustainable development and there is, therefore, no presumption in favour of the proposed development.
4. The proposed development fails to deliver any certainty over the provision of affordable housing, education contributions, public realm contributions or sustainable transport improvements as part of the development. In the absence of any on-site provision or of any legal agreement or other such mechanism being in place to secure the provision of affordable housing, education contributions, public realm contributions and sustainable transport improvements there can be no certainty that the requirements of Fylde Borough Council's Housing and Infrastructure Policy and that of the local highway authority will be provided for. Accordingly the scheme is contrary to the provisions of Policy CF2 of the Fylde Borough Local Plan, and Policies H4, T4 and INF2 of the Fylde Local Plan to 2032 in that regard, and to guidance in Section 4 and paragraph 50 of National Planning Policy Framework.



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/17/0568	Address Land north of Weeton Road/west of A585 Kirkham Bypass, Wesham	Grid Ref. E.3412 : N.4335	Scale 0 25 50 75 100 m

Item Number: 2

Committee Date: 7 February 2018

Application Reference:	17/0952	Type of Application:	Householder Planning Application
Applicant:	Mr Astley	Agent :	Ms Curling
Location:	12 LOWFIELD CLOSE, NEWTON WITH CLIFTON, PRESTON, PR4 3SY		
Proposal:	TWO STOREY SIDE EXTENSION, REPLACEMENT OF FRONT PORCH WITH EXTENSION TO PROVIDE WC, AND EXTENSION TO THE EXISTING REAR DORMER.		
Ward:	NEWTON WITH TREALES	Area Team:	Area Team 2
Weeks on Hand:	10	Case Officer:	Ruth Thow
Reason for Delay:	Need to determine at Committee		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7713681,-2.8400667,139m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application property is a two storey dwelling located within the settlement area of Newton. It is proposed to erect a two storey extension to the side of the dwelling with a dormer feature to the rear over an existing garage. This is to provide an additional bedroom at first floor and a study in the loft space. The existing garage provides a store and is to be converted to provide the main entrance to the property with the existing entrance porch converted to a WC.

A previous application for extension to this property was refused last year due to officer concerns over the scale of the extension in the streetscene and the potential for overlooking of the neighbour to the side. This scheme sets the upper floors of the extension back to a point that lines through with those of an extension to the neighbours' property which addresses the concerns over the streetscene implications of the proposal. The window arrangements are also altered to address the privacy concerns.

Whilst the Parish Council quote the previous reasons for refusal in their objection to the application it is considered that the revisions to that proposal presented in this application will adequately address those concerns. Accordingly the proposal is considered to comply with the requirements of Policy HL5 and GD7 of the adopted and emerging Local Plans and so is recommended for approval.

Reason for Reporting to Committee

The application is on the agenda as the views of the Parish Council are contrary to the views of the officer and in such cases applications are required to be determined by the Planning Committee.

Site Description and Location

The application site is 12 Lowfield Close Newton. In particular the application refers to a two storey, semi-detached dwelling to the north side of the street. The property has been previously extended with the addition of a porch, single storey side extension, conservatory to the rear elevation and a dormer in the rear roof slope.

The area is characterized by properties of similar design and scale, some of which have previously benefited from extensions.

The site is located within the settlement of Newton with Clifton as designated on the Fylde Borough Local Plan, as altered (October 2005) and this designation is carried forward in the submission version of the Local Plan to 2032.

Details of Proposal

This application is a revision to application no. 17/0703 which both proposed a two storey side extension, front extension and an extension to the existing rear dormer and was refused for reasons relating to its scale and the relationship to neighbours.

In regards to the two storey extension the ground floor element covers the same footprint as the existing single storey side extension at 6.7 metres in length by 2.4 metres in width and so is to the side boundary. At first floor level the extension has been cut back from that originally submitted to create an 'L' shaped wetroom and bedroom measuring 1.2 metres in width, widening to 2.4 metres from a point 3.1 metres back from the front elevation. The extension is designed with eaves height to run through from the existing eaves level but with a lower ridge height as a consequence of the reduced depth of the property.

The front porch measures 1.5 metres in projection by 1.4 metres with a pitched roof to an overall height of 3 metres.

The dormer extension is 2.4 metres in width by 1.4 metres in height and projecting from the roof slope by 2 metres.

Relevant Planning History

Application No.	Development	Decision	Date
17/0703	ERECTION OF A TWO STOREY SIDE EXTENSION OVER FOOTPRINT OF EXISTING SINGLE STOREY SIDE EXTENSION AND EXTENSION OF EXISTING REAR DORMER OVER PROPOSED SIDE EXTENSION.	Refused	05/10/2017

Relevant Planning Appeals History

None

Parish/Town Council Observations

Newton with Clifton Parish Council notified on 04 December 2017 and comment:

The Parish Council object to the proposal stating:

The proposed development by virtue of its scale, design and location would result in an overly dominant and incongruous dwelling within the streetscene which fails to make a positive contribution to the appearance of both the existing dwelling and the character of the area. As such, the proposal fails to accord with criterion 1 of policy HL5 of the Fylde Borough Local Plan, as altered (October 2005) and Policy GD7 of the submission version of the emerging local plan (to 2032) and the aims of the National Planning Policy Framework. The proposed two storey side extension and rear dormer extension has the potential for loss of privacy and loss of light for the occupiers of the dwelling at no. 14 Lowfield Close due to the close proximity of the proposed extensions to this adjacent property. As such the proposed development would unduly harm the expected level of amenity for the occupiers of No. 14 Lowfield Close. The proposal therefore fails to accord with criteria 2 of Policy HL5 of the Fylde Borough Local Plan, and Policy GD7 of the submission version of the emerging local plan (to 2032) and the aims of the National Planning Policy Framework.

Statutory Consultees and Observations of Other Interested Parties

None.

Neighbour Observations

Neighbours notified: 04 December 2017
Number of Responses: None received

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL05	House extensions

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development

Other Relevant Guidance:

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
	Residential Design Guides in Extending Your Home SPD
JHE	Joint House Extensions SPD

Environmental Impact Assessment

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

Comment and Analysis

Principle

The application site is located within the settlement area under Policy SP1 of the adopted Fylde Borough Local Plan, As Altered, October 2005, and Policy GD1 of the emerging Fylde Local Plan to

2032 (Submission Version). In these areas the principle of residential extensions is acceptable subject to the normal planning criteria as examined below with reference to Policy HL5 and Policy GD7 of the aforementioned plans.

Design and Appearance in Streetscene

The application property is a two storey semi-detached dwelling which has been previously extended to provide a front porch extension, single storey side extension, conservatory to the rear elevation and a dormer in the rear roof slope.

The application proposes the demolition of the existing side extension and its replacement with a two storey extension covering the same footprint as the existing single storey extension at ground floor level but cut back at the first floor, with a new front extension in place of the existing porch. An extension to the dormer to rear is also proposed.

The adjacent property at no. 14 Lowfield Close has also been extended with a two storey side extension and when the previous application was submitted there was concern that the two extensions, when seen together in the street, would result in an unacceptable bulk and dominance and consequently resulted in a refusal of the proposed extensions as originally submitted.

This revised application proposes cutting back the first floor element of the side extension to provide a 'stepped' arrangement which results in the bulk of the first floor, at full width, being situated alongside that on the neighbouring property at no. 14 thereby providing some spacing relief between properties. As a consequence of the revised design the host dwelling will no longer appear dominant in the street scene. The front extension is of the same scale as the existing porch.

Taken together the design and scale of the extension accord with the requirements of criteria 1 of Policy HL5, and Policy GD7.

Relationship to Neighbours

Application 17/0703 also raised concern in respect of its potential for impact on the amenity of the occupiers of no. 14 Lowfield Close as a result of the mass of the side extension and overlooking from the extended rear dormer.

As the revised design cuts back the bulk of the extension at first floor this has removed the concern in regards to loss of light into the first floor window to the front elevation of no. 14.

As the extended dormer is within the roofslope of a two storey property and is nearer the boundary with no. 14 there is the potential for overlooking from the extended dormer window. However, the applicants are proposing to obscure glaze this to protect the neighbour's amenity and as alternative include an additional window at first floor which will only overlook views of the street. This addresses the previous concerns.

There are no other neighbours likely to be affected.

As such the proposal has an acceptable relationship to its neighbours in all regards and complies with criteria 2 of Policy HL5, and Policy GD7.

Scale of development on the plot

The proposal retains appropriate levels of amenity space and so complies with criteria 3 of Policy HL5, and Policy GD7.

Parking and Access Arrangements

The proposal retains an appropriate level of parking for the site and does not compromise the access arrangements or highway safety and so complies with criteria 4 and 5 of Policy HL5, and Policy GD7.

Other Matters

The Parish Council have objected to the revision and have quoted the reasons for refusal set out in the Decision Notice for 17/0703. However, the applicants have sought to overcome the objections as they are in need of extra accommodation for the applicant's wife who has severe mobility problems and may need a carer in the future. This report outlines above the reasoning as to why the revision is considered to be acceptable.

Conclusion

The application relates to the erection of extensions at a dwelling in the settlement of Newton with Clifton. Having viewed the revised proposal against previous concerns raised, it is considered that the proposal now accords with Policy HL5 / GD7 of the Fylde Borough Local Plan and other relevant development plan policies, and the guidance in the House Extensions SPD. Accordingly the application is recommended for approval.

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 beginning with 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 / consent relates to the following details:

Approved plans:

- Location Plan - Streetwise Maps
- Proposed ground floor plan - drawing no. 17/14-01 Revision 03
- Proposed first floor plan - drawing no. 17/14-02 Revision 03
- Proposed elevation plan - drawing no. 17/14-03 Revision 03

Supporting Reports:

- Design and Access Statement - supporting letter from Kirkham Health Centre

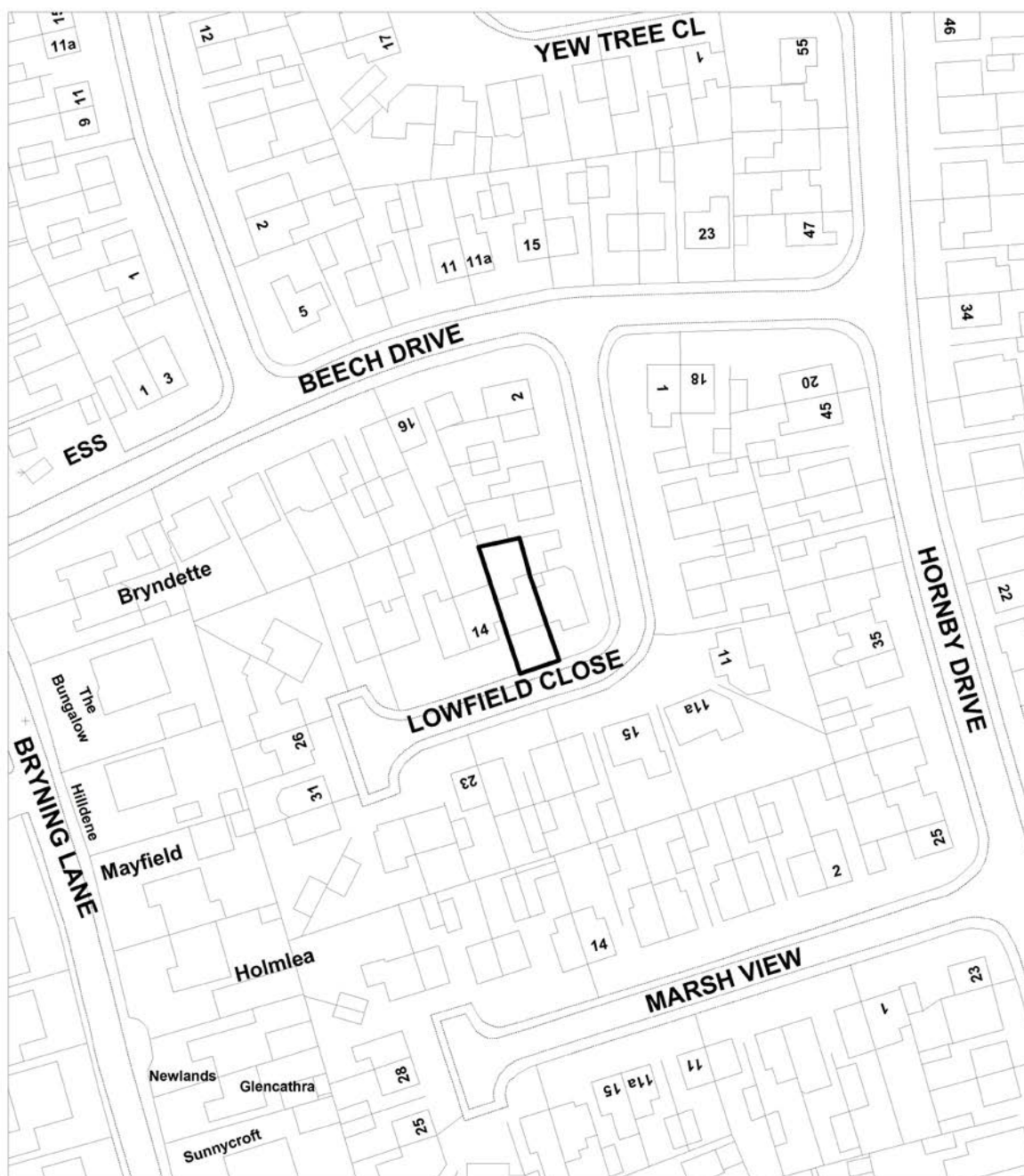
Reason: To provide clarity to the permission.

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

To ensure visual harmony in respect of the overall development.

4. The proposed window on the rear dormer extension shown on drawing no.s 17/14-02 & 17/14-03 of the approved plans listed in Condition no. 2 shall be fitted with 'Pilkington' glass of at least level 4 obscurity (or other manufacturer's glazing of the same obscurity level) and shall be of a type that are either fixed or do not fully open inwards or outwards. After insertion only the agreed type of window shall be subsequently refitted as a repair or replacement.

Reason: To safeguard the amenities of the occupants of adjacent residential properties



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/17/0952	Address 12 Lowfield Close, Newton	Grid Ref. E.3447 : N.4308	Scale 0 5 10 15 20 m

Item Number: 3

Committee Date: 7 February 2018

Application Reference:	17/0966	Type of Application:	Change of Use
Applicant:	Mr WARD	Agent :	MAT DESIGN
Location:	FAIRBANKS FARM, FLEETWOOD ROAD, GREENHALGH WITH THISTLETON, PRESTON, PR4 3HJ		
Proposal:	CHANGE OF USE OF EXISTING DOMESTIC CURTILAGE TO ALLOW SITING OF TWO STATIC CARAVANS AND TWO TRAILER CARAVANS (TWO PITCHES TOTAL) TO PROVIDE ANCILLARY LIVING ACCOMMODATION FOR USE BY FAMILY MEMBERS PROVIDING DAY-TO-DAY CARE FOR THE OCCUPIERS OF FAIRBANKS FARM		
Ward:		Area Team:	Area Team 2
Weeks on Hand:	11	Case Officer:	Andrew Stell
Reason for Delay:	Need to determine at Committee		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.8210176,-2.9003161,277m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to the siting of additional residential accommodation on land associated with Fairbanks Farm which is a detached former farmhouse located alongside Fleetwood Road in Greenhalgh. The accommodation is in the form of two 'pitches' that are each to provide a static caravan and a touring caravan and are to be occupied by close family relatives of the occupier of the dwelling. This accommodation is required to assist the applicant and his immediate family, who will live in Fairbanks Farm, to cope with the day-to-day needs of the applicant and to provide wider family support requirements. This support is required as a consequence of catastrophic and life threatening injuries that the applicant suffered in 2012 which have left him with a very severe head and brain injury that requires 24 hour life-time care.

The pitches would be occupied residentially, and the establishment of residential units in the countryside is generally considered to be unacceptable due to the conflict with the adopted and emerging development plan policies that seek to preserve the rural character of such areas. However, the personal circumstances here are significant and must weigh strongly in the planning balance. In addition the form of development is limited in its scale and its visual impact, and does not raise any other planning issues of concern.

Accordingly it is considered that the benefits to the family of the support accommodation being available outweigh the limited harm that would be caused by their siting, and in allowing the applicant to live in the property the proposal accords with one of the exceptions to the restraints imposed in countryside areas anyway. A personal condition is appropriate to ensure that the development is implemented as proposed in the application, and that the caravans are removed in the event that they are no longer required to support the occupation of Fairbanks Farm.

Reason for Reporting to Committee

The application is recommended for approval by officers and as subject to an objection from the Parish Council. As such the Scheme of delegation requires that it is determined by the Planning Committee.

Site Description and Location

The application property is a detached dwelling located on the western side of the A585 Fleetwood Road around 1.8km north of the M55 junction. It is a detached dwelling that was formally a farm house and has been extended into an attached barn but remains as a single dwelling. There is a vehicle access and driveway to the A585 and a row of mature Leylandii trees on the road side. In common with many such farm dwellings the garden merges into an area where a series of outbuildings are sited that are generally timber construction and in poor condition and will have been used for storage of machinery and rearing hens and the like in the past.

There is also an area of allotment, a polytunnel and an orchard to the rear part of the site and two dilapidated caravans are currently on site. These areas are all within the red edge to the application site which is rectangular and has a frontage width of around 60m and a depth of around 80m with the dwelling sited in the north east corner of this so that its gable is adjacent to the roadside.

The site is located in the Countryside in the adopted and emerging Local Plans. There is a similar farmhouse type property immediately across Fleetwood Road and a horticultural site with small dwelling to the north. Other surrounding land uses are open fields in agricultural use although there are occasional dwellings in the wider area.

Details of Proposal

The application is related to the provision of the care needs of the intended occupier of the dwelling. The application explains that he suffered *“catastrophic and life-changing injuries primarily involving a very severe head and brain injury”* as a result of being struck by a car as a pedestrian in 2012. The application explains that as part of his long-term rehabilitation he requires an adapted home so as to provide a range of therapies and equipment that he needs and also to provide suitable and long term accommodation for his family. The supporting statement with the application explains the extent of this as follows, and contends that these are special circumstances to be considered in favour of the proposal in the overall planning balance:

“In terms of Mr Ward’s day to day care, it is considered essential for his day to day personal requirements and continued well-being, that he should have the company and assistance of family members living close by. Along with his wife and children, additional care and support would be provided by the applicants immediate family (Wife’s Mother & Sister), without having to rely solely on the provision of care provision provided by the state. This is an essential and fundamental requirement for the applicant, and will also provide enormous support for his wife and children.”

The application proposes no further alterations to the dwelling itself, although there are pending applications for an extension to the front and a Prior Notification approval for an extension to the rear.

The proposal involves two ‘pitches’ each of which will contain a static caravan and a touring caravan.

These are to provide accommodation for the family members of the applicant that are referred to in the quoted extract above. These are shown as being sited along the northern boundary of the site which is the part that is already hard-surfaced as part of the agricultural use. The existing access arrangements would be utilised for these with parking provided on an area that already exists between the dwelling and the proposed site for the caravans. This type of accommodation is sought for cultural reasons as the applicant and his family are from the travelling community.

Relevant Planning History

Application No.	Development	Decision	Date
17/0210	APPLICATION FOR PRIOR NOTIFICATION OF SINGLE STOREY REAR EXTENSION OF 6M PROJECTION, WITH 3.94M HEIGHT AND 2.5M EAVES.	Approve Prior Determination	19/04/2017
17/0071	SINGLE STOREY EXTENSION TO THE FRONT ELEVATION WITH RAMP AND ACCESS RAMP TO REAR.	No yet determined	
07/1132	RETROSPECTIVE APPLICATION FOR A POLYTUNNEL	Granted	18/02/2008
06/0647	CONVERSION OF ADJOINING BARN FOR ADDITIONAL ACCOMMODATION AND EXTENSION TO SIDE ELEVATION TO PROVIDE KITCHEN. NEW SITE ACCESS OFF FLEETWOOD ROAD.	Granted	25/09/2006

Relevant Planning Appeals History

None

Parish/Town Council Observations

Greenhalgh with Thistleton Parish Council notified on 23 November 2017 and comment:

"The Parish Council objects to this application for the under-noted reasons:

- 1. The Applicant's previously submitted plans for extension of the exiting farmhouse through Permitted Development and Planning Consents have yet to be implemented.*
- 2. The Applicant is now seeking to site 2 static caravans and 2 towed caravans all to provide units of living accommodation for between 2 and 4 households. This represents a substantial development within a Countryside area, contrary to Local Plan Policy.*
- 3. The proposal is not for the conversion of any redundant farm building(s) which may fall within policy.*
- 4. The 'exceptional nature' of this Application is based on the need for support to the disabled applicant and his family. However, the social need for this level of personal support is not authenticated. The Applicant indicates that he currently receives 24hr state support, through a care package delivered under the direction of a dedicated Case Manager. The units of accommodation are proposed to house a number of additional volunteer extended family carers together with their own immediate families, closely adjacent to the applicant's home. The exceptional need for this level of support is not demonstrated in the Application.*
- 5. There are no proposals for improvements to surface and foul water drainage arrangements which will be necessary as mains sewage/drainage is not available at this location."*

Statutory Consultees and Observations of Other Interested Parties

Highways England

Confirm that they have no objection to the proposal.

Commercial & Licensing (Caravans)

Confirm that they do not believe that the works require a site license, as the use of the land for siting of two static caravans and two trailer caravans is within the curtilage of the house and its use incidental to the enjoyment of the dwelling.

Despite this they promote that the applicant should have regard to the relevant Model Standards for caravans.

Greater Manchester Ecology Unit

They have reviewed the Amphibian Survey Report provided with the application and confirm that as no evidence of Great Crested Newt presence has been found in the ponds within 250m of the development there are no concerns of an ecological nature with the works that are proposed.

Neighbour Observations

Neighbours notified:	23 November 2017
Site Notice Date:	28 November 2017
Number of Responses	3
Summary of Comments	<p>The correspondence is from neighbours to the site who make the following points:</p> <ul style="list-style-type: none">• Offer sympathy with the circumstances of the applicant but do not believe that this warrants the siting of the caravans as is proposed in the application• That the planning permission for the extension to the property was to allow for a 24 hour care presence at the site and this should be sufficient• It is not clear why there is a need for touring caravans in addition to static caravans to provide for the family's accommodation needs• The siting of the caravans as shown on the site plan is outside of the domestic curtilage and in green belt area. This is a prominent site that will be visible from the road and surrounding properties• The statement refers to existing caravans on site, but these are small and have only very occasionally been used.• The electric, sewerage, waste collection and other services would not be adequate for the scale of development concerned.• That allowing the application would set a precedent for other family members to move to the site.• The touring caravans will cause highway safety issues when entering and particularly leaving the site due to the speed and volume of traffic on the A585 at this point.• That evidence from social media indicates that the applicant is

from the travelling community and so reassurances should be sought that other members of that community will not use the site or adjacent field as has been the case elsewhere in the borough.

- The application deals with the siting of caravans, but not the extent of their occupation and whether other caravans may be brought onto the site in future.

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
HL08	Sites for Gypsies
SP14	Special needs dwellings

Fylde Local Plan to 2032:

GD4	Development in the Countryside
GD7	Achieving Good Design in Development
H5	Gypsies, Travellers and Travelling Show people Sites

Other Relevant Policy:

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

Site Constraints

Within countryside area

Environmental Impact Assessment

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

Comment and Analysis

Policy Background

The application site is located in the designated Countryside in the adopted Fylde Borough Local Plan and in the emerging Fylde Local Plan to 2032. It is remote from any designated settlements in those Plans with Wesham to the south and Elswick to the north being the nearest settlements to the site. Any new residential development would be contrary to Policy SP2 and Policy GD4 which direct development in these areas as they seek to promote only rural uses unless there are special circumstances otherwise.

This application promotes that the applicant's medical and welfare needs are such a circumstance and so it is necessary to assess those and the weight that can be attributed to them in this decision.

Principle of Development

The application effectively involves the establishment of two 'pitches' on land associated with the dwelling with these each to contain a static caravan and a touring caravan. These pitches are to be occupied by the applicant's wife's mother and the applicant's wife's sister so that they are able to

provide care and support for the applicant and his family. This support is needed as a consequence of his injuries which require 24-hour life-time care and are presented as a personal circumstance in support of the application.

The case officer has had meetings with the family and their care manager, and several discussions with the agent and researched the accident. All of which corroborate the details presented in the application and supporting statement over the nature of the injuries sustained by the applicant, the care needs that the applicant has, and the family arrangements that are proposed to assist with those needs. It is therefore officer opinion that the personal circumstances presented in the application are genuine and so should be considered in the planning balance to be reached on this application.

Further key consideration for assessing the principle of development are the visual impact of the proposals and whether they will involve isolated development.

In visual terms the proposed caravans would obviously be low single storey structures, and in this case are to be suited on a part of the site that is already hard surfaced and is located in a position that is well back from the road behind the dwelling, against a hedge that forms the northern boundary of the site, and in the part of the site that contains existing caravans and timber outbuildings. The consequence of this is that the siting of the caravans in this location will not have any significant visual impact.

The site is outside of, and detached from any settlement, so is not an area that is generally appropriate for residential development due to its rural nature. However, it is also a site that has an established residential use and is located close to other sites in that use meaning that it is not totally isolated either. With the personal circumstances that are presented, the proposal is considered to be acceptable in this regard and not so isolated that it would require a refusal of the application.

The proposal effectively involves the establishment of two residential units (each pitch being one) at the site to provide supporting accommodation for the family members of the applicant so that they are available to provide support for the applicant and his immediate family. This could be seen as a personal circumstance that would outweigh a conflict with Policy SP2 of the Fylde Borough Local Plan, but could also be seen as development that is essential to allow the continued occupation of the applicant property by the applicant as is provided as an exception to the general restraint in criterion 5 of Policy SP2.

Either way it is considered that the proposals as presented are acceptable, subject to the imposition of suitable controls to ensure that the extent of caravan siting on the land is limited to that proposed in the application, and that its occupation is limited to family members providing direct support to the applicant. This can be secured by planning conditions which effectively make the approval personal to this applicant, which is an appropriate measure given the exceptional circumstances that are presented and the nature of the development that is involved as it can be readily removed should the supporting accommodation no longer be required to support this applicant at a future point in time.

The equivalent Policy to SP2 in the emerging Fylde Local Plan to 2032 is Policy GD4. This is similarly supportive of rural uses in such areas, and in criterion d provides the same exception to the general presumption to residential development in the Countryside as is assessed under criterion 5 of Policy SP2 in the previous paragraph of this report.

As a summary therefore on the principle of development it is considered that the particular personal circumstances presented in the application are valid, and are sufficient to outweigh the general policy objection to new residential development in countryside areas. This enables the proposal to comply to comply with Policy SP2 and Policy GD4 of the adopted and emerging Local Plans respectively and so the development is acceptable in principle subject to the imposition of conditions to limit its scope and to personalise it to the applicant's care needs.

Technical Matters

The application property has a well-established access point to Fleetwood Road which leads to a driveway that connects to the parking area and outbuildings to the rear of the site that the proposed caravans are to be sited in. This provides an appropriate access point for the existing dwelling, and will also be suitable to serve the uses proposed in this application. The concerns raised by a neighbour over slow moving towed caravans exiting the site onto this road are noted, but are similar to many other situations along that road and the agricultural traffic that would have used this site as a farm, and at the scale of use involved are not a significant concern.

The parish council and neighbours have raised concerns over the adequacy of the drainage arrangements at the site. The details are not clear on this from the application form and so has been queried with the agent who confirm that the site is served with a septic tank that has the capacity to handle the existing and proposed loads and has a drainage consent from the EA to discharge.

The proximity of the site to a pond that is immediately to the south, and to others in the wider area ensures that the potential for ecological implications of the development need to be considered. The application was submitted with an Amphibian Survey that confirms that Great Crested Newts and other protected amphibians are not present in the closets ponds and so it is not considered that there are any ecological issues of concern to the development of the site as proposed.

Other Matters

The Parish Council highlight that local plan policy would support the conversion of rural outbuildings to provide additional residential accommodation, but that is not suggested here. The Parish Council are correct that there would be policy support for the conversion of a substantial rural building to a residential use, but there are no suitable buildings for such conversion on this site as the outbuildings are all insubstantial timber constructions and so this option is not available.

Neighbours have queried why the extension to the property are not sufficient to provide the care needs of the applicant. This has been raised with the applicant's agent who confirms that the property requires some extension and alterations to allow for the physical needs of the applicant and to allow a carer to be present at the property at all times, but that the pitches sought in this application are to provide the additional support for himself and his family that his circumstances require. The extension to the property was initial sought to the front of the dwelling and so required planning permission. This remains undetermined as the applicant's agent has been unable to resolve the council's design concerns over this proposal. A later application for a rear extension has been approved and so could be constructed as an alternative should the design issues not be resolved.

Neighbours have expressed a view that the proposed location of the caravans is not in the domestic curtilage to the property. That may be the case, but is not an overriding issue with the assessment of this application. The key issues is whether their siting is appropriate in principle and whether it leads to any harmful visual or other considerations. These have been assessed in this report and found to be acceptable.

A neighbour refers to the site as being in the green belt. That is incorrect as the designation is Countryside and so the tests applicable to development on green belt land are not required.

A neighbour highlights that the applicant is from the travelling community. In discussions with the applicant's family and agent it is clear that this is the case. However, the application is not presented as being specifically for that type of accommodation and no assessment of its merits against those policies is necessary. Concerns are expressed about the potential for wider traveller accommodation in the area to follow the implementation of this planning permission, but those concerns cannot form part of this decision and any issues that would arise of that nature would need to be dealt with at that time as would be the case with any breach of planning control associated with planning decisions.

Conclusions

The application relates to the siting of additional residential accommodation on land associated with Fairbanks Farm which is a detached former farmhouse located alongside Fleetwood Road in Greenhalgh. The accommodation is in the form of two 'pitches' that are each to provide a static caravan and a touring caravan and are to be occupied by close family relatives of the occupier of the dwelling. This accommodation is required to assist the applicant and his immediate family, who will live in Fairbanks Farm, to cope with the day-to-day needs of the applicant and to provide wider family support requirements. This support is required as a consequence of catastrophic and life threatening injuries that the applicant suffered in 2012 which have left him with a very severe head and brain injury that requires 24 hour life-time care.

The pitches would be occupied residentially, and the establishment of residential units in the countryside is generally considered to be unacceptable due to the conflict with the adopted and emerging development plan policies that seek to preserve the rural character of such areas. However, the personal circumstances here are significant and must weigh strongly in the planning balance. In addition the form of development is limited in its scale and its visual impact, and does not raise any other planning issues of concern.

Accordingly it is considered that the benefits to the family of the support accommodation being available outweigh the limited harm that would be caused by their siting, and in allowing the applicant to live in the property the proposal accords with one of the exceptions to the restraints imposed in countryside areas anyway. A personal condition is appropriate to ensure that the development is implemented as proposed in the application, and that the caravans are removed in the event that they are no longer required to support the occupation of Fairbanks Farm.

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 beginning with 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 / consent relates to the following details:

- Location Plan - Mike Carr drawing No. 1 Oct 2017
- Existing and Proposed Plans - Mike Carr drawing No. 2 Oct 2017

Reason: To provide clarity to the permission.

3. That the extent of the use hereby approved shall be limited to two residential pitches, with each pitch to comprise of no more than one touring caravan (ie. to have a single axle and an overall length not exceeding 6.5m including towing bracket), and no more than one static caravan as defined in s29 (1) of the Caravan Sites and Control of Development Act and s13(1) of the Caravan Sites Act 1968 (as amended).

Reason: To provide clarity over the extent of the caravans permitted within the application site as a consequence of this planning permission, and to ensure that their visual impact is not harmful to the rural character of the area.

4. That the caravans associated with the pitches hereby approved shall be positioned within the site in general accordance with the indicated positions on the proposed site plan approved under condition 2 of this permission, and that the parking areas associated with the development shall also accord only with the extent of that shown on that plan..

Reason: To provide clarity to the planning permission and to limit the potential for visual impacts on the character of the rural area as required by Policy SP2 of the Fylde Borough Local Plan.

5. That the caravans sited on the pitches approved under this planning permission shall only be occupied by the immediate family members of the applicant (Mr Michael Ward) and his family, and shall only remain on site during such time that he is a resident at Fairbank Farm and in need of care and support to maintain his residence at that address. In the event that he no longer is resident at the address then the caravans hereby approved shall be removed within 2 months of that residency ceasing.

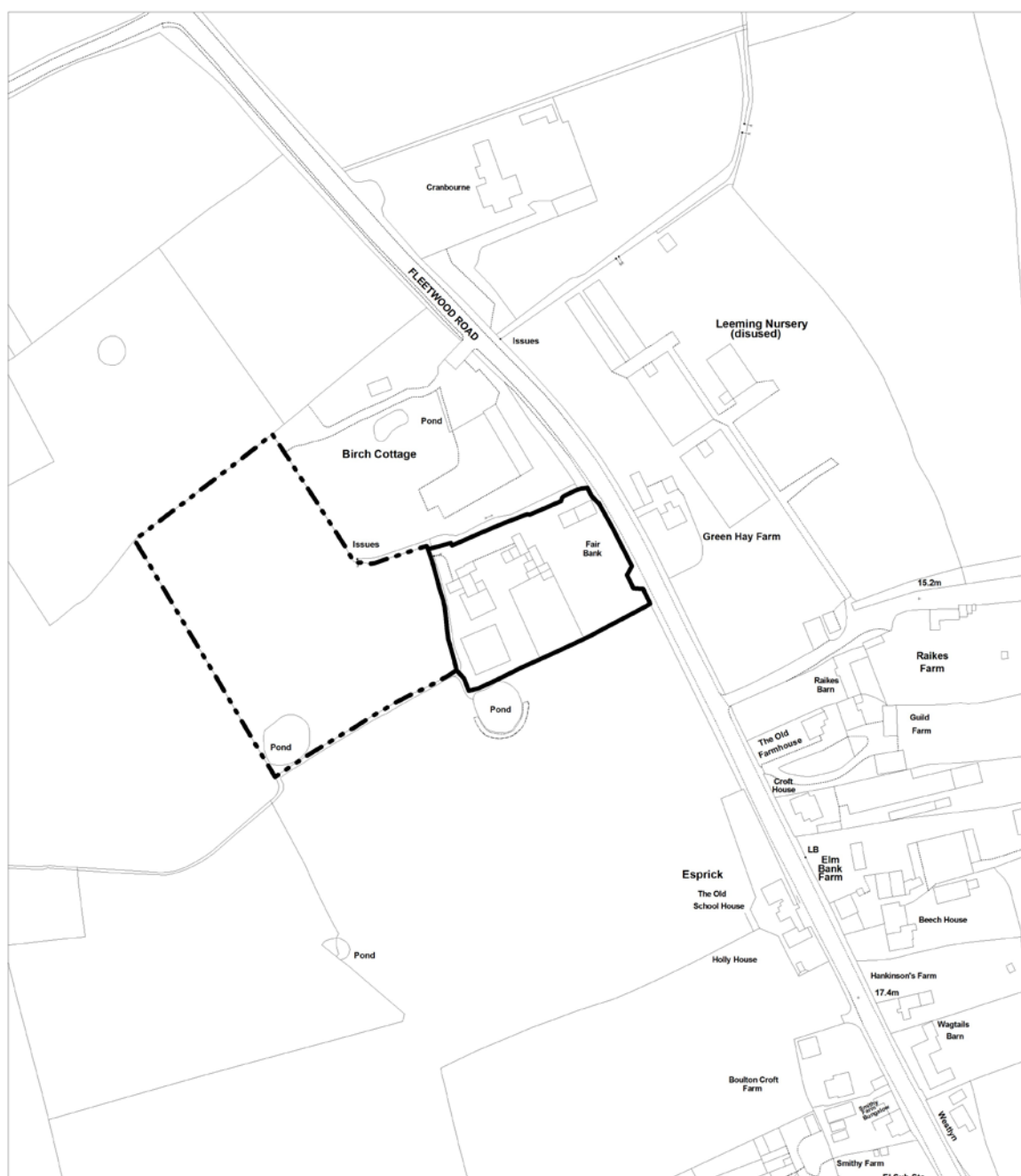
Reason: To ensure compliance with development plan policies relating to the residential development of the countryside as the occupation of the site by those unrelated to the applicant and not related in providing his care or family support would be in conflict with the proper planning of the area as established under Policy SP2 of the Fylde Borough Local Plan and Policy GD4 of the Submission Version of the Fylde Local Plan to 2032.

6. Prior to the commencement of works associated with this planning permission, details of the foul and surface water drainage arrangements for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage arrangements shall be implemented prior to the first occupation of any of the caravans hereby approved, and shall be maintained throughout the time that the caravans are present on site.

Reason: To ensure that the site has appropriate foul and surface water drainage arrangements to ensure that there are no potential flooding or pollution implications as a consequence of the development.

7. Prior to the commencement of works associated with this planning permission, details of the waste storage and collection arrangements for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage arrangements shall be implemented prior to the first occupation of any of the caravans hereby approved, and shall be maintained throughout the time that the caravans are present on site.

Reason: To ensure that the site has appropriate waste disposal arrangements.



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/17/0966	Address Fairbanks Farm, Fleetwood Road, Greenhalgh	Grid Ref. E.3407 : N.4364	Scale 0 10 20 30 40 m

Item Number: 4

Committee Date: 7 February 2018

Application Reference:	17/0971	Type of Application:	Full Planning Permission
Applicant:	CMC Ventures Ltd	Agent :	
Location:	84 CLIFTON STREET, LYTHAM ST ANNES, FY8 5EJ		
Proposal:	ERECTION OF GLAZED CANOPY TO CLIFTON SQUARE ELEVATION INCLUDING BALUSTRADE AROUND AND ALTERATION OF EXISTING WINDOW OPENINGS TO ALLOW ACCESS TO EXTENSION/OUTDOOR COVERED SEATING AREA.		
Ward:	CLIFTON	Area Team:	Area Team 2
Weeks on Hand:	12	Case Officer:	Rob Buffham
Reason for Delay:	Need to determine at Committee		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7367877,-2.9631598,69m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to the former RBS building, 84 Clifton Street, Lytham. The building has been Locally Listed and is within the Lytham Town Centre Conservation Area. Planning consent has been previously granted for an open sided canopy at the site (ref: 17/0262).

This current application seeks consent for a canopy with a larger footprint measuring 6.2m projection x 9.5m width (5.2m X 8.9m approved), the canopy is indicated to be open sided having a glazed balustrade, with stone clad plinth, glazed fire doors and ornate detail to vertical supports.

A fully glazed canopy has been erected at the site, a retrospective application (ref: 18/0011) for that structure is also referred to this Planning Committee for consideration, being recommended for refusal.

The existing planning approval is material in the assessment of the current proposal. It is considered that the design changes, when compared to the existing planning approval, are minor in nature. The proposal could impinge on the longevity of protected trees and provide future justification for felling in the future - leaf litter, moss growth, insect depositions, and falling branches. The approved canopy had a similar relationship to adjacent trees, and it is not considered that this current proposal would impinge on trees to any significantly greater extent. In addition the applicant has provided reassurance that a request for tree felling post construction would not be forthcoming.

On this basis the resultant impact to the character and appearance of the Conservation Area is satisfactory and not sufficient to warrant refusal of the planning application when compared to the existing consent. Approval is therefore recommended.

Reason for Reporting to Committee

The Head of Planning and Housing agreed to requests that an earlier application for a canopy on this property should be considered at Committee and so it is necessary for this revised proposal to also be determined by the Planning Committee.

Site Description and Location

This proposal relates to the former Royal Bank of Scotland building which is a corner terrace premise fronting onto Clifton Street and the pedestrianised Clifton Square. The property is an imposing two storey building, which appears to have been purposely built as a bank premises, constructed of red brick and slate with contrasting stone surrounds to the windows and doors and ornate brick/ stone eaves level detail.

The property is Locally Listed, located centrally within the Lytham Town Centre Conservation Area and is designated as a Secondary Shopping Frontage in the adopted Fylde Borough Local Plan. There are 3 trees within the site frontage of the application site which, being located within the Conservation Area, are afforded protective status.

Details of Proposal

In this application planning consent is sought for an external open –sided canopy attached to the side elevation of the building opposing Clifton Square. The canopy that is proposed is of the dimensions of that which has been constructed and is to form part of the restaurant/bar use of the premises granted consent by 16/0728.

Planning consent has been previously granted for a canopy (17/0262). This current proposal seeks consent for an open sided canopy that has been constructed on a larger footprint measuring 6.2m in projection x 9.5m in width (5.2m X 8.9m approved), eaves and ridge interface heights with the building remain as approved, fire escape doors have been included to a side elevation. The increased projection of the canopy requires a deeper plinth, measuring 0.56m above Square level at its tallest point, and has been clad in sandstone. Ornate detail is removed from the eaves but has been retained to the vertical supports.

A fully glazed canopy has been erected at the site and is not the development under consideration in this application. A retrospective application for that structure is also referred to this Planning Committee for consideration, being recommended for refusal.

Relevant Planning History

Application No.	Development	Decision	Date
17/0723	VARIATION OF CONDITION 2 (APPROVED PLANS) TO PLANNING PERMISSION 17/0262 TO FACILITATE MINOR MATERIAL AMENDMENT INVOLVING INCREASED PROJECTION AND WIDTH OF GLAZED CANOPY AND ASSOCIATED PLINTH	Refused	12/10/2017
17/0262	RE-SUBMISSION OF APPLICATION 16/0731 FOR ERECTION OF GLAZED SINGLE STOREY EXTENSION TO CLIFTON SQUARE ELEVATION INCLUDING BALUSTRADE AROUND AND ALTERATION OF EXISTING WINDOW OPENINGS	Granted	15/06/2017

16/0728	TO BI-FOLDING DOORS TO ALLOW ACCESS TO EXTENSION CHANGE OF USE OF EXISTING BANK (CLASS A2) TO RESTAURANT (CLASS A3) WITH ANCILLARY BAR (CLASS A4)	Granted	24/11/2016
16/0731	EXTERNAL CANOPY	Refused	13/01/2017

Planning history associated with previous bank use removed as no longer relevant.

Relevant Planning Appeals History

None

Parish/Town Council Observations

Not applicable.

Statutory Consultees and Observations of Other Interested Parties

Regeneration Team (Heritage)

No comments received at the time of writing report. Comments will be provided to assist Committee in Late Representations paper.

Regeneration Team (Trees)

The main concern for the proposal relates to post construction pressure to fell adjacent trees – leaf litter, moss growth, insect depositions, and falling branches. Notwithstanding, this impact is not significantly greater than that which would be witnessed to the approved canopy structure. The matter of post construction pressure was raised as a significant concern to the originally approved scheme, with refusal being recommended on such grounds.

The approved canopy was subject to a foundation design to be agreed through condition discharge. The condition was imposed in order to minimise intrusive works within the root protection area and safeguard the longevity of an adjacent TPO tree. Works have been implemented without this condition being discharged. Whilst detail of the foundation has been provided, the Tree Officer considers that improvements to the design could have been made and so discharge cannot be confirmed. At this time, there is no way of knowing whether the unauthorised foundation will result in the premature deterioration of the tree. In any event, it would be extremely difficult to link any health issues of the tree with the foundation works.

Environmental Protection (Pollution)

Raise no objections to the above proposals in principle, but request that a condition is imposed to ensure that the outside area that the canopy covers shall be closed to patrons, except for smoking purposes from 22.00 each day.

Neighbour Observations

Neighbours notified: 15 November 2017
Amended plans notified: Not applicable.
Site Notice Date: 28 November 2017.

Press Notice Date:	30 November 2017
Number of Responses	2
Summary of Comments:	<ul style="list-style-type: none"> • Design – the external development appears to be some 30% bigger than the agreed plans, and given it is in a Conservation Area does not flatter Lytham Square. • Totally out of character and scale with the Square. • No Application for Planning Permission notices displayed.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
EP03	Development within conservation areas
EP12	Conservation trees & woodland
EP18	Natural features

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
ENV2	Biodiversity
ENV5	Historic Environment

Other Relevant Policy:

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

Site Constraints

Conservation area site

Environmental Impact Assessment

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

Comment and Analysis

The main issues pertinent to the assessment of this proposal are design and trees, bearing in mind the precedence of the approved canopy at the site.

Design

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. Paragraph 56 recognises that good design is a key aspect of sustainable development and that permission should be refused for poor development that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 131 of the Framework states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of the heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of development on the significance of a designated asset, great weight

should be given to the assets conservation. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Policy EP3 of the adopted Local Plan states that development will only be supported where the character or appearance of the area, and its setting, are appropriately conserved or enhanced. This includes the physical setting of the area, settlement form, townscape, character of buildings and structures, character of open spaces, and views into or out of the conservation area. Policy GD7 expects new development to be of a high standard taking account of and seeking to positively contribute toward the character and appearance of the local area, with regards to public realm development should be managed so that they add to the character, quality and distinctiveness of the surrounding area. Policy ENV5 of the SV states that development within conservation areas should conserve or enhance those elements that make a positive contribution to their special character, appearance and setting. Proposals that better reveal the significance of these areas will be supported also.

More importantly, Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires that local planning authorities pay special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. This means that they must take account of this in development control decisions and controls relating to trees.

The application site maintains a highly prominent position in the Lytham Town Centre Conservation Area, being located to an exposed corner plot adjacent to the main thoroughfare of Lytham. Whilst not nationally Listed, 84 Clifton Street has been recently Locally Listed and is considered to be of architectural merit making a strong contribution to the special historic character of the street and Conservation Area. There are external views of the building façade, including at close quarters from Clifton Square, but also more distant views from adjacent streets. It is one of a number of commercial premises which has a front facing aspect over Clifton Square. This pedestrianised square is used by other businesses for alfresco dining, its openness and landscaped qualities have become an important feature of the Conservation Area.

The main issue of debate relates to the altered design of the canopy when compared to the approved structure and impact this would have on the host building and Conservation Area.

The increased projection away from the building results in a flatter roof profile and emphasises the horizontal form of the approved canopy against the vertical emphasis of the main building. The height of the plinth adds to the overall massing of the structure, which in turn does dominate this elevation of the building. The proposal will extend further in to Clifton Square, and impose on the openness of this important space. Ornate detail to the eaves of the building has been removed, though is still retained to the horizontal/ vertical juncture and acts to simplify the appearance of the canopy. The emergency door is fully glazed and located to a less prominent elevation of the structure, obscured in part by a tree sited in close proximity of the canopy. The increased width of the canopy has resulted in the structure being symmetrically framed about the created door entrance within the host building and the canopy is of a similar projection away from the building as that of the approved canopy within the front yard area of Spago.

The existing planning approval is material in the assessment of the current proposal. Importantly the canopy sought in this application remains open, resulting in a lightweight structure. On this basis it is considered that the changes when compared to the existing planning approval are minor, the resultant impact to the character and appearance of the Conservation Area is satisfactory and not

sufficient to warrant refusal of the planning application.

Trees

Policy EP12 of the adopted Local Plan states that trees which individually or in groups make a significant contribution to townscape, quality and visual amenity will be protected. Emerging Policies GD7 and ENV1 requires existing landscape feature to be conserved, maintained, protected and wherever possible enhanced.

This current proposal seeks revision to the approved canopy width, increasing it by 0.6m toward and siting the canopy footprint further beneath the crown of a mature lime tree. The siting of the canopy will could encourage tree resentment issues previously reported by the Tree Officer including leaf litter, moss growth, insect depositions, and, the potential for damage to the canopy from falling branches. The applicant has provided a written assurance that any subsequent request to fell trees will not be forthcoming.

It is considered that the close proximity of the proposal could impinge on the longevity of protected trees and provide future justification for felling in the future. Whilst it is recognised that the applicant has provided assurance that a request for felling would not be forthcoming, there is nonetheless a compelling case for the applicant to justify tree removal if damage was subsequently caused to the canopy. Notwithstanding this position, the approved canopy had a similar relationship to adjacent trees, and it is not considered that this current proposal would impinge on trees to any significantly greater extent than that already determined to be acceptable.

The approved canopy was subject to a foundation design to be agreed through condition discharge. The condition was imposed in order to minimise intrusive works within the root protection area and safeguard the longevity of an adjacent TPO tree. Works have been implemented without this condition being discharged. Whilst detail of the foundation has been provided, the Tree Officer considers that improvements to the design could have been made and so discharge cannot be confirmed. At this time, there is no way of knowing whether the unauthorised foundation will result in the premature deterioration of the tree. In any event, it would be extremely difficult to link any health issues of the tree with the foundation works.

Other Matters

The approved development sought to restrict the hours of use of the canopy, due to the potential noise disturbance for residents and amenity of the locality in general created by the open nature of the canopy. Identical restrictions are considered necessary for this current proposal.

Conclusions

The application relates to the construction of an external canopy at 84 Clifton Street, Lytham. It is considered that the design of the canopy and relationship to adjacent trees would not be significantly different to that previously approved.

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 beginning with 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 consent relates to the following details:

Approved plans:

- Location Plan drawing number LAN110510.
- Proposed elevation drawing number PL2 - G.
- Existing elevations RBS/3/003.

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

3. The area beneath the external canopy hereby approved, shall not be open to customers except between the hours of:

08:00 hours and 22:00 hours on each day

and

there shall be no amplified music or other amplified entertainment performed within the external canopy area.

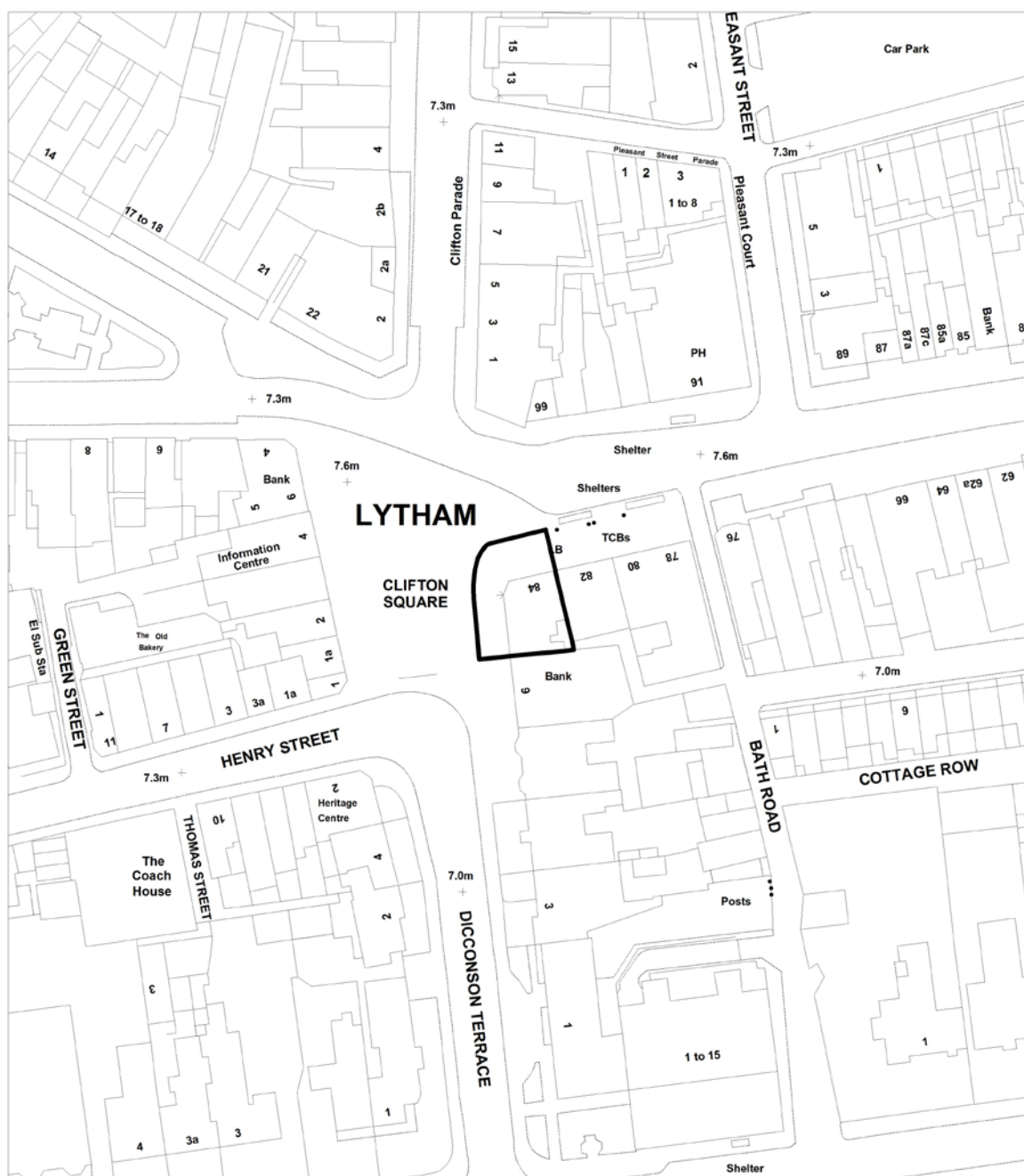
Reason: To provide appropriate control over the use of the premises in the interests of safeguarding the amenity of the occupiers of nearby residential properties and the general area as required by Policy SH16 of the Fylde Borough Local Plan.

4. The external doors leading from the premises to the canopy area hereby approved shall remain closed between the hours of 22:00 hours and 08:00 hours on the following day.

Reason: To provide appropriate control over the use of the premises in the interests of safeguarding the amenity of the occupiers of nearby residential properties and the general area as required by Policy SH16 of the Fylde Borough Local Plan.

5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any legislation that subsequently amends or replaces that Order), the balustrade glazing surrounding the canopy hereby approved shall be retained as clear glazing and shall not be replaced with obscured, etched or frosted glazing without the prior extent permission of the local planning authority.

Reason: In order to ensure that the visual appearance of an open area is retained in the interests of the preservation of the character of the conservation area.



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/17/0971	Address 84 Clifton Street, Lytham St Annes	Grid Ref. E.3364 : N.4272	Scale 0 5 10 15 20 m

Item Number: 5

Committee Date: 7 February 2018

Application Reference:	17/0997	Type of Application:	Full Planning Permission
Applicant:	Windmill Holdings Ltd	Agent :	JOSEPH BONIFACE ARCHITECTS LTD
Location:	LAND OPPOSITE 15-23 RIBCHESTER ROAD, LYTHAM ST ANNES		
Proposal:	ERECTION OF SIX TWO STOREY DWELLINGS IN TWO TERRACES WITH ASSOCIATED CAR PARKING.		
Ward:	ST JOHNS	Area Team:	Area Team 1
Weeks on Hand:	11	Case Officer:	Alan Pinder
Reason for Delay:	Need to determine at Committee		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7425226,-2.9438077,277m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application proposes the construction of six x 2 bedroomed affordable dwellings on an area of land within the settlement of Lytham St Annes alongside the railway line.

Whilst the application site forms part of a wider area under the protection of a tree preservation order the council's Tree Officer has assessed the site and concludes that it has little tree amenity value and comprises mainly bramble and scrub. As such the benefit of providing six affordable houses is considered to outweigh the small amenity value provided by the site. The scale and design of the properties is considered to be acceptable and the other technical matters such as ecology, access and drainage are all either acceptable as presented or capable of being addressed by condition.

The proposal is considered to accord with the relevant policies of the adopted local plan, the emerging Fylde Local Plan to 2032 and the NPPF, and as such members are recommended to approve the application.

Reason for Reporting to Committee

The application is to be determined at Committee as the Head of Planning and Housing has agreed to a request for that level of decision from a ward councillor (Cllr Lloyd) who makes reference to the site forming part of a protected woodland as a justification for Committee scrutiny.

Site Description and Location

The application site is a rectangular area of woodland of around 0.1 hectare located on the southern side of Ribchester Road in the settlement of Lytham St Annes, and abuts up the rear garden curtilage of No.26 Ribchester Road to the west, the railway to the south and other woodland to the east.

The site forms the western end of a larger area of woodland, measuring approximately 0.325 hectares in area, which extends along the south side of Ribchester Road between No.26 and Saltcotes Road Bridge. This woodland is the subject of Tree Preservation Order TPO 1988 No.2 (Lytham). A rail track runs alongside the southern side of the whole woodland.

Ribchester Road is a cul-de-sac located within a residential area characterised by two storey dwellings along the northern side between Saltcotes Road and Fairsnape Road, and bungalow dwellings along the remainder of its length. Ribchester Road is slightly narrower than roads that join onto it and the majority of dwellings along the road benefit from off street parking.

Details of Proposal

Full planning permission is sought for the construction of six x two storey dwellings, formed from two small front-to-front terraces of three dwellings each (labelled as Block A and Block B on the submitted drawings). All dwellings would be two bed roomed and the application proposes all to be affordable dwellings. These dwellings are proposed to meet the affordable housing provision required under the terms of planning permission 17/0435, which granted permission for 12 market dwellings at the former Ashtons Nurseries on Mythop Road, subject to an appropriate level of affordable housing being provided off site within the locale, and that under reference 14/0161 which relates to the erection of 12 dwellings on land at Ballam Road and which is currently under construction..

The dwellings would be of a typical residential design and appearance, featuring facing brickwork to the lower elevations and rendered upper elevations. The roofs are pitched with gables facing towards Ribchester Road, and covered in red roof tiles. A new single vehicle access to serve the dwellings would be formed from Ribchester Road, and a total of 12 off street parking spaces would be formed in the 'courtyard' area between the two blocks of new dwellings. A bin store would be formed on the southern boundary of the parking area, adjacent to the boundary with railway land.

Relevant Planning History

Application No.	Development	Decision	Date
93/0391	ERECTION OF 2 NO. DETACHED TRUE BUNGALOWS & GARAGES	Refused	11/08/1993
88/0105	OUTLINE; 2 DETACHED BUNGALOWS WITH ATTACHED GARAGES	Refused	15/06/1988
85/0078	OUTLINE - RESIDENTIAL ON LAND ON RIBCHESTER ROAD.	Refused	27/03/1985
86/0440	OUTLINE - 11 DETACHED BUNGALOWS ON LAND IN RIBCHESTER ROAD, LYTHAM.	Refused	08/10/1986

Relevant Planning Appeals History

Application No.	Development	Decision	Date
93/0391	ERECTION OF 2 NO. DETACHED TRUE BUNGALOWS & GARAGES	Dismiss	07/01/1994

Parish/Town Council Observations

N/A

Statutory Consultees and Observations of Other Interested Parties

Regeneration Team (Trees)

This area of woodland at Ribchester Road can't be regarded as wholly woodland. It is clear that the tract between opposite Lythall Avenue to 26 Ribchester Road is more bramble and scrub than mature trees.

Though perceived as a whole woodland, it's an area in three sections – a thinned and planted part near the railway bridge, an unthinned dense midsection dominated by self-sown poplars, and then the scrub area that is the subject of this application.

Historic aerial photography tells us this is not an "old" woodland. The 1960s insert below depicts a site with buildings and allotments. This probably explains the predominance of white poplars since these are highly fertile and prolific species that quickly colonise unmanaged open areas.



It is understandable that because the whole site was protected by the 1988 TPO it is regarded as sacrosanct and undevelopable but in fact I don't adhere to this point of view. Here are my reasons:

- The 1988 Order was an Area classification and these are only intended as a rapid response to a threat to trees. It is normal for the council to review and re-issue such Orders as either Tree, (T1, T2 etc.), Group (G1, G2 etc.) or Woodland (W1, W2 etc.) classifications. The Order, as pointed out in the tree report, is obsolete. I will review and re-make it, applying it to the area from, Lythall Avenue up to Saltcotes Road, but as a Woodland order so that all trees in it are protected in perpetuity.*
- Unlike Woodland orders, an Area order protects only those trees that were present when the Order was made. Most of the younger trees in the proposed development platform are unlikely actually to benefit from protection from the 1988 TPO.*

- *My guess is that if a TPO review had taken place nearer the time of the Order being issued, this area would not have been included in the TPO. Evidence on the ground suggests there were no trees to protect.*
- *Group 1 of the 1988 TPO was extinguished by the bungalow development that comprises 26-30 Ribchester Road, so precedent exists.*
- *The tree report and my own on-site observations suggest that the area that will be lost is not populated with many trees and that those existing are of low quality.*
- *Safety work is required in the development area: T1 in the tree report – the veteran poplar, a large roadside tree – is breaking apart, and other trees in this section are decayed after having been vandalised.*
- *The majority of the proposed development platform is merely bramble.*
- *The proposal does not impact the remainder of the woodland and may be a means to introduce some management of this area. That would be a gain from the planning application.*
- *Biodiversity questions can be addressed firstly by the appropriate surveys and secondly by improved woodland management and mitigation if it is needed.*

While I understand some incomprehension at the council supporting the proposal because it impacts a TPO, when taken in context, I do not find cogent reasons to offer an objection.

Lancashire County Council - Highway Authority

Raise no objection subject to standard conditions relating to the provision of visibility splays at the site access, the provision of parking areas, the surfacing of the access, etc.

Their consultation response summarises the scheme as:

It is the view of Lancashire County Council that proposals for the construction of six residential units with access onto Ribchester Road will have only a slight impact on morning peak and evening rush hour demand through the area and will be unlikely to make existing queuing significantly worse.

Regeneration Team (Landscape and Urban Design)

The site lies to the east Lytham town centre on a parcel of land located alongside the railway line. Access to it is off Ribchester Road which is a quiet, low density and leafy residential road. To the north east, there is a small area of semi-mature woodland which is covered by a Tree Preservation Order.

Vegetation within the site is mostly scrubby ornamental species which suggest a former residential plot or garden area.

The proposed development indicates two short terraces of two storey dwellings, each with a garden area and two car parking spaces arranged in a parking court.

The development would be clearly visible within views from Ribchester and Fairsnape Roads and Lythall Avenue, as well as in views from Tennyson, Browning and Wordsworth Avenues, on the opposite side of the railway line. The loss of the quite dense vegetation would open up views of the site and the railway line and result in a slight loss of vegetation cover in this area. However, the retention of the adjacent woodland would help to filter many views of the development and a carefully considered palette of materials, using red brick and red clay roof tiles, would help to assimilate it into this

residential landscape.

In addition, the following issues should be addressed:

- *The inclusion of four street new trees to the rear of bays within the parking court would help to soften the expanse of hard surface and provide greenery and shade within the development. Appropriate Extra Heavy Standard (min. 14-16cm girth) tree species should be chosen which are installed with root deflectors, 'Silva cell' (or similar), guards and irrigation systems. A detailed landscape plan should be provided and approved by the Council.*
- *The parking court should be paved/surfaced with an attractive vehicular surface which is free draining yet robust and will perform well with regular vehicle manoeuvring. A blockwork or sett rumble strip or raised table should be located at the entrance to the parking court to slow traffic and allow level pedestrian crossing.*
- *Bins should be housed in an attractive, treated timber store and details of this should be provided and approved.*
- *The roadside elevation of rear garden boundaries along Ribchester Road should be brick or block/render wall and not timber fence, for longevity.*

Given the above issues are addressed satisfactorily, I would be happy to support this application.

Greater Manchester Ecology Unit

The application site is within 600m of the Ribble and Alt Estuary European protected nature conservation site, but I note:

- *the site, and the proposed development, are relatively small*
- *the site is separated from the designated site by established built development, a railway line and a road.*
- *there is no direct connectivity between the application site and the Estuary.*
- *the site does not support habitats suitable for use by the bird species for which the Estuary has been designated.*

I do not therefore believe that the proposed development would have any harmful impacts on the Estuary. The site supports shrubs, young broadleaved trees and tall ruderal vegetation which indicate that the site was more open until relatively recently, and the plant species composition indicates that it may be a former overgrown garden or parkland (although I have not confirmed this). It is not of significant nature conservation value but will likely support nesting and feeding habitat for local wildlife. The site is contiguous with a more established area of woodland to the north-east which has higher ecological value. I would not object to the application on nature conservation grounds but I would recommend that, if permission is granted to the application,

- *no vegetation clearance required to facilitate the scheme takes place during the optimum period for bird nesting (March to July inclusive). All nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended)*
- *some compensation should be sought for tree losses by requiring new tree planting to be incorporated into the site. Planting along Ribchester Road would complement adjacent planting.*
- *That retained trees to the north-east should be suitably protected during the*

course of any site clearance and construction works.

Network Rail (use for all consultations)

No objections but required red edge of location plan amending to exclude a narrow strip of network rail land.

Strategic Housing

No comments received.

Lancashire CC Flood Risk Management Team

No comments received at the time of writing. Should comments be submitted prior to the relevant planning committee then these will be reported as a late observation.

United Utilities

Raise no objection to the application subject to the incorporation of standard conditions relating to the provision of a sustainable surface water drainage system and the separation of foul and surface water.

Lytham St Annes Civic Society

No objections to the scheme raised but supports the comments made by Fylde Borough Council's landscape officer.

Councillor Roger Lloyd

The application would mean the felling of a large part of Ribchester Road wood. Ribchester Wood has a historic Woodland preservation order placed on it by Fylde Borough Council. The Woodland, which has examples of native trees such as sycamore, birch, willow, blackthorn, and hawthorn. It is also an important habitat for a variety of wildlife from bats, hedgehogs, squirrels, and many small mammals, and is an important area for a variety of nesting birds.

Woodland is 10 times more efficient than farmland for absorbing precipitation, this application would replace trees with hard standing. The existing rainwater system has failed on Ribchester road on numerous occasions including November 2017 when the fire brigade had to be brought in to pump overflowing sewage wastewater away.

This development would have a serious effect on road safety, Ribchester Road is a narrow road, the building of 6 small two storey town houses would create huge parking problems for people who live on the road. Nearly all the householders on Ribchester road park outside their homes which means that traffic up and down the road are presently in single file, any additional parking and traffic associated with 6 extra households would create severe parking and access problems to neighbouring properties.

The wood is an integral part of everyone's life who live in the area and is of great importance to existing householders wellbeing and their relationship with the wood, and would adversely change the character of the area.

Affordable homes are important in Lytham , but when developers build and don't include affordable homes in their development there is a knock on effect which puts pressure on other areas including important protected Woodland. This proposal would be an overdevelopment."

Neighbour Observations

Neighbours notified:

28 November 2017

Number of Responses

A total of 20 letters of objection have been received along with a petition with 144 signatories.

Summary of Comments

Neighbour objections are summarised as follows:

- Ribchester Road has recently suffered from bad flooding which required the attendance of a fire service pump. The proposed development would only make the flooding situation worse
- The development would result in the loss of woodland which acts as a soakaway area for surface water. This loss would exacerbate the existing flooding situation
- The woodland is also a haven for wildlife, with birds and bats making their homes there.
- The development would result in increased traffic levels which would exacerbate the existing traffic levels for which Ribchester Road is unsuited. It would also result in increased on street parking which would create parking and access issues for existing residents, and be detrimental to highway safety

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL02	Development control criteria for new housing proposals
HL06	Design of residential estates
EP14	Landscaping of new developments
EP25	Development and waste water
TREC17	Public Open Space within New Housing Developments
EP12	Conservation trees & woodland
EP19	Protected species

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
H2	Density and Mix of New Residential Development
H4	Affordable Housing
ENV4	Provision of New Open Space
T5	Parking Standards
INF2	Developer Contributions
ENV2	Biodiversity
ENV3	Protecting Existing Open Space
CL1	Flood Alleviation, Water Quality and Water Efficiency

Other Relevant Policy:

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
STANP	St Annes on Sea Neighbourhood Plan

Site Constraints

Tree Preservation Order

Environmental Impact Assessment

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

Comment and Analysis

The principle of the development

The site is located within the settlement boundary of St Annes where the principle of residential development is acceptable under Fylde Borough Local Plan (FBLP) Policy SP1 and Policy GD1 of the submission version of the Fylde Local Plan to 2032 (FLP32). Policy HL2 of the FBLP and Policy H2 of the FLP32 provide the development management criteria for housing proposal and seek to ensure, amongst other things, that proposals are acceptable in design terms, do not adversely affect neighbouring amenity, are compatible in land use terms, are situated in sustainable locations, are acceptable in highways safety terms, and maintain or enhance local biodiversity.

Whilst the council is currently able to demonstrate a 5 year housing supply, this performance needs to be maintained and to do that it is imperative that sites in accessible settlement locations are brought forward to meet that supply unless there are compelling reasons not to. In this instance whilst the site is located within a settlement with residential uses around. It is well located to the highway network and is near access points onto public transport routes and within walking distance of local shops on Saltcotes Road and the Lidl supermarket on Lytham Road. This makes it a site where the principle of residential development should be supported, subject to the detailed considerations of other factors such as the woodland TPO in the remainder of this report, so as to assist in maintained housing supply performance.

Design and impact to the street scene

The proposed dwellings are of a typical design, scale and materials for residential development and so will not cause any concerns in that regards. They are located 'side-on' to Ribchester Road which is a continuation of the development pattern elsewhere on that road albeit the greater scale will make them appear more prominent than those properties do. This is a slight concern given that views will clearly be available of the rear elevations of the properties on approach to the site, but with the woodland retained at one side and the urban form at the other side this is not overly harmful.

The dwellings would be adjacent to the row of bungalow dwellings that form the remaining length of Ribchester Road. The visual connection between the development and the closest bungalow (No.26) would not be dissimilar to that between the two storey end dwelling (No.25) on the northern side and its closest neighbouring bungalow, No.27. It is not considered that the development would appear incongruous within the wider streetscape of Ribchester Road. The council's landscape officer has requested soft landscaping, in the form of four trees, be provided along the Ribchester Road frontage, two to either side of the new access. Whilst this would provide a softening visual feature that would benefit the streetscape it would also obstruct sight lines for safe vehicle egress from the development and hence its provision has not been pursued.

Overall the general appearance and setting of the new dwellings is considered appropriate and the design is of a standard that will preserve the character of the surrounding area. The design and style of the properties is considered to comply with Policies HL2 of the Fylde Borough Local Plan and the

relevant sections of Policy GD7 of the Fylde Local Plan to 2032.

Impact on neighbouring residential amenity

The proposed dwellings would be located directly opposite the two storey dwellings, No's 15 to 23, on the north side of Ribchester Road. However the side-on aspect of the proposed dwellings relative to these existing properties together with the separation by the intervening road is such that there would be no harmful impacts in terms of overlooking, overshadowing or overbearing appearance. The rear of No.26 Ribchester Road, which is a bungalow dwelling, would face towards the rear of the Block A dwellings. The back-to-back separation distance between the rear of No.26 and the rear of the proposed dwellings would be approximately 18 metres. This is 2 metres less than the nominal 20 metre back-to-back separation advised in the council's SPD, however this 20 metres is advised for back-to-back two storey dwellings to mitigate against direct views into opposing bedroom windows. In this instance No.26 is a bungalow that has no opposing first floor windows and hence it is considered that the slightly reduced separation of 18 metres is adequate and appropriate for this situation, and that No.26 would not experience an unacceptable level of amenity impact from the development.

Highway Safety

Local residents have raised the concern that the local highway network would be unable to cope with the additional vehicle traffic generated by the proposed development, particularly during peak times. Lancashire County Council have been consulted on the proposal in their role as local highway authority and it is their opinion that the development would have only a slight impact on morning peak and evening rush hour demand through the area, and would be unlikely to make any existing queuing significantly worse.

Residents are also concerned that the development would result in increased on street parking which would create parking and access issues for existing residents. The proposed scheme provides 12 off-street parking spaces which at 2 per property exceeds the level required under the LCC parking standards for two bedroomed dwellings (as proposed) and would readily meet the reasonable needs of future occupiers. Thus there is no reason why the level of on-street parking would be increased to a harmful level by the development.

Overall officers are satisfied that the highway and parking arrangements are such that the development complies with the relevant criteria of Policy HL2 and Policy GD7.

Flooding

The application site lies in part in Flood Zone 2 and in part in Flood Zone 3 and as these are the higher flood risk categories it is necessary for the council to consider the implications of this. In addition to the zoning, local residents have raised concerns that the development would further exacerbate flooding problems that have occurred in Ribchester Road recently.

Para 100 of the NPPF requires that a sequential risk based approach to the location of development and where development within a flood risk area is necessary then it should be mitigated in such a way as to not increase flood risk elsewhere. A flood risk assessment has been submitted with the application that asserts the development will not remove flood storage space from the floodplain and will not increase flood risk elsewhere, and recommends mitigation measures to protect the properties against flood risk. Whilst they are not a statutory consultee on applications of this scale the views of the County Council as Lead Local Flood Authority have been sought on the approach taken in this assessment. Their comments are outstanding at present and will be reported to Committee should any be received.

The Flood Risk Assessment discusses the possible source of flooding to the site and documents the likelihood of the site actually suffering flooding from tidal, fluvial (i.e. Liggard Brook), surface water, groundwater or sewers. It concludes that there is a very low risk of flooding, but proposes that the floor levels of the dwellings are set at 4.3m AOD to ensure that they are 300mm above the highest predicted level of flooding that could occur should the tidal sea defences be breached. The topographical information with the application confirms that the existing levels on the site are at or just below this level and so the measures to be introduced will not dramatically exaggerate its appearance, with the levels around 600mm higher than the carriageway of Ribchester Road.

The FRA seems to provide an appropriately qualified and detailed assessment of this aspects and identifies mitigation measures that officers consider will protect the proposed dwellings from flood risk.

It is also necessary for a Sequential and Exception Test to be undertaken where development is proposed in these higher risk flood zones. In this case the FRA concludes that the site is sequentially preferable over other available sites in Lytham due to its relatively high ground level and the limited availability of alternative sites. With regards to the exception test the provision of affordable housing is presented as factor in favour of the proposal on the basis that there is a high need for such dwelling, particularly in the Lytham area as is stated in the Local Plan. Officers consider that this is a valid justification for the support of the dwellings in this location and so the proposal complies with the sequential and exception tests.

Resident comments have made specific reference to the flooding events in the area in recent years, and it is assumed that these are as a result of rainwater not draining away. The occurrence of this flooding is not disputed, but the cause may well be a simply blocked drain that could be addressed by appropriate maintenance. The FRA presents a 'Flood Risk from Surface Water' map that the Environment Agency produce and this indicates that the site is not at that risk, and that part of Ribchester Road outside the site is at a low risk. Accordingly it is not considered that there is evidence to support a refusal of the application to develop the site residentially. The flood risk mitigation measures that are proposed in the FRA can be secured through condition and will provide satisfactory protection for new and existing residents from undue flood risk.

Woodland / Biodiversity

The proposal would result in the loss of a small area (approximately 0.1 hectare) of 'woodland'. This area forms part of a larger area measuring approximately 0.325 hectares in size, and which is the subject of a tree preservation order. Local residents have expressed concern at the loss of this area of woodland and the impacts on visual amenity and wildlife habitat (in particular bats and birds) that would result. The council's tree officer has visited the site to assess its natural value and the quality of the trees present. His on-site observations are that the area of woodland that would be lost is more bramble and scrub than mature trees and that any trees are of low quality. As such he has no cogent reasons to offer an objection to the proposal.

With regard to the potential loss of wildlife habitat the site has been assessed by the applicant for potential bat roost features. Whilst one rot hole was found at the base of the single mature tree within the site it was considered that its open aspect to rain ingress was such as to make it unsuitable for roosting bats. The remaining trees within the site were small immature trees that provided no potential bat roosts. Furthermore no evidence of bat activity (e.g. droppings) were found on or around trees within the site. The Greater Manchester Ecology Unit has been consulted on the application and opine that the area of flora that forms the application site is not of significant nature conservation value and offer no objection to the development on nature conservation grounds. They recognise the site likely supports nesting and feeding for local wildlife and as such

request an appropriate condition requiring no clearance of the site during the bird nesting season (March to July inclusive).

Previous Decision

Members will note that there is a planning history on the site with a series of refusals. The most recent of these is from 1993 and relates to the erection of 2 bungalows on the site and was refused by Fylde and dismissed at appeal. In reaching that decision the Inspector concluded that the loss of the areas of protected trees would harm the character and appearance of the area, and that this outweighed the benefits to housing supply that the development brought given that he was satisfied that there was sufficient land identified elsewhere at that time to meet the identified needs over the Plan period. Earlier refusals were based on the loss of the open land that contributes to visual amenity in the area and the design and layout of the proposed development.

The planning history is a material consideration in the determination of this application. However, in this case the appeal is dated and was assessed against local policies and national guidance that has since been replaced, and notwithstanding that the Inspector's conclusion is a balanced one that the harm outweighs the housing delivery benefits. In assessing the current application it is clearly that there will be harm from the development of the site, but the balance reached by officers in presenting this recommendation is that the benefits to housing, and especially affordable housing, supply outweigh that harm.

Conclusions

This application proposes the construction of six x 2 bedroomed affordable dwellings on an area of land within the settlement of Lytham St Annes alongside the railway line.

Whilst the application site forms part of a wider area under the protection of a tree preservation order the council's Tree Officer has assessed the site and concludes that it has little tree amenity value and comprises mainly bramble and scrub. As such the benefit of providing six affordable houses is considered to outweigh the small amenity value provided by the site. The scale and design of the properties is considered to be acceptable and the other technical matters such as ecology, access and drainage are all either acceptable as presented or capable of being addressed by condition.

The proposal is considered to accord with the relevant policies of the adopted local plan, the emerging Fylde Local Plan to 2032 and the NPPF, and as such members are recommended to approve the application.

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 beginning with 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 consent relates to the following details:

Approved plans:

- Site Location Plan - Dwg no. JBA308-PL-001 Rev A
- Proposed Site Plan - Dwg no. JBA308-PL-002 Rev E
- Block A Plans & Elevations - Dwg no. JBA308-PL-003 Rev C
- Block B Plans & Elevations - Dwg no. JBA308-PL-004 Rev C

Supporting Reports:

- Design and Access Statement - Prepared by Joseph Boniface Architects Ltd, dated November 2017
- Tree Condition Management Plan - Prepared by Jon Oliver, dated 15 December 2017
- Arboricultural Survey and Bat Inspection - Prepared by Jon Oliver
- Flood Risk Assessment - Prepared by Waterco Consultants, dated January 2018

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

3. The development hereby approved shall comprise of not less than 100% affordable housing, and construction shall not commence until a scheme for the provision of the affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing scheme shall confirm that the affordable housing meets the definition of affordable housing in Annex 2 of the National Planning Policy Framework (or any future guidance that replaces it), and shall include:

- the tenure and type of the affordable housing provision;
- proposals for the management of the affordable housing and the arrangements for the transfer of the affordable housing to an affordable housing provider if any of the affordable housing is to be so transferred;
- i. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing and that the dwellings remain affordable in perpetuity;
- ii. the occupancy criteria to be used to assess eligibility of potential occupiers of the affordable housing and the mechanism for the enforcement of such occupancy criteria.

The development shall be implemented and occupied in accordance with the approved scheme at all times.

Reason: To ensure the dwellings are provided and remain as affordable housing in perpetuity, and that they meet the identified local affordable need in accordance with the requirements of policy H4 of the Submission Version of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

4. Notwithstanding any denotation on the approved plans details of all the external materials to be used in the construction of the development, hereby approved, shall be submitted to and approved by the Local Planning Authority prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

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

5. Prior to the commencement of development a scheme for the disposal of foul water for the entire site shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be

permitted to discharge directly or indirectly into existing foul, combined or surface water sewerage systems. The development shall be implemented, maintained and managed in accordance with the approved details.

Reason: In order to ensure adequate and proper drainage of the site.

6. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards 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 in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

7. The access and parking areas shall be constructed in accordance with the approved details shown on the approved proposed site plan (Dwg no. JBA308-PL-002 Rev C) and the parking areas indicated for each dwelling shall be made available prior to the first occupation of that property, with those areas thereafter retained available for the parking of motor vehicles.

Reason: In order to ensure the provision of adequate off street car parking that is in keeping with the character of the area.

8. Notwithstanding any denotation on the approved plans details of all boundary treatments (including the bin store), including their means of construction, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any built development on site. Thereafter only those approved details shall be used in the development unless otherwise agreed in writing with the Authority.

Reason: To ensure a satisfactory standard of development.

9. 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, hard surfacing materials, 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.

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

10. The whole of the landscape works, as approved in condition 12, shall be implemented and

subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current arboricultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

Reason: To ensure a satisfactory standard of development and in the interest of visual amenity in the locality.

11. The finished floor levels of the dwellings hereby approved shall accord with the advisory finished floor level (4.3 metres AOD) detailed in the submitted Flood Risk Assessment prepared by Waterco Consultants and dated January 2018.

To mitigate against any potential future flood risk of the new dwellings



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/17/0997	Address Land opposite 15-23 Ribchester Road, Lytham St Annes	Grid Ref. E.3377 : N.4277	Scale 0 6 12 18 24 m

Item Number: 6

Committee Date: 7 February 2018

Application Reference:	17/1000	Type of Application:	Householder Planning Application
Applicant:	Mrs J Griffiths	Agent :	
Location:	11 TROUTBECK ROAD, LYTHAM ST ANNES, FY8 2LN		
Proposal:	TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION.		
Ward:	ST LEONARDS	Area Team:	Area Team 1
Weeks on Hand:	11	Case Officer:	Rob Clewes
Reason for Delay:	Need to determine at Committee		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7625062,-3.0373216,277m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to the erection of a two-storey side extension and single storey rear extension to a semi-detached house in the settlement of Lytham St Annes. Having viewed the proposal and assessed the issues raised, it is considered that the proposal is of a design, scale and mass that will not unduly impact on the amenity of the neighbouring properties and will not create a detrimental impact to the visual amenity of the area.

The proposal therefore accords with Policy HL5 of the Fylde Borough Local Plan, and Policy GD7 of the Fylde Local Plan to 2032 and so is recommended for approval.

Reason for Reporting to Committee

This application has been brought before the Planning Committee as the officer recommendation for approval conflicts with the objection raised by St Annes Town Council.

Site Description and Location

The application property is a semi-detached house located on the southern side of Troutbeck Road within the settlement boundary of St. Annes. The property has been extended to the rear with a conservatory and single storey flat roof extension. There is also a detached sectional garage located at the end of the driveway. The neighbouring properties are matching or similar in style and extensions are common in the wider area.

Details of Proposal

The proposal is for a two-storey side extension and single storey rear extension. The two storey extension has a tapered side elevation and is 1.8m wide at the front and 3.6m wide at the rear. It is

7.2m deep at ground floor level and 5.8m deep at first floor level. It has an eaves height matching the existing house and a ridge height of 6.9m with a hipped roof. The materials of construction are to match the existing property and the extension provides a further lounge at ground floor and additional bedroom above.

The rear extension projects 3m and spans the full width of the proposed two-storey extension. It adjoins the existing flat roof extension and has a flat roof matching the height of the existing extension. The materials are to match the existing property.

Relevant Planning History

Application No.	Development	Decision	Date
15/0904	APPLICATION FOR PRIOR NOTIFICATION OF CONSERVATORY TO THE REAR OF 4.187m PROJECTION WITH 3.285 RIDGE AND 2.25m EAVES	Approve Prior Determination	06/01/2016
78/1187	EXTENSION TO KITCHEN.	Granted	17/01/1979

Relevant Planning Appeals History

None

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 24 November 2017 and comment:

“Object. Scale design and massing would not be a harmonious addition to the original semi-detached building. Negative impact on neighbouring property.”

Statutory Consultees and Observations of Other Interested Parties

None

Neighbour Observations

Neighbours notified:	24 November 2017
Number of Responses:	1 response received
Summary of Comments:	<p>This is from a direct neighbour and objects on the basis that:</p> <ul style="list-style-type: none"> • The scale and proximity of the side extension will lead to a loss of light to the dwelling to the side • That the proximity will ensure it is an overly dominant structure from that property and is out of character with the street scene • The proposed extension will lead to a reduction in off street parking at the property and so will lead to additional pressure on street parking

Relevant Planning Policy

Fylde Borough Local Plan:	
SP01	Development within settlements

HL05 House extensions

Fylde Local Plan to 2032:

GD1 Settlement Boundaries
GD7 Achieving Good Design in Development

Other Relevant Guidance:

NPPF: National Planning Policy Framework
NPPG: National Planning Practice Guidance
Residential Design Guides in Extending Your Home SPD

Site Constraints

None

Environmental Impact Assessment

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

Comment and Analysis

Principle

The application site is located within the settlement area under Policy SP1 of the adopted Fylde Borough Local Plan, As Altered, October 2005, and Policy GD1 of the emerging Fylde Local Plan to 2032 (Submission Version). In these areas the principle of residential extensions is acceptable subject to the normal planning criteria as examined below with reference to Policy HL5 and Policy GD7 of the aforementioned plans.

Design and Appearance in Streetscene

The design of the proposal is in keeping with the existing property and whilst it is considered to be a sizable addition it is not considered to be overly dominant nor overbearing within the site. The use of matching materials and the hipped roof design will help the proposal to appear sympathetic to the existing property. Although only minimally set back from the front elevation, at ground floor level, the proposal will not harm the appearance of the street scene.

It is set 0.9m away from the side boundary and the first floor is set further back than the ground floor thereby not creating the appearance of terracing. In addition the host property and the neighbouring property are angled/orientated in such a way that means the side elevations do not have a standard face to face relationship. The design and impact to the street scene are both considered acceptable. The proposal retains appropriate levels of amenity space and so the design and scale of the extension accord with the requirements of criteria 1 of Policy HL5, and Policy GD7.

Relationship to Neighbours

The proposed extension will have an impact on the neighbouring property to the east in terms of overbearing and loss of light due to the increase in mass and bulk close to the shared side boundary. However, this increase in impact to the amenity is considered acceptable when taking into account the orientation of the proposed extension with the neighbouring property. The majority of the impact will be on the side elevation of the neighbouring property which does not contain any primary windows. Furthermore the detached garage situated between the side elevation of the neighbouring property and the boundary will be a dominant feature from the neighbour's property and so will limit the impact further. In addition due to the orientation of the proposed extension

there will be no overshadowing the neighbouring rear garden and the existing sense of openness is maintained to the rear garden. In terms of loss of privacy there will be no detrimental impact as there are no windows that directly face this property.

Due to the orientation and distance from the proposed extension none of the other neighbouring properties will suffer an increase in impact to their existing amenity.

As such the proposal has an acceptable relationship to its neighbours in all regards and complies with criteria 2 of Policy HL5, and Policy GD7.

Parking and Access Arrangements

The proposal retains an appropriate level of parking for the site and does not compromise the access arrangements or highway safety and so complies with criteria 4 and 5 of Policy HL5, and Policy GD7.

Other Matters

There are no other material considerations of note to influence the decision.

Conclusion

The application relates to the erection of a two-storey side extension and single storey rear extension to a semi-detached house in the settlement of Lytham St Annes. Having viewed the proposal and assessed the issues raised, it is considered that the proposal is of a design, scale and mass that will not unduly impact on the amenity of the neighbouring properties and will not create a detrimental impact to the visual amenity of the area.

The proposal accords with Policy HL5 of the Fylde Borough Local Plan, and Policy GD7 of the Fylde Local Plan to 2032. Accordingly the application is recommended for approval.

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 beginning with 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 / consent relates to the following details:

Approved plans:

- Elevations and Floor Plans - Trout/001

Reason: To provide clarity to the permission.

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

To ensure visual harmony in respect of the overall development.



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/17/1000	Address 11 Troutbeck Road, Lytham St Annes	Grid Ref. E.3318 : N.4300	Scale 0 5 10 15 20 m

Item Number: 7

Committee Date: 7 February 2018

Application Reference:	17/1012	Type of Application:	Full Planning Permission
Applicant:	J T Smith	Agent :	Ian Pick Associates Ltd
Location:	SWARBRICK HALL FARM, SINGLETON ROAD, WEETON WITH PREESE, PRESTON, PR4 3JJ		
Proposal:	ERECTION OF REPLACEMENT AGRICULTURAL STORAGE BUILDING.		
Ward:	STAINING AND WEETON	Area Team:	Area Team 1
Weeks on Hand:	10	Case Officer:	Ruth Thow
Reason for Delay:	Not applicable		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.8162339,-2.9281394,1107m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is 'Swarbrick Hall Farm', Singleton Road, Weeton. The site is located on the eastern side of the road along a private track serving the farm and one other property occupied by the applicant's relative.

The site is within the designated countryside where the applicants grow potatoes and operate an intensive poultry rearing business.

This application seeks permission for a new building for potato storage. This is proposed as a replacement for two existing buildings which are too small to serve efficient and more modern methods of farming.

The development is considered to comply with the requirements of Policies SP2 and EP11 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD4 and GD7 of the submission version of the Local Plan to 2032. In addition the proposal is supported by the aim of Chapter 3 of the NPPF which supports the growth and expansion of rural business.

In the absence of any demonstrable harm from this development the application is recommended for approval by Members.

Reason for Reporting to Committee

This application is on the agenda as the building has a floor area greater than a 1,000 sqm and is therefore classed as a major application. Under the council's scheme of delegation such applications are to be determined by the Planning Committee if the recommendation is a favourable one, as is the case here.

Site Description and Location

The application site is Swarbrick Hall Farm, Singleton Road, Weeton. The site is located on the eastern side of the road and accessed off a private track which serves the farm and one other property occupied by the applicant's relative.

In particular this application refers to a site to the east of the farm-house but to the west of the poultry buildings and other buildings forming this farm complex.

The farm is within the countryside area as designated on the Fylde Borough Local Plan, as altered (October 2005) and this designation is carried forward in the submission version of the Fylde Local Plan to 2032.

Details of Proposal

This application seeks permission for the erection of a single building to store potatoes grown on the farm which is intended to be sited in the location of the existing potato storage building and a further smaller seed shed.

The building is constructed with concrete panels and profile steel sheeting to the side elevations under a fibre cement roof sheeting and having measurements of 55 metres in length by 24.38 metres in width and an eaves height of 7.3 metres and an overall ridge height of 10.59 metres.

Relevant Planning History

Application No.	Development	Decision	Date
17/0480	EXTENSION OF EXISTING POULTRY REARING ENTERPRISE BY FURTHER 90,000 BIRDS THROUGH ERECTION OF 2 NO. POULTRY BUILDINGS WITH ASSOCIATED BULK BINS AND INFRASTRUCTURE FOLLOWING DEMOLITION OF EXISTING PIG UNITS	Granted	01/12/2017
16/0670	ERECTION OF BUILDING TO HOUSE BIOMASS BOILER AS REPLACEMENT FOR EXISTING AGRICULTURAL BUILDING	Granted	26/10/2016
16/0587	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS RELATING TO PLANNING PERMISSION 16/0200 - CONDITION 4 AND 5 (DRAINAGE SCHEME), CONDITION 11 (BIODIVERSITY IMPROVEMENT REPORT)	Advice Issued	29/09/2016
16/0200	EXTENSION OF EXISTING POULTRY REARING ENTERPRISE BY FURTHER 80,000 BIRDS THROUGH ERECTION OF 2 NO. POULTRY BUILDINGS WITH ASSOCIATED BULK BINS AND INFRASTRUCTURE FOLLOWING DEMOLITION OF EXISTING PIG UNITS	Granted	01/08/2016
14/0792	PROPOSED ERECTION OF AGRICULTURAL BUILDING FOR GRAINSTORE	Granted	12/01/2015
14/0312	PROPOSED ERECTION OF 2 NO AGRICULTURAL BUILDINGS FOR BROILER REARING, CONTROL ROOM, 3 NO. FEED BINS, HARDSTANDING AND EXTENDED ACCESS ROAD	Granted	05/09/2014
07/0723	RE-SUBMISSION OF 07/0037 - PROPOSED	Granted	23/08/2007

07/0037	AGRICULTURAL HAY STORAGE BUILDING. ERECTION OF 1 NO. AGRICULTURAL BUILDING FOR STOCK	Withdrawn by Applicant	22/06/2007
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Earlier history relating to other agricultural development removed.

Relevant Planning Appeals History

None

Parish/Town Council Observations

Weeton with Preese Parish Council notified on 05 December 2017 and comment:

Weeton with Preese Parish Council resolved to raise no objections to the application.

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

LCC Highways does not have any objections regarding the proposed erection of replacement agricultural building 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.

Environmental Protection (Pollution)

Raise no objection.

Neighbour Observations

Neighbours notified:	05 December 2017
Amended plans notified:	
Site Notice Date:	15 December 2017
Press Notice Date:	04 January 2018
Number of Responses	none received
Summary of Comments	

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
EP11	Building design & landscape character

Fylde Local Plan to 2032:

GD4	Development in the Countryside
GD7	Achieving Good Design in Development

Other Relevant Policy:

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

Site Constraints

Within countryside area

Environmental Impact Assessment

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

Comment and Analysis

This application seeks permission for a single building for potato storage to replace two existing buildings currently used for potato storage and seed sorting on the farm complex.

Policies

Policies SP2 and EP11 of the Fylde Borough Local Plan, as altered (October 2005) are relevant to this application together with the aims and guidance of the National Planning Policy Framework (NPPF).

Policy SP2 refers to development in countryside locations.

Policy EP11 refers to landscape character types, development must be of a high standard design, matters of scale, features and building materials should reflect the local vernacular style.

Landscape and visual impact

Swarbrick Hall Farm has in recent years diversified from the pig rearing side of the business to intensive poultry rearing, whilst retaining the business of potato growing on the farm.

The site of the proposed building is the site of the existing potato storage building and a further building situated to the rear of the storage building, which is used for the sorting of seed potatoes. Whilst the dimensions of the proposed building are larger than those currently on site, in terms of the footprint, the height of the building is less than the nearby grain store which is in an elevated position going west into the site and so the height of the buildings reduce in scale approaching the lower land levels of the farm-house from the west side and thereby reducing the overall visual impact.

The proposed building will be seen in the context of the other larger buildings on the site, and will benefit from screening from the woodland to the east side and other agricultural buildings and landscaping to the west side. Given the lower level position of the building, the surrounding farm buildings and the landscaping, it is considered that the proposal will have no significant impact on the landscape character of the site and surrounding areas and will not result in a detriment to visual amenity of the surrounding countryside.

Accordingly the proposal complies with policies SP2 and EP11 of the Fylde Borough Local Plan, as altered (October 2005) and the aims of the NPPF, in this regard.

Traffic issues

The proposal is not intended as an expansion of the existing potato growing business which takes place on the farm and therefore is not likely to generate any more traffic movements than those which currently occur.

Ecology

In terms of ecological interest, no further ecological surveys have been submitted with this application. Notwithstanding this, surveys submitted with the previous applications for the poultry buildings (under 17/0480) established that the site is outside of any specially designated site. In addition the farm was surveyed for its ecological interest the report concluded that the sites habitats which will be affected by works are common and widespread and are considered to be of low intrinsic biodiversity value as such the site is not of sufficient ecological value to warrant whole-scale protection from development.

However, a condition requiring landscaping on another part of the site, will form the decision on application 17/1013 also to be considered by Members and this will enhance the habitat and roosting opportunities for protected species on the wider area.

On this basis the development is considered to comply with Policy EP19 of the Fylde Borough Local Plan, as altered (October 2005), Policy ENV2 of the submission version of the Local Plan to 2032 and Paragraphs 118 and 119 of the NPPF.

Other matters

There are no other matters.

Conclusions

This application seeks permission to erect a new potato storage building in place of two existing buildings currently used for storage and seed preparation of potatoes. The new building occupies a similar footprint to the existing building and is large enough to facilitate tipping from a trailer within the building, providing a more time efficient use of the land.

It is considered that the development has minimal impact on the visual amenity and does not raise any environmental issues. Accordingly the proposal complies with the above policies of the local plan and the aims of the National Planning Policy Framework and so is recommended for approval.

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 beginning with 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 / consent relates to the following details:

Approved plans:

- Location Plan - drawing no. IP/JS/02
- Proposed site plan - drawing no. IP/JS/03
- Proposed elevation and floor plans - drawing no. IP/JS/04

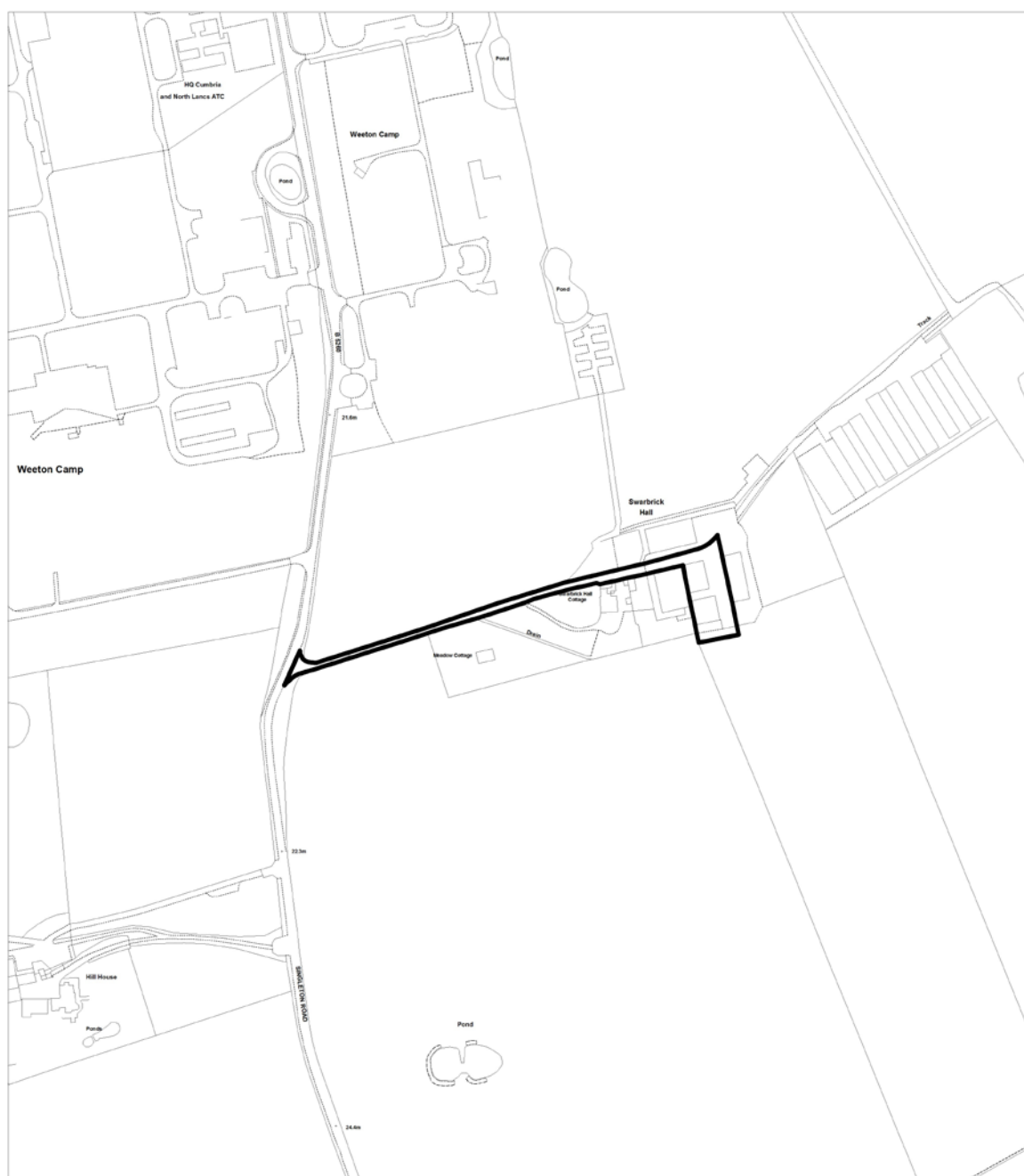
Supporting Reports:

- Design and Access Statement - Ian Pick Associates Ltd - November 2017

Reason: To provide clarity to the permission.

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

In the interests of visual amenity.



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/17/1012	Address Swarbrick Hall Farm, Singleton Road, Weeton	Grid Ref. E.3390 : N.4358	Scale 0 20 40 60 80 m

Item Number: 8

Committee Date: 7 February 2018

Application Reference:	17/1013	Type of Application:	Full Planning Permission
Applicant:	J T Smith	Agent :	Ian Pick Associates Ltd
Location:	SWARBRICK HALL FARM, SINGLETON ROAD, WEETON WITH PREESE, PRESTON, PR4 3JJ		
Proposal:	ERECTION OF AN AGRICULTURAL STORAGE BUILDING		
Ward:		Area Team:	Area Team 1
Weeks on Hand:	9	Case Officer:	Ruth Thow
Reason for Delay:	Not applicable		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.8162339,-2.9281394,1107m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is 'Swarbrick Hall Farm', Singleton Road, Weeton. The site is located on the eastern side of the road along a private track serving the farm and one other property occupied by the applicant's parent.

The site is within the designated countryside where the applicants grow potatoes and operate an intensive poultry rearing business.

This application seeks permission for a building to store straw for use in the applicant's bio-mass boiler on the site used for energy production in association with the poultry rearing side of the business. This is proposed as a replacement for the existing straw storage building which is required to be moved to facilitate the construction of new poultry buildings.

The development is considered to comply with the requirements of Policies SP2 and EP11 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD4 and GD7 of the submission version of the Local Plan to 2032. In addition the proposal is supported by the aim of Chapter 3 of the NPPF which supports the growth and expansion of rural business.

In the absence of any demonstrable harm from this development the application is recommended for approval by Members.

Reason for Reporting to Committee

This application is on the agenda as the building has a floor area greater than a 1,000 sqm and is therefore classed as a major application. Under the council's scheme of delegation such applications are to be determined by the Planning Committee if the recommendation is a favourable one, as is the case here.

Site Description and Location

The application site is Swarbrick Hall Farm, Singleton Road, Weeton. The site is located on the eastern side of the road and accessed off a private track which serves the farm and one other property occupied by the applicant's relative.

In particular this application refers to a site to the rear of two existing poultry buildings approved under planning approval 16/0200 which forms part of the wider farm complex.

The farm is within the countryside area as designated on the Fylde Borough Local Plan, as altered (October 2005) and this designation is carried forward in the submission version of the Fylde Local Plan to 2032.

Details of Proposal

This application seeks permission for the erection of an open sided building for the storage of straw. The applicant intends to dismantle the existing building and re-erect this in a new location.

The building is open sided and is to be located to the rear of two of the existing poultry buildings and measures 50.3 metres by 24.38 metres with an eaves height of 6 metres and an overall ridge height of 9.2 metres.

Relevant Planning History

Application No.	Development	Decision	Date
17/0480	EXTENSION OF EXISTING POULTRY REARING ENTERPRISE BY FURTHER 90,000 BIRDS THROUGH ERECTION OF 2 NO. POULTRY BUILDINGS WITH ASSOCIATED BULK BINS AND INFRASTRUCTURE FOLLOWING DEMOLITION OF EXISTING PIG UNITS	Granted	01/12/2017
16/0670	ERECTION OF BUILDING TO HOUSE BIOMASS BOILER AS REPLACEMENT FOR EXISTING AGRICULTURAL BUILDING	Granted	26/10/2016
16/0587	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS RELATING TO PLANNING PERMISSION 16/0200 - CONDITION 4 AND 5 (DRAINAGE SCHEME), CONDITION 11 (BIODIVERSITY IMPROVEMENT REPORT)	Advice Issued	29/09/2016
16/0200	EXTENSION OF EXISTING POULTRY REARING ENTERPRISE BY FURTHER 80,000 BIRDS THROUGH ERECTION OF 2 NO. POULTRY BUILDINGS WITH ASSOCIATED BULK BINS AND INFRASTRUCTURE FOLLOWING DEMOLITION OF EXISTING PIG UNITS	Granted	01/08/2016
14/0792	PROPOSED ERECTION OF AGRICULTURAL BUILDING FOR GRAINSTORE	Granted	12/01/2015
14/0312	PROPOSED ERECTION OF 2 NO AGRICULTURAL BUILDINGS FOR BROILER REARING, CONTROL ROOM, 3 NO. FEED BINS, HARDSTANDING AND EXTENDED ACCESS ROAD	Granted	05/09/2014
07/0723	RE-SUBMISSION OF 07/0037 - PROPOSED	Granted	23/08/2007

07/0037	AGRICULTURAL HAY STORAGE BUILDING. ERECTION OF 1 NO. AGRICULTURAL BUILDING FOR STOCK	Withdrawn by Applicant	22/06/2007
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Earlier history relating to other agricultural development removed.

Relevant Planning Appeals History

None

Parish/Town Council Observations

Weeton with Preese Parish Council notified on 05 December 2017 and comment:

Raise no objections to the application.

Statutory Consultees and Observations of Other Interested Parties

None received.

Lancashire County Council - Highway Authority

"LCC Highways does not have any objections regarding the proposed erection of replacement agricultural building 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."

Environmental Protection (Pollution)

No objections.

Regeneration Team (Trees)

None received.

Neighbour Observations

Neighbours notified:	05 December 2017
Site Notice Date:	15 December 2017
Press Notice Date:	14 December 2017
Number of Responses	None received

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
EP11	Building design & landscape character

Fylde Local Plan to 2032:

GD4	Development in the Countryside
GD7	Achieving Good Design in Development

Other Relevant Policy:

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

Site Constraints

Within countryside area

Environmental Impact Assessment

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

Comment and Analysis

This application seeks permission for a building to store straw for use as fuel for a biomass boiler providing heat to the poultry buildings (the biomass boiler was granted approval under application no. 16/0670). The applicant is intending to re-locate the existing covered straw storage building on the new site in order to facilitate the erection of further poultry buildings on the existing location of the building.

Policies

Policies SP2 and EP11 of the Fylde Borough Local Plan, as altered (October 2005) are relevant to this application together with the aims and guidance of the National Planning Policy Framework (NPPF).

Policy SP2 refers to development in countryside locations.

Policy EP11 refers to landscape character types, development must be of a high standard design, matters of scale, features and building materials should reflect the local vernacular style.

Landscape and visual impact

Swarbrick Hall Farm has in recent years diversified from the pig rearing side of the business to intensive poultry rearing and has been granted several permissions for new buildings to facilitate this enterprise.

There is currently an open straw storage building and it is the applicant's intention that this building is dismantled and re-located at the rear of two of the existing poultry buildings situated alongside the west side of the woodland.

The presence of the woodland will screen the building from views to the east side, with the range of existing farm buildings and the separation distance from the site to the public road resulting in limited views from the west side. Views to the north will be screened by the existing poultry building. Views to the south side however, would be readily visible notwithstanding this, as a result of the excavation to provide the poultry buildings currently on site, significant amounts of earth have been stored to form a bund to the rear/south side of the poultry buildings and the proposed site. This bund could be provided with landscaping which will, in time soften and screen this proposal and the wider development recently undertaken on this site.

As a consequence it is considered that the proposal will have no significant impact on the landscape character of the site and surrounding areas, subject to landscaping to the south which will assist in assimilating the development into the surrounding countryside.

Accordingly the proposal complies with policies SP2 and EP11 of the Fylde Borough Local Plan, as

altered (October 2005) and the aims of the NPPF, in this regard.

Traffic issues

The straw is proposed to be grown on the applicant's farm, any vehicles entering the site delivering straw would use an existing hard surfaced access track from the highway which serves the existing buildings and which has good visibility at the entrance so is unlikely to raise any highway issues.

Ecology

In terms of ecological interest, no further ecological surveys have been submitted with this application. Notwithstanding this, surveys submitted with the previous applications for the poultry buildings (under 17/0480) established that the site is outside of any specially designated site. In addition the farm was surveyed for its ecological interest the report concluded that the sites habitats which will be affected by works are common and widespread and are considered to be of low intrinsic biodiversity value as such the site is not of sufficient ecological value to warrant whole-scale protection from development.

However, a condition requiring landscaping to be provided will also be of benefit in enhancing the habitat and roosting opportunities for protected species.

On this basis the development is considered to comply with Policy EP19 of the Fylde Borough Local Plan, as altered (October 2005), Policy ENV2 of the submission version of the Local Plan to 2032 and Paragraphs 118 and 119 of the NPPF.

Other matters

In terms of renewable and low carbon energy, the National Planning Policy Framework is supportive of a transition to a low carbon future and encourages the use of renewable resources. It goes on to state that local councils should plan for new development in locations and in a manner that reduces greenhouse gas emissions. Opportunities for developments to use energy from decentralised, renewable or low carbon energy supply and co-locating potential heat customers and suppliers should be encouraged. It is therefore considered that the proposal is in compliance with the aims of the NPPF in this regard.

Conclusions

This application seeks permission to re-locate the existing straw storage building in a new location on the site as the current location is where permission has been granted for additional buildings for intensive poultry rearing. The straw is grown on the farm and is intended for use as fuel for a 'biomass' boiler already installed on the site to provide heat and energy for the poultry buildings.

The National Planning Policy Framework is supportive of the use of renewable energy resources as is proposed in this application and the development is considered to comply with the above policies of the local plan and so is recommended for approval.

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 beginning with 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 / consent relates to the following details:

Approved plans:

- Location Plan - drawing no. IP/JS/01
- Proposed site plan - drawing no. IP/JS/02
- Proposed elevation and floor plans - drawing no. IP/JS/02

Supporting Reports:

- Design and Access Statement - Ian Pick Associates - November 2017

Reason: To provide clarity to the permission.

3. The external materials to be used in the development hereby approved shall accord entirely with those indicated on the approved ground floor and elevation plans listed in Condition no. 2 above; any modification shall thereafter be agreed with the Local Planning Authority in writing prior to any substitution of the agreed materials.

Reason: In the interests of visual amenity of the area in accordance with Policy SP2 of the Fylde Borough Local Plan.

Item Number: 9

Committee Date: 7 February 2018

Application Reference:	18/0011	Type of Application:	Full Planning Permission
Applicant:	CMC VENTURES LTD	Agent :	
Location:	84 CLIFTON STREET, LYTHAM ST ANNES, FY8 5EJ		
Proposal:	RETROSPECTIVE APPLICATION FOR ERECTION OF GLAZED EXTENSION TO CLIFTON SQUARE ELEVATION WITH RETRACTABLE GLAZED SCREENS TO FRONT AND SIDES		
Ward:	CLIFTON	Area Team:	Area Team 2
Weeks on Hand:	5	Case Officer:	Rob Buffham
Reason for Delay:	Not applicable		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7367877,-2.9631598,69m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

The application relates to the former RBS building, 84 Clifton Street, Lytham. The building has been Locally Listed and is within the Lytham Town Centre Conservation Area.

Planning consent has been previously granted for an open sided canopy at the site (ref: 17/0262). Retrospective planning consent is sought here for the building now in situ, which is a fully glazed structure with retractable windows. The canopy is constructed above a larger footprint measuring 6.2m in projection x 9.5m in width (5.2m X 8.9m approved), and includes provision of a stone clad plinth and glazed fire door. Ornate detail to eaves and vertical uprights in the approved scheme has been removed.

A second application has been submitted for a predominantly open sided canopy, (ref: 17/0971) and is recommended for approval to this Planning Committee.

The existing planning approval is material in the assessment of this current proposal. Notwithstanding, it is considered that the proposed alterations would be detrimental to the architectural merit of the host building and would dominate Clifton Square. The proposal would not, therefore, conserve or enhance the Lytham Town Centre Conservation Area. This represents poor design, which for the purposes of the NPPF and Development Plan is not considered sustainable.

The officer view is that the application should therefore be refused.

Reason for Reporting to Committee

The Head of Planning and Housing agreed to requests that an earlier application for a canopy on this property should be considered at Committee and so it is necessary for this revised proposal to also

be determined by the Planning Committee.

Site Description and Location

This proposal relates to the former Royal Bank of Scotland building which is a corner terrace premise fronting onto Clifton Street and the pedestrianised Clifton Square. The property is an imposing two storey building, which appears to have been purposely built as a bank premises, constructed of red brick and slate with contrasting stone surrounds to the windows and doors and ornate brick/ stone eaves level detail.

The property is Locally Listed, located centrally within the Lytham Town Centre Conservation Area and is designated as a Secondary Shopping Frontage in the adopted Fylde Borough Local Plan. 84 Clifton has recently been Locally Listed. There are 3 trees within the site frontage of the application site which, being located within the Conservation Area, are afforded protective status.

Details of Proposal

Retrospective planning consent is sought for an external canopy attached to the side elevation of the building opposing Clifton Square. The canopy has been constructed and forms part of a restaurant/ bar use of the premises granted consent by 16/0728.

Planning consent has been previously granted for a smaller footprint open sided canopy (17/0262).

This current proposal seeks retrospective consent for a fully glazed canopy, and includes provision of retractable windows to all three elevations of the structure, allowing the canopy to be open or closed dependent on the weather outside. The canopy has been constructed on a larger footprint measuring 6.2m in projection x 9.5m in width (5.2m X 8.9m approved), eaves and ridge interface heights with the building remain as approved, fire escape doors are also proposed to the side elevation adjacent to the Natwest bank. The increased projection of the canopy requires a deeper plinth, measuring 0.56m at its tallest point, and has been clad in sandstone. Ornate detail to eaves and vertical uprights is removed.

Another application for an open sided canopy of the size constructed is also referred to this Planning Committee for consideration, being recommended for approval. The applicant contends that the fully glazed structure can be modified to an open sided structure by removal of windows and insertion of glass balustrade and emergency door.

Relevant Planning History

Application No.	Development	Decision	Date
17/0723	VARIATION OF CONDITION 2 (APPROVED PLANS) TO PLANNING PERMISSION 17/0262 TO FACILITATE MINOR MATERIAL AMENDMENT INVOLVING INCREASED PROJECTION AND WIDTH OF GLAZED CANOPY AND ASSOCIATED PLINTH	Refused	12/10/2017
17/0262	RE-SUBMISSION OF APPLICATION 16/0731 FOR ERECTION OF GLAZED SINGLE STOREY EXTENSION TO CLIFTON SQUARE ELEVATION INCLUDING BALUSTRADE AROUND AND ALTERATION OF EXISTING WINDOW OPENINGS TO BI-FOLDING DOORS TO ALLOW ACCESS TO	Granted	15/06/2017

16/0728	EXTENSION CHANGE OF USE OF EXISTING BANK (CLASS A2) TO RESTAURANT (CLASS A3) WITH ANCILLARY BAR (CLASS A4)	Granted	24/11/2016
16/0731	EXTERNAL CANOPY	Refused	13/01/2017

Planning history associated with previous bank use removed as no longer relevant.

Relevant Planning Appeals History

None

Parish/Town Council Observations

Not applicable.

Statutory Consultees and Observations of Other Interested Parties

Regeneration Team (Heritage)

No comments received at the time of writing report. Comments will be provided to assist Committee in Late Representations paper.

Regeneration Team (Trees)

The main concern for the proposal relates to post construction pressure to fell adjacent trees – leaf litter, moss growth, insect depositions, and falling branches. Notwithstanding, this impact is not significantly greater than that which would be witnessed to the approved canopy structure. The matter of post construction pressure was raised as a significant concern to the originally approved scheme, with refusal being recommended on such grounds.

The approved canopy was subject to a foundation design to be agreed through condition discharge. The condition was imposed in order to minimise intrusive works within the root protection area and safeguard the longevity of an adjacent TPO tree. Works have been implemented without this condition being discharged. Whilst detail of the foundation has been provided, the Tree Officer considers that improvements to the design could have been made and so discharge cannot be confirmed. At this time, there is no way of knowing whether the un-authorised foundation will result in the premature deterioration of the tree. In any event, it would be extremely difficult to link any health issues of the tree with the foundation works.

Environmental Protection (Pollution)

No objection, subject to condition requiring windows to closed after 10pm in order to safeguard amenity of neighbours and the locality from noise disturbance.

Neighbour Observations

Neighbours notified:	09 January 2018
Amended plans notified:	Not applicable
Site Notice Date:	12th April 2018
Press Notice Date:	11 January 2018
Number of Responses	1
Summary of Comments:	<ul style="list-style-type: none"> • Design – Out of character with the square and has spoil the whole

appearance of the street scene.

- Listed Status – it is understood that parts of the building are listed, how have they been allowed to get away with the work that has gone on?

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
EP03	Development within conservation areas
EP12	Conservation trees & woodland
EP18	Natural features

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
ENV2	Biodiversity
ENV5	Historic Environment

Other Relevant Policy:

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

Site Constraints

Conservation area site

Environmental Impact Assessment

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

Comment and Analysis

The main issues pertinent to the assessment of this proposal are design and trees, bearing in mind the precedence of the approved canopy at the site.

Design

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. Paragraph 56 recognises that good design is a key aspect of sustainable development and that permission should be refused for poor development that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 131 of the Framework states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of the heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of development on the significance of a designated asset, great weight should be given to the assets conservation. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Policy EP3 of the adopted Local Plan states that development will only be supported where the character or appearance of the area, and its setting, are appropriately conserved or enhanced. This includes the physical setting of the area, settlement form, townscape, character of buildings and structures, character of open spaces, and views into or out of the conservation area. Policy GD7 expects new development to be of a high standard taking account of and seeking to positively contribute toward the character and appearance of the local area, with regards to public realm development should be managed so that they add to the character, quality and distinctiveness of the surrounding area. Policy ENV5 of the SV states that development within conservation areas should conserve or enhance those elements that make a positive contribution to their special character, appearance and setting. Proposals that better reveal the significance of these areas will be supported also.

More importantly, Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires that local planning authorities pay special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. This means that they must take account of this in development control decisions and controls relating to trees.

The application site maintains a highly prominent position in the Lytham Town Centre Conservation Area, being located to an exposed corner plot adjacent to the main thoroughfare of Lytham. Whilst not nationally Listed, 84 Clifton Street has been recently Locally Listed and is considered to be of architectural merit making a strong contribution to the special historic character of the street and Conservation Area. There are external views of the building façade, including at close quarters from Clifton Square, but also more distant views from adjacent streets. It is one of a number of commercial premises which has a front facing aspect over Clifton Square. This pedestrianised square is used by other businesses for alfresco dining, its openness and landscaped qualities have become an important feature of the Conservation Area.

The existing planning approval is material in the assessment of the current proposal. The main issue of debate relates to the altered design of the canopy when compared to the approved structure and impact this would have on the host building and Conservation Area.

The increased projection away from the building results in a flatter roof profile. This emphasises the horizontal form of the approved canopy against the vertical emphasis of the main building giving the property an unbalanced appearance that is considered to be at odds with the architectural merit of the original property. The increased height of the plinth will add to the overall massing of the structure, and when viewed externally the canopy would be seen to dominate the affected elevation of the building. The proposal will extend further toward Clifton Square, and impose on the openness of this important space. Significant concern is raised to the inserted window design. In particular, the windows are framed and once retracted are hidden behind a housing unit. This has added exposed framing to the structure, creating a deeper eaves band and wider vertical uprights, resulting in a much bulkier framed canopy when compared to the light weight structure approved. Ornate detail to the eaves and vertical uprights has also been removed. These changes are not considered to be sensitive to and act to dominate the host building, having a detrimental impact on the character and appearance of the conservation area as a whole.

There are some design benefits borne from this scheme; the increased width of the canopy resulting in the structure being symmetrically framed about the created door entrance within the host building and the canopy is now of a similar projection away from the building as that of the approved structure within the front yard area of Spago.

On this basis it is considered that the revised proposal is significantly different in comparison to the approved canopy. The structure is not a sensitive addition to the host building and significantly detracts from that locally listed building and the contribution it makes to the character of the conservation area. The prominent location of the application site will only serve to exacerbate this assessment. This represents poor design, which for the purposes of the Framework and Development Plan is not considered sustainable. Design concerns were raised to the existing canopy approval and impact to the Conservation Area, though a balanced decision which considered the viability of the development, supported the proposal. Clearly there are economic benefits to the retention of the enclosed structure as it offers year-round enclosed dining opportunities and increased covers to the business, however, the harm caused to the building and the town's central conservation area are considered to be a step too far and so outweigh those economic benefits. The harm caused by this structure to the locally listed building and Conservation Area is such that refusal is recommended.

Trees

Policy EP12 of the adopted Local Plan states that trees which individually or in groups make a significant contribution to townscape, quality and visual amenity will be protected. Emerging Policies GD7 and ENV1 requires existing landscape feature to be conserved, maintained, protected and wherever possible enhanced.

This current proposal seeks revision to the approved canopy width, increasing it by 0.6m toward and siting the canopy footprint further beneath the crown of a mature lime tree. The siting of the canopy will could encourage tree resentment issues previously reported by the Tree Officer including leaf litter, moss growth, insect depositions, and, the potential for damage to the canopy from falling branches. The applicant has provided a written assurance that any subsequent request to fell trees will not be forthcoming.

It is considered that the close proximity of the proposal could impinge on the longevity of protected trees and provide future justification for felling in the future. Whilst it is recognised that the applicant has provided assurance that a request for felling would not be forthcoming, there is nonetheless a compelling case for the applicant to justify tree removal if damage was subsequently caused to the canopy. Notwithstanding this position, the approved canopy had a similar relationship to adjacent trees, and it is not considered that this current proposal would impinge on trees to any significantly greater extent than that already determined to be acceptable.

The approved canopy was subject to a foundation design to be agreed through condition discharge. The condition was imposed in order to minimise intrusive works within the root protection area and safeguard the longevity of an adjacent TPO tree. Works have been implemented without this condition being discharged. Whilst detail of the foundation has been provided, the Tree Officer considers that improvements to the design could have been made and so discharge cannot be confirmed. At this time, there is no way of knowing whether the unauthorised foundation will result in the premature deterioration of the tree. In any event, it would be extremely difficult to link any health issues of the tree with the foundation works.

Other Matters

The approved development sought to restrict the hours of use of the canopy, due to the potential noise disturbance for residents and amenity of the locality in general created by the open nature of the canopy. Windows within the scheme could give rise to a similar disturbance, and it is therefore considered necessary to require closure of such after 10pm. This can be controlled by condition.

Conclusions

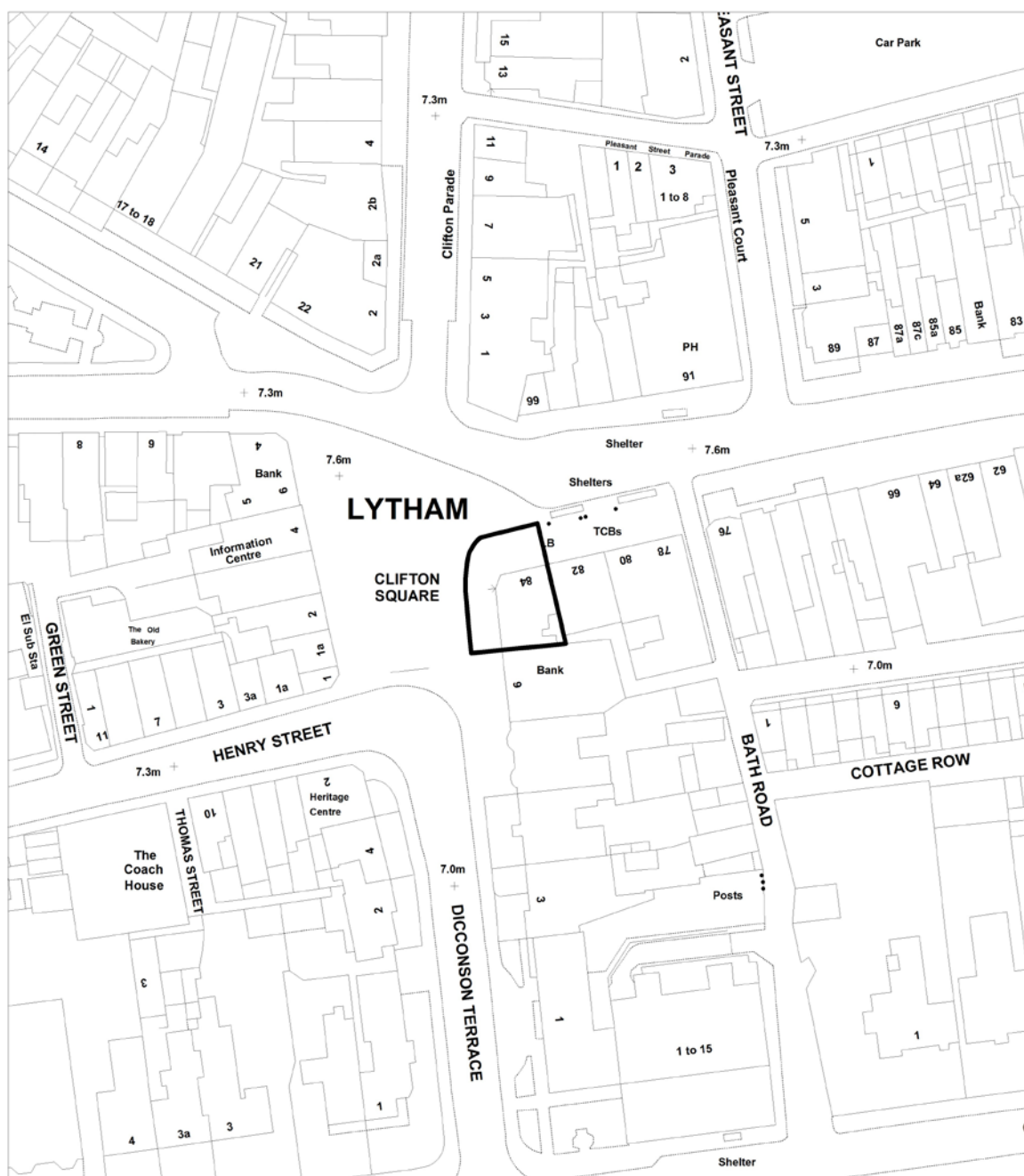
The application relates to the construction of an external canopy at 84 Clifton Street, Lytham. It is considered that the design of the canopy is not sensitive to and dominates the host building, having a detrimental impact on the character and appearance of the conservation area as a whole.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The erection of the proposed canopy would unbalance and be at odds with the architectural merit of the original property, and would have a dominant impact on the open character of the adjacent pedestrianised area of Clifton Square. The proposal therefore represents poor design, which, for the purposes of the National Planning Policy Framework and Development Plan is not considered sustainable.

Accordingly the proposal would fail to preserve or enhance the character of the conservation area and would be detrimental to character of the existing building contrary to policy EP3 of the Fylde Borough Local Plan (2005), Policies GD7 and ENV5 of the submission version Fylde Local Plan to 2032 and the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/18/0011	Address 84 Clifton Street, Lytham St Annes	Grid Ref. E.3364 : N.4272	Scale 0 5 10 15 20 m

Item Number: 10

Committee Date: 7 February 2018

Application Reference:	18/0045	Type of Application:	Householder Planning Application
Applicant:	Mr Smith	Agent :	Clover Architectural Design Limited
Location:	16 SPRING HILL, FRECKLETON, PRESTON, PR4 1TF		
Proposal:	PROPOSED TWO STOREY & SINGLE STOREY REAR EXTENSIONS.		
Ward:	FRECKLETON EAST	Area Team:	Area Team 1
Weeks on Hand:	3	Case Officer:	Rob Buffham
Reason for Delay:	Not applicable		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7563459,-2.8552289,277m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Delegated to Approve

Summary of Officer Recommendation

Planning consent is sought for a 2 storey and single storey rear extension at 16 Spring Hill, which is a detached two storey dwelling on an estate of similar properties located within the settlement boundary of Freckleton.

The side elevation of the property is prominent in street views from the east and the rear elevation can be seen from a lane to the south. The applicant has revised the design of the extension which, as a result, is now considered to harmonise with the dwelling and safeguards the visual quality of both street scenes. The relationship of the extension to neighbours is acceptable and there are no highway safety concerns resultant from the proposal.

There are no other technical matters of relevance to the proposal.

Accordingly Members of the Planning Committee are recommended to support the proposal, subject to conditions, and, grant authority to the Head of Planning & Housing to grant planning permission on expiry of the statutory consultation period and consideration of any comments that are received.

Reason for Reporting to Committee

The applicant is an Officer of the Council (Planning Policy Officer) and so the application is to be referred to Planning Committee for determination as per the adopted Scheme of Delegation.

Site Description and Location

The application site is located to the east of and within the settlement boundary of Freckleton, as

allocated by the Fylde Borough Local Plan (October 2005) and submission version Fylde Local Plan to 2032.

The application property is a detached 2 storey property with front gable detail constructed of red brick and tile, with front and rear garden spaces and side driveway. A single storey structure wraps about, in part, the eastern side and rear elevations of the dwelling. It is set within a relatively new build housing development whereby neighbouring dwellings are of similar scale and appearance.

Details of Proposal

Planning consent is sought for a 2 storey rear extension which projects across the full width of the rear elevation of the property, and a single storey addition. The extension will involve first floor works above the existing single storey structure, as well as a 2 storey in-fill element, and results in a stepped footprint.

The first floor extension projects 2m from the rear of the main dwelling. The 2 storey extension projects 3m from rear elevation, with the footprint being extended an additional 1m by the single storey proposal.

The extension will have a dual pitched roof, perpendicular to the main ridge line of the dwelling. A secondary dual pitched roof is also proposed above the 2 storey extension, having a lower ridge line. Construction materials are indicated to match the existing dwelling.

Relevant Planning History

None

Relevant Planning Appeals History

None

Parish/Town Council Observations

Freckleton Parish Council notified on 17 January 2018. No comments had been received at the time of writing this report, with any received in advance of Committee reported to the meeting, and any later comments that are received to be considered by the Head of Planning and Housing should the recommendation be supported.

Statutory Consultees and Observations of Other Interested Parties

BAE Systems

No objection.

Ministry of Defence - Safeguarding

No safeguarding objection.

Neighbour Observations

Neighbours notified: 17 January 2018

Number of Responses: 0

Relevant Planning Policy

Fylde Borough Local Plan (FBLP):

SP01	Development within settlements
HL05	House extensions

Submission Version Fylde Local Plan to 2032 (SV):

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development

Other Relevant Guidance:

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
	Residential Design Guides in Extending Your Home SPD

Environmental Impact Assessment

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

Comment and Analysis

The main issues pertinent to the assessment of this proposal are principle of development, design, relationship to neighbours, and, parking and access arrangements.

Principle

The application site is located within the settlement area under Policy SP1 of the adopted Fylde Borough Local Plan (October 2005) and Policy GD1 of the submission version Fylde Local Plan to 2032. In these areas the principle of residential extensions is acceptable subject to the normal planning criteria as examined below with reference to Policy HL5 and Policy GD7 of the aforementioned plans.

Design

Policy HL5 of the FBLP supports the extension of dwellings which are in keeping with the existing building and do not adversely affect the street scene. Policy GD7 of the SV provides similar guidance.

The extension is proposed to the rear elevation of the property. Notwithstanding, views of the eastern side elevation of the extension can be obtained due to the set back of a neighbouring property. In addition there is a single track lane to the rear which serves a number of properties and encourages views into the rear of the dwelling. The proposal is therefore considered to be in a relatively prominent location being visible from public vantage points. Design and visual appearance of the extension is therefore an important consideration in this assessment.

The extension proposed would obscure the rear elevation, though has been sensitively designed through use of a dual pitched roof and construction materials to match the host dwelling. In addition, the design has been revised to remove unsightly high level brick work, which has been replaced by a secondary pitched roof. This provides for a more satisfactory design which is considered to harmonise with the property and have a satisfactory relationship to the street.

Taken together the use of materials, revised design and scale of the extension accord with the requirements of the development plan.

Relationship to Neighbours

Policy HL5 supports the extension of dwellings which safeguard the amenity of neighbouring residents, and, retains sufficient garden area to serve the reasonable needs of occupants. Policy GD7 of the SV requires a similar assessment.

The application property is detached and neighbours other dwellings to the north, south, east and west. The dwelling is sited in front of its adjoining neighbours to the west and east. This relationship ensures that the extension does not project beyond the rear build line of these neighbours. The extension will be sited adjacent to the blank gable of the western neighbour. There is a single window within the gable of the eastern property which given its size serves either a stairwell or bathroom. This window would not directly oppose the extension, though in any event this neighbour has a side garage and driveway separation which acts as satisfactory mitigation.

The interface distance between the extension and others neighbouring dwellings ensures that the amenity of other residents in the locality will not be eroded by the proposal.

A reasonable and usable amount of garden space will be retained for occupants of the dwelling.

As such the proposal has an acceptable relationship to its neighbours in all regards in accordance with the development plan.

Parking and Access Arrangements

Policy HL5 of the FBLP is of relevance and supports the extension of dwellings which provides for satisfactory access and parking arrangements. Policy T5 of the SV supports a flexible approach to parking, dependent on the location of the development concerned. The extension will create a 4 bedroom property, for which the adopted standard requires 3 parking spaces.

The proposal retains 2 off street parking spaces to a side driveway, access arrangements will remain as existing.

Whilst the proposal does not provide parking provision to accord with the adopted standard, Policy T5 does encourage a flexible approach to provision. The proposal retains 2 off street parking spaces, and parking is available on street if necessary. In addition the site is considered to be accessible being adjacent to bus and cycle routes. On this basis it is considered that a flexible approach to parking provision is applicable and an appropriate level and safe means of parking has been retained on site for the development, in accordance with the development plan.

Conclusion

The application relates to the erection of extensions at a dwelling in the settlement of Freckleton. Having viewed the proposal and assessed the issues raised, it is considered that the proposal accords with the development plan. Accordingly the application is recommended for approval.

Recommendation

That Members of the Planning Committee are recommended to support the proposal, subject to condition, and, grant authority to the Head of Planning & Housing to grant planning permission on expiry of the statutory consultation period and the consideration of any comments that are received

from neighbours and the Parish Council. The decision is to include the following suggested conditions:

1. The development must be begun not later than the expiration of three years beginning with 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 / consent relates to the following details:

Approved plans:

- Location Plan drawing number 1001
- Existing Plans and Elevations drawing number 1000
- Proposed Plans and Elevations drawing number 1102 rev C

Reason: To provide clarity to the permission.

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

To ensure visual harmony in respect of the overall development.



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Application No. 5/18/0045	Address 16 Spring Hill, Freckleton	Grid Ref. E.3436 : N.4292	Scale 0 6 12 18 24 m

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	7 FEBRUARY 2018	5
BLACKPOOL AIRPORT ENTERPRISE ZONE MASTERPLAN CONSULTATION REPORT			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

Blackpool Airport Enterprise Zone (EZ) was designated in November 2015, and came into existence with effect from 1 April 2016 with a programmed 25 year lifespan and aspirations to host 3,000 new jobs, secure in excess of £300m private sector investment with 180 plus new businesses locating to the EZ.

It has the potential to secure more than £50m of retained business rates over its lifetime to be utilised to support provision of enabling infrastructure, marketing and promotion, together with an objective of securing a long term sustainable future for Blackpool Airport.

The EZ is centred on the existing Squires Gate and Blackpool Business Park employment areas, and much of the operational infrastructure of Blackpool Airport is included in the zone, although this excludes the main runway. The EZ covers an area of 144 Ha (much larger than many of the UK's other EZs) straddling the boundary between Fylde (55% of the site area) and Blackpool (45%), much of the site sits within designated greenbelt and has multiple stakeholders with approaching 40 freehold and long leasehold property interests and over 200 occupiers, all of which offer a series of challenges to successful delivery.

The Blackpool Airport Enterprise Zone Masterplan Consultation Report (appendix 1) sets out the details of the public consultation undertaken by both Fylde Council and Blackpool Council on the Masterplan for the EZ, outlining who was consulted and the methods used. It also provides a detailed assessment of the responses received during that consultation and includes a schedule of proposed modifications to the Masterplan as a result of the public consultation.

The Masterplan is the latest of a number of key documents needed to support the delivery of the economic, social and environmental ambitions of the EZ. Blackpool and Fylde Councils have to date agreed the '*Blackpool Airport Enterprise Zone Business Rates Relief Policy*' and a '*Memorandum of Understanding*'.

RECOMMENDATIONS

1. That the Masterplan (included at appendix 1 and as amended) is adopted and given weight in the planning process
2. That the Masterplan (included at appendix 1 and as amended) is approved as the strategic framework for project delivery
3. To delegate to the Head of Planning and Housing the authority to make any minor amendments to the Masterplan and Summary Document as necessary, particularly those resulting from the adoption and approval process with partner organisations

SUMMARY OF PREVIOUS DECISIONS

Planning Committee, 8th November 2017 – Item 5 – Blackpool Airport Enterprise Zone Masterplan Consultation

Following consideration of this matter it was RESOLVED:

- 1. That the draft Masterplan (as circulated at the meeting) is approved for public consultation.*
- 2. That the consultation as detailed in the report commences and that a summary report of responses received and any suggested alterations be reported to the Planning Committee in January 2018*
- 3. That the Planning Committee receive a final version of the Masterplan for consideration and adoption in January 2018.*

Finance and Democracy Committee, 20th June 2016 – Item 5: Blackpool Airport Corridor Enterprise Zone – Business Rate Relief Policy

It was RESOLVED to approve the Blackpool Airport Corridor Enterprise Zone Business Rate Relief Policy as attached at Appendix A of the report

Finance and Democracy Committee, 26th September 2016 – Item 5: Support the Delivery of Blackpool Airport Enterprise Zone

The committee RESOLVED to

- 1. Approve the attached draft Memorandum of Understanding (MoU) and authorise officers to undertake non-material alterations to the MoU as necessary;*
- 2. Note that the Council's potential £1m commitment to the Moss Road project was included within the list of infrastructure investment schemes that are identified within the Memorandum of Understanding (in a non-prioritised order) as contributing towards the unlocking of growth potential within the Enterprise Zone;*
- 3. Note the establishment of a Project Team to provide the primary resource infrastructure necessary for the delivery of the Enterprise Zone and to maximize occupancy of the site to be funded initially by Blackpool Council and in time by income arising from business rate growth across the enterprise zone site according to an agreed formula;*
- 4. Note the arrangements agreed with the Lancashire Enterprise Partnership for the creation of a Programme and Project Board to support the delivery of the Blackpool Airport Enterprise Zone; and*
- 5. Recommend that the Chairman of the Finance and Democracy Committee be nominated to the Project Board of the Blackpool Enterprise Zone for consideration by council.*

Finance and Democracy Committee, 25th September 2017 – Item 12: Blackpool Airport Enterprise Zone Progress Report (Information Item Only)

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. Background

- 1.1 Blackpool Airport Enterprise Zone (EZ) was designated in November 2015, and came into existence with effect from 1 April 2016 with a programmed 25 year lifespan and aspirations to host 3,000 new jobs, secure in excess of £300m private sector investment with over 180 new businesses locating to the EZ.
- 1.2 It has the potential to secure more than £50m of retained business rates over its lifetime to be utilised to support provision of enabling infrastructure, marketing and promotion, together with an objective of securing a long term sustainable future for Blackpool Airport.
- 1.3 The EZ is centered on the existing Squires Gate and Blackpool Business Park employment areas, and much of the operational infrastructure of Blackpool Airport is included in the zone, although this excludes the main runway. The EZ covers an area of 144 Ha (much larger than many of the UK's other EZs) straddling the boundary between Fylde (55% of the site area) and Blackpool (45%), much of the site sits within designated greenbelt and has multiple stakeholders with approaching 40 freehold and long leasehold property interests and over 200 occupiers, all of which offer a series of challenges to successful delivery. The BAEZ is designed to operate in a way to compliment the offer of its near neighbours, the Hillhouse Technology Enterprise Zone in Wyre and the Warton Enterprise Zone.
- 1.4 The EZ offers two mutually exclusive financial incentives for new occupiers, NNDR (Business Rates) relief of up to £55,000 per annum for five years (available in designated areas until 31st March 2022) or Enhanced Capital Allowances for investment in new fixed plant and machinery, (available until November 2023) offering a very tight window of opportunity to kick start the EZ, given the likely level of enabling infrastructure that will be required to open up development and investment opportunities.
- 1.5 The EZ has a wider variety of target sectors than most and will seek to attract investment from Aviation, Energy, Advanced Manufacturing, Food and Drink manufacturing and Digital and Creative sectors and back office administration but will not be closed to other suitable employment opportunities being hosted.

2. Masterplan Background

- 2.1 The area of the EZ straddles the boundary of both Blackpool and Fylde Local Planning Authorities and although joint working arrangements are in place and evolving as necessary to support the delivery of the EZ it was considered appropriate that both Councils undertake public consultation on the Masterplan in their respective local authority areas.
- 2.2 The public consultation was managed as a joint undertaking commencing on 9th November 2017 and concluding on 21st December 2017. The consultation was completed in conformity with the Statement of Community Involvement (November 2014, Blackpool Council) and the Statement of Community Involvement (2015, Fylde Council). The timings, approach and method of public consultation was approved by both Councils in advance; the Executive at Blackpool Council (7th November 2017) and the Planning Committee at Fylde Council (8th November 2017).
- 2.3 Blackpool Council sent consultation letters to 378 properties and Fylde Council sent consultation letters to 188 properties. A joint press release was issued to local media and notices placed in two local newspapers. An additional 9 consultation letter (emails) were sent to other interested parties or bodies such as business organisations or parties who had previously expressed an interest in the EZ.
- 2.4 The consultation centred on the Masterplan Summary Document, with the Masterplan available upon request. The Masterplan Summary Document contained all substantive matters in an understandable and appropriate format for public consultation. The Masterplan provides a greater level of technical detail to underpin the proposals contained in the Masterplan Summary Document. Copies of the Masterplan Summary Document and the Masterplan can be seen in the Masterplan Consultation Report (appendix 1 to this report).
- 2.5 Table 1 of the Masterplan Consultation Report (appendix 1, page 8) sets out summaries of the substantive issues raised during the consultation along with a response.

3. Next Steps

3.1 As a key part of the eventual implementation of the Masterplan three important pieces of additional work will be undertaken:

- a. A separate Delivery Plan for the Masterplan is being prepared to identify the detailed timing, forecast costs and anticipated income streams and implementation of key elements of the Masterplan including essential infrastructure and other developments.
- b. Following Blackpool Council's acquisition of the Airport a tender for consultancy advice in respect of a strategy and business plan for the Airport, building on the work undertaken as part of the Masterplan preparation in order to maximise the potential of the Airport.
- c. The preparation of planning applications necessary for the implementation of the Masterplan including the initial infrastructure which will include detailed work to take fully into account the potential impact on the highway network of the proposed development both now and throughout the 25 year lifespan of the Enterprise Zone.

3.2 The Masterplan, Masterplan Summary Document and the Masterplan Consultation Report will also be formally present to Blackpool Council and St Annes on the Sea Town Council. Once the Masterplan, as amended, has been approved by the Local Planning Authorities, it is to be given weight in the planning process, whether decisions on planning applications or policy making, the exact weight to be given a matter for the decision taker.

3.3 The Masterplan will also be submitted to the Lancashire Enterprise Partnership and the Department for Housing, Communities and Local Government in line with the governance arrangements.

4. Conclusion

4.1 In conclusion the Masterplan document has been the subject of a thorough, rigorous and meaningful public consultation. The Masterplan document, as amended in accordance with the report at appendix 1, represents a credible and robust document to provide the necessary steer for the future development of the EZ. It provides the strategic framework and direction necessary for day to day decision taking as part of the planning process and the ambitious starting point for the delivery of the objectives of both the Government and the Lancashire Enterprise Partnership.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report
Legal	None arising directly from this report
Community Safety	None arising directly from this report
Human Rights and Equalities	None arising directly from this report
Sustainability and Environmental Impact	None arising directly from this report
Health & Safety and Risk Management	None arising directly from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
Steve Smith	Stephen.smith@fylde.gov.uk - 01253 658445	22/01/18

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

Attached documents

Appendix 1 – Blackpool Airport Enterprise Zone Masterplan Consultation Report (separate document)

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PLANNING COMMITTEE	7 FEBRUARY 2018	6
UNAUTHORISED ADVERTISING ENFORCEMENT			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

Last year, the committee authorised a consultation exercise about unauthorised outdoor advertising, with a view to developing an action plan to target enforcement to the areas or types of advert that are regarded as most problematical.

This report sets out the results of the consultation exercise and makes recommendations about the focus of the proposed action plan based on those responses.

The consultation responses suggested that most respondents felt that unauthorised outdoor advertising was a problem that the council should address; that A-boards were the form of advertising that caused the most concern; and that St Annes Town Centre was the area in respect of which concern was the strongest. The recommendation for the action plan reflects those responses.

RECOMMENDATIONS

1. The committee considers the results of the consultation exercise on unauthorised outdoor advertising and identifies areas of focus for an action plan intended to guide enforcement activity.
2. A draft action plan based on those areas of focus be brought before the next available meeting of the committee for endorsement.

SUMMARY OF PREVIOUS DECISIONS

Planning Committee, 24 May 2017:

1. Consult local people and businesses about what the council should do about unauthorised advertising, including the matters summarised in paragraph 17 of the report.
2. Report the results of the consultation to a future meeting of the committee.
3. Where appropriate, use direct action powers under the Town and Country Planning Act 1990 or community protection notices under the Anti-Social Behaviour Crime and Policing Act 2014 to deal with unauthorised advertising where informal engagement has proved impractical or ineffective.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	
Working with all partners (Vibrant Economy)	
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

BACKGROUND TO THE CONSULTATION

- On 24 May last year, the committee considered [a report](#) about the enforcement of legislation for the control of outdoor advertising. This followed concerns expressed by a number of local councillors about the effectiveness of enforcement. The report referred to the relevant regulations and stated that they are traditionally enforced only when there is a complaint. This meant that there was little objective overview of advertising enforcement. The report also addressed the use of more effective enforcement methods.
- The report proposed a consultation exercise leading to the development of an action plan to target enforcement to the areas or types of advert that are regarded as being most problematical. The consultation was carried out late last year and is now reported to the committee, with recommendations about how its results should influence an action plan.
- The consultation was carried out online via [Survey Monkey](#). No personal data (for example, names or email addresses) were collected. However, responders were asked to select an option that best described themselves. The survey was open to anyone who wanted to respond. It was promoted on the council's website. Additionally, emails were sent to the following bodies to invite them to participate: local voluntary or community groups, recent applicants for permission for outdoor advertising consent, local businesses who might be affected by targeted enforcement, parish and town councils, In Bloom groups, [Lancashire County Council](#)'s highways department and the [RNIB](#).
- 92 people or organisations responded to the survey¹. They described themselves as follows²

Someone who lives in Fylde	78.89%	71
Someone who works in Fylde and lives somewhere else	6.67%	6
A visitor to Fylde	3.33%	3
A local business	11.11%	10
A local community or voluntary group	12.22%	11
A national business	0.00%	0
A charity	1.11%	1
A statutory body	2.22%	2
Other (please specify)	Responses 6.67%	6

¹ Not all respondents responded to all parts of the survey.

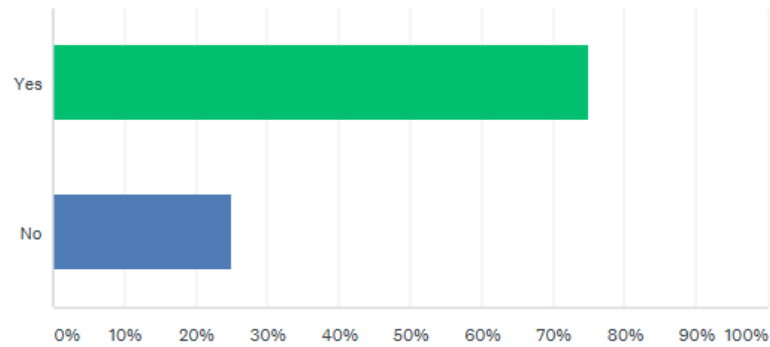
² The six 'other responses' were: 'Commercial landlord', 'I live in St Annes', 'I am a person with a point of view, i say no advertising for event we do free is not a good way to go. you can give some the ability to do it, and others. its very difficult', 'Lives and works in Fylde', 'Councillor' and 'Councillor- Deputy Mayor'.

SURVEY RESULTS

5. The survey questions and their responses are set out here:

Q1
Do you agree that unlawful outdoor advertising is a problem that the council needs to address

Answered: 92 Skipped: 0

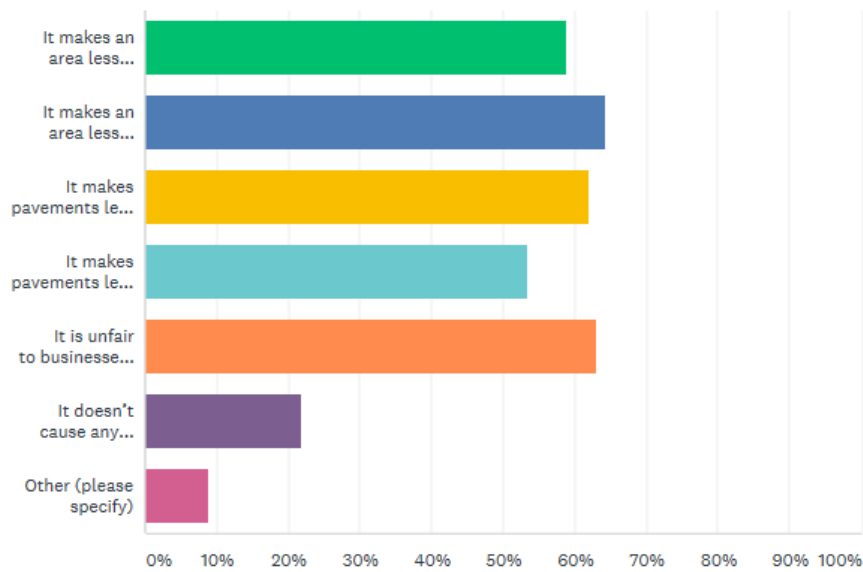


ANSWER CHOICES	RESPONSES	
Yes	75.00%	69
No	25.00%	23
TOTAL		92

Respondents were then asked: *‘Please provide us some indication of how much the outdoor advertising concerns you’*. They were asked to indicate their level of concern by moving a slider along a scale where 0 was ‘not a problem’ and 10 was ‘huge amount of distress’. The average response from the 86 respondents to this question was 5, which corresponded to ‘mild concern’.

2.What are the main problems that you think are caused by unlawful advertising? (Select any number)

Answered: 92 Skipped: 0



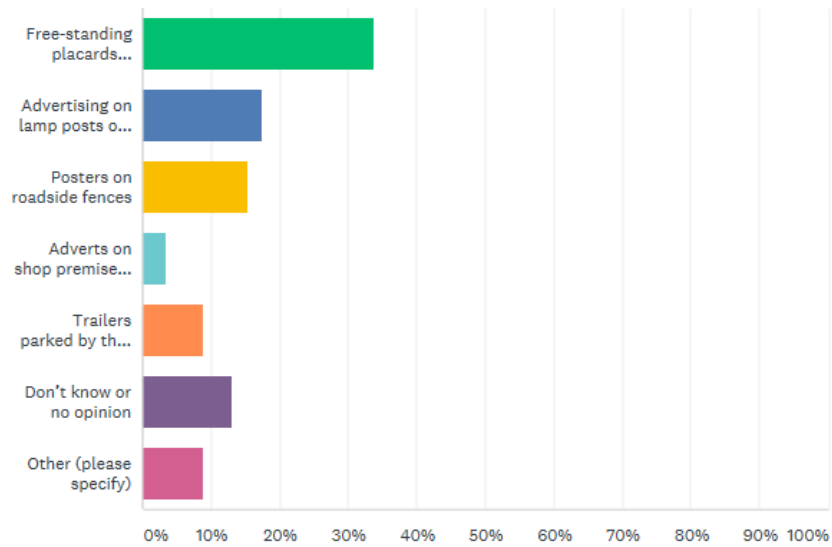
ANSWER CHOICES	RESPONSES	
It makes an area less attractive to tourists	58.70%	54
It makes an area less attractive to residents	64.13%	59
It makes pavements less safe for blind or partially-sighted people	61.96%	57
It makes pavements less accessible for disabled people and people with pushchairs	53.26%	49
It is unfair to businesses who abide by the law	63.04%	58
It doesn't cause any significant problems	21.74%	20
Other (please specify)	Responses 8.70%	8

Other responses were:

'It's fine if they only stay up for a bit';
'Coupled with cars parking on pavements mega problem';
'Why should these "businesses" get something for nothing?';
'Obstruction';
'I use an electric wheelchair advertising boards and 'A' frames are a real nuisance and stop me from getting where i want to go';
'Depends on the type of advertising. A plethora of 'A' boards in one location can be a mess. Cube's adverts all round town are a mess, yet other 'A' boards are more discreet and acceptable';
'It is a distraction for motorists on our congested roads';
'Distracting to motorists'.

Which (if any) particular kinds of unlawful outdoor advertising do you feel cause the biggest problems? (Select one)

Answered: 92 Skipped: 0



ANSWER CHOICES	RESPONSES	
Free-standing placards (sometimes called A-boards)	33.70%	31
Advertising on lamp posts or street furniture	17.39%	16
Posters on roadside fences	15.22%	14
Adverts on shop premises beyond what the law allows	3.26%	3
Trailers parked by the roadside	8.70%	8
Don't know or no opinion	13.04%	12
Other (please specify)	Responses 8.70%	8

Other responses were:

'Only anything dangerous';

'none' (x2);

'Bikes/carts/vans/trucks and other wheeled vehicles chained up to lamp posts or parked at junctions etc';

'Circus posters on empty shops';

'Cars for sale & Hire vans parked on public roads';

'Blocking pavements by Cafe & wine bars especially on Henry Street';

'Adverts for political parties by the roadside for months, and commercial advertising on Lytham green during the various festivals'.

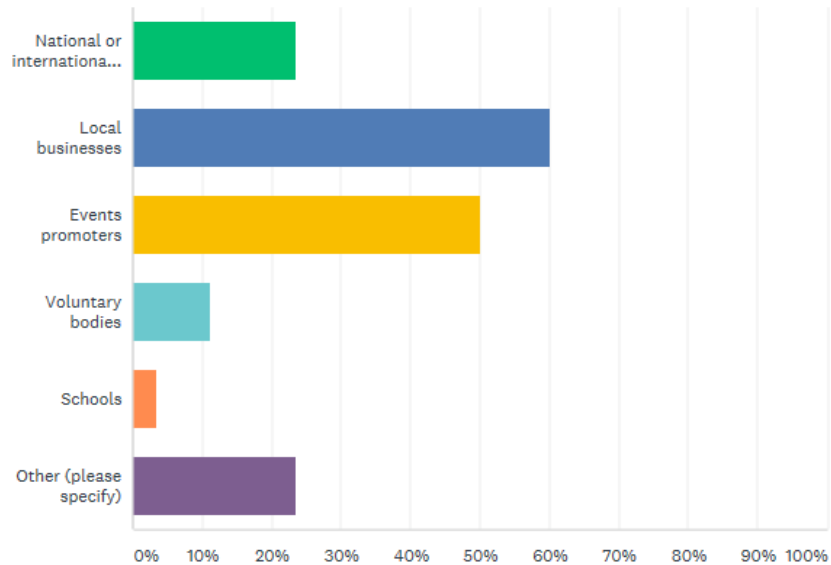
Question 5 was ‘Which (if any) parts of the borough do you feel are most affected by problems associated with unlawful advertising?’ This was a free text field, with respondents being free to give any response they chose. The responses can be compiled as follows (respondents often gave more than one response):

St Annes/St Annes centre	20
Main roads/junctions	9
Town centres generally	8
Lytham	8
The Crescent, St Annes	8
Kirkham	5
Rural areas	4
Sea front/Promenade	4
New housing developments	2
M55	2
Ansdell	2
Queensway	1
Wrea Green	1
Preston New Road	1
The Green	1
Conservation areas	1

Q6

Which (if any) kinds of organisation do you feel cause significant problems associated with unlawful advertising?
(Select any number)

Answered: 90 Skipped: 2



ANSWER CHOICES	RESPONSES	
National or international businesses	23.33%	21
Local businesses	60.00%	54
Events promoters	50.00%	45
Voluntary bodies	11.11%	10
Schools	3.33%	3
Other (please specify)	23.33%	21
Responses		

Other responses were:

'Developers';
 'Not noticed a problem – these businesses need to survive';
 'None' (x6);
 'I haven't noticed any issues with this';
 'Don't see it is a problem';
 'You haven't actually specified the difference between lawful and unlawful';
 'Building contractors / building sites';
 'Fast buck schemes, earn x amount a week';
 'Housing developers';
 'FBC for leaving planning notices on lamp posts';
 'Fracking protestors';
 'Anti fracking (sic.) planning';
 'Anti fracking';
 'Cuadrilla'.

ANALYSIS OF SURVEY RESULTS

6. The purpose of the consultation was to inform an action plan for targeted enforcement. The May 2017 report said this about targeted enforcement:

'Instead of being driven by complaints, enforcement would be driven by a hierarchy of priorities: or, to put it more simply, by hotspots. An action plan would set out where the need for enforcement was strongest. The action plan should be developed with the community and elected members, so that the priorities it identifies would command wide support. Priorities might be identified by types of advert (for example, A-boards), or by specific areas (for example, the Square), or by types of advert in specific areas (for example, A boards in the Square). The narrower the focus, the more targeted the enforcement. The focus should be informed by the mischief which is sought to avoid (for example, damage to amenity by proliferation of signs, danger to pedestrians etc.).

'Targeted enforcement would enable officers to give advance warning of formal action over the targeted area, explain why enforcement action is to be taken and justify why a particular advert is the subject of enforcement.'

7. The consultation suggests that there is a measure of support in the community for enhanced enforcement of outdoor advertising regulations, with 75% of respondents identifying it as a problem that the council needs to address³. Most of those respondents see uncontrolled advertising as making the area less attractive to residents and visitors, making pavements less safe and accessible, and regard allowing such advertising to continue unchecked as being unfair to those businesses who abide by the rules.
8. Among the different categories of unauthorised outdoor advertising defined in the survey, respondents saw free-standing placards (or A-boards) as being clearly the most problematical. A third of respondents identified this kind of advertising as causing the biggest problems, almost twice as many as any other category.
9. The responses to the question about the locations most affected by the problems associated with outdoor advertising suggests that St Annes could be a focus for the action plan. 36 respondents identified either St Annes, St Annes town centre, the Crescent or town centres generally. This compares with 16 respondents who identified Lytham or town centres generally, and 13 who identified Kirkham or town centres generally.
10. This analysis suggests that a focus of the initial action plan could be A boards in the central area of St Annes (including the Crescent). Survey responses suggest that local businesses and events organisers are mainly responsible for the adverts that would be targeted by the action plan. This is supported by anecdotal evidence and informal 'on the ground' inspections.

NEXT STEPS

11. Members are asked to identify the areas of focus for the initial action plan, which will then be drafted and brought for endorsement to the next available meeting of the committee. This may be A-boards in the central area of St Annes, as discussed above, or it could have some other focus informed by members' own local knowledge. Members are reminded that all focus is no focus, and that the aim of the action plan is to solve particular problems in a particular locality. Once those problems have been solved, further action plans can be brought forward to solve other or problems in other areas.

³ Enthusiasm for enforcement should not be overstated. It is likely that those people who do not have a concern about outdoor advertising would be less likely to have responded, so those who do have a concern may be over-represented among survey respondents compared with the population as a whole.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report
Legal	The council has a power, but not a duty, to take action to deal with unauthorised advertising.
Community Safety	None arising from this report
Human Rights and Equalities	Taking enforcement action against adverts may engage article 10 of the European Convention on Human Right (freedom of expression). The right protected by article 10 is a qualified right and public authorities can interfere with it if they can show that their action is lawful, necessary and proportionate in order (among other things) to protect public safety, prevent disorder or crime or protect health.
Sustainability and Environmental Impact	None arising from this report
Health & Safety and Risk Management	None arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
Ian Curtis	ianc@fylde.gov.uk & Tel 01253 658506	2 January 2018

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Survey Monkey survey responses	Accessed 2 January 2018	Town Hall, St Annes

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	7 FEBRUARY 2018	7
ENFORCEMENT: LAND OFF FAIRFIELD ROAD, HARDHORN, POULTON-LE-FYLDE			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The report invites the committee to assess whether enforcement action is expedient with regard to a breach of condition at land off Fairfield Road, Hardhorn. The report includes details of the work required by the condition placed on the appeal decision, a further update on the work done so far in order to comply with the condition, and officers' assessment of the merits of enforcement. The report takes account of the personal circumstances of the site residents.

The report concludes, after consideration of all of the factors relating to the site, and its residents, the work done so far, along with legal advice that formal enforcement action would not be expedient at this time and that it would be more appropriate for officers to continue to work with the residents of the site to ensure full compliance with the remaining work required to be undertaken by the condition.

RECOMMENDATION

1. Endorse officers' recommendation to not take formal enforcement action at this point in time and instruct officers to continue to engage robustly with site residents to secure compliance with the aims of the planning conditions.

SUMMARY OF PREVIOUS DECISIONS

Planning Committee 26 July 2017 endorsed officer's recommendation to not take formal action at that point and instructed officers to continue to engage robustly with site residents to secure compliance with the aims of the planning conditions and requested that officers report back to members after Christmas with an update.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

PRELIMINARY

1. This report uses the following terminology:

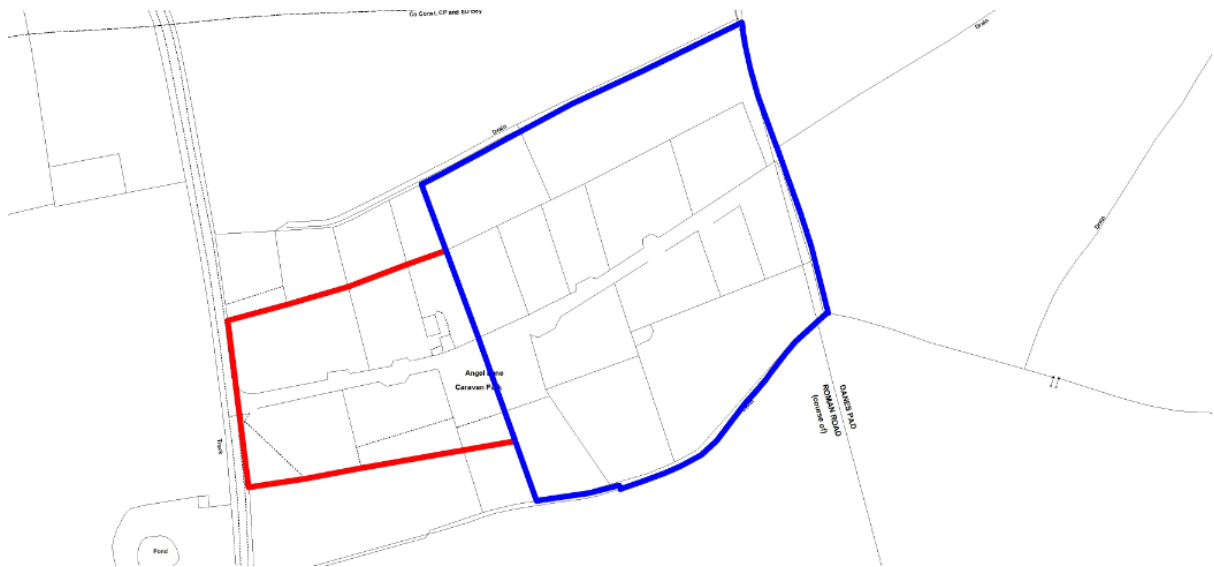
"appeal decision" means the decision letter of the Planning Inspectorate dated 03 August 2016.

"LPA" means the council as local planning authority

"planning permission" means planning permission for the change of use of the site to that of a caravan site for occupation by gypsy-travellers with associated operational development, including hardstanding, utility blocks and septic tanks granted by the appeal decision

"scheme" means the site development and restoration scheme required by condition 9A of the planning permission

"site" means the westernmost parcel of the land off Fairfield Road, Hardhorn, shown edged red in the plan below, and *"abandoned land"* means the easternmost parcel of the land shown edged blue in the plan below.



THE PLANNING PERMISSION

2. The planning permission was subject to a number of conditions, including those set out below:

"9) 9A: Within the timescales specified below (at 9A (viii) and 9B), a Site Development and Restoration Scheme shall be submitted for the approval of the Local Planning Authority, and shall be fully implemented. The Scheme shall include details of the following:

i) the proposed septic tanks, as shown indicatively on Plan 2, and any other necessary foul drainage infrastructure;

ii) any necessary surface water drainage infrastructure;

iii) any necessary external lighting;

iv) any necessary fencing;

v) the restoration of the [abandoned land] to include the removal from that area of all existing caravans, structures, vehicles, hardcore or other hard surfacing, fences, lighting, mounding, stored materials, equipment, and any waste or refuse; and the restoration of this area to grazing land;

vi) a scheme of tree and hedge planting, within both the [site and the abandoned land], which shall include but not be limited to the proposals contained on 'Plan 4: Landscaping', as submitted with the application;

vii) a maintenance plan for the new and existing landscaping, including provision for replacement planting if necessary;

viii) and a full timetable for the implementation of these works.

9B: The use of the [site] as a caravan site shall cease, and all caravans, structures, surfacing, and other items brought onto the land for the purposes of such use shall be removed, and the site returned to a condition suitable for grazing, within 28 days of the date of any failure to meet any of the following time limits:

i) within 3 months of the date of this decision, the Site Development and Restoration Scheme shall have been submitted to the local planning authority for approval;

ii) in the event that the local planning authority refuse to approve the Site Development and Restoration Scheme, or fail to give a decision on it within the prescribed period, then within 11 months of the date of this appeal decision an appeal shall have been made to the Secretary of State, and shall have been accepted as validly made;

iii) if an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted Site Development and Restoration Scheme shall have been approved by the Secretary of State;

iv) following the approval of the Site Development and Restoration Scheme, either by the local planning authority or by the Secretary of state, the approved scheme shall have been carried out and completed in accordance with the agreed timetable."

THE APPROVED SCHEME

3. A scheme was submitted to the LPA on 30 September 2016, as required by the condition. Following discussions with the applicant's agent (intended to secure additional tree planting to the east of the plots where views into the site are most prominent), a modified scheme was approved under delegated powers on 23 January 2017. This discharged condition 9A.
4. The approved scheme, as required, set out a full timetable for the implementation of works comprised in it. This stated that the works to reinstate the abandoned land would be completed within 3-6 months of the scheme being approved depending on the weather conditions, and that the tree planting would be done within the first planting season following approval of the scheme. As this was approved on the 23 January the applicants needed to complete the reinstatement of the land by the 23 July 2017 and the tree and hedge planting by the 31 March 2017. Failure to comply with the agreed timetable would see condition 9B of the planning permission come into force which states that the use of the land as a caravan site shall cease, and all caravans, structures, surfacing, and other items brought onto the land for the purposes of such use shall be removed, and the site returned to a condition suitable for grazing, within 28 days of the date of any failure to meet the agreed timetable.

THE WORK DONE SO FAR

5. As outlined in the 26 July report last year the residents of the site did not comply with the deadline that required all the works to be carried out by 23 July 2017. The work completed at that date included the infilling of gaps to the hedgerow to the southern boundary, the planting of trees to the eastern boundary and the provision of some topsoil to the land to the east of the permitted pitches. At that point in time the site residents had not planted all the trees and hedgerow required by the landscaping scheme and the abandoned land had not been restored to grass paddock.
6. Following members resolution for officers to robustly engage with site residents to ensure compliance with the aims of the conditions officers have continued to visit the site in order to explain the work that needs to be done to comply with the scheme, to offer advice on appropriate species for the landscaping, to offer advice on the appropriate locations for planting, and to monitor the works being carried out. Several meetings have taken place including one at the Town Hall with four of the residents of the site and the Chief Executive to stress the importance of carrying out the work.
7. As a consequence of this the residents have planted trees outside the boundary of the site on the adjacent abandoned land as required by the approved landscaping scheme. A hedgerow has also been planted

alongside part of the length of the eastern boundary. This leaves the abandoned land being restored to paddock as the only element of the condition that has not been complied with.

ENFORCEMENT POLICY

8. Because of the circumstances set out above, there is an ongoing breach of condition 9B, requiring the use of the site as a caravan site to cease, and the land be restored to grazing, within 28 days of a failure to meet the timetable contained in the approved scheme. This means that enforcement of the condition is an option that is to be considered.
9. Statutory advice on enforcement is given in National Planning Policy Guidance, which states that local planning authorities should act in a proportionate way. They have the discretion to take enforcement action when they regard it as expedient to do so having regard to the development plan any other material considerations. In considering any enforcement action the LPA should have regard to NPPF paragraph 207;
“Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control.”
10. The NPPG also states that addressing breaches of planning control without formal action can often be the quickest and most cost effective way of achieving a satisfactory and lasting remedy. Formal enforcement action may also not be appropriate, with any action being proportionate and taken when expedient to do so. The NPPG states that where the balance of public interest lies will vary from case to case. Local planning authorities should usually avoid taking formal enforcement action where:
 - “•there is a trivial or technical breach of control which causes no material harm or adverse impact on the amenity of the site or the surrounding area;
 - development is acceptable on its planning merits and formal enforcement action would solely be to regularise the development;
 - in their assessment, the local planning authority consider that an application is the appropriate way forward to regularise the situation, for example, where planning conditions may need to be imposed.”

CONSIDERATION

11. Committee needs to consider the most appropriate course of action to deal with the breach of planning control. The broad choice lies between formal enforcement action, and continued engagement. Formal enforcement action is always discretionary, and the local planning authority cannot issue an enforcement notice unless it considers that it is expedient to do so.
12. The appeal decision establishes that the site is suitable for a caravan site for occupation by gypsy-travellers despite the opposite view taken by the council in refusing planning permission. It is considered that the council should be concerned with how best to ensure that the site is developed in accordance with the planning permission and complies with the aims of the planning conditions that apply to it, rather than seeking the removal of the site. Furthermore the area to be restored to paddock is now mostly clear of any debris, with soil and vegetation remaining so leaving the only work required to be the planting of grass on the site. Unlike the tree and hedgerow planting which needs to be carried out during the tree planting season between October to March, grass seed is more effectively applied during spring and early summer when the soil has warmed up.
13. It is therefore officers’ opinion and recommendation to members that engagement with site residents should continue at this stage, rather than commencing formal enforcement action requiring the site to be vacated. This has proven to be successful in securing the planting of the trees, would be in line with the approach advocated in the statutory guidance, and would be consistent with the council’s normal approach to planning breaches.
14. If this approach is taken, officers would continue to work with the occupants of the site in order to meet the requirements of the conditions. The occupiers of the site have completed the majority of the work, and the

work to continue to reinstate the land can carry on. Officers will continue to visit the site to ensure that progress on this continues to be made.

15. Given the starting point is that the site was granted planning permission following a public inquiry at which the relevant issues were fully explored, the material harm created by a delay in the planting of the abandoned land to a paddock area is very limited. It is not considered that this will have an undue adverse impact on the amenity of neighbouring residents or the amenities of the area given that it is low level and it is not considered that it would be expedient to commence formal enforcement. That said, making the decision to not take formal action at this moment in time does not prevent the LPA from doing so in the future and indeed as the works are considered necessary this would be an option if inadequate progress is made in the forthcoming months.
16. It is acknowledged that a decision to not pursue formal enforcement action at this stage will disappoint some residents in the vicinity of the site. However, as stated above, the objective of the council must be that the site be used for the permitted use in compliance with the conditions, rather than ending the present use of the site.

CONCLUSION

17. It is officers' view that formal enforcement action is not appropriate at this time and instead officers should work with the site residents to ensure compliance with the conditions. Members are recommended to authorise officers to continue with this approach.

IMPLICATIONS	
Finance	If formal enforcement action were to be taken this may ultimately result in Fylde Council having to clear the site and meet the cost of doing so. Such costs could exceed the 2017/18 revenue budget provision for this purpose of £15,000.
Legal	Considered in the body of the report.
Community Safety	The removal of the site residents could result in an increase in anti-social behaviour and potential roadside existence of the site residents.
Human Rights and Equalities	<p>The council is not allowed to act in a way that is incompatible with a right set out in the European Convention on Human Rights.</p> <p>Article 8 of the convention states that <i>"Everyone has the right to respect for his private and family life, his home and his correspondence"</i>, and continues: <i>"There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others"</i>.</p> <p>Article 1 of the first protocol to the convention states that every person is <i>"entitled to the peaceful enjoyment of his possessions"</i> and that <i>"No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law"</i>. But the rights of the state to <i>"enforce such laws as it deems necessary to control the use of property in accordance with the general interest"</i> are expressly preserved.</p> <p>Article 14 states that the enjoyment of rights under the convention is to be secured <i>"without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status"</i>.</p> <p>Article 3.1 of the United Nations Convention on the Rights of the Child provides: <i>"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration"</i>. As a matter of law, this means that in all decisions concerning children, their best interests must</p>

	<p>be of primary importance. That principle applies to planning decisions.</p> <p>Taking enforcement action with a view to removing the site would interfere with the right to respect for the homes of site residents in the most direct and serious way. Article 8 is therefore engaged in the council's decision. Such would also interfere with site residents' peaceful enjoyment of their pitches and caravans. Article 1 of the first protocol is therefore also engaged.</p> <p>Where site residents are children, consideration of their convention rights must be in the context of article 3 of the United Nations Convention, which requires a child's best interests to be a primary consideration. However, the inherent primacy of those interests does not mean that they can never be outweighed by the cumulative effect of other considerations.</p> <p>Direct discrimination occurs if a person is treated less favourably than another person would be because of a protected characteristic. Indirect discrimination occurs where a provision, criterion or practice that is applied to all puts persons who share a protected characteristic at a particular disadvantage when compared with persons who do not share it and the provision, criterion or practice cannot be shown to be a proportionate means of achieving a legitimate aim.</p> <p>"Protected characteristics" include race.</p> <p>The site residents describe themselves as Irish Travellers. They should be regarded as being a racial group and sharing the protected characteristic of belonging to that group.</p> <p>In considering the report, the committee will need to consider whether options considered would place persons who are Irish Travellers at a particular disadvantage compared with persons who are not Irish Travellers. If such a particular disadvantage would arise, the committee will need to consider whether choosing the option would be a proportionate means of achieving a legitimate aim. If the option would not be a proportionate means of achieving a legitimate aim, it would not be lawful to choose that option.</p> <p>In exercising its functions, including its functions as a local planning authority, the council must have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010; • Advance equality of opportunity between people who share a protected characteristic and those who do not; and • Foster good relations between people who share a protected characteristic and those who do not. <p>Having due regard for enhancing equality involves removing or minimising disadvantages suffered by people due to their protected characteristics and taking steps to meet the needs of people from protected groups where these are different from the needs of other people. Fostering good relations means tackling prejudice and promoting understanding between people from different groups. Complying with the duty may involve treating some people more favourably than others.</p> <p>If the Council fails to have "due regard" to the matters identified above, it would fail to comply with its statutory duty.</p>
Sustainability and Environmental Impact	None arising from this report
Health & Safety and Risk Management	None arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
Kieran Birch	Kieran.birch@fylde.gov.uk 01253 658430	25 January 2018

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Site history and decisions	Various	www.fylde.gov.uk

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	7 FEBRUARY 2018	8
APPOINTMENT TO WORKING GROUPS			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

Where appropriate, Council has asked that the programme committees make appointments from within their respective memberships for working groups that are tasked with assisting in the delivery of particular projects that relate to the work of that Committee.

Since the Planning Committee last confirmed the membership of the Local Listings Project Board, in March 2017, a vacancy has arisen.

RECOMMENDATION

The committee is invited to appoint members to the working group, known as the Local Listings Project Board.

SUMMARY OF PREVIOUS DECISIONS

20 January 2016 the Development Management Committee confirmed the membership and establishment of the Local Listings Project Board.

8 March 2017 the Planning Committee confirmed the membership of the Local Listings Project Board.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. Programme committees may wish to establish their own subject specific working groups to be set up when required in order to advise the parent programme committee on a particular topic/issue.
2. On 20 January 2016 the Development Management Committee confirmed the membership and establishment of the Local Listings Project Board with the remit *"To establish a process and protocol, to be applied to compiling a local list of heritage assets including buildings. To undertake research in this regard and to make recommendations to Planning Committee in respect of the potential for local listing and related conservation issues."*
3. The Council's Built Heritage Strategy was formally approved in November 2015. It contains a complete review of the nature and scope of the built heritage assets of the Borough, the appropriate legislative framework and an action plan that lists a series of projects that are to be undertaken during the life of the Strategy. An important priority was considered to be the compilation of a local list of buildings.
4. The Lytham and St Annes area has been completed and is now to be rolled out across the rural parts of the Borough.
5. The working group meet on an ad hoc basis as and when the need arises.
6. A vacancy has arisen on the Local Listings Project Board and the committee is therefore requested to consider nominations and appoint a representative onto this working group.
7. The establishment and membership of working groups is within the responsibility of the individual programme committees and does not need the approval of Council.
8. It is important that the members appointed to working groups have an appropriate interest in the body/partnership/subject, can commit to positively represent the Council and be available to commit the time to attend the majority of the meetings involved.
9. The members appointed should ideally be a member of the programme committee to which the matter relates to.
10. The conclusion of any working group would be brought to committee in a formal report as previously occurred in scrutiny.

IMPLICATIONS	
Finance	No implications arising from this report
Legal	No implications arising from this report
Community Safety	No implications arising from this report
Human Rights and Equalities	No implications arising from this report
Sustainability and Environmental Impact	No implications arising from this report
Health & Safety and Risk Management	No implications arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
Sharon Wadsworth	democracy@fylde.gov.uk	22 January 2018

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	7 FEBRUARY 2018	9
LIST OF APPEALS DECIDED			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY OF INFORMATION

The council received the following attached appeal decisions between 21/12/17 and 26/1/2018.

SOURCE OF INFORMATION

Development Services

INFORMATION

List of Appeals Decided attached.

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform members on appeals that have been decided.

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473

APPEAL DECISIONS

The following appeal decisions were received in the period 21 December 2017 to 26 January 2018. The appeal decision letters follow.

Rec No: 1

31 October 2017	17/0038	REAM HILLS LAKE LEISURE PARK, MYTHOP ROAD, WEETON WITH PREESE, PRESTON, PR4 3NB RETROSPECTIVE APPLICATION FOR ERECTION OF A TWO STOREY TIMBER BUILDING TO BE USED AS HOLIDAY ACCOMMODATION AS A REPLACEMENT FOR APPROVED SINGLE STOREY HOLIDAY LODGE	Written Representations Case Officer: AP
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Fylde Dec. Level	DEL
Appeal Decision:	Allowed: 22 January 2018

Rec No: 2

17/0581	LAND AT PEEL HILL FARM, PRESTON NEW ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5JP REQUEST FOR SCREENING OPINION ASSOCIATED WITH POTENTIAL OUTLINE APPLICATION FOR DEVELOPMENT OF UP TO 700 DWELLINGS UNDER THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017.	Written Representations Case Officer: KPB
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Fylde Dec. Level	DEL
Appeal Decision:	Dismiss: 12 January 2018

Appeal Decision

Site visit made on 2 January 2018

by S R G Baird BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd January 2018

Appeal Ref: APP/M2325/W/17/3184502

Ream Hills Leisure Park, Mythop Road, Weeton with Preese, Preston, Lancashire PR4 3NB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Ream Hills Lake Leisure Park against the decision of Fylde Borough Council.
- The application Ref 17/0038, dated 19 January 2017, was refused by notice dated 21 March 2017.
- The development is the erection of a replacement lodge.

Preliminary Matter

1. At the time the application was submitted the lodge had been constructed. Accordingly, I shall deal with this appeal under S73 of the above Act.

Decision

2. The appeal is allowed and planning permission is granted for the erection of a replacement lodge at Ream Hills Leisure Park, Mythop Road, Weeton with Preese, Preston, Lancashire PR4 3NB in accordance with the terms of the application, Ref 17/0038, dated 19 January 2017, subject to the following conditions:
 - 1) the holiday lodge hereby approved shall be occupied for holiday purposes only and not as a person's permanent, sole or main place of residence;
 - 2) the owners/operators of the holiday lodge hereby approved shall maintain an up-to-date register of the names of all owners of the holiday lodges on the site. The information held shall also include the owner's main home address. The information shall be made available at all reasonable times to the local planning authority;
 - 3) the development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. RH/04514/001; RH/04514/002; RH/04514/003; RH/04514/004; RH/04514/005; RH/04514/006 and RH/04514/007.

Main Issue

3. The effect on the character and appearance of the area.

Reasons

4. Ream Hills Leisure Park covers a large area and comprises several holiday lodges, a touring caravan site, associated buildings set around an extensive car park and next to a fishing/wake boarding lake. All of the existing

buildings/lodges bar the appeal building are single-storey. Of the development plan¹ (DP) policies referred to, I consider Policies SP8 and TREC 6 to be the most relevant. Policy SP8 indicates that the expansion of existing businesses will be permitted where, amongst other things, the development would not have a significant harmful effect on the character and appearance of the countryside and the height of the proposed building(s) would not exceed the height of the existing buildings in the vicinity. Policy TREC 6 indicates that the development of holiday caravan and chalet sites will not be permitted where, amongst other things, the development would have an adverse impact on the character and appearance of the area. The emerging development plan² (EDP) is, I understand still be examined. Here, the relevant policy is Policy GD7, an overarching policy, which seeks to achieve good design and the protection of the countryside. In this context, the objectives of DP and EDP policies accord with the National Planning Policy Framework.

5. Although Policy SP8 does not define what is meant by vicinity, the Council, in this case, appears to consider it to be the holiday park in isolation. However, the commonly understood meaning of vicinity is "the surrounding area". This, in my view, is a more reasonable approach to take in assessing the effect of this development. The main public views of the holiday park and the lodge are medium to long distance views from the north-east, north and north-west. Whilst the lodge is the only 2-storey building on the site, in the above views it is seen against the extensive backdrop of mature trees to the south and in the context of the extensive, prominent and visually intrusive touring caravan park, and the large 2-storey farmhouse and tall agricultural buildings of Ream Hills Farm immediately adjoining the holiday park to the south-west. In these views, the height of the lodge is not exaggerated and is a minor element that has no material impact on the rural character or appearance of the immediate or wider area. Accordingly, I conclude that the lodge does not have a materially adverse effect on the rural character and appearance of the rural area and does not conflict with the development plan or emerging development plan and the appeal is allowed.

Conditions

6. For the reasons specified by the Council, I have imposed conditions restricting the occupancy and operation of the lodge for holiday purposes and in the interests of certainty a condition specifying the relevant plans.

George Baird

Inspector

¹ Fylde Borough Local Plan As Altered October 2005.

² Fylde Borough Local Plan to 2032.

Town & Country Planning (EIA) Regulations 2017
Secretary of State Screening Direction – Written Statement

Application name:	Peel Hall Farm, Whitehills, Near Blackpool
SoS case reference:	PCU/EIAScrn/M2325/78201
Schedule and category of development:	10 b) Urban Development Projects

Full statement of reasons as required by 5(5)(a) of the 2017 EIA Regulations including conclusions on likelihood of significant environmental effects.

Schedule 3 selection criteria for Schedule 2 development refers:

The proposal is for a residential led development including up to 700 dwellings on a 29ha largely greenfield site. The site is located adjoining the M55 and A354 at the south easterly extent of the Blackpool urban area. It is near to the location of a number of existing and approved developments. The major residential led development of Whyndyke Farm (council ref: 11/0221) is to the north and is to be approved subject to the completion of the necessary legal agreement. The project site is not located in a sensitive area defined within the Environmental Impact Assessment (EIA) 2017 Regulations.

The Secretary of State has considered whether the above proposal is likely to have significant environmental effects. He has undertaken this screening taking into account the criteria set out in Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. In preparing this screening direction, the Secretary of State has also had regard to Planning Practice Guidance (PPG). In doing so he considers the main issue to address is the potential for cumulative impacts from the project alongside other development occurring as the Blackpool urban area expands to its south and east. In relation to the indicative criteria and threshold, PPG advises EIA is more likely to be required if the area of the scheme is more than 5 hectares, or the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings). This advice indicates the main matters to consider; the physical scale of such developments, potential increase in traffic, emissions and noise. Due to the view of Natural England provided through the council's screening process (July 2017), ecology, particularly in relation to the Ribble and Alt Estuaries SPA and various SSSIs, is also considered to be a main matter.

The Secretary of State notes that although the proposal is for development well in excess of 5ha in area, when considered in isolation, it falls below the PPG indicative size threshold in terms of dwellings. However, there are number of other residential and commercial development proposals in the area in addition to the large scale, neighbouring Whyndyke Farm development proposals to the north. To the west of the site beyond the Preston New Road (A353) is the White Hills site where there have been a number of housing and employment approvals. These are generally consistent with the sites allocated in the emerging local plan. Relevant applications include:

7/0359 – Retail park. Approved.

17/0779 – outline for 350 dwellings. Pending consideration.

15/0807 – 14 dwellings. Approved.

15/0472 – 80 dwellings and 1500 sqm of offices. Approved.

14/0818 – 100 dwellings. Approved.

There are also applications on a site to the south - 11/0847 outline and 15/0891 RM approving 10 dwellings.

In terms of cumulative impact PPG also states that each application (or request for a screening opinion) should be considered on its own merits. It goes on to state that there are occasions where other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. Therefore, for this project, cumulative effects

arising from the proposed development together with the above approved and other neighbouring development is an also important consideration.

The Secretary of State has carefully considered the information provided by the local authority and the requesting party. In this case, there is large scale development set to occur in the wider area, provided for in an advanced stage emerging local plan. The available information confirms that there are a number of applications for the wider urban expansion south and east of Blackpool that are either submitted, approved or under construction. It is clear that large scale development in this area is being, and will continue to be delivered. An application should not be considered in isolation if it part of a wider development area. The Secretary of State believes there will be interaction and impacts arising from the proposed site and these various other developments.

The requesting party considers that the information associated with larger scale development at Whyndyke Farm, satisfactorily demonstrates that significant impact is unlikely in terms of transport and related impact, such as noise and air quality. In terms of the emerging Fylde Local Plan the requesting party says that Highways England has no issue with the plan in terms of the strategic highway network and contends that there will be available capacity due to proposed improvements to accommodate all local development in terms of the future capacity of the M55 junction 4. However, in terms of cumulative impact the existing environmental statement for Whyndyke Farm was last updated in 2014 and for all the highway related issues, the local committed development considered at the time is not consistent with the development now set to occur locally. While the Secretary of State is reassured in terms of the M55 motorway junction capacity at junction 4, having also considered the view of the highway authority (August 2017) he is unconvinced that it has been satisfactorily demonstrated that significant cumulative transport related impact is unlikely to occur on the nearby road network.

Turning to the issue of ecological impact, the recent consultation by the local authority with Natural England (July 2017) identified the potential for significant adverse impacts on the Ribble and Alt Estuaries SPA and various SSSIs. In response the requesting party has submitted a site specific assessment phase 1 habitat survey (updated in a note - September 2017). This assessment indicates that given habitats present on the site, and distance between Ribble & Alt Estuaries SPA that there will not be significant impact on the SPA and its qualifying species from the development. However, the assessment provided in part relies on the findings for Whyndyke Farm environmental statement. This statement is starting to become dated and does not account for the potential for cumulative impacts with the quantum of reasonably foreseeable development proposed of the area.

In the Secretary of State's opinion there will a number of likely cumulative effects from the proposal due to it contributing to the urbanisation of the countryside in the locality. Overall, the urbanising effect of this level of development and the limited information on the cumulative impact in relation relevant issues (particularly transport and associated impacts including noise and air quality, ecology, especially in relation to the SPA and SSSIs but also loss of best and most versatile land as well as construction phase impacts depending on timing alongside other nearby development) indicate that, cumulatively, significant effect is a possibility. EIA is therefore required for this proposal. In reaching this conclusion the Secretary of State has also considered the measures proposed to mitigate the environmental impacts from the development and has concluded that the proposed measures are not sufficient to obviate the need for an environmental impact assessment because of the extent that the impacts are unknown when nearby development across the wider area is considered as a whole.

Is an Environmental Statement required?	Yes
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Name	Mike Hale
Date	12 January 2018