



FYLDE BOROUGH COUNCIL

Meeting Agenda

**Development Control
Committee
Council Offices, Derby Road,
Wesham
15 February 2006, 9.30a.m.**

Membership

Development Control Committee

CHAIRMAN - Harold Butler
VICE-CHAIRMAN - Dr Trevor Fiddler

Councillors	John Bennett	Councillors	Linda Nulty
	George Caldwell		Barbara Pagett
	Kevin Eastham		Albert Pounder
	Richard Fulford-Brown		Heather Speak
	Peter Hardy		William Thompson
	Howard Henshaw (A.D.K		Colin Walton
	MALAYSIA)		
	Ray Norsworthy		Andrea Whittaker

Contact: Lyndsey Lacey, St. Annes (01253) 658504, Email: lyndseyl@fylde.gov.uk



A G E N D A

PART I - MATTERS DELEGATED TO COMMITTEE

ITEM	PAGE
1. DECLARATIONS OF INTEREST: <i>In accordance with the Council's Code of Conduct, members are reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.</i>	4
2. CONFIRMATION OF MINUTES: <i>To confirm as a correct record the minutes of the Development Control Committee meeting held on 4 January 2006 (previously circulated)</i>	4
3. SUBSTITUTE MEMBERS: <i>Details of any substitute members notified in accordance with council procedure rule 26.3</i>	4
4. ADOPTION OF SERVICE LEVEL AGREEMENT BETWEEN FYLDE BOROUGH COUNCIL AND LANCASHIRE COUNTY LAND AGENT	5
5. DEVELOPMENT CONTROL MATTERS	AS NUMBERED



CORPORATE OBJECTIVES

The Council's investment and activities are focused on achieving our five key objectives which aim to :

- Conserve, protect and enhance the quality of the Fylde natural and built environment
- Work with partners to help maintain safe communities in which individuals and businesses can thrive
- Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment
- Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough
- Ensure we are an efficient and effective council.

CORE VALUES

In striving to achieve these objectives we have adopted a number of key values which underpin everything we do :

- Provide equal access to services whether you live in town, village or countryside,
- Provide effective leadership for the community,
- Value our staff and create a 'can do' culture,
- Work effectively through partnerships,
- Strive to achieve 'more with less'.

REPORT

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT CONTROL MANAGER	DEVELOPMENT CONTROL COMMITTEE	15 FEB 2005	4

ADOPTION OF SERVICE LEVEL AGREEMENT BETWEEN FYLDE BOROUGH COUNCIL AND LANCASHIRE COUNTY LAND AGENT

Public/Exempt item

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

Summary

This report seeks authority to adopt a Service Level Agreement between the Lancashire County Land Agent and Fylde Borough Council in regard to the provision of agricultural assessments of planning applications.

Recommendation/s

1. Members are recommended to agree to the adoption of the draft agreement as set out in the appendix to this report.

Executive brief

The item falls within the following executive brief: Cllr Roger Small

Report

1. Members will be aware that, in the absence of any in-house expertise in regard to making agricultural assessments of planning applications, it is standard practice to consult with the Lancashire County Land Agent (CLA) in regard to those planning applications which require expert input in order to assess the agricultural elements of the proposal. This is common practice with all local authorities across Lancashire who have responsibility for rural areas.

2. As there is no requirement to consult with the CLA, a charge is made for this service. The charges are levied on a per application basis rather than on the time spent assessing each individual application.
3. At present there is no formal agreement between the CLA and the Borough Council. Although applications are assessed having regard to certain criteria and there is facility to request further clarification of the assessment as necessary, applications tend to be considered on a rather ad-hoc basis and there are no ground rules set for the quality of service received from the CLA.
4. In consultation with the district authorities within Lancashire, the CLA has drawn up a service level agreement which sets out the quality of service that can be expected from them with an attached pro-forma that will be used in the assessment of applications. A copy of the proposed agreement and the pro-forma are attached as an appendix to this report.
5. As with all planning applications, it is not possible to be over prescriptive when setting out the issues that will be considered in determining a planning application as each must be considered on its own merits. However, it is considered that the proposed pro-forma will act as a framework against which applications are assessed. It is not intended to be an exhaustive list of issues to be considered. Likewise, certain issues referred to in the pro-forma may not be pertinent to an individual application.
6. As at present, the decision regarding which applications will be forwarded to the CLA for comment will rest with the Development Control Manager. There is nothing in the agreement which ties the Borough Council to using Lancashire County Council's service.
7. Members are recommended to approve the adoption of the service level agreement, following which it will form the basis for the assessment of relevant planning applications.

IMPLICATIONS	
Finance	None
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability	None
Health & Safety and Risk Management	None

REPORT AUTHOR	TEL	DATE	DOC ID
Mark Evans	(01253) 658460	February 2006	

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION

Draft Service Level Agreement and assessment form.		St Annes Town Hall, St Annes, FY8 1LW
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SERVICE LEVEL AGREEMENT

for the provision of

SPECIALIST PLANNING ADVICE

between

LANCASHIRE COUNTY PROPERTY GROUP

and

FYLDE BOROUGH COUNCIL

for the period

1 APRIL 2005 to 31 MARCH 2006

Resources Directorate



1 INTRODUCTION

1.1 Parties to the Agreement

This Agreement is between Lancashire County Property Group (the Property Group) and Fylde Borough Council.

1.2 Period of Agreement

The Agreement shall be for a minimum period of one year commencing on 1 April 2005 and thereafter shall continue on an annual basis from year to year.

1.3 Termination of Agreement

Either party can terminate the agreement at the end of the minimum period or at the end of any subsequent financial year by giving to the other party not less than six months advance notice in writing.

1.4 Amendments to the Agreement

With the agreement of both parties changes can be made to the terms of the Agreement at any time. Any such amendments shall be made in writing.

1.5 Fee Rates for 2005/06

Consultation fee £250.00.
Hourly rate £50.00/hr.

1.6 Invoicing Arrangements

The Property Group shall render invoices quarterly in arrears on 30 June, 30 September, 31 December and 31 March in each financial year.

1.7 Complaints/Improvements

1.7.1 The LPA shall inform the Land Agency Manager in writing of any major complaint. The Property Group shall respond in writing within 15 working days.

1.7.2 Minor items of comment or complaint can be made by telephone to either Nick Bower (Land Agent) or Gary Pearse (Land Agency Manager).

1.7 Confidentiality

This document is confidential and should not be disclosed to any third party without the express agreement of the Land Agency Manager and the LPA.

2 SPECIFIC SERVICE REQUIREMENTS

2.1 Instructions

- 2.1.2 Applications upon which the Property Group is instructed is at the discretion of the LPA. The LPA shall provide a copy of the application with all supporting documentation with the consultation instruction. Any background site/case history shall also be provided.
- 2.1.3 The Property Group's main areas of expertise include advice on agricultural dwellings, buildings, conversions, occupancy conditions, changes of use, equine and other rural/countryside related issues.
- 2.1.4 On receipt of an instruction the Property Group shall contact the applicant's agent or in the absence of an agent the applicant to arrange a joint site visit wherever possible. Information supplied by the LPA will be verified and further information requested from the agent or applicant to inform the appraisal. The attached sheet (Appendix A) shall be used to record the information supplied at the site visit.
- 2.1.5 The Property Group shall report on the relevant factual information relating to the application and provide an appraisal of the application against relevant planning guidance.
- 2.1.6 The Property Group target for responses shall be 28 days from the receipt of the instruction from the LPA. For prior notification cases the target shall be 14 days.
- 2.1.7 The Property Group is instructed by the LPA and shall only send the consultation response to the LPA. The Property Group shall not act on behalf of any applicant or provide pre-application advice to an applicant. Once our report is submitted to the LPA any further correspondence from the applicant/agent should be directed through the LPA.
- 2.1.8 The LPA shall provide copies of the decision notices.

2.2 Professional Advice and Appeals

- 2.2.1 On receipt of a consultation if on the advice of the Property Group and with the agreement of the LPA it is decided that a full report and appraisal is not required the Property Group's professional services shall be charged at the hourly rate.
- 2.2.2 In the event of an Appeal and on the instruction of the LPA the Property Group shall prepare and provide an appeal statement to the LPA; review appeal evidence and appear as expert witness at the Appeal.
- 2.2.3 All professional services provided by the Property Group in connection with an Appeal shall be charged at the hourly rate.

2.3 Liaison and Progress Meetings

Annually at the invitation of the Lancashire Development Control Managers Group the Property Group shall attend one of their meetings to provide a review of the professional services provided by the Property Group, receive feedback and discuss current planning developments.

2.4 Contacts

Nick Bower	Land Agent (Responsible Officer)	01772 533895	nick.bower@property.lancscc.gov.uk
Wayne Selway	Land Agent	01772 530731	wayne.selway@property.lancscc.gov.uk
Peter Llewellyn	Land Agent	01772 533902	peter.llewellyn@property.lancscc.gov.uk
Gary Pearse	Land Agency Manager	01772 533903	gary.pearse@property.lancscc.gov.uk
John Challender	Admin/Invoicing	01772 533909	john.challender@property.lancscc.gov.uk

3 MEMORANDUM OF AGREEMENT

THIS AGREEMENT

is made on the day of2005

Between Fylde Borough Council

and The Land Agency Manager on behalf of Lancashire County Property Group

NOW IT IS HEREBY AGREED THAT

- 1 Lancashire County Property Group shall provide Fylde Borough Council with professional services in accordance with the terms of this Agreement.
- 2 Fylde Borough Council accepts the terms of this Agreement and agrees to pay all charges due upon demand.

AS WITNESS the hands of the parties, the day and the year written above

Signatures
 on behalf of Fylde Borough Council	 Gary Pearse Land Agency Manager on behalf of Lancashire County Property Group

Witness
Signature	Signature
 Name Address	 Name Address

PG/LAM/GP/WN

Lancashire County Council Property Group
Agricultural/ Countryside Planning Application

LCPG Ref. No:

Application No:

Land Agent:

Date:

Applicant Name:

Site Meeting Attendees:

Application Site:

Proposed Development:

Previous Applications:

1. Land

Owned:

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Rented:

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.....

Short-term:

Land use: Pasture..... Meadow..... Crop.....Crop.....

Land Quality (DA/SDA/NVZ):

2. Enterprise

Dairy: pedigree/commercial. Dairy Cows:

.....

In-calf heifers:Bulling heifers: Calving:

Young stock: Milk Quota:

Beef Breeding: Suckler cows:

Calving: Heifers:Calves:

Beef Rearing: Store Cattle(ages):

.....

Calves: Age at purchase:Age at Sale:Bulls:

Sheep: pedigree/commercial. Breeding ewes: Lambs: Store Sheep:

Lambing period:Lambing location:

Other:.....

.....

.....

3. Labour & Accommodation

Name	Age	Basis (F/t,P/t,Cas)	Hrs. of work/Length	Main Duties	Address & Yrs

Misc:

Existing Dwellings:

Other Properties (incl. occupiers):

Previously owned properties:

Available Properties in Locality:

4. Proposed Development/ Applicant(s) comments

Need:.....

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Siting:.....

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Design:.....

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Future Plans:

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5.Financial Details:

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This image shows a full page of white paper with horizontal dotted lines, resembling notebook paper. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Development Control Committee Index

15 February 2006

Item No:	Application No:	Location/Proposal	Recomm.	Page No.
1	05/0902	4 HARVESTERS FOLD, ROSEACRE ROAD, WHARLES, PRESTON, PR4 3XE CONSERVATORY TO SIDE ELEVATION	Refuse	3
2	05/0919	WILLOWS FARM, BALLAM RD, BALLAM, LYTHAM ST ANNES CHANGE OF USE FROM CAR VALETING SUPPLIES COMPANY TO ANIMATION STUDIO. CONSTRUCTION OF GLAZED LINK CORRIDOR.	Grant	7
3	05/0959	WHITEHILLS PARK, WHITEHILLS PARK, WHITEHILLS PARK, WESTBY AMENDMENT TO PREVIOUS APPLICATION 00/240 FOR RACQUETS AND FITNESS CLUB WITH ASSOCIATED OUTDOOR FACILITIES AND PARKING.	Approve Subj 106	14
4	05/1022	LAND ON EX SADLERS SITE, DOCK ROAD, LYTHAM, LYTHAM ST ANNES RE-SUBMISSION OF 004/314, OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF 260 DWELLINGS. (60% AFFORDABLE = 156 AFFORDABLE DWELLINGS)	Withdrawn from agenda at applicant's request	23
5	05/1056	103 STAINING ROAD, STAINING, BLACKPOOL, FY3 0 ERECTION OF TWO STOREY SIDE EXTENSION AND REAR CONSERVATORY AND ERECTION OF DETACHED GARAGE	Grant	24
6	05/1060	LAND BETWEEN WEETON ROAD/FLEETWOOD ROAD, WEETON ROAD, WESHAM, PRESTON ERECTION OF 106 DWELLINGS TOGETHER WITH ASSOCIATED INFRASTRUCTURE	Approve Subj 106	30
7	05/1095	123 LYTHAM ROAD, FRECKLETON, PRESTON	Refuse	41

TWO STOREY EXTENSION AND
CONSERVATORY TO REAR

8	05/1115	MANY VIEWS, LEA LANE, SALWICK, PRESTON, PR PROPOSED CONSERVATORY TO REAR/SIDE ELEVATION	Refuse	45
9	05/1125	6 HALL PARK DRIVE, LYTHAM, LYTHAM ST ANNES, FY8 4Q RE-SUBMISSION OF 05/969 FOR TWO STOREY AND SINGLE STOREY REAR EXTENSIONS	Refuse	50
10	05/1074	OLD WAREHOUSE, BIRLEY STREET, KIRKHAM, PRESTON CHANGE OF USE FROM GYMNASIUM TO OFFICE ACCOMMODATION	Grant	55

Development Control Committee Schedule

15 February 2006

Item Number: 1

Application Reference: 05/0902		Type of Application:	Full Planning Permission
Applicant:	Mr & Mrs Kirkpatrick	Agent :	
Location:	4 HARVESTERS FOLD, ROSEACRE ROAD, WHARLES, PRESTON, PR4 3XE		
Proposal:	CONSERVATORY TO SIDE ELEVATION		
Parish:	Treales, Roseacre and Wharles	Area Team:	Area Team 2
Weeks on Hand:	10	Case Officer:	Ruth Thow
Reason for Delay:	Due to postponed committee		

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

The proposal fails to comply with Criterion 1 of Policy HL5 of the alterations review of the housing chapter of the Adopted Fylde Borough Local Plan in that it would represent a detriment to the visual amenity of the street scene and is therefore recommended for refusal.

Reason for Reporting to Committee

The application is on the agenda as the Officer's recommendation is contrary to the views of Treales, Roseacre and Wharles Parish Council who specifically support the proposal.

Site Description and Location

The application is a group of dwellings known as Harvester's Fold. This collection of dwellings were formed from the conversion of a barn and 4 new build dwellings, designed to replicate the barn conversion. This application is for the end property of the new build dwellings - no. 4 and overlooks open fields. The site is within the small settlement area of Wharles.

Details of Proposal

The application proposes a conservatory to the side elevation. It is proposed to extend from the dwelling by 2.8 metres in width and would be 8.5 metres in length, to an overall height of 3 metres. It is proposed to be constructed using hardwood panels

Relevant Planning History

None

Parish Council Observations

Treales, Roseacre & Wharles Parish Council

The Parish Council specifically support the proposal - "We support the application because it does not appear to be in conflict with Policy HL10" - (Policy HL5 of the review of Fylde Borough Local Plan)

Statutory Consultees

Not applicable

Observations of Other Interested Parties

None

Neighbour Observations

None received

Relevant Planning Policy

Lancashire Structure Plan:
Policy 5

Fylde Borough Local Plan:
SP1 Development within settlements
HL5 House extensions

Other Relevant Policy:
PPS1: Delivering Sustainable Development

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

The main issues for consideration in determining this application are set out in Policy HL5 of the Fylde Borough Local Plan (as altered, October 2005).

In this instance the application site is a collection of dwellings formed from the conversion of a barn and 4 new build dwellings, designed to reflect the style of a barn conversion. The properties are grouped together in a small cul-de-sac. This application is for the end property of the new build part of the site and is proposed to be to the side elevation of the property, which is situated at the end of a row of 4 dwellings.

The principle of a conservatory to this type of dwelling is not, in itself, unacceptable. In fact permission has previously been granted for a conservatory at no.7 Harvesters Fold although, the design of this approved conservatory was of a smaller scale and was screened from view by the existence of a brick wall.

The proposed development is to be to the side elevation, it is clearly visible from the street scene and

proposes a very sub-urban design and style of conservatory. The design of the conservatory proposed in this application is considered to be unacceptable, as it would be out of character with the carefully designed development and would, therefore, have a detrimental visual impact on the street scene in this rural location.

The applicant was contacted and asked to amend the design of the conservatory to be more in keeping with the rural vernacular appearance of this group of properties. The applicant declined to amend their design, preferring the existing submission.

There would be no loss of amenity for occupiers of adjacent properties by this development in its proposed location to the side elevation.

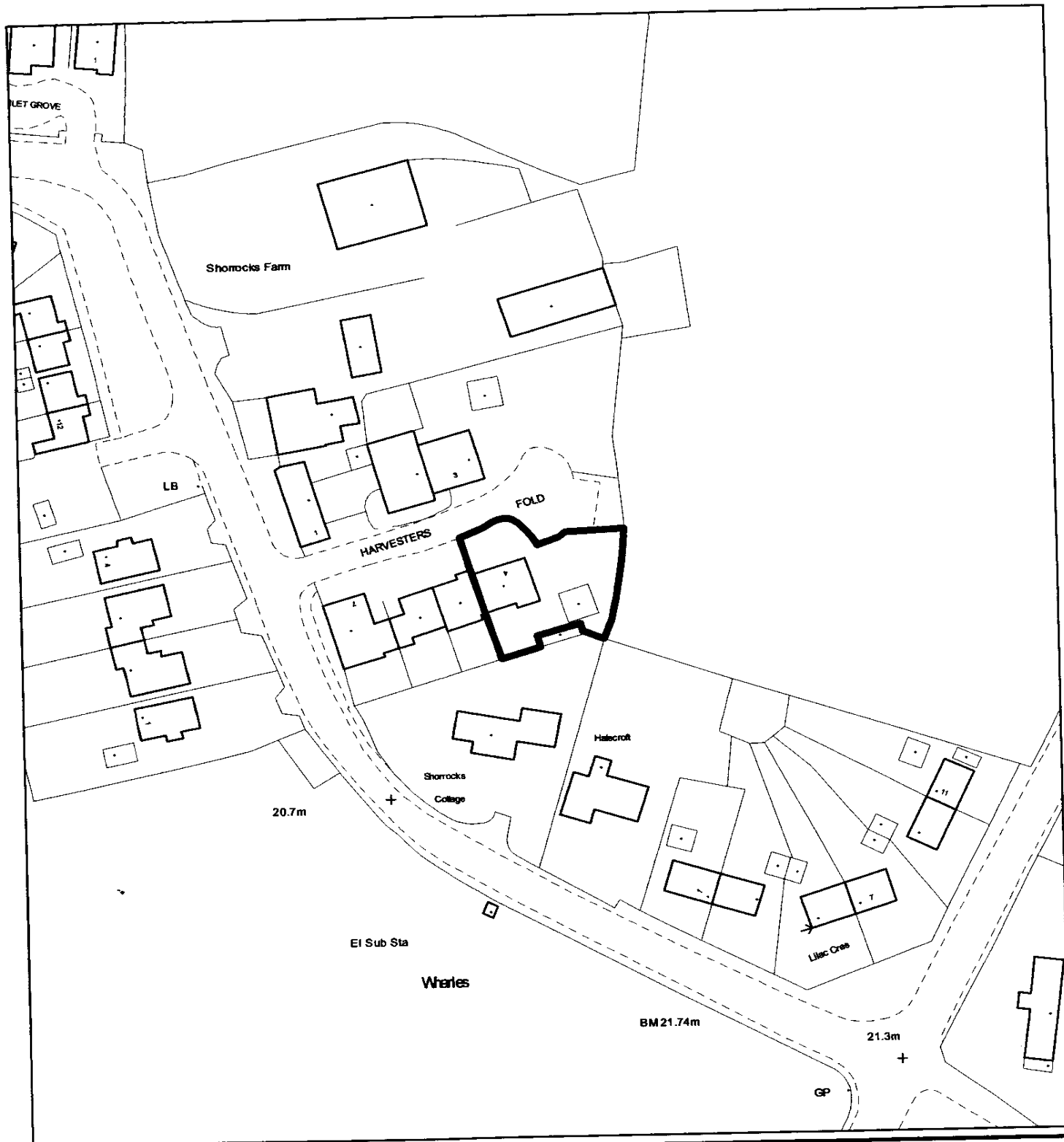
Conclusions

The conservatory is considered to be an unacceptable addition to the property, given the design and style of the development in relation to the existing property and would result in a detriment to the visual amenity to the open rural character of the area. The application is, therefore, recommended for refusal.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The proposed extension by reason of its size, design and position would represent a visually obtrusive and discordant feature on the dwelling thereby resulting in a visual detriment to the character of that dwelling and the street scene in general. The proposal is therefore contrary to the provisions of Criterion 1 of Policy HL5 of the Fylde Borough Local Plan (as altered, October 2005)



The Built Environment Unit Fylde Borough Council		This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office. (C) Crown copyright Licence No. 100006084 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/05/0902	Address 4 Harvesters Fold Roseacre Road, Wharles	Grid Ref. E.3447 : N.4358	Scale 1:1000	Item No. 1

Item Number: 2

Application Reference: 05/0919		Type of Application: Change of Use	
Applicant:	Mr Anthony Steven Prosser	Agent :	
Location:	WILLOWS FARM, BALLAM RD, BALLAM, LYTHAM ST ANNES		
Proposal:	CHANGE OF USE FROM CAR VALETING SUPPLIES COMPANY TO ANIMATION STUDIO. CONSTRUCTION OF GLAZED LINK CORRIDOR.		
Parish:	Westby with Plumpton	Area Team:	Area Team 1
Weeks on Hand:	18	Case Officer:	Mr M Evans
Reason for Delay:	Due to staffing shortages		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application relates to the use of a range of former agricultural buildings as offices and animation studios, a use falling within Class B1 of the Use Classes Order. This is considered to be an appropriate use for these barns. The conversion of the buildings themselves is proposed to be carried out in a sympathetic manner and as such members are recommended to grant planning permission.

Reason for Reporting to Committee

Given the nature of the development in this rural location and having regard to the comments of the Parish Council.

Site Description and Location

This application relates to a group of former agricultural buildings at Willows Farm, Ballam Road, which is situated on the eastern edge of the settlement of Westby. The buildings consist of a range of brick built agricultural buildings, which have previously been used for the valeting of motor vehicles.

Details of Proposal

Change of use of two former agricultural buildings to animation studios (Class B1)
Construction of glazed link building between the two buildings
Reopening of existing blocked up window and door openings
Insertion of new windows
Insertion of roof lights

Relevant Planning History

Application No	Development	Decision	Date
90/0705	CHANGE OF USE & EXTENSION TO FORMER AGRICULTURAL BUILDINGS TO FORM PRIVATE SWIMMING POOL	Granted	07/11/1990

Parish Council Observations

Westby with Plumpton Parish Council

The Parish Council asks that the application is deferred until more information is available for them to consider. The Parish Council is not aware that these premises have been or is used as a car valeting supplies company and if so is the premises registered as business rated. The Parish Council is not convinced that there are enough parking spaces on site, the access is only a normal household driveway which is situated on a very dangerous stretch of Ballam Road.

Statutory Consultees

County Highway Authority

The County Highway Authority were originally concerned that it was not possible to provide adequate visibility splays at the site entrance. The applicant has now provided a plan that meets the Highway Authorities requirements and they have withdrawn their objection subject to the imposition of suitable conditions.

Observations of Other Interested Parties

None received

Neighbour Observations

A site notice has been posted and the immediate neighbours notified of the proposal. No comments have been received.

Relevant Planning Policy

Lancashire Structure Plan:

Policy 5: Development within rural areas

Fylde Borough Local Plan:

SP2: Development within rural areas

SP5: Conversion of Rural Buildings to Commercial Use

EMP3: Business and Industrial Uses Outside Defined Areas

Other Relevant Policy:

PPS1: Delivering Sustainable Development

PPS7: Sustainable development in the Countryside

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

This range of brick built agricultural buildings have previously been put to an alternative commercial use having been used for the valeting of motor vehicles.

Policy 5 the Lancashire Structure Plan and Policy SP5 of the Fylde Borough Local Plan encourage the reuse of suitable redundant buildings in rural areas for alternative uses. The preference of both policies is to utilise buildings for commercial activity rather than residential use, providing the proposed use meets a number of criteria.

These criteria generally require proposals to: be small in scale, be of an appropriate character to a rural area, the building to be of a traditional character and structurally sound, not require the construction of alternative agricultural buildings, be compatible with neighbouring uses, have a safe access and provide appropriate parking and servicing areas.

The proposed use as an animation studio is a use falling within Class B1 of the Use Classes Order. Such uses are those defined as being able to exist alongside residential properties without causing harm to residential amenity. As such this is considered to be an ideal type of use for such a building. The business currently employs 18 people, but the nature of the business means that some of these people can work from home on occasion and there is little need for customers to visit the premises. The applicant has also incorporated shower facilities to encourage staff to cycle to work. The managing director of the company would live in the adjacent dwelling.

The applicant has submitted a structural survey that demonstrates the buildings are sound and a habitat survey has confirmed that there is no evidence of use by bats or barn owls. As the buildings are not currently used for agriculture, there will be no requirement for alternative buildings to be erected.

The proposed alterations to the building retain the character of the existing buildings and would see a number of existing blocked up windows and doors reopened. There would also be a number of roof lights installed. These are of the flush fitting type, which together with the shallow nature of the roof pitches will mean they would not be particularly prominent features.

The County Highway Authority initially raised concern regarding the visibility at the site access. A revised plan has resolved this issue and the Highway Authority has withdrawn its objection subject to the imposition of a condition requiring the maintenance of visibility splays. The applicant has offered to enter into a Section 106 agreement to ensure the splays are provided and maintained, but it is considered that this will not be necessary as control can be exercised by means of a condition.

With regard to the issues raised by the Parish Council, the premises has been rated as a commercial premises by the Council and the County Highway Authority now raise no objections to the access or the car parking provision.

Conclusions

In conclusion, it is considered that the proposed use is an ideal use of these redundant agricultural building, which together with their careful conversion will retain their rural character and that if the surrounding locality. As such Members are recommended to approve the application.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. Samples of materials proposed for all hard surfaced areas of the site shall be submitted to the Local Planning Authority for approval 14 days prior to the commencement of any surfacing work on site, and thereafter only approved materials shall be used either during the initial works or subsequently in any repairs to the surfaces.

In the interests of visual amenity and to contribute to the overall quality of the development.

3. Notwithstanding any denotation on the approved plans samples of facing brickwork [including details of mortar colour], and roof treatment, including colour, shall be submitted to and approved by the Local Planning Authority no later than 21 days 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.

In the interest of securing a satisfactory overall standard of development.

4. Prior to the commencement of development, details of the proposed roof lights shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the development first coming into use.

In the interests of visual amenity and in order to retain the character of the existing buildings.

5. All window and door frames shall be set in a minimum of 100mm reveal and thereafter maintained as such to the satisfaction of the Local Planning Authority.

To ensure a satisfactory standard of development in the interests of the overall quality of the built development.

6. Prior to the commencement of development, details of the proposed eaves, verge and ridges shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the development first coming into use.

In the interests of visual amenity and in order to retain the character of the existing buildings.

7. Prior to the commencement of development, details of all proposed boundary treatments shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the development first coming into use.

In the interests of visual amenity and in order to retain the character of this group of buildings.

8. Prior to the commencement of development a scheme of off-site highway works, incorporating improvements to the visibility splays at the site access, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the approved details to the satisfaction of the local

planning authority prior to the commencement of development works on site.

In order to ensure safe vehicular access and egress to and from the site during construction works and during the future use of the building.

9. Prior to the commencement of development, details of the proposed rain water goods shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the development first coming into use.

In the interests of visual amenity and in order to retain the character of the existing buildings.

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

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

11. The whole of the landscape works, as approved 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 silvicultural 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.

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

12. The car parking [and unloading and loading] area as indicated on the approved plan shall be constructed, drained, surfaced and laid out to the satisfaction of the Local Planning Authority concurrently with the remainder of the development and shall be made available for use prior to the first occupation of the premises, and shall thereafter be retained to the satisfaction of the Local Planning Authority solely for the purposes of car parking for residents on the site, their visitors or delivery / collection vehicles.

To provide satisfactory off-street parking in accordance with Council's adopted standards.

13. Prior to the commencement of development, details of a scheme of secure cycle stands and shower/changing facilities to be provided at the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the development first coming into use.

In the order to encourage the use of alternative, sustainable modes of transport

REASON FOR APPROVAL

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

SUMMARY OF RELEVANT POLICIES

This decision has been made having regard to the policies contained within the adopted Development Plan which comprises of the:

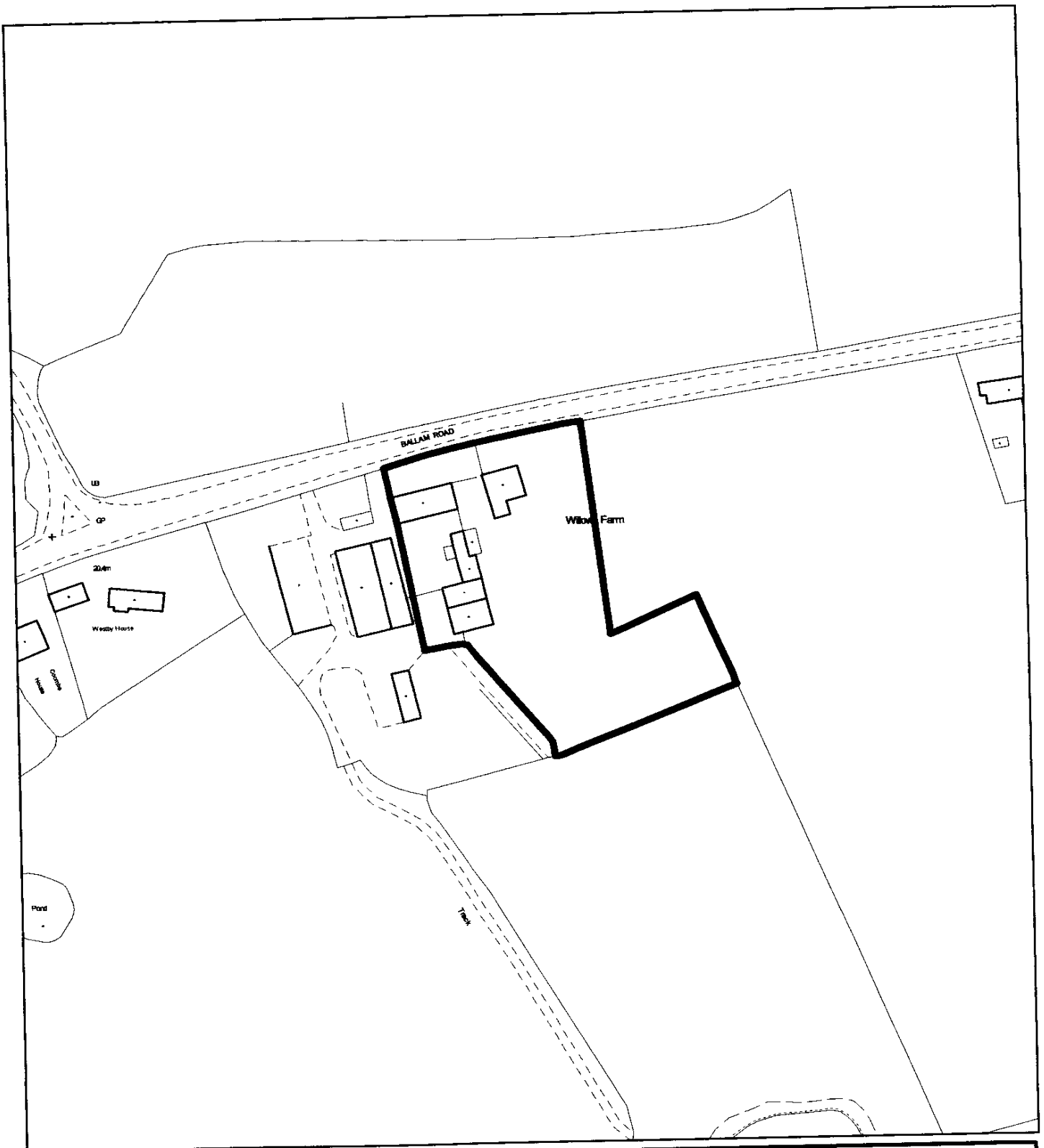
The Fylde Borough Local Plan.
The Joint Lancashire Structure Plan.
and all other relevant planning guidance

and in particular Policies:

Lancashire Structure Plan:
Policy 5: Development within rural areas

Fylde Borough Local Plan:
SP2: Development within rural areas
SP5: Conversion of Rural Buildings to Commercial Use
EMP3: Business and Industrial Uses Outside Defined Areas

Other Relevant Policy:
PPS1: Delivering Sustainable Development
PPS7: Sustainable development in the Countryside



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Application No. 5/05/0919	Address Willows Farm Ballam Road, Ballam	Grid Ref. E.3385 : N.4318	Scale 1:1500	Item No. 2

Item Number: 3

Application Reference: 05/0959		Type of Application: Full Planning Permission	
Applicant:	Next Generation Clubs Ltd	Agent :	Firstplan Ltd
Location:	WHITEHILLS PARK, WHITEHILLS PARK, WHITEHILLS PARK, WESTBY		
Proposal:	AMENDMENT TO PREVIOUS APPLICATION 00/240 FOR RACQUETS AND FITNESS CLUB WITH ASSOCIATED OUTDOOR FACILITIES AND PARKING.		
Parish:	Westby with Plumpton	Area Team:	Area Team 1
Weeks on Hand:	16	Case Officer:	Mr M Evans
Reason for Delay:	Due to staffing shortages		

Summary of Recommended Decision: Approve subject to Section 106 agreement.

Summary of Officer Recommendation

This application seeks consent to develop a smaller facility than was previously approved in 2001. The proposal is considered to be acceptable, subject to some amendment to the proposed car parking area and the completion of a unilateral undertaking to secure community use of the facility. Members are recommended to approve the application.

Reason for Reporting to Committee

Due to the major nature of the application.

Site Description and Location

This application relates to a plot of land on the north side of Lytham St Annes Way and to the west of the Outside Inn Public House. Access to the site is via the estate roads running from the main roundabout on Preston New Road which have previously been constructed to serve this employment site. The site is generally flat and featureless and surrounded by other development plots.

Details of Proposal

Planning permission has previously been granted for the erection of a "Tennis club with ancillary leisure facilities" on a 2.4 ha site that included this and the adjacent development plot. The applicant is now seeking permission to reduce the scale of the development to this 1.83 ha site.

The application has been submitted in full and includes provision for:

- Erection of sports hall measuring 100 x 65 x 11.4 metres high (maximum dimensions) housing indoor tennis courts, squash courts, swimming pool, gym, function rooms and sports shop. The

building is to have a metal roof in a curved form with panel clad upper walls and facing brick work to the lower walls.

- Provision of outdoor tennis courts.
- Provision of an outdoor swimming pool.
- Provision of 218 car-parking spaces (subject to possible amendment)

Relevant Planning History

Application No	Development	Decision	Date
00/0240	PROPOSED TENNIS CLUB WITH ASSOCIATED LEISURE FACILITIES	Granted	06/02/2001
00/0309	PROPOSED EXTERNAL SIGNS	Granted	12/07/2000
00/0447	REVISION TO APPROVAL OF RESERVED MATTERS APPLICATION ON 98/0009 FOR INCORPORATION OF ROUNDABOUT	Granted	09/08/2000
00/0537	RENEWAL OF PLANNING PERMISSION 5/97/0617 FOR DEVELOPMENT ON LAND AT DUGDALE FARM, OFF PEEL ROAD, FYLDE, INCLUDING PROPOSED BUSINESS AND INDUSTRIAL DEVELOPMENT AND PETROL FILLING STATION. ROAD WORKS.	Granted	04/10/2000
03/1065	OUTLINE APP. FOR CAR SHOWROOM/SALES	Refused	06/01/2004
03/1119	O/L APP. FOR NURSERY SCHOOL	Withdrawn by Applicant	15/01/2004
04/0022	7 NO. INDUSTRIAL UNITS	Withdrawn by Applicant	08/04/2004
04/0232	RE-SUBMISSION OF 03/1119 OUTLINE APP. FOR NURSERY SCHOOL	Granted	25/06/2004
04/0562	PROPOSED INDUSTRIAL UNIT	Granted	02/09/2004
04/0732	CONSENT TO DISPLAY 4 ADVERTISEMENT BOARDS AT VARIOUS SITES AT WHITEHILLS IND. ESTATE.	Granted	08/09/2004
04/0772	CONSENT TO DISPLAY 3 NO. FREESTANDING ADVERTISING SIGN BOARDS	Granted	21/09/2004
04/0996	OUTLINE APPLICATION FOR CAR DEALERSHIPS	Granted	10/01/2005
04/1065	ERECTION OF FIVE OFFICE UNITS	Granted	17/01/2005
05/0128	MODIFICATION OF CONDITION 6 ON OUTLINE APPLICATION 04/996, TO PROVIDE SERVICE ACCESS FROM WHITEHILLS ROAD TO THE CAR TRANSPORTER LOADING/UNLOADING AREA .	Refused	27/04/2005
05/0169	BMW AND MINI CAR SHOWROOMS WITH WORKSHOPS AND EXTERNAL USED VEHICLE DISPLAYS	Granted	08/04/2005
05/0179	PROPOSED TWO STOREY CAR SHOWROOM AND WORKSHOP WITH ASSOCIATED SINGLE STOREY VALET BUILDING.	Granted	09/05/2005
05/0258	ADVERTISEMENT CONSENT FOR 2	Granted	09/05/2005

05/0316	TEMPORARY HOARDING'S ERECTION OF OFFICES AND WORKSHOP BUILDING	Granted	29/04/2005
05/0427	TWO STOREY OFFICE DEVELOPMENT AND ASSOCIATED PARKING, MAINTENANCE AND STORAGE UNIT AND ASSOCIATED YARD AND CONSTRUCTION OF ACCESS ROAD.	Granted	13/06/2005
05/0573 05/1003	PROPOSED OFFICES AND STORAGE FOUL AND SURFACE WATER PUMPING STATION, ROADS AND FOOTPATHS.	Granted	25/07/2005
94/0129	OUTLINE - BUSINESS (B1) INDUSTRIAL (B2) FOOD/NON FOOD RETAIL (A1) MULTI- SCREEN CINEMA (D2) PETROL FILLING STATION AND ASSOCIATED ROAD WORKS	Refused	25/11/1994
94/0848	REVISED SUBMISSION OF APP NO 5/94/129 FOR NON FOOD RETAIL (A1), BUSINESS (B1) & INDUSTRIAL (B2), DEVELOPMENT. ALSO MULTI SCREEN CINEMA, PUBLIC HOUSE & TRAVEL LODGE (C1), PETROL, ROUNDAABOUT & ASSOC ROADWORKS	Granted	12/04/1995
95/0751	OUTLINE APP. FOR BUSINESS, INDUSTRIAL, AND NON-FOOD RETAIL DEV. INCORP. OFFICE/LIGHT IND.(B1). GEN. IND (B2) NON-FOOD RETAIL (A1). P.H./TRAVEL LODGE (C1). PETROL STATION, NEW ROUNDAABOUT AND ASS. ROAD WORKS	Granted	22/05/1996
96/0781	MODIFICATION OF 2 CONDITIONS ON APP. 5/95/0751:- CONDITION (XIII) MODIFIED TO ALLOW TRADING WITHOUT RESTRICTION FROM ONLY D.I.Y GARDEN CENTRES/BUILDERS MERCHANTS; CONDITION (XVII) TO ALLOW SALES OF FURNITURE/CARPETS BUT RESTRICT BOOKS/ PHARMACEUTICALS	Withdrawn by Applicant	26/08/1997
96/0782	OUTLINE APPLICATION FOR OFFICE/LIGHT INDUSTRIAL DEVELOPMENT (B1), GENERAL INDUSTRIAL DEVELOPMENT (B2), MULTIPLEX CINEMA DEVELOPMENT (D2), PUBLIC HOUSE/RESTAURANT (A3), NEW ROUNDAABOUT AND ASSOCIATED WORKS	Withdrawn by Applicant	26/08/1997
97/0617	RESUBMISSION OF 5/96/0781 - MODIFICATION OF 2 CONDITIONS ON APP. 5/95/0751:- CONDITION (X111) MODIFIED TO ALLOW TRADING WITHOUT RESTRICTION FROM ONLY D.I.Y/GARDEN CENTRES/BUILDERS MERCHANTS; CONDITION (XV11) TO ALLOW SALES OF FURNITURE/CARPETS BUT RESTRICT BOOKS/ PHARMACEUTICALS/FLOWERS.	Granted	08/10/1997
98/0009	RESERVED MATTERS APPLICATION ON OUTLINE 5/97/617 FOR CONSTRUCTION OF ROADS SEWERS AND ASSOCIATED WORKS THERETO AND TEMPORARY	Granted	22/04/1998

98/0010	CONSTRUCTION ACCESS FULL PLANNING APPLICATION ON 5/97/617 FOR ERECTION OF NON FOOD RETAIL WAREHOUSE FOR BULK DIY SALES, WITH GARDEN PRODUCTS AND ASSOCIATED LANDSCAPING AND CAR PARKING.	Granted	15/06/1998
98/0150	CONSTRUCTION OF ECOLOGY AND CONSERVATION AREA INCORPORATING SURFACE WATER BALANCING POND AND CONSTRUCTION OF FOUL WATER PUMPING STATION TO FACILITATE DEVELOPMENT AT DUGDALE FARM.	Granted	17/06/1998
98/0509	ERECTION OF GREENHOUSE AND CANOPY	Granted	09/09/1998
98/0511	ADVERTISEMENT CONSENT TO DISPLAY VARIOUS ILLUMINATED SHOP AND DIRECTIONAL	Granted	04/11/1998
98/0516	RELOCATION OF BUS TURNING FACILITY, CONSTRUCTION OF TWO ADDITIONAL CUL-DE-SACS AND MINOR REALIGNMENTS TO CARRIAGEWAYS ASSOCIATED THERETO (REVISIONS TO RESERVED MATTERS APPROVAL REFERENCE 5/98/0009)	Granted	09/09/1998
98/0551	CONSTRUCTION OF 9585 SQUARE METRES OF OFFICE ACCOMMODATION (B1); 4645 SQUARE METRES OF NON-FOOD RETAIL (A1); RESTAURANT (A3); ASSOCIATED CAR PARKING, LANDSCAPING AND ACCESS PROVISION.		12/07/2000
99/0424	REMOVAL OF PLANNING CONDITION NO. 9 APPLICATION NO. 5/98/10 RE: TRADING	Granted	01/12/1999
99/0463	ERECTION OF RESTAURANT (CLASS A3), LODGE INN (CLASS C1) AND ASSOCIATED ACCESS WORKS, PARKING AND LANDSCAPING	Granted	03/11/1999
99/0685	ADVERTISEMENT CONSENT TO DISPLAY NON-ILLUMINATED HOARDING SIGN	Granted	05/01/2000

Parish Council Observations

Westby with Plumpton Parish Council

Recommends approval of the application

Statutory Consultees

County Highway Authority

Has requested amendments to the proposed car parking layout and the access to the proposal.

OFFICER NOTE: The applicant has been requested to amend the car park layout and access, and revised plans are expected in time for consideration by Committee.

United Utilities

No objection in principle

Blackpool Airport

No safeguarding objections

Blackpool Borough Council

I note that the application site is smaller than previously approved (1.83 hectares compared with 2.64 hectares) and that the facilities and car parking have been correspondingly reduced. I also note that this Council previously had concerns about the lack of industrial and business development at Whitehills Park and this concern remains. This Council would also like re-assurance that in the context of the changed policy background there are no more sequentially preferable sites, especially as the scale of the proposal has reduced. On the basis that there are no more sequentially preferable sites and on the basis of the benefits of the proposed sporting facilities it is considered that the proposed development should be supported.

Observations of Other Interested Parties

None received

Neighbour Observations

A site notice has been displayed, a press notice published and neighbouring premises notified. No comments have been received.

Relevant Planning Policy

Lancashire Structure Plan:

- Policy 2: Main development locations
- Policy 16: Retail, Entertainment and Leisure Development

Fylde Borough Local Plan:

- SP1: Development within the urban areas
- EMP1: Employment Sites
- EMP2: Protection of Employment Sites

Other Relevant Policy:

- PPS1: Delivering Sustainable Development
- PPS6: Planning for Town Centres
- PPG17: Sport and Recreation'

Environmental Impact Assessment

As an "urban development project", the development is of a type listed within Schedule II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999. Officers have screened the development for any potential environmental impact and concluded that a formal Environmental Statement need not accompany the application.

Comment and Analysis

The broad principle of utilising this site for leisure purposes was established with the grant of planning permission on 2001. As such, approval of this smaller scheme will have no greater impact in regard to the loss of employment land and issues relating to accessibility than the previous proposal. PPS6 requires the need for the facility to be demonstrated and a sequential test to be applied to leisure uses with preference being given to sites within established centres. Although this test was carried out prior to the granting of the previous application, the smaller site area required by this revised proposal means that there might be alternative sites that were previously discounted. The applicants have,

therefore, been requested to carry out a revised search and have confirmed that there are no sequentially preferable sites available. Evidence submitted in support of the application also demonstrates that there is a need for such a facility locally. As such the development is considered to be acceptable in this location.

The proposed sports hall is now smaller than the previous approval. The design has changed accordingly and the previous curved frontage is no longer included. However, the proposal now includes a curved roof structure that will ensure the building is not just a "standard metal box" often found on employment sites of this nature.

The original submission also included a car park with little in the way of landscaping to break up the large expanses of tarmac. The application has now been amended in order to incorporate planting beds within the car park and additional planting along the site boundary in order to help soften the proposal.

The County Highway Authority has expressed concern that the proposed site access and car park layout is inappropriate. These concerns have been passed onto the developer and revised plans are expected prior to the application being considered by Committee.

As with the previous proposal, the applicant has completed a unilateral undertaking which ensures the facility will be made available for community use.

The proposal includes the provision of a shop that is intended to sell sporting goods. In order to ensure that this is not used for the sale of other goods or becomes of a size that may threaten the viability of existing centre, it is considered appropriate to impose conditions restricting both the floor area and range of goods to be sold.

Conclusions

The revised proposal is considered acceptable and of a design which is appropriate to this location. A completed unilateral 106 agreement has been received and Members are therefore recommended to grant planning permission.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. Notwithstanding any denotation on the approved plans Samples of facing materials [including details of mortar colour as appropriate], and roof treatment, including colour, shall be submitted to and approved by the Local Planning Authority no later than 21 days 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.

In the interest of securing a satisfactory overall standard of development.

3. Prior to the commencement of development full details of the surface materials proposed for the car park spaces and circulation areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the building first coming into use.

In the interests of visual amenity.

4. Prior to the commencement of development full details of the proposed site boundary treatment including height, design, colour, and exact position shall be submitted to and be subject to the approval of the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the building first coming into use.

In the interests of visual amenity.

5. Prior to the commencement of development details of any incidental lighting to the car park, circulation areas and external elevations of the building and floodlighting to the outdoor sports/leisure facilities, shall be submitted to and be subject to the approval of the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the building first coming into use.

In the interests of visual amenity.

6. The whole of the landscape works, as approved 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 silvicultural 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.

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

7. The car park area shall be wholly laid out, constructed, drained and be available for use prior to the first use of the premises.

To ensure the adequate provision of car parking in the interests of highway safety.

8. The outdoor sport and recreation facilities shall be constructed concurrently with the main development and shall be available for use prior to the first use of the main building.

In order to ensure that the outdoor facilities are provided as part of this development. Without such facilities the Council's consideration of the proposal in terms of its locational requirement would have been different.

9. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from Car Parking Areas shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with, the site being drained. Roof water shall not pass through the interceptor.

To prevent pollution of water environment.

- 10 The floor area of the retail shop element of the development hereby approved shall not exceed 170 sq metres

In order to prevent the establishment of a retail outlet of a scale that would harm the vitality and viability of established retail centres.

- 11 The goods sold from the retail shop element of the development hereby approved shall be restricted to sporting and fitness equipment and clothing in accordance with a schedule that shall first have been submitted to and approved in writing by the local planning authority.

In order to prevent the establishment of a general retail outlet that would harm the vitality and viability of established retail centres.

REASON FOR APPROVAL

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

SUMMARY OF RELEVANT POLICIES

This decision has been made having regard to:
the policies contained within the adopted Development Plan which
comprises of the:

The Fylde Borough Local Plan.

The Joint Lancashire Structure Plan.

and all other relevant planning guidance

and in particular Policies:

Lancashire Structure Plan:

Policy 2: Main development locations

Policy 16: Retail, Entertainment and Leisure Development

Fylde Borough Local Plan:

SP1: Development within the urban areas

EMP1: Employment Sites

EMP2: Protection of Employment Sites

Other Relevant Policy:

PPS1: Delivering Sustainable Development

PPS6: Planning for Town Centres

PPG17: Sport and Recreation'

Item Number: 4

Application Reference: 05/1022		Type of Application: Outline Planning Permission	
Applicant:	Kensington Developments Ltd	Agent :	
Location:	LAND ON EX SADLER'S AND COOKSON'S SITES, DOCK ROAD, LYTHAM, LYTHAM ST ANNES		
Proposal:	RE-SUBMISSION OF 004/314, OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF 260 DWELLINGS. (60% AFFORDABLE = 156 AFFORDABLE DWELLINGS)		
Parish:	St Johns	Area Team:	Area Team 1
Weeks on Hand:	12	Case Officer:	Mr M Evans
Reason for Delay:	N/A		

This application has been withdrawn from the agenda at the request of the applicant.

Item Number: 5

Application Reference: 05/1056		Type of Application: Full Planning Permission	
Applicant:	Mr Wills	Agent :	Croft Goode Partnership
Location:	103 STAINING ROAD, STAINING, BLACKPOOL		
Proposal:	ERECTION OF TWO STOREY SIDE EXTENSION AND REAR CONSERVATORY AND ERECTION OF DETACHED GARAGE		
Parish:	Staining	Area Team:	Area Team 2
Weeks on Hand:	9	Case Officer:	Mr M Evans
Reason for Delay:	Due to postponed committee		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

Although, the proposal envisages a substantial extension to the property, the nature of the proposed extension and the removal of existing buildings are such that the overall impact is balanced. As such Members are recommended to approve the application.

Reason for Reporting to Committee

The application is on the agenda as Staining Parish Council views are contrary to Officer recommendation.

Site Description and Location

The site is comprised of an existing dwelling and complex of former agricultural buildings located on Staining Road. The dwelling and buildings are in a poor state of repair. Newton Hall Holiday Park is located opposite which is currently undergoing redevelopment. The site is located in the Green Belt.

Details of Proposal

The application proposes a two storey side extension measuring 3.2m wide by 10m long and would be set back from the front of the dwelling by approximately 0.7m. The proposal is also to 'wrap the extension partially around the rear of the dwelling at two storey level, together with a single storey conservatory measuring 9m by 6m at its greatest point. A dormer is also proposed to the rear of the dwelling and a 3 car garage to the side of the dwelling in an existing paddock area. There are a number of buildings proposed to be demolished as part of the proposal including a barn to the frontage of the site, a large barn to the rear and a single storey extension to the side and rear of the dwelling.

Relevant Planning History

None relevant

Parish Council Observations

Staining Parish Council

The Parish Council objects to this proposal on several grounds. The proposal will increase the footprint of the property by more than 100% and will radically alter the look of this old farmhouse from the roadway. The council does not wish to see the front of this building altered in size from the existing, especially using a wall set back from the original property. Nor does the council agree with the siting of the detached garage. This could be placed to the rear of the property or on the footprint of one of the barns to be demolished. This would also allow the use of the existing vehicular access. The proposed entrance, shown on the plans as established for approximately 12 years has only been in existence for approximately 12 weeks, not years. A site visit will show that the "established entrance" is in fact a hole knocked in the existing wall to allow land clearance to take place. The Parish Council has written to the owner asking for this wall to be rebuilt as it was

CONCLUSION OF STAINING PARISH COUNCIL:

The Council objects strongly to this application, so radically altering a landmark farmhouse, sneaking in a new vehicular access and erecting a garage on greenfield rather than the foundations of one of the barns to be demolished.

Statutory Consultees

Wyre Borough Council

This proposal comprises a substantial amount of extension to the existing house, with significant changes to the character and appearance of the present building. In particular as a result of the increase in the bulk and mass of the building, and the addition of the dormer and roof balcony, features that are most noticeable in the rear and side elevations. It is therefore requested that the visual impact of the proposed extensions and alterations on the surrounding area be carefully assessed, and be taken into account in the consideration of the application.

County Highway Authority

Having visited the site I would question the description "existing vehicular access, established for approximately 12 years". A roughly created hole in a brick wall with no obvious gates and a level difference between the road and land within the curtilage does not look much like a useable, functional access.

I do not wish to object to the proposal subject to access improvements. I will require a visibility splay of 2.4 by 70 metres and this may necessitate setting back the tall wall. Additionally any gates erected must be at least 5 metres into the site and open away from the highway. Assuming these requests are accommodated the highway aspect of the site will be acceptable.

Observations of Other Interested Parties

None received

Neighbour Observations

None received

Relevant Planning Policy

Joint Lancashire Structure Plan:
Policy 5 and 6

Fylde Borough Local Plan:
SP2 Development in Countryside Areas
SP3 Development in Green Belt
HL4 Replacement and Extension of Rural Dwellings
HL5 House Extensions

Other Relevant Policy:
PPS1 - Delivering Sustainable Development
PPG2 - Green Belts
PPS7 - Sustainable Development in Rural Areas

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

The main issue is whether the proposed extensions to the dwelling, comply with the relevant national and local plan policies in respect of extensions and development in the green belt.

Policy SP2 and HL4 allow for minor extensions to dwellings where the resultant dwelling is not out of character with the original dwelling or other dwellings in the locality. Policy SP3 allows for the limited extension or alteration of existing dwellings provided that it is of similar size to the original.

The dwelling at present, is a traditional farm house type dwelling, standing in isolation. However, there is a significant collection of traditional brick farm buildings surrounding the dwelling. Whilst the proposed extensions exceed the 25-33% as noted in the preamble to Policy HL4, the small addition to the side of the dwelling and extending rearwards, do not result in a significantly larger dwelling than the dwelling which exists at present. In addition the Newton Hall Holiday complex is immediately opposite, which is currently undergoing redevelopment, which has a large amount of development along the frontage of Staining Road. The dwelling the subject of this application is 'read' within the context of this built development. Whilst there are also additions to the rear of the dwelling, due to the limited vantage points of the dwelling, again, it does not appear as an unduly large dwelling in the countryside. However, it has to be noted that the extensions cannot be considered as minor, but as part of the application, there is a proposal to remove a number of existing brick built buildings in close proximity to the dwelling, which do contribute to a large collection of buildings, within this green belt area. The removal of the buildings would open up the immediate area around the dwelling, thereby improving the openness of the Greenbelt. These buildings are not considered to be of such merit that their retention is desirable.

In terms of Policy HL5 in respect of house extensions, there is no adverse impact on the character of the area, and given that there are no dwellings in the vicinity, there is no impact on neighbouring properties.

Conclusions

In conclusion therefore, whilst the extensions result in a 42% increase over the original dwelling, they are mainly to the rear of the dwelling where there is little visual impact as a result of the extensions and do not contribute to an overly large dwelling. Amended plans have been submitted taking into account the concerns of the Highways Authority. In addition, by conditioning the removal of two of

the buildings close to the dwelling, these preserve the openness of the green belt and is therefore considered acceptable.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. This consent relates to the revised plan[s] received by the Local Planning Authority on the 23 December 2005.

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

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. All window frames in the extensions hereby approved shall be set in reveal to match the existing dwelling and thereafter maintained as such to the satisfaction of the Local Planning Authority.

To ensure a satisfactory standard of development in the interests of the overall quality of the built development.

5. The access and garage hereby approved shall not be utilised for the parking of vehicles until the alterations to the vehicular access have been carried out in accordance with the approved plans.

In order to ensure there is adequate visibility serving the access road and garage in the interests of highway safety.

6. The drive and accompanying turning area shall be laid out in accordance with the approved plans prior to the new access first being brought into use.

To ensure that vehicles enter and leave the site in forward gear.

7. The garage[s] shall be used as a private garage[s] only and no trade or business shall be carried on, in or from the building[s].

To safeguard the amenities of the neighbourhood.

8. The garage door shall be constructed in timber or have a simulated timber appearance to the satisfaction of the Local Planning Authority.

In the interests of visual amenity given the sensitive location of the site in the countryside area.

9. A full specification of all proposed surface materials shall be submitted to the Local Planning Authority for approval prior to the commencement of the development; thereafter only those approved materials shall be used upon the development unless otherwise agreed in writing with the Local Planning Authority.

In the interests of the overall quality of the finished development.

10. This consent relates to the revised plan[s] received by the Local Planning Authority on the 23 December 2005

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

11. Prior to the commencement of the extensions hereby approved, the buildings identified in blue on the approved plan shall be completely demolished and removed from the site and the land reinstated to a condition to be agreed with the Local Planning Authority.

In order to preserve the openness of the green belt.

12. Prior to the commencement of operations, full details of the boundary walls/treatments shall be submitted to and approved by the Local Planning Authority. The boundary walls/treatments shall be carried out in strict accordance with those approved details and retained in their approved form.

Such details are not expressly shown on the submitted plans and to ensure a satisfactory form of development.

13. Any gates erected at the site shall be set back at least 5m into the site and shall open inwards into the site. Details of such gates shall be submitted to and approved by the Local Planning Authority prior to their erection. The gates shall thereafter be retained in their approved form.

Such details are not shown on the submitted plans.

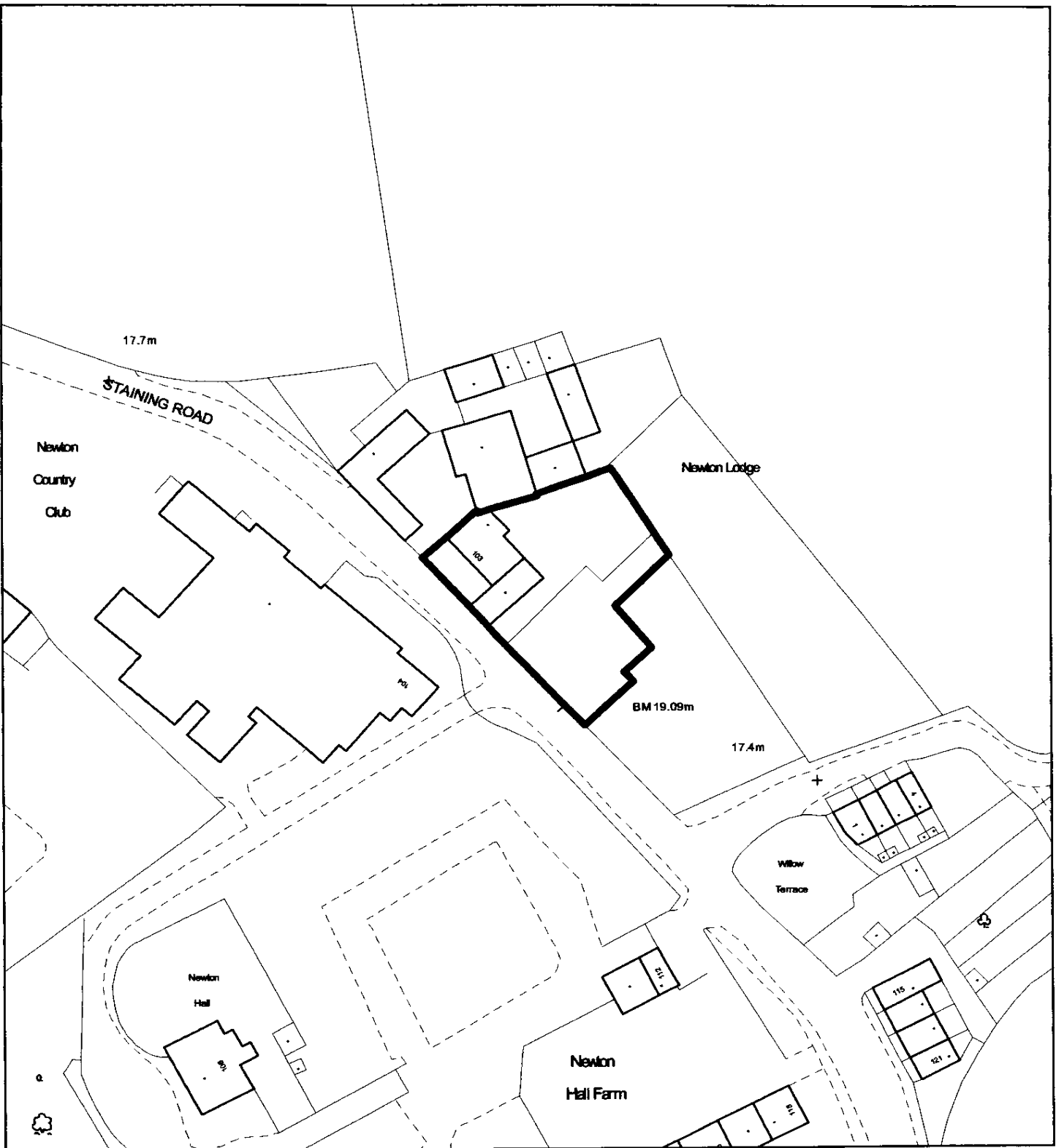
REASON FOR APPROVAL

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

SUMMARY OF RELEVANT POLICIES

This decision has been made having regard to:
the policies contained within the adopted Development Plan which comprises of the:
The Fylde Borough Local Plan.
The Joint Lancashire Structure Plan.
and all other relevant planning guidance
and in particular Policies:

Fylde Borough Local Plan: SP2, SP3, HL4, HL5
Joint Lancashire Structure Plan: Policy 5 and 6
PPG's/PPS's: PPS1, PPG2, PPS7



<p style="text-align: center;">The Built Environment Unit Fylde Borough Council</p>		<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. (C) Crown copyright Licence No. 100006084 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.</p>		
<p>Application No. 5/05/1056</p>	<p>Address 103 Staining Road Staining</p>	<p>Grid Ref. E.3343 : N.4368</p>	<p>Scale 1:1000</p>	<p>Item No. 5</p>

Item Number: 6

Application Reference: 05/1060		Type of Application:	Full Planning Permission
Applicant:	Taylor Woodrow Dev. Ltd	Agent :	MCK Partnership Ltd
Location:	LAND BETWEEN WEETON ROAD/FLEETWOOD ROAD, WEETON ROAD, WESHAM, PRESTON		
Proposal:	ERECTION OF 106 DWELLINGS TOGETHER WITH ASSOCIATED INFRASTRUCTURE		
Parish:	Medlar with Wesham	Area Team:	Area Team 2
Weeks on Hand:	10	Case Officer:	Mr M Evans
Reason for Delay:	Detailed discussions to secure improvements in the proposed layout		

Summary of Recommended Decision: Approve Subject to Sn 106 agreement

Summary of Officer Recommendation

This site was granted outline planning permission on appeal, subject to a condition requiring 40% of the properties to be provided as affordable dwellings. This reserved matters application has been amended in order to produce a scheme which is appropriate to this location on the edge of the settlement. Members are recommended to approve the application subject to the completion of a Section 106 agreement to secure the affordable properties in the long term, the provision of a financial contribution to improve existing play facilities and the imposition of suitable conditions.

Reason for Reporting to Committee

Due to the major nature of the application proposal.

Site Description and Location

The site is located between Fleetwood Road, Weeton Road and the By-pass, all within the settlement of Wesham. The site is a greenfield site, granted planning permission on appeal in outline form, for residential development. The site is within the limits of development of Wesham as detailed on the proposals map of the adopted local plan.

Details of Proposal

The application is the reserved matters application, following the grant of outline permission on appeal on 23rd February 2004. The outline permission was purely for residential development with only details of the access being approved at that stage. This reserved matters application, proposes the erection of 106 dwellings and associated infrastructure, including the provision of 43 affordable units. The open market housing will consist of a mixture of one bedroomed apartments, two and three bedroom townhouses and four bedroom detached properties. The affordable housing will consist of one, two and three bedroomed dwellings, distributed at the northern and southern end of the development scheme and will be principally semi-detached and terraced two storey properties.

Public open space has been provided within the site in the form of a landscaped buffer along the bypass boundary. There are no other areas of useable public open space contained within the application site.

In line with the Inspector's decision on the original outline scheme, highway improvements are proposed at the junction with Weeton Road and the By-pass in the form of a new roundabout and highway improvements.

Access to the site will be gained from Weeton Road, with a central internal access road serving the majority of the development. A number of spur roads are taken from this main internal access road.

Relevant Planning History

Application No	Development	Decision	Date
02/1015	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT	Refused Allowed on appeal	23/02/2004 23/02/2004
05/0069	ERECTION OF 106 DWELLINGS AND ASSOCIATED INFRASTRUCTURE	Withdrawn by applicant	30/03/2005
05/0687	RESUBMISSION OF 05/0069 ERECTION OF 106 DWELLINGS AND ASSOCIATED INFRASTRUCTURE	Withdrawn by applicant	08/09/2005

Parish Council Observations

Wesham Town Council

Statutory Consultees

County Highway Authority

The plan submitted, SK/001, concurs with that submitted for the outline application which was approved at appeal on 23 February, 2004.

The basic layout is workable but there are forward visibility problems with plots 8, 21 and 31. In each case the houses should be relocated to increase the forward visibility around the bend or at the junction, as appropriate.

Condition 7 of the planning permission relates to the major highway issue, ie the provision of a roundabout at Weeton Road/Kirkham Bypass junction, which must be completed before any dwelling is occupied.

The developer should contact Paul Smith in the County Council's Highway Consultancy to establish the Section 278 Agreement which will be required. It has always been intended that the cost of this scheme will be borne by three parties: the developer of the Weeton Road site, likewise for Wesham Park Hospital site, with the County Council making up any deficit. A design and estimate will obviously be required. When Taylor Woodrow progress the Highways Agreement the financing of the scheme can be further progressed.

OFFICER NOTE: The revised site layout has addressed the visibility issues.

United Utilities

No objection to the proposal in principle.

However, it is unclear if the existing sewer network has the capacity to accommodate this development and flow investigations will be required before this may be confirmed.

The site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the watercourse/soakaway/surface water sewer and may require the consent of the Environment Agency.

Land drainage or subsoil drainage water must not be connected into the public sewer system directly or by way of private drainage pipes. It is the developer's responsibility to provide adequate land drainage without recourse to the use of the public sewer system.

The culverted watercourse that crosses the site is not a United Utilities Asset and contact should be made with the riparian owner who is responsible for the watercourse.

A water supply can be made available to the proposed development.

As the developer is aware the Hodder 33" & 27" Aqueducts are laid across/adjacent to the site of the proposed development. The applicant must comply with our standard conditions, a copy of which is enclosed for work carried out on, or when crossing, aqueducts and easements. An easement of 5 metres each side of the Aqueduct must be maintained.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current Water Supply (Water Fittings) Regulations 1999.

Should this planning application be approved, the applicant should contact our Service Enquires on 0845 7462200 regarding connection to the water mains.

United Utilities offers a fully supported mapping service at a modest cost for our electricity, water mains and sewerage assets. This is a quality service, which is constantly updated by our Map Services Team (Tel No: 0870 7510101) and I recommend that the applicant give early consideration in project design as it is better value than traditional methods of data gathering.

Observations of Other Interested Parties

None received.

Neighbour Observations

3 letters of objection received at the time of writing the report. Objections are as follows:

1. questions access to existing properties
2. devaluation
3. flooding
4. loss of view
5. loss of privacy

Relevant Planning Policy

Lancashire Structure Plan:

- | | |
|----------|----------------------------------|
| Policy 5 | Main Urban Areas |
| Policy 7 | Development at other settlements |

Fylde Borough Local Plan:

- | | |
|-------------|--------------------------------|
| Policy SP1: | Development within Settlements |
|-------------|--------------------------------|

Policy HL3: Affordable Housing
Policy HL4: Affordable Housing

Emerging Joint Lancashire Structure Plan:
Policy 1: Principal Urban Areas

Other Relevant Policy:
PPS1: Delivering Sustainable Development
PPG3: Housing
PPG17: Planning for Open Space

Environmental Impact Assessment

As this is a reserved matters application, the application does not fall within the scope of the Town and Country Planning (Control of Environmental Impacts) (England and Wales) Regulations 1999 as these issues were resolved when the outline application was considered.

Comment and Analysis

The principle of residential development has already been established by virtue of the extant outline permission granted on appeal by the Secretary of State. Members will recall that the site was originally an allocated site within Policy HL1 of the adopted Fylde Borough Local Plan, before this policy was quashed by the High Court. Following on from that, and the subsequent proposed revisions to the housing chapter of the Fylde Borough Local Plan, the site has been deleted as an allocated site.

On determination of the outline application, means of access was applied for at that time, with all other matters being reserved for subsequent approval. In other respects, the plans submitted with that application, were treated as illustrative only. Whilst at that time, the Council was faced with the quantitative housing oversupply issue, on determining the outline application, the Inspector gave considerable weight to the fact that the appellant proposed to offer 40% of the units as 'affordable' dwellings, together with considerable highway improvements, within the vicinity of the site. On granting permission therefore, the Inspector imposed a number of pertinent conditions, which need to be carefully assessed in light of this reserved matters application. Such conditions required ***'the details of the dwelling units to be provided as affordable units, in line with the Council's adopted Supplementary Planning Guidance on The Provision of Affordable Housing Within New Private Sector Housing Development and the Council's Housing Needs Survey. The submitted details shall provide for details of: the type and size of the units, the time at which the affordable housing units will be supplied and the means of ensuring that the benefits of affordable housing will be enjoyed in successive, as well as initial, occupiers. The affordable housing shall be provided in accordance with the approved details and shall thereafter be retained as affordable housing in accordance with those approved details'***.

In addition, the Inspector also imposed a condition requiring ***'the provision of open space in compliance with the standards set out in Fylde Local Plan Policy TREC 17'***.

Giving consideration to the first issue in respect of the affordable housing, the applicant has stated that 43 of the 106 dwellings will be 'affordable' in line with the condition. With regards to the location, the affordable dwellings have been identified as being within the northern and southern end of the application site. Whilst this is not an ideal solution to ensure an integrated community, it will enable the properties to be more effectively managed by a housing association in future. Originally, the design of the dwellings was such that there was a large disparity in the design of the affordable dwellings than the open market dwellings, with them appearing bland, uninteresting and inferior when compared with the open market housing.

Whilst the affordable housing has been identified in principle, no evidence or additional information has been submitted to the Council, with regards to the tenure of the dwellings or how they will be retained as affordable dwellings in the future, as is specifically required by condition no. 8 of the outline permission. However, this will be resolved during the process of drawing up the Section 106 agreement. If this matter cannot be resolved, the application would be placed before committee for further consideration.

With regards to the second issue in respect of public open space, condition no. 5 of the Inspector's decision, requires the provision of open space in compliance with the standard set out in TREC 17 of the Fylde Borough Local Plan. Having regard to TREC 17, this would require the provision of 0.76 hectares of useable open space. The applicant has shown one area of useable open space, equating to approximately 0.29 ha. The provision of open space has been discussed with the Parks Manager, who has concerns that the establishment and future maintenance of multiple play facilities will place a burden on finances. It has therefore been agreed that a commuted sum should be secured in order to improve play facilities at the existing facility on the opposite side of Fleetwood Road in lieu of the additional space being provided on site. The applicant has confirmed that a management company controlled by the future residents of the development would maintain the landscaped areas.

Turning to the design and layout of the proposal, this is a prominent site located on the westerly edge of Wesham, between the existing residential development - and the frontage allotments – and the by-pass. In recognition of this fact a design brief was prepared as a way of establishing key design principles which would direct the approach to the layout of the site. In addition to the brief, a series of principles have been established with the applicants appointed architect, which have then formed the basis of more detailed discussions, resulting in the present design solution.

As an edge of town site, which is highly visible, it is important that this is reflected in the approach to layout and appearance. The site is transitional; that is to say, it will form the built edge of Wesham, but importantly, it also relates to the open countryside beyond. As a result, the design brief required the development to be forward facing and be set back 30 metres from the carriageway (this would also assist with noise attenuation to the dwellings closest to the road). Even though forward facing development is the correct approach it is essential that the development does not result in a hard urban edge by effectively forming a 'wall of development'. As a result of these considerations the development proposes a series of smaller grouping of dwellings facing the by-pass, which are interrupted by roadways and open spaces. Designed in this way, landscaped views into the site will soften the built edge. To the northerly (Fleetwood Road) approach, the dwellings are arranged in an 'arc' and set back over 40 metres, which should form an attractive elevation, largely dominated by landscaping to the frontage.

The scheme proposes the introduction of a new roundabout at the Weeton Road junction. This will be of a similar size to others along the length of the by-pass and so it is essential that both the landscaping of the roundabout and the approach islands are well detailed, including hard surface materials. The dwellings nearest to the by-pass area again forward facing in order to provide an appropriate elevation to the roadway.

The site contains a number of hedgerows and wherever possible (and in particular, around the periphery of the site), they should be retained. A landscaping condition should ensure that they are not only retained but also subsequently managed. The ultimate appearance of the development will result largely from the interrelationship of the buildings and soft landscaping. One area of concern relates to the management of the soft landscaped area between the carriageway edge and the westerly site boundary. This area is for the most part in the form of an embankment and falls within the responsibility of the County Council as highway authority. It presents an unkempt appearance. It should be possible to bring this area within the general management arrangements for soft landscaping for the site, especially since this area will affect the amenities of those living closest to it and will impact on the appearance of the development, which is of course highly prominent

It is pleasing to see that the soft landscaping forms an essential element of the scheme and that it is integral to the design approach to the site rather than as an after-thought. The landscape architect's scheme contains much of what has been discussed throughout the course of negotiations including tree planting and the provision of hedgerow within the site itself thereby providing a theme for the development as a whole.

The development of the dwellings as proposed places them into smaller groupings with specific identity and the concept; to use a specific palette of materials to further identify these groupings, will help to create smaller areas of identity within the site. This feature will be further enhanced through the landscaping proposals. On this issue, however, the choice of materials will require co-ordination and it is recommended that a single unifying roofing material (grey) be used as a way of unifying the development and relating it to the 'roofscape' of Wesham.

Other more minor layout considerations such as the importance of treating visually prominent side elevations as 'quasi' front elevations, the use of 'wall' to link buildings rather than fences, the arrangement of dwellings to each other and surface detailing are now satisfactorily resolved. The elevations of the dwellings are attractively proportioned.

On a final design note, there are considerable changes in level, for the most part a fall from south to north. Assumptions have been made about how these will impact on the development e.g. as to how it would appear – for example, the visual prominence of roofs. It is suggested that a condition be included to require cross-sectional drawings and that finished floor levels be similarly agreed.

In conclusion, subject to the detailed execution of the development being carried out the final result should be one of an attractive urban edge to Wesham linking in well with the open countryside beyond.

With regards to highways issues, the County Highways Authority, accepts that in general, the basic layout is workable. The highway safety issues have been resolved through the submission of a revised layout.

Conclusions

The amendments that have been made to the scheme have produced a layout which respects the location of the site on the edge of the urban area at a key entrance to the settlement of Wesham. Although the open space provision does not meet with the standard set down in Policy TREC17 the site layout is relatively open and the payment of a commuted sum towards the upgrading of other nearby facilities as considered an appropriate alternative in this instance.

It will be necessary to continue discussions with the developer to secure the provision of affordable dwellings on line with the condition imposed on the outline application.

Recommendation

That, subject to the completion of a Section 106 agreement to secure the provision of affordable dwellings and a commuted payment towards the improvement of existing play facilities, planning permission be GRANTED subject to the following conditions:

1. This consent relates to the revised plan[s] received by the Local Planning Authority on the .

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

2. Notwithstanding any denotation on the approved plans Samples of facing materials

[including details of mortar colour as necessary], and roof treatment, including colour, shall be submitted to and approved by the Local Planning Authority no later than 21 days 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.

In the interest of securing a satisfactory overall standard of development.

3. The whole of the landscape works, as approved 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 silvicultural 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.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hatched green on the approved plan any building, wall, fence, hedge, tree, shrub or other device higher than one metre above carriageway level.

To ensure adequate visibility at the site access

5. Samples of materials proposed for all hard surfaced areas of the site (including highways and footpaths) shall be submitted to the Local Planning Authority for approval 14 days prior to the commencement of any surfacing work on site, and thereafter only approved materials shall be used either during the initial works or subsequently in any repairs to the surfaces.

In the interests of visual amenity and to contribute to the overall quality of the development.

6. Prior to the commencement of development a scheme of off-site highway works and timetable of implementation, incorporating details of the proposed roundabout (including landscaping and surface treatments of the traffic islands) and details of a pedestrian crossing to be provided on Fleetwood Road, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the approved timetable to the reasonable satisfaction of the local planning authority.

In order to ensure safe vehicular access and egress to and from the site during construction works and during the future use of the building.

7. Where any dwelling on the estate incorporates an integral garage for the purpose of housing a motor vehicle then that accommodation shall not be modified or converted for any other purpose without the prior approval of the Local Planning Authority.

To ensure that there is adequate parking provision retained within the dwelling curtilage.

8. Prior to the commencement of development, a scheme shall be submitted for any alterations to existing ground levels on site indicating existing and proposed levels and the nature of the proposed works in sectional detail and finished floor levels of all buildings.

To ensure the development is completed in an acceptable manner having regard to the undulating nature of the site.

9. Details of street lighting [incorporated post heights, design, construction and lighting head form] shall be submitted to and approved by the Local Planning Authority prior to the commencement of any street works by the developer. The development shall be carried out in accordance with the approved details

In the interests of the visual appearance of the estate layout / form of development.

10. Notwithstanding the provision of Article 3, Schedule 2, Part 1, Classes A, B, C, E & F of the Town and Country Planning General Permitted Development Order 1995 [or any Order revoking or re-enacting that Order], no further development of the dwelling[s] or curtilage(s) relevant to those classes shall be carried out without Planning Permission.

To ensure that the Local Planning Authority has control over any future development of the dwelling[s] which may adversely affect the character and appearance of the dwelling[s] and the surrounding area.

11. Notwithstanding the provision of Class A of Part 2 to Schedule 2 in Article 3 of the Town and Country Planning General Permitted Development Order 1995 [or any Order revoking or re-enacting that Order], no further development of the dwellings or curtilages relevant to those classes shall be carried out without Planning Permission.

To ensure that the Local Planning Authority has control over any future alteration to boundary treatments which may adversely affect the character and appearance of the dwellings and the surrounding area.

12. Prior to the commencement of development, details of all proposed boundary treatments shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the development first coming into use.

In the interests of visual amenity and in order to retain the character of this group of buildings.

13. Prior to the commencement of development, details of all doors and window frames, including materials, means of opening, cross sections and surface colour finishes, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the development first coming into use.

In the interests of visual amenity and in order to retain the character of this group of buildings.

14. No development shall take place until full details of scheme indicating areas of public open space and / or children's play areas have been submitted to and approved by the Local Planning Authority. Such a scheme should make provisions in accordance the Council's adopted policy on public open space in terms of layout and requirements. This condition should be read in conjunction with the details included in the attached Section 106 agreement

To ensure adequate on site play space.

15. All pedestrian links and footways within the site and linking the site with the adjoining highway network and the indicated on the approved plans shall be provided and maintained for future use by the residents of the site.

In order to secure pedestrian through the site and onto the local highway network in order to encourage the use of non car borne journeys.

SUMMARY OF RELEVANT POLICIES

This decision has been made having regard to:
the policies contained within the adopted Development Plan which
comprises of the:

The Fylde Borough Local Plan.

The Joint Lancashire Structure Plan.

and all other relevant planning guidance

and in particular Policies:

Lancashire Structure Plan:

Policy 5 Main Urban Areas

Policy 7 Development at other settlements

Fylde Borough Local Plan:

Policy SP1: Development within Settlements

Policy HL3: Affordable Housing

Policy HL4: Affordable Housing

Emerging Joint Lancashire Structure Plan:

Policy 1: Principal Urban Areas

Other Relevant Policy:

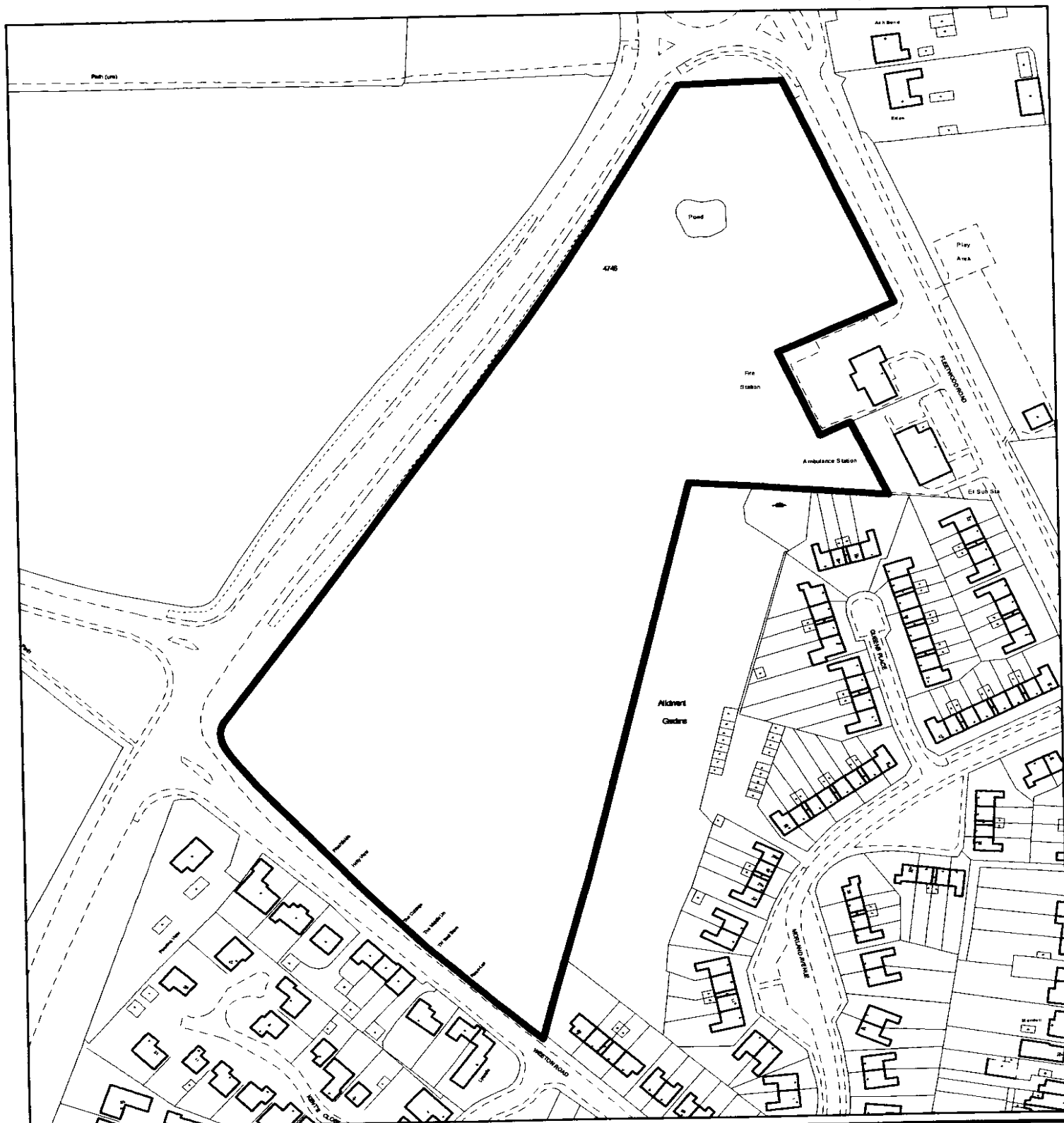
PPS1: Delivering Sustainable Development

REASON FOR APPROVAL

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

Informative notes

1. The developer's attention is drawn to the requirements of condition 3 above, which requires the future maintenance of all areas of public open space within the site. Provision must be put in place in order to ensure the future maintenance of these areas by means of the establishment of a management company or similar mechanism.



The Built Environment Unit
Fylde Borough Council

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Application No.

5/05/1060

Address

Land Weeton Road/
Fleetwood Road, Wesham

Grid Ref.

E.3414 : N.4333

Scale

1:2000

Item No.

6

Item Number: 7

Application Reference: 05/1095		Type of Application: Full Planning Permission	
Applicant:	Mrs Langley	Agent :	
Location:	123 LYTHAM ROAD, FRECKLETON, PRESTON		
Proposal:	TWO STOREY EXTENSION AND CONSERVATORY TO REAR		
Parish:	Freckleton	Area Team:	Area Team 1
Weeks on Hand:	8	Case Officer:	Mr P Drinnan
Reason for Delay:	N/A		

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

This application relates to a two storey extension on the site boundary. Its proximity to the neighbouring property is considered unacceptable and Members are, therefore, recommended to refuse planning permission.

Reason for Reporting to Committee

The Parish Council's comments are contrary to the Officer recommendation.

Site Description and Location

This application relates to a semi-detached dwelling fronting onto Lytham Road. The dwellings have long rear gardens.

Details of Proposal

Erection of a two storey rear extension to a semi-detached property to provide a dining room extension, kitchen and utility room with bedrooms at first floor level. A conservatory would be attached to the extension. The extension would project approx. 4.45m from the rear of the house, sited along the party boundary.

Relevant Planning History

Application No	Development	Decision	Date
88/0598	MOTOR VEHICLE ACCESS	Granted	07/09/1988

Parish Council Observations

Freckleton Parish Council

The Parish Council support the application

Statutory Consultees

None

Observations of Other Interested Parties

None

Neighbour Observations

None received

Relevant Planning Policy

Fylde Borough Local Plan:

SP1 : General Development Policy

HL5 : House Extensions

Other Relevant Policy:

PPS1: Delivering Sustainable Development

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

The application proposes a two-storey extension (with an attached conservatory) which would not be visible from the main road. The principal issue in this case, therefore, is the impact of the extension on the design of the house and of more importance in this case, the impact on the amenity of adjoining residents – in particular those of the adjoining property no. 125.

The extension is bulky but it is to be faced in render to match the existing house and is proposed to incorporate a hipped roof. The window proportions are reasonably well related to the existing. In essence, therefore, there is no objection to the design of the extension in itself.

The principal concern here is the impact on the amenity of the extensions on the neighbouring properties. As the extension would run along the party boundary with no. 125, the 45-degree angle has been applied. As the extension is two storeys, it is appropriate to measure the angle at a distance of 50% along the length of the window for ground floor clearance and 25% along its length to ascertain first floor clearance. Applied in this way, the extension breaches this angle by a considerable length. Although the elevation is south facing, the oppressive impact on the adjoining neighbour would, nevertheless, be considerable. The upper floor elevation would contain bedroom windows, which would overlook the neighbouring garden. From this point of view it could be argued that overlooking would increase. However, the backs of the houses are quite open and the upper floor windows in the existing dwellings overlook garden areas in a mutual fashion. It is considered, therefore, that a loss of amenity due to increased overlooking is not a specific issue.

The proposed conservatory, in addition to the two-storey element, would further enclose the neighbouring amenity. However this is set in from the boundary and of itself is not particular issue. In

any event, as the two-storey extension is considered unacceptable, the conservatory location would require re-siting of necessity should the proposals be reduced in scale to the appropriate dimensions.

Conclusions

Having regard to the size and massing of the proposed extension and its proximity to the boundary of the neighbouring property, the application is considered unacceptable.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The proposed two storey extension would, by virtue of its height and length, along the party boundary with no 125, Lytham Road, result in a visually overbearing, oppressive and dominant development. As such, the extension would be detrimental to the residential amenity of the occupiers of this property.



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<p>Application No. 5/05/1095</p>	<p>Address 123 Lytham Road Freckleton</p>	<p>Grid Ref. E.3424 : N.4288</p>	<p>Scale 1:1000</p>	<p>Item No. 7</p>

Item Number: 8

Application Reference: 05/1115		Type of Application:	Full Planning Permission
Applicant:	Mr D B Corden	Agent :	Mr D. B. Corden
Location:	MANY VIEWS, LEA LANE, SALWICK, PRESTON, PR		
Proposal:	PROPOSED CONSERVATORY TO REAR/SIDE ELEVATION		
Parish:	Newton Clifton and Salwick	Area Team:	Area Team 2
Weeks on Hand:	7	Case Officer:	Ruth Thow
Reason for Delay:	N/A		

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

It is considered that the proposed development would represent a visual detriment to the character of the area and exceeds the recommendation on percentage increase and therefore, fails to satisfy Policy SP2 and Policy HL4 of the Fylde Borough Local Plan.

Reason for Reporting to Committee

The application is on the agenda as the Officer recommendation is contrary to the views of Newton with Clifton Parish Council.

Site Description and Location

The application site is a two storey detached dwelling, formerly in use as a police station/police house. It is situated on Lea Lane, Salwick and is designated as countryside area on the adopted Fylde Borough Local Plan.

Details of Proposal

This application proposes the addition of a conservatory measuring 3.0 metres in width, 6.4 metres along the side elevation, 8.2 metres across the rear elevation and wrapping round to tie in with the projecting ground floor rear leg, to an overall height of 3 metres.

Relevant Planning History

Application No	Development	Decision	Date
04/0701	TWO STOREY AND FIRST FLOOR REAR EXTENSION, PORCH TO FRONT, ALTERATIONS TO FRONT AND SIDE ELEVATIONS.	Granted	18/10/2004

05/0501 RESUBMISSION OF APPLICATION 04/701 Granted 09/09/2005
FOR FRONT PORCH AND DETACHED
DOUBLE GARAGE

Parish Council Observations

Newton with Clifton Parish Council

"Specifically support" the proposal - (no supporting grounds submitted)

Statutory Consultees

None

Observations of Other Interested Parties

None received

Neighbour Observations

None received

Relevant Planning Policy

Joint Lancashire Structure Plan:
Policy 5

Fylde Borough Local Plan:
SP2 Development within countryside area
HL4 Enlargement & replacement of rural dwellings

Other Relevant Policy:
PPS1: Delivering Sustainable Development
PPS7: Sustainable Development in Rural Areas

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

The main issues for consideration in determining this application are contained within Policy SP2 of the Adopted Fylde Borough Local Plan and Policy HL4 of the alterations review of the housing chapter of the Fylde Borough Local Plan incorporating the Inspector's recommendations.

Policy SP2 of the Fylde Borough Local Plan provides for minor extensions to residential dwellings providing that they do not prejudice the character of the countryside. Policy HL4 goes further and requires that extensions to dwellings within the countryside area should not result in a dwelling, which is substantially larger than the original dwelling. Furthermore, the preamble to the policy requires that extensions should not normally exceed 25% of the volume of the original premises, but in no circumstances exceed 33%.

The property was originally constructed as a rural police station with attached police house. It subsequently became vacant and fell into a state of disrepair. Following purchase by the applicant an

application was submitted and received planning permission in October 2004, for a two storey and first floor rear extensions, porch to the front elevation and alterations to front and side elevations. A further application was received and approved in September 2005 for revised design of porch and a detached double garage. These proposals amounted to a 67.51% increase on the size of the original premises. Whilst these proposals were in excess of the preamble to Policy HL4 in terms of percentage increase, they were considered acceptable in that they did not prejudice the visual amenity and would create a dwelling comparable in size and nature to those of neighbouring properties.

The applicant contacted the Council's Planning department prior to submitting an application for an informal opinion as to whether a conservatory of this size and in the position of the current proposal would be acceptable. The applicant was advised, at that time, that it would be advisable to locate a conservatory to the rear elevation of the property adjoining the existing lounge, to reduce the potential visual impact and to reduce the scale of the proposal.

Following those discussions the current application was submitted. This proposes a conservatory to the side and rear elevation. This proposal would result in a total percentage increase, of 86% on the original dwelling. Whilst the previous extensions have exceed the recommendations in the preamble to the policy they have been acceptable in visual terms. In this instance the extension would compound that percentage increase far in excess of the recommendations of policy HL4.

The property is situated on Lea Lane, the surrounding area consists of a bungalow to the south elevation and a group of farm buildings and a farm dwelling diagonally across from the application site. There are clear and open views around the property, of the surrounding countryside. Given the size and position of the proposed conservatory this would create a dwelling that, having regard to the open and flat nature of the surrounding landscape, would appear visually obtrusive and alien in character on the existing dwelling.

Conclusions

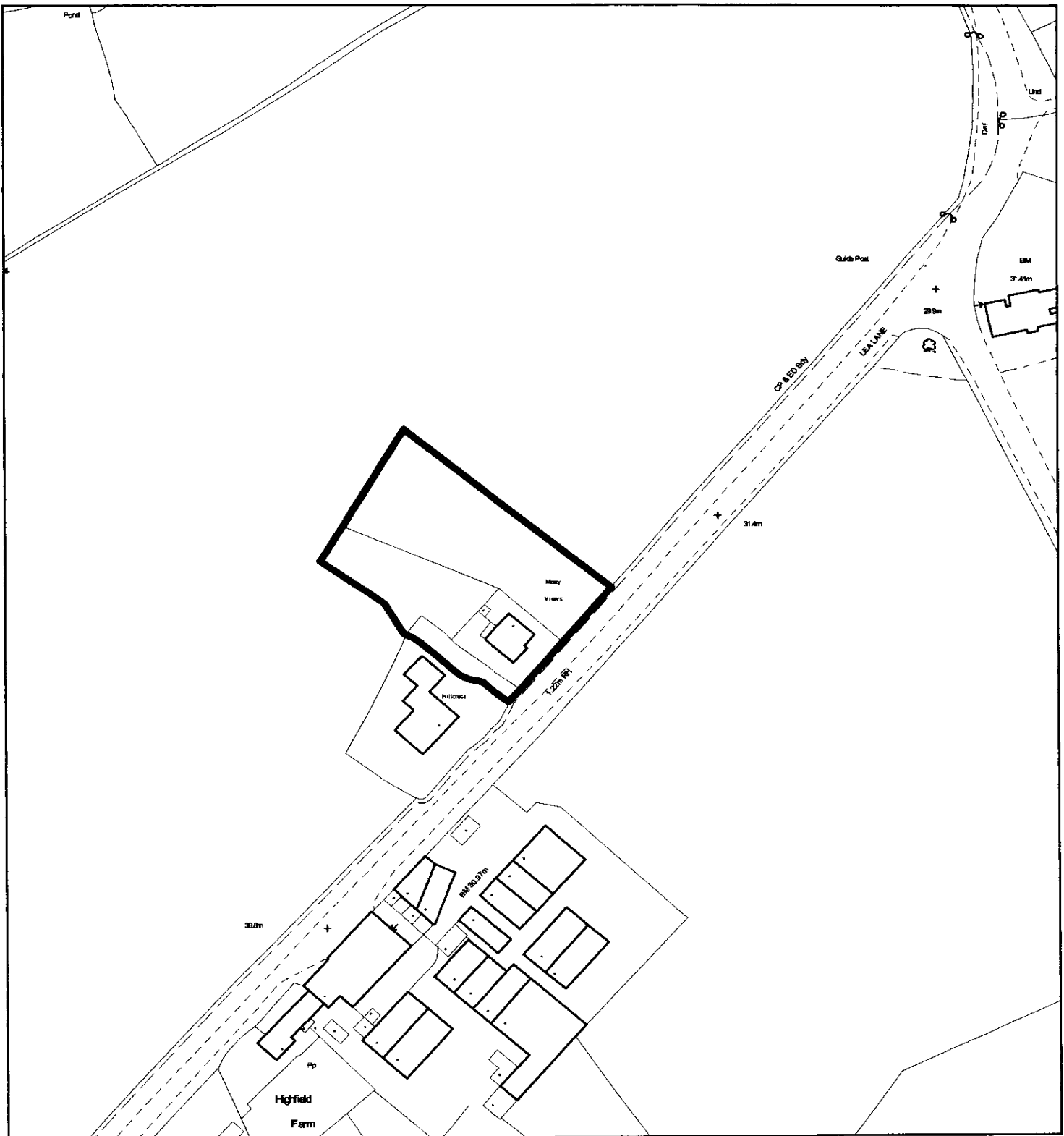
In conclusion, having regard to the provisions of Policy SP2 and HL4, in terms of the percentage increase and the visual impact of the proposed conservatory by virtue of its size and position, would introduce an unacceptable form of development, both to the existing dwelling and the wider countryside area.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The proposed development would, by reason of its location within a designated countryside area in the adopted Fylde Borough Local Plan be contrary to Policy SP2 of that plan and Policy 5 of the Joint Lancashire Structure Plan 2001 -2016, which presumes against development in the open countryside outside defined settlements. The development does not fall within any of the exceptions to that policy and would if allowed, serve to consolidate that built development which does exist to the detriment of the character of this part of the countryside and would set a precedent for further similar development elsewhere in the countryside which would be difficult to resist.
2. The proposed extensions and alterations, by reason of their size and position would result in a form of dwelling which would appear substantially larger and dominant than that which currently exists. As such, the proposal would be out of keeping with the existing dwelling, the dwellings in the locality and with the overall rural vernacular character of the countryside area. To permit such extensions would establish an unwarranted precedent, which the Local Planning Authority would find difficult to resist for similar proposals in the countryside, thereby changing the character of rural properties to the detriment of the visual quality of the countryside. The proposal therefore, fails to comply with Policy HL4

of the adopted Fylde Borough Local Plan as amended (October 2005).



<p>The Built Environment Unit Fylde Borough Council</p>		<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. (C) Crown copyright Licence No. 100006084 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.</p>		
<p>Application No. 5/05/1115</p>	<p>Address Many Views Lea Lane, Salwick</p>	<p>Grid Ref. E.3485 : N.4324</p>	<p>Scale 1:1500</p>	<p>Item No. 8</p>

Item Number: 9

Application Reference: 05/1125		Type of Application:	Full Planning Permission
Applicant:	Mr Andrew Murphy	Agent :	Robert Newman
Location:	6 HALL PARK DRIVE, LYTHAM, LYTHAM ST ANNES, FY8 4Q		
Proposal:	RE-SUBMISSION OF 05/969 FOR TWO STOREY AND SINGLE STOREY REAR EXTENSIONS		
Parish:	Park	Area Team:	Area Team 1
Weeks on Hand:	7	Case Officer:	Mr M Evans
Reason for Delay:	Due to Postponed Committee		

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

This application proposes a two storey extension to transform a two bedroomed bungalow into a 4 bedroomed house. The impact of the proposed extensions on the neighbouring properties and the street scene are considered to be such that planning permission ought to be refused.

Reason for Reporting to Committee

Given the contentious nature of the proposal.

Site Description and Location

This existing bungalow is situated on the south side of Hall Park Drive opposite the junction with Highgate Place. The existing property is a relatively small bungalow situated between a larger bungalow and a two storey house. There is an open garden area to the front and a sizeable garden area to the rear which is set at an angle to the dwelling.

Details of Proposal

The proposal seeks permission to erect an extension to the side and rear of the property to provide additional living accommodation. The south east facing roof slope would continue up to a second storey over part of the existing bungalow. The rearward part of the extension would be of a single storey form, albeit with a ridge line which is higher than the existing dwelling.

Relevant Planning History

Application No	Development	Decision	Date
05/0969	TWO STOREY AND SINGLE STOREY REAR AND SIDE EXTENSIONS	Withdrawn by Applicant	05/12/2005

Parish Council Observations

N/A

Statutory Consultees

None

Observations of Other Interested Parties

None

Neighbour Observations

Seven neighbouring properties have been notified and letters have been received from 8 neighbouring properties objecting on the following grounds:

1. The proposal is out of keeping with the surrounding neighbourhood, which is an “award winning estate”
2. The design is inappropriate due to unconventional roof design and mix of materials that do not reflect the rest of the estate
3. Overshadowing of adjacent property
4. Loss of privacy
5. Extension of built up frontage
6. Possible damage to neighbouring properties during construction
7. Possible issues with subsidence
8. The neighbours objections to the original proposal have not been addressed by the applicant
9. The proposal could establish a precedent for other inappropriate proposals.
10. Neighbouring properties are not indicated on the submitted drawings
11. The proposed roof over hangs the neighbouring property
12. Potential loss of trees.
13. The proposed chimney could result in smoke pollution

Relevant Planning Policy

Fylde Borough Local Plan:

HL5: House Extensions

Other Relevant Policy:

PPS1: Delivering Sustainable Development

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

This application is for a complicated form of extension, the assessment of which is made more complicated by the relative positions of the application property its garden and the neighbouring properties.

The application proposes to retain the front part of the existing bungalow as it is at present. Behind that, the width of the property would be increased and as a result the ridgeline would be elevated.

Further back still, the roof line would be continued up to provide first floor accommodation with windows in three of the elevations. To the rear of this the bungalow would be extended towards the garden boundary with a single storey extension with a ridge height which is the same as the widened part of the bungalow.

The key issues for consideration of this application are set out in policy HL5 of the Fylde Borough Local Plan (as altered, October 2005). This requires the scale, design and external appearance to be in keeping with the existing building and not to adversely affect the street scene, the amenity of neighbouring residents not to be unduly prejudiced, the retention of sufficient garden and the retention of satisfactory parking and access.

The existing bungalow is a relatively low key building which, in the design of the original estate layout, was slotted into a gap between two larger properties in a manner which maintains the open character of the estate by reducing the roof level to maintain views of the sky and planting behind the property. Although the extension has been designed in a manner that places the two-storey element adjacent to the neighbouring two-storey house, sweeping down to single storey adjacent to the neighbouring bungalow, the proposed two storey element of extension would create a much more dominant building which would visually extend the length of the neighbouring two storey dwelling and fill in this relatively open area. As such it is considered that the extension would have a detrimental impact on the street scene and would, therefore, be contrary to Criteria 1 of Policy HL5.

The angle of the building in relation to the neighbouring property would result in the two-storey element being in close proximity to that property. Although this element is set back from the boundary, it is only 2 metres from the boundary at its closest point from where it angles away from the boundary. However, it is considered that this relationship will result in a building that will have an overbearing impact on the property to the west. The proposal also includes a bedroom window at first floor level that will over look this neighbouring property, which it is also considered will lead to an unacceptable loss of privacy. As the form of the extension incorporates a roofline which rises from single storey to two storey, the impact on the property to the east of the site is less marked. Although this impact is still considered inappropriate, this impact is more borderline.

Conclusions

Although this extension has been designed in a manner which seeks to address the relationship with the neighbouring dwellings, the impact of a two storey extension on both the street scene and on neighbouring properties is considered to be unacceptable. The impact on the neighbouring property to the west is compounded by the inclusion of a first floor window over looking that properties garden area. As such Members are recommended to refuse planning permission.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The erection of an extension of the size and design proposed would result in the visual closure of the space between the existing dwellings and the introduction of a second storey element which would result in a discordant feature in the street scene. As such the proposal would be contrary to the provisions of Criteria 1 of Policy HL5 and Policy HL6 of the Fylde Borough Local Plan (as altered, October 2005)
2. The erection of a first floor extension in close proximity to the boundary of the neighbouring property would result in an extension of a size, scale and massing that would have an overbearing impact on the residential amenity of neighbouring residents. As such the proposal would be contrary to the provisions of Criteria 2 of Policy HL5 of the Fylde Borough Local Plan (as altered, October 2005).

3. The inclusion of a window at first floor level in close proximity to the boundary with the neighbouring property would result in a loss of privacy which would be detrimental to the residential amenity of neighbouring occupiers. As such the proposal would be contrary to the provisions of Criteria 2 of Policy HL5 of the Fylde Borough Local Plan (as altered, October 2005).



The Built Environment Unit
Fylde Borough Council

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Application No.

5/05/1125

Address

6 Hall Park Drive
Lytham

Grid Ref.

E.3347 : N.4286

Scale

1:1000

Item No.

9

Item Number: 10

Application Reference: 05/1074		Type of Application: Change of Use	
Applicant:	Mr and Mrs Casson	Agent :	
Location:	OLD WAREHOUSE, BIRLEY STREET, KIRKHAM, PRESTON		
Proposal:	CHANGE OF USE FROM GYMNASIUM TO OFFICE ACCOMMODATION.		
Parish:	Kirkham	Area Team:	Area Team 1
Weeks on Hand:	10	Case Officer:	Mr M Evans
Reason for Delay:	Due to staff shortages		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

That planning permission is granted for the change of use subject to conditions. The premises lie on the westerly side of Birley Street within the town centre. The proposed use is considered compatible with adjoining residential properties.

Reason for Reporting to Committee:

At the request of Kirkham Town Council

Site Description and Location

The site is located on the westerly side of Birley Street which is located within Kirkham Town Centre. The East Side of the street is characterised by terraced dwellings and contains on-street parking. The application site sits next to the Community Centre, and adjoining (unused building) and the side elevation of the Natwest Bank. The building was last used as a gymnasium, with the benefit of planning permission but is presently unused.

Details of Proposal

The application proposes the change of use of the two storey building into office use. The overall floor area is 280 sq.m. (both levels). The number of staff quoted in 8 and it is anticipated that 6 vehicles will visit the site each day. It is proposed to use the forecourt, as at present, for car parking. However, the car-parking apron is narrow and manoeuvring on and off will limit the number of vehicles to a maximum of two.

Relevant Planning History

Application No	Development	Decision	Date
3/3/765	Use for cardboard making	Approved	1968
5/02/470	Outline : Pair of semi detached dwellings	Approved/Co	July 2002
5/02/918	Use of factory as a gym. First floor extensions	Approved/co	Jan 2003

Town Council Observations

The Council objects to the proposal and recommend refusal. "There should be no rear access onto the Council car park"

Statutory Consultees

County Highway Authority

"No highway observations"

Observations of Other Interested Parties

None

Neighbour Observations

None received

Relevant Planning Policy

Fylde Borough Local Plan (as altered October 2005):
Policy SH9

Other Relevant Policy:
PPS6: Planning for Town Centres

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

The previous use of the site was that of a gymnasium. This took place on two floors (the second floor of the building was added when planning permission was granted for the use – approved in January 2003.) There is no information on the previous file to suggest the numbers of patrons who would use the gym although it understood that it could accommodate (and was licensed for) up to 80. The 2003 planning permission restricted the use from 8a.m. to 8 p.m. – Monday to Friday, until 6.p.m. on Saturday and prohibited the use on Sunday and public holidays. The reason for the imposition for the condition was given as... "In order to protect the residential amenity of the occupiers of adjoining properties".

The premises are located within the town centre and Birley Street is split between commercial and residential use, the former on the westerly side and the latter on the easterly side. The premises, subject of the application and those adjoining (including the Bank) are accessed from Birley Street. Given the town centre location, and the nature of the commercial form of some of the buildings on the street, a balance needs to be struck between commercial use and at the same time protecting the amenity of adjoining residents.

It would appear that the 'gymnasium' use generated significant activity. The premises offer only two parking spaces to the forecourt and so, in general, staff and patrons either park on street, use public car parking/public transport or walk to the premises. The application states that the occupation of the offices would be by a maximum of eight personnel. It is considered therefore, that in terms of activity and traffic generation the proposed use would be a better neighbour than the former use, and would suggest a use to be active within 'office hours'.

A previous outline planning application was approved for new build residential on the site but this has not resulted in a follow up reserved matters application to secure its re-development, presumably due to viability. On that basis, unless the premises are to remain vacant, which would be undesirable, the office use as proposed would seem a realistic proposition and a relatively neighbourly use.

The applicant has stated that the premises require significant investment and in this regard it has been requested that a scheme for the visual improvement of the building, notably, its elevation to the public car park, form part of the development. This has been agreed with the applicant.

It will be noted that Kirkham Town Council has objected to the scheme. It is understood that this is because the present building has an access door in the rear elevation, which formed part of previous approval for the gym (to secure a fire exit, required due to the number of patrons using the building). This access would be over land owned by the Council. It is the present applicant's intention to remove the door as part of the improvements to the building since it would not be required in view of the number of persons working within the building.

Conclusions

It is considered that the office use will be low key in nature. Car Parking is limited, as it would be with any proposed use. Being in the town centre there are public car parks, public transport and large areas of the town are within easy reach on foot. It is considered that the use meets the criteria contained within Policy SP9.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. A scheme for the refurbishment and environmental improvement to the rear external facade and frontage forecourt of the premises shall be submitted to and agreed in writing by the local planning authority prior to the commencement of development. The approved scheme shall be implemented to the satisfaction of the local planning authority prior to the building first being brought into use as office accommodation

In the interests of visual amenity

3. The forecourt of the said premises shall not be used for any trade or business purposes including the display or sale of goods.

To safeguard the amenities of the neighbourhood.

4. The hours of operation shall be restricted to those from 08:00 hrs to 20:00 hrs Monday to Friday and 08:00 hrs to 18:00 hrs on Saturdays. There shall be no operation at all on Sundays, bank or public holidays.

In order to safeguard the amenities of the occupiers of neighbouring properties.

REASON FOR APPROVAL

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

SUMMARY OF RELEVANT POLICIES

This decision has been made having regard to:
the policies contained within the adopted Development Plan which
comprises of the:

The Fylde Borough Local Plan.

The Joint Lancashire Structure Plan.

and all other relevant planning guidance
and in particular Policies:

Fylde Borough Local Plan: SP9

PPG's/PPS's: PPS1



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Application No.	Address	Grid Ref.	Scale	Item No.
5/05/1074	Old Warehouse Birley Street, Kirkham	E.3425 : N.4321	1:500	