

## **Development Management Committee**

**Wednesday 25 May 2016**

### **Late Observations Schedule**

#### **Agenda Update**

Following the preparation of the reports included in this agenda, the 5 Year Housing Supply with a base date of 31 March 2016 has been published. This confirms that Fylde is currently able to demonstrate a 4.8 year supply of deliverable housing land. Whilst it is an improvement on the March 2015 figure of 4.3 years supply, as the council is still not able to demonstrate a 5 year supply, paragraph 49 of the Framework remains engaged as set out in the relevant reports contained in the agenda. A full copy of the 5 year housing supply statement has previously been circulated to Members of the Committee via e-mail and is available on the Council's website at:

<http://www.fylde.gov.uk/council/planning-policy--local-plan-/five-year-housing-land-supply>

#### **Schedule Items**

<b><u>Item</u></b>	<b><u>App No</u></b>	<b><u>Observations</u></b>
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| 1 | 15/0303 | <p><b><u>Local Highway Authority Comments</u></b></p> <p>The report refers to the likelihood that these will be received in time to be presented to Committee as part of the Late Observations Schedule. That has not happened and the final comments remain outstanding.</p> <p>However, from discussions with highway officers and email exchanges it is clear that progress is being made regarding the assessment of the highway capacity, the mechanism to phase the development construction whilst highway infrastructure works are being implemented, and over the measures needed to integrate the development into the wider transport network.</p> <p><b><u>Scale of Proposal</u></b></p> <p>The application is submitted as being for 'up to 375 dwellings'. In response to concerns over the density of development that this creates and the visual impact that this could have on the edge of the settlement it was suggested by officers that this number was too high. The applicant has made a suggestion that this be reduced to 'up to 350' although no formal confirmation of this figure has been agreed and it remains a subject of discussion with the applicant.</p> <p>In support of a reduced scale of development a revised illustrative plan has been received. The applicant advises that this has benefits in:</p> <ol style="list-style-type: none"><li>1. <i>Strengthened and additional planting areas to the outside of the spine road into the site, to soften the new urban edge created in this location,</i></li><li>2. <i>The creation of an enhanced east/ west open space and landscape</i></li></ol> |
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*corridor through the centre of the site, to connect the ponds and further ecological interest,*

- 3. The extension of that enhanced corridor northwards to link to the landscape buffers to the perimeter of the development, to aid connections and ecological interest.*
- 4. Strengthened and enhanced perimeter planting to the remaining boundaries to create soft urban edges where possible and appropriate*

#### Public Realm Works

The applicant has confirmed that they are agreeable to the concept of a s106 agreement to maximise the attractiveness of the centre and to encourage trips to the centre for everyday shopping and leisure. They acknowledge that other developers have made financial contributions to allow a suitable scheme to be delivered, and have suggested that a phased payment totalling £75,000 would be appropriate from their scheme. Based on the delivery of 350 dwellings this amounts to £214.28 per plot and so is below the £295 per plot paid at GEC Marconi and the £361 paid at Riversleigh. This is a matter that is subject to on-going discussions with the applicant.

In addition, the council's Regeneration Team have progressed the schemes for the enhancement of the village to a further draft which is currently with the Parish Council for consideration on the scope of the works.

#### Public Open Space

The applicant has confirmed a willingness to split the public open space contribution between the provision of an equipped play facility on the site, and funding for investment in the enhancement of the existing facilities at Bridges Playing Fields. This is a matter that is subject to on-going discussions with the applicant.

#### Planning Obligation

No agreement has yet been prepared, but will be required prior to the issuing of any planning permission. However, the comments above confirm that there is an acceptance the concept of a planning obligation to deliver some of the infrastructure enhancements that are appropriate to support this development.

#### Officer Comments

Whilst the continued delay with confirmation over the highway position is disappointing, there are concerted efforts being made by the highway authority and the respective highway consultants acting for the developers over reaching a solution to the highway capacity and other issues. The officer recommendation on the agenda papers is to delegate the authority to determine the application to the Head of Planning and Regeneration and that remains appropriate in the light of the need to react to any progress on highway matters, and to continue to negotiate an appropriate position on the other matters covered here and in that recommendation.

The recommendation should therefore remain unchanged.

2      15/0903      Local Highway Authority Comments

The report refers to the likelihood that these will be received in time to be presented to Committee as part of the Late Observations Schedule. That has not happened and the final comments remain outstanding.

However, from discussions with highway officers and email exchanges it is clear that progress is being made regarding the assessment of the highway capacity, the mechanism to phase the development construction whilst highway infrastructure works are being implemented, and over the measures needed to integrate the development into the wider transport network.

Public Realm Works

The applicant has confirmed that they are agreeable to the concept of enhancing the village centre of Warton, either through the implementation of a scheme drawn up by the council and Parish Council, or through other works that are agreed and appropriate. They acknowledge the concept of a commuted sum being paid, with the total being £41,515 if the £361 per plot is used as paid in the Riversleigh development is used.

In addition, the council's Regeneration Team have progressed the schemes for the enhancement of the village to a further draft which is currently with the Parish Council for consideration on the scope of the works.

Education Comments

The County Council have re-assessed the education position for the application and appeal. This introduces a minor increase to the estimates of pupils at the existing primary schools without this development raising the estimate for 2021 from 663 to 672. Similarly, the estimated secondary school places in 2021 rises from the previous 2234 to 2308 under the re-assessment.

Having reassessed the position with regard to primary school places the information available is that there will be a sufficient capacity in the schools within 2 miles of the site (St Pauls Primary, Holy Family Catholic Primary, Freckleton C of E Primary, and Strike Lane Primary) to accommodate the children from this development, and so no primary contribution request is made.

Having reassessed the position with regard to secondary school places the information available is that there will be a shortfall of places in the secondary schools within 3 miles of the site (St Bedes Catholic High, Kirkham Carr Hill High), and so a contribution request remains. This is intended to be delivered to implement a project to provide additional secondary school places at Lytham St Annes Technology and Performing Arts College.

The delivery of contributions will be secured through a s106 agreement, with the wording of that agreement providing flexibility to allow for further changes in assessment, and so contribution, between the signing of the agreement and the actual development of the site.

To assist members the changes in contribution requests are summarised in the table below:

	Original Assessment		Revised Assessment	
	Places	Contribution	Places	Contribution
<b>Primary</b>	44	£537,213.60	0	
<b>Secondary</b>	17	£312,753.76	17	£345,161.03
<b>Total</b>		<b>£849,967.36</b>		<b>£345,161.03</b>

#### Planning Obligation

A draft agreement has been prepared by the developer and is with the council's legal team for consideration. This confirms details associated with Open Space provision, affordable housing, education enhancements, public realm works and highway works. Negotiations over this content of this are on-going and will need to be concluded prior to the grant of any planning permission.

#### Officer Comments

Whilst the continued delay with confirmation over the highway position is disappointing, there are concerted efforts being made by the highway authority and the respective highway consultants acting for the developers over reaching a solution to the highway capacity and other issues. The officer recommendation on the agenda papers is to delegate the authority to determine the application to the Head of Planning and Regeneration and that remains appropriate in the light of the need to react to any progress on highway matters, and to continue to negotiate an appropriate position on the other matters covered here and in that recommendation.

The recommendation should therefore remain unchanged.

#### 3      16/0060      Status Update

The applicant's agent has written to withdraw the application and so it is no longer with the council for consideration.

#### 4      16/0087      Report clarification

The 'Introduction' to the report states that the report below remains unchanged from the report that was presented to the Aril meeting. That is not correct, as the comments of a neighbour which were reported as part of the Late Observations to the meeting have been added to the relevant section of the main body of the report.

The neighbour also queries whether any investigation into accident figures has been undertaken as this was said to have been raised as an issue at the April meeting, albeit not one that was recorded in the minutes. No formal re-consultation has been undertaken, but the LCC accident records have been checked and there are no collisions recorded in the previous 5 years anywhere within Treales.

#### Applicant comments

The applicant has submitted a letter which they ask be read out as part of the meeting. That is not feasible due to its length, but the main points raised are

summarised as:

- To express their dismay that the application was deferred but acknowledge that concerns raised by residents, the Parish Council and members of the Committee make it understandable that a visit be undertaken to assess the proposal
- That they are fortunate to live in a lovely setting within a village that has a unique character
- That they do not feel that the proposal will harm that character
- That they welcome the imposition of the conditions to ensure that the proposed dwelling is designed in a style, materials and size to be in keeping with the rural barn conversions at the adjacent properties, and be sited to respect the 'building line'.
- To remind members of the previous grant of planning permission on the adjacent plots at Primrose Far
- Suggest that there is no justification for refusing this application.

6      16/0260      Consultee Comments

Lancashire County Council have confirmed that they have no objections to the change of use as the site does not form part of the adopted highway network. They do highlight that there may be services in the area that are subject to easements and so this should be investigated by the applicant.

Sewer Proximity

An examination of the sewer records indicates that there is a public sewer running just to the north of the extended domestic curtilage proposed here. This may have easements that would restrict the scope of development within the area concerned, and so a note is to be added to any planning permission to advise that the property owner contacts United Utilities to clarify this prior to undertaking any development.