



# Agenda

## Planning Committee

Date:	Wednesday, 30 March 2022 at 10:00 am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Tim Armit, Gavin Harrison, Kiran Mulholland, Jayne Nixon, Linda Nulty, Liz Oades, David O'Rourke, Heather Speak, Ray Thomas, Stan Trudgill.</p>

### Public Speaking at the Planning Committee

Members of the public may register to speak on individual planning applications: see [Public Speaking at Council Meetings](#).

	PROCEDURAL ITEMS:	PAGE
1	<b>Declarations of Interest:</b> Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	<b>Confirmation of Minutes:</b> To confirm the minutes, as previously circulated, of the meeting held on <a href="#">2 February 2022</a> as a correct record.	1
3	<b>Substitute Members:</b> Details of any substitute members notified in accordance with council procedure rule 24.	1
	DECISION ITEMS:	
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5	Nominations to Outside Bodies/Working Groups	73 - 78
	INFORMATION ITEMS:	
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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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# Planning Committee Agenda

## 30 March 2022

Item No.	Appn No.	Location	Proposal	Recommendation	Page No.
<b>1</b>	20/0363	BONDS OF ELSWICK, BONDS LANE, ELSWICK, PRESTON, PR4 3ZE	DEMOLITION OF EXISTING RESTAURANT AND ERECTION OF 8 DWELLINGS	Granted	5 - 19
<b>2</b>	21/1026	10A ST GEORGES SQUARE, LYTHAM ST ANNES, FY8 2NY	CHANGE OF USE OF BUILDING FROM TWO FLATS TO A SINGLE DWELLINGHOUSE INCLUDING FIRST FLOOR SIDE AND REAR EXTENSIONS, ERECTION OF FIRST FLOOR BALCONY TO FRONT ELEVATION, CLADDING OF EXTERNAL WALLS IN RENDER TO FIRST FLOOR, ALTERATIONS TO WINDOW OPENINGS AND REMOVAL OF EXTERNAL STAIRCASE AND STORE TO REAR	Granted	20 - 31
<b>3</b>	21/1054	24 SUMMERVILLE AVENUE, STAINING, BLACKPOOL, FY3 0BP	SINGLE STOREY SIDE AND REAR EXTENSION TO DWELLINGHOUSE INCORPORATING FOOTPRINT AND RAISING ROOF HEIGHT OF FORMER DETACHED GARAGE - PART RETROSPECTIVE APPLICATION	Granted	32 - 40
<b>4</b>	21/1114	SITE 2B LAND, HALLAM WAY/ HOLLY CLOSE, WESTBY WITH PLUMPTONS	ERECTION OF TERRACE OF 5NO SINGLE STOREY UNITS FOR CLASS E(G)(III) (LIGHT INDUSTRIAL) USE & CLASS B8 (STORAGE AND DISTRIBUTION) USE WITH ACCESS OFF HOLLY CLOSE AND PARKING	Granted	41 - 53
<b>5</b>	22/0013	44 LAVERTON ROAD, LYTHAM ST ANNES, FY8 1EN	ENLARGEMENT TO ROOF SPACE OF DWELLING TO CREATE SECOND FLOOR LIVING ACCOMMODATION INCLUDING RAISING OF EAVES AND RIDGE HEIGHTS, STEEPENING OF ROOF PITCH, ADDITION OF PEDIMENT ABOVE DOUBLE HEIGHT BAY WINDOW, INSTALLATION OF ROOF LIGHTS TO FRONT, REAR AND SIDE FACING ROOF PLANES AND INSERTION OF ADDITIONAL FIRST FLOOR WINDOW IN WEST FACING SIDE ELEVATION OF ORIGINAL DWELLING - RESUBMISSION OF APPLICATION 21/0910	Granted	54 - 61
<b>6</b>	22/0032	LAND TO THE REAR OF 4 GREENWAYS, LYTHAM ST ANNES, FY8 3LY	APPLICATION TO VARY CONDITIONS NO.2 (APPROVED PLANS), NO. 9 (CONSTRUCTION METHOD STATEMENT), NO. 6 (CAR PARK LAYOUT) OF PLANNING PERMISSION 19/0917 TO ALLOW: 1) RE-POSITIONING OF DETACHED SINGLE STOREY BUILDING FURTHER TO THE SOUTHWEST OF ITS APPROVED LOCATION; 2)	Granted	62 - 72

PROVISION OF CONSTRUCTION METHOD  
STATEMENT PURSUANT TO PLANNING  
PERMISSION 19/0917; 3) REVISED SITING OF  
FIFTH CAR PARKING SPACE TO NORTHEAST  
SIDE OF BUILDING.

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## REPORT TO 30 MARCH 2022 PLANNING COMMITTEE – ITEM 1

<b>Application No:</b>	20/0363	<b>Case Officer:</b>	Alan Pinder Area Team 2
<b>Applicant:</b>	Mr Rigby	<b>Agent:</b>	Mr Henderson
<b>Location:</b>	BONDS OF ELSWICK, BONDS LANE, ELSWICK, PRESTON, PR4 3ZE		
<b>Proposal:</b>	DEMOLITION OF EXISTING RESTAURANT AND ERECTION OF 8 DWELLINGS		
<b>Ward:</b>	Elswick and Little Eccleston	<b>Parish:</b>	Elswick
<b>Statutory Expiry:</b>	7 September 2020	<b>Earliest Decision:</b>	30 October 2020
<b>Reason for any delay:</b>	Awaiting amended or additional details from applicant/agent		<b>To view application file on FBC website click <a href="#">here</a></b>

### Summary of Officer Recommendation

The application relates to site of the Bonds Ice Cream premises on Bonds Lane in the settlement of Elswick. The premises have lain vacant since 2019 and this application seeks to re-develop the site by demolishing the existing building and constructing 8 No. detached dwellings on the footprint of the former building and associated customer parking area, each with an access from Bonds Lane.

The site is located within the settlement area and is not designated for employment purpose in the Local Plan. It is predominantly surrounded by residential properties, and so the principle of a residential redevelopment is acceptable and makes use of a vacant site to help contribute towards the housing supply needs of the borough.

The dwellings are of an appropriate scale and design for the site and the surrounding area. The access is direct to Bonds Lane with the highway arrangements improved through the provision of a table junction at the Beech Road/Ash Road/Bonds Lane junction.

There are no areas of detail that are unresolved and so the development is considered to be a beneficial and suitably efficient reuse of this previously developed settlement site. It is in accordance with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review) and the provisions of the NPPF and so is recommended for approval subject to a series of standard conditions.

### Reason for Decision Level

The Parish Council resolved not to object to the proposed development provided that concerns raised were resolved prior to determination. Of these concerns one in particular related to the provision of a footpath, as requested by LCC Highways. The application is being presented to Planning Committee as the officer's recommendation for approval does not require the formation of a footpath and so is at variance with the stated views of Elswick Parish Council on this point.

### **Site Description and Location**

The application site is the Bonds of Elswick premises, located on the northern side of Bonds Lane in the settlement boundary of Elswick. This site is of a rectangular shape orientated in an east/west direction. It comprises of various buildings to the western end with the car park taking up the remainder of the site. The site has hedgerow along its Bonds Lane frontage, and sporadic self-seeded trees along its north and east boundaries.

Surrounding the site there are neighbouring residential properties which are located on the south side of Bonds Lane, on Highbury Gate and on Copp Lane. The site is at the eastern end of the settlement boundary with open countryside further east.

### **Details of Proposal**

This application seeks full planning permission for the demolition of the existing 'Bonds' premises and redevelopment of the site with the construction of eight detached two storey, three bedroom dwellings on the site. The dwellings would be laid out in a linear fashion with a consistent building line and frontages facing onto Bonds Lane. Each dwelling would have two off-street parking spaces and a side attached single garage. The site would be bisected by an access road to enable continued access to an existing electricity substation at the rear of the site.

All eight dwellings would have front facing two storey feature gables (four having a render finish and four being brick faced). All other elevations would be faced with red brick and the roof coverings would be concrete tile. Windows and doors would be Anthracite upvc.

The submitted proposed site plan indicates hedgerow sections are to be reinstated across the frontage of each plot

### **Relevant Planning/Appeal History**

App No.	Description	Decision	Date
15/0349	OUTLINE APPLICATION FOR ERECTION OF 8 DWELLINGS FOLLOWING DEMOLITION OF EXISTING BUILDINGS (ALL MATTERS RESERVED)	Granted	12 February 2016

### **Parish/Town Council Observations**

Parish/Town Council	Observations
Elswick Parish Council	<p><u>Comments of 18 October 2020</u></p> <p><i>No objection, but the following concerns have been raised:</i></p> <ul style="list-style-type: none"><li><i>Bonds Lane is narrow with no footpath and no passing places</i></li><li><i>The road surface of Bonds Lane is suffering erosion, which would be exacerbated by the proposed development</i></li><li><i>The development would generate additional traffic that will add to the pressure on the existing infrastructure</i></li></ul>

	<ul style="list-style-type: none"> <li>• <i>Both air and ground pollution would be increased by the development</i></li> <li>• <i>Local properties suffer from flooding as ditches, dykes, and roadside drains are not being cleared on a regular basis</i></li> <li>• <i>The development would create parking problems within the vicinity of the site as there is no parking for visitors or deliveries</i></li> <li>• <i>The dwellings are too close to the road and there is insufficient space for cars to manoeuvre in and out of the properties</i></li> </ul> <p><u>Further Clarification</u> Officers sought clarification on the Parish Council's position and in a follow up comment, dated 16 February 2021, the Parish Council confirmed that no objection would be forthcoming provided the concerns raised are adequately resolved prior to any permission being granted.</p>
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### **Statutory Consultees and Observations of Other Interested Parties**

<b>Consultee</b>	<b>Comments</b>
<b>LCC – Local Highway Authority</b>	<p>The proposal is acceptable in principle, subject to the following:</p> <ul style="list-style-type: none"> <li>• The internal dimensions of the proposed attached garages to be increased to accord with the minimum required by county parking standards</li> <li>• A 2 metre wide footway to be provided on Bonds Lane across the frontage of the development to provide a safe haven and access for pedestrians</li> <li>• Provision of a table junction at Beech Road/Ash Road/Bonds Lane to reduce speed of vehicles as an additional measure to ensure safety of pedestrians</li> </ul> <p>Should the footway and table junction not form part of the development then Highways object to the proposal.</p>
<b>Greater Manchester Ecology Unit</b>	No significant ecological issues were identified by the developer's ecological consultant. Issues relating to bats, nesting birds and biodiversity enhancement measures can be resolved via condition and or informative
<b>Regeneration Team (Trees)</b>	The tree officer explains that he has reviewed the trees on site and concludes that <i>most of the trees have underlying issues and are unmaintained self-seeded species</i> . He recognises that the development is likely to impact negatively on these, but as a consequence of their condition this is not a matter that he raises an objection over. He does have some concerns that better specimens around the site could be damaged during construction and so it is important that these are given due protection at that stage. Later verbal comments from the Tree Officer clarified that his concern relates to the Sycamore Tree (T1) on the corner of No.1 Ash Road and that high sided vehicles used during the demolition and construction phases may damage this tree.
<b>United Utilities</b>	<i>Following our review of the submitted Flood Risk Assessment / Drainage</i>

	<i>Strategy (Ref: EAD_074_10, dated Feb 20) we can confirm the proposals are unacceptable in principle to United Utilities. This is because we do not believe the surface water hierarchy has been followed. According to our records (indicative only) there is a dedicated surface water sewer located to the South West side of the site, which we would expect to be fully explored if infiltration is not feasible.</i>
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### **Neighbour Observations**

<b>Neighbours notified:</b>	15 July 2020
<b>Amended plans notified:</b>	N/A
<b>Site Notice Date:</b>	15 July 2020
<b>Press Notice Date:</b>	N/A
<b>Number of Responses</b>	Total number of comments    2 Total Number Objecting        2 Total Number supporting       0
<b>Summary of Comments</b>	The comments received raise the following matters in objection to the development: <ul style="list-style-type: none"> <li>• Bonds Lane is too narrow and cars parked on the proposed front driveways might obstruct passing traffic (including farm vehicles)</li> <li>• The construction of the dwellings would potentially cause a noise nuisance, block Bonds Lane for other vehicular traffic, and cause general disruption to residents</li> <li>• How is asbestos to be removed from site?</li> <li>• Potential damage to Highbury Gate rear boundary fences during construction</li> </ul>

### **Relevant Planning Policy & Government Guidance**

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (the 'FLP') was formally adopted by the Council at its meeting on Monday 22 October 2018 as the statutory, adopted development plan for the Borough. The Council submitted a Partial Review of the FLP to the Secretary of State for Examination on 21 October 2020. The Partial Review does not delete or add new policies to the FLP and is, instead, concerned principally with matters relating to re-calculating housing need and amending the wording of policies within the FLP to bring these in alignment with the 2021 version of the National Planning Policy Framework.

The Inspector's report on the examination of the Partial Review of the FLP was received on 21 October 2021 and confirms that plan is sound. Following the conclusion of the Partial Review, the Council formally adopted the Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the 'FLPPR' – at its meeting on Monday 6 December 2021 as the statutory development



plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004. Therefore, the FLPPR should guide decision taking for the purposes of paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework.

#### **Fylde Local Plan to 2032 (incorporating Partial Review):**

GD1 - Settlement Boundaries  
GD7 - Achieving Good Design in Development  
GD8 - Demonstrating Viability  
H2 - Density and Mix of New Residential Development  
ENV2 - Biodiversity  
S1 - The Proposed Settlement Hierarchy  
DLF1 - Development Locations for Fylde  
H1 - Housing Delivery and the Allocation of Housing Land  
T5 - Parking Standards - Distance:  
CL2 - Surface Water Run-Off and Sustainable Drainage  
HW2 - Community Facilities  
CL1 - Flood Alleviation, Water Quality and Water Efficiency

#### **Environmental Impact Assessment**

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

#### **Comment and Analysis**

##### **Policy context and main issues:**

As outlined in paragraphs 10 and 11 of the NPPF, at the heart of the Framework is a presumption in favour of sustainable development. In terms of decision taking, subparagraphs c) and d) of paragraph 11 indicate that this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

(i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Given the site's allocation in the local plan, its planning history and the comments received in public representations and from statutory consultees, the main issues for consideration in the application relate to:

- The principle of residential development on the site.
- The scheme's effects on the character and appearance of the area.
- The development's impact on the amenity of surrounding occupiers.

- The scheme's effects on highway safety.
- Other relevant matters material to the decision

### **The Principle of the Development**

The site falls within the settlement boundary of Elswick and comprises "previously developed land" for the purposes of the definition in Annex 2 of the NPPF. Policy S1 of the Fylde Local Plan to 2032 (incorporating Partial Review, and hereafter referred to as FLPPR) identifies Elswick as a "Tier 2: Smaller Rural Settlement". Policies S1 and GD1 of the FLPPR are permissive of schemes for residential development on sites within smaller rural settlements when it is consistent with other policies of the FLPPR.

The proposed development would result in the loss of a retail ice cream kiosk and associated restaurant/cafe. As such policy GD8 of the FLPPR is arguably relevant in assessing the principle of development. GD8 seeks to retain existing commercial/industrial uses unless it can be demonstrated that marketing of the property indicates there is no demand for the property in its existing use. In considering commercial/industrial uses policy GD8 specifically refers to uses that fall within the former Use Classes B1, B2 or B8 of the Town and Country Planning (Use Classes) Order 1987. The current lawful use of the site as an ice cream kiosk and restaurant/cafe falls within former Use Classes A1 and A3 of that same order. These uses are not specifically referred to in GD8 and so it is questionable whether policy GD8 is applicable to this proposal.

Alternatively, policy HW2 of the FLPPR may be relevant to the assessment of the principle of the development. HW2 seeks to resist the loss of community facilities unless it can be demonstrated that the continued operation of the facility is no longer viable. HW2 does not refer to restaurants/cafes as a recognised community facility but rather applies a broad approach, referring to community facilities as those that *"...provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community"*.

It is questionable whether the ice cream kiosk and restaurant/cafe uses readily fall within any of these broad categories. Historically the site has primarily served visitors to, and passing through, the area with the comparable needs of the local community better served by two public houses within Elswick one of which is located less than 100 metres from the application site. Thus the loss of the restaurant use at the application site would not result in an unduly limited level of comparable community facilities within Elswick to an extent that would restrict day-to-day living. Furthermore, restaurant uses are not explicitly identified as likely to represent a community facility in paragraph 93 of the NPPF, which seeks to safeguard the social, recreational and cultural facilities and services that serve the needs of a community.

Notwithstanding whether the proposal falls for consideration under policies GD8 and/or HW2, the applicant has submitted a Marketing Report (MR) produced by a commercial properties estate agent ('Duxburys Commercial') in support of the application. The MR details that the premises previous tenant vacated the premises in late 2019 and that full, pro-active and open marketing of the premises for a new occupier began on 4th January 2020. At the time of submitting the initial MR (09 November 2020) the premises had been marketed for a period of 10 months by listings on the 'Rightmove Commercial', 'Zoopla Commercial' and 'Duxburys Commercial' web sites, via direct mailing to 125 third parties of potential interest, and the display of a 'To Let' board on the premises. In that 10 month period there were five separate viewings that resulted in one expression of interest from a restaurateur based in Wales who later withdrew their interest.

Having regard for the submitted marketing report, together with the marginal applicability of policies GD8 and HW2 to the proposal, is the considered opinion that the overall principle of the development is acceptable and accords with both local and national planning policies.

### **Character & Appearance**

FLPPR policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 16 guiding principles (a – p). Paragraph 130 of the NPPF sets out six general principles of good design (a – f) and paragraph 133 indicates that local planning authorities should make use of “tools and processes for assessing and improving the design of development [including] assessment frameworks such as Building for Life”.

The application site is bordered to both sides, the rear, and to the front by dwellings that are predominantly detached, two storeys in height, and set out in a linear form. The density and linear layout of the proposed dwellings reflects this established pattern of surrounding development, and in particular the linear form on the southern side of Bonds Lane.

Existing dwellings along Bonds Lane are all of conventional appearance, having no particular architectural or historical merit. The dwellings along Highbury Gate (which borders the site to the rear) are less than 20 years old and of modern design. All dwellings are predominantly finished in facing red brick, although dwellings to each side of the site have rendered elevations. The scale, design, and appearance of the proposed dwellings are considered appropriate and acceptable within this established vernacular of surrounding development. Accordingly the proposed dwellings are considered appropriate within this setting and to accord with the design criteria set out in policy GD7 of the FLPPR and with para 130 of the NPPF.

### **Residential Amenity**

FLP policy GD7 c) requires that development proposals facilitate good design by “ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed”. In addition, criterion o) states that “all new housing developments should result in a high standard of amenity for occupiers. The standard of amenity for occupiers should not be compromised by inadequate space, poor layout, poor or lacking outlook or inconvenient arrangements for waste, access or cycle storage. Developments should include adequate outside amenity space for the needs of residents.” Furthermore, paragraph 130 f) of the NPPF indicates that planning decisions should ensure developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

Existing dwellings potentially affected by the development include those on Highbury Gate, and which back on to the application site, No.1 Bonds Lane to the north east of the site, Copp Villa which adjoins the site to the west, and No’s 4 to 14 Bonds Lane which are opposite the application site on the south side of Bonds Lane. Looking at the potential impact on these in turn:

#### Highbury Gate

The south side of Highbury Gate is formed by five detached dwellings set out in a staggered orientation and building line. Of these the rear elevations of No's 2, 3, 4 and 5 would face towards the application site. The main rear elevations of No's 2, 3 and 4 are all set greater than 12 metres from the shared boundary with the proposed development, and the rear elevations of the proposed dwellings are all set a minimum of 10 metres from the same shared boundary. Consequently the separation distance to the shared boundary and the back-to-back first floor separation between Highbury Gate and the proposed dwellings would be in excess of 22 metres. Both distances accord with the guiding principles for separation between dwellings and shared boundaries, and thus the

amenity of No's 2, 3 and 4, and of the proposed dwellings, would not be unduly prejudiced by way of overlooking or overshadowing.

No.5 Highbury Gate differs to No's 2, 3 and 4 in that its separation to the shared boundary is 8.5 metres, and thus the back-to-back first floor separation of this dwelling relative to the proposed dwellings is *circa* 18.5 metres. These distances fall below those generally considered acceptable, however the orientation of No.5 is such that its first floor windows are at an oblique angle relative to the shared boundary and away from the proposed development. This angled orientation is considered sufficient to overcome the slight reduction in boundary and back-to-back separation distances and ensure No.5's amenity is not unduly compromised.

#### No.1 Bonds Lane

This is a detached two storey dwelling sited adjacent to the eastern boundary of the application site with its blank side elevation facing towards the side elevation of the proposed dwelling in the far eastern plot (plot 8) of the development site. The plot 8 dwelling would have a single window at first floor in the side elevation facing No.1, however this window is to serve an 'en-suite' and so can be conditioned to be obscurely glazed and non-opening. Furthermore the separation between these two side elevations would be *circa* 16 metres and sufficient to ensure that the amenity of No.1 is not compromised by way of overshadowing or dominating overbearingness.

#### Copp Villa

This dwelling is within the same ownership as the application site and includes a ground floor retail premises operating as 'Delivered Desserts' (currently vacant). The side of this Copp Villa features two obscurely glazed windows at first floor that would be *circa* 8.5 metres distant from the side elevation of the proposed plot 1 dwelling. The plot 1 dwelling would have a single window at first floor in the side elevation facing Copp Villa, however this window would serve an 'en-suite' and so can be conditioned to be obscurely glazed and non-opening to mitigate against any potential overlooking.

#### No's 4 to 14 Bonds Lane

These comprise six detached dwellings located on the southern side of Bonds Lane, opposite the application site. These opposing dwellings have a slight oblique relationship to the proposed dwellings and separation distances of between 18 and 22 metres. The 18 metre separation would be to No's 8 and 10 Bonds Lane, the front boundaries of which are both populated by a tall line of trees. The resulting spatial relationship of the proposed dwellings with those on the opposite side of Bonds Lane is one that is considered, on balance, not to result in undue overlooking or overshadowing.

Having regard for the above spatial relationships of the proposal with neighbouring dwellings it is considered the proposal accords with criteria c) and o) of policy GD7 of the FLP and with para 130 of the NPPF.

#### **Access & Parking**

Criterion r) of policy GD7 requires development to *"...not prejudice highway safety, pedestrian safety, and the efficient and convenient movement of all highway users..."* and *"...should not reduce the number of on-site parking spaces available, unless there are other material considerations which justify the reduction"*. Policy T5 of the FLP requires car parking to be provided on site wherever possible and in a manner that ensures there is no detriment to highway safety.

Bonds Lane is a narrow road that reaches a dead end at its eastern point, has no footpath on either side, and is adopted and maintained by Lancashire County Council. LCC Highways have been consulted on the application and have requested:

- The internal dimensions of the attached garages to be increased to accord with county standards
- The provision of a 2 metre wide footway on Bonds Lane across the frontage of the development site to provide a safe haven and access for pedestrians
- The provision of a table junction at Beech Road/Ash Road/Bonds Lane to reduce speed of vehicles as an additional measure to ensure safety of pedestrians

Highways opine that the development would be unacceptable in the event of the footway and table junction not being provided.

The proposal is for 8 No. three bedroomed dwellings, with two off-road parking spaces to the front and a single attached garage to a side elevation. The parking standards that are applicable from the Joint Lancashire Structure Plan suggest that three bedroomed dwellings should have provision for the off road parking of two vehicles. In this instance this required standard is met by the two parking spaces to the front of each property. Accordingly the request to increase the dimensions of the garages is not an overriding concern as this space is not required to meet the parking needs of the dwellings.

Bonds Lane is a narrow road, measuring between 3 metres and 3.5 metres across the greater part of the site frontage, and has no footways on either side. The lane extends approximately 600 metres, from its junction with Ash Road at its western end, to 'Bonds Hall Farm' and Elswick Equestrian Centre at its eastern end, at which point a 'Byway Open to All Traffic' (BOAT) links it to Mill Lane to the south. LCC Highways opine that the vehicular traffic resulting from the proposed 8 No. dwellings, together with additional pedestrian and cycle traffic along Bonds Lane that will result from the residential development of land south of No.1 Bonds Lane (50 dwellings - ref. 16/0180), is such that a 2 metre wide footway is required to provide safe segregation of pedestrians from vehicular traffic (e.g. residents, agricultural vehicles, horse boxes and trailers, etc.) that use Bonds Lane for access. The provision of a table junction at the Beech Road/Ash Road/Bonds Lane junction would provide an additional pedestrian safety measure by slowing down vehicles entering and exiting Bonds Lane.

With regard to the requested 2 metre wide footpath across the site frontage it is acknowledged that this would provide benefits for safe pedestrian access along this short stretch of Bonds Lane. However, its provision would potentially cause further, unacceptable narrowing of Bonds Lane, require removal of proposed roadside hedging and require siting the proposed dwellings further back into the site, which would result in an unacceptable development due to the knock on effect of introducing unacceptable amenity impacts on residents of Highbury Gate. As such it is considered that the benefits of providing a footway would not outweigh the harm to visual and residential amenity that would inevitably result.

With regard to the junction table at the western end of Bonds Lane, whilst the proposed development may result in a reduced number of vehicle movements to and from the site due to the loss of the car park, this reduction has the potential to result in an increase vehicle speeds along Bonds Lane due to the absence of oncoming traffic that might otherwise require greater driver care. Given the likely increase in pedestrian movement along Bonds Lane (arising from 16/0180), and the impracticality of providing a footpath across the site frontage, it is considered that the junction table would provide road safety benefits to pedestrians and cyclists using Bonds Lane by slowing traffic

entering and exiting the western end of Bonds Lane. A condition requiring its provision is therefore recommended.

Having regard for the above it is considered, on balance, that the scheme makes adequate provision for vehicular access and parking in accordance with the objectives of policies GD7 and T5, and paragraph 107 of the NPPF.

## **Other Matters**

### Flooding and drainage

The application has been submitted with a drainage strategy which has generated an objection from United Utilities (UU) as it fails to follow the surface water hierarchy. UU records indicate there is a dedicated surface water sewer located to the south west side of the site and UU expect this option to be fully explored if infiltration is not feasible. To that end UU have recommended any permission to be conditioned to require an alternative surface water drainage scheme to be submitted following the investigation of the hierarchy of drainage options.

### Arboriculture and ecology

The application has been submitted with an ecological survey. The council's ecological consultant confirm that no significant ecological constraints were identified and that issues relating to bats, nesting birds and landscaping can be resolved via condition.

The application is also accompanied by an Arboricultural Impact Assessment (AIA) that identifies several trees, and a section of hedgerow, that are to be removed from within the site. The council's tree officer has raised no objection to the loss of these tree, agreeing with the findings of the AIA that most of the trees have underlying issues and are unmaintained self-seeded species. However he has raised a concern that a Sycamore tree (identified as T1 in the submitted AIA) located outside the red edge boundary, on the corner of No.1 Ash Road and which overhangs Bonds Lane, could potentially be damaged by high sided vehicles during the demolition and construction phases of the proposed development. This can be addressed by the imposition of a condition requiring the submission of a Construction Method Statement, to include proposed measures to ensure delivery vehicles do not cause damage to this tree.

## **Conclusion**

The application relates to site of the Bonds Ice Cream premises on Bonds Lane in the settlement of Elswick. The premises have lain vacant since 2019 and this application seeks to re-develop the site by demolishing the existing building and constructing 8 No. detached dwellings on the footprint of the former building and associated customer parking area, each with an access from Bonds Lane.

The site is located within the settlement area and is not designated for employment purpose in the Local Plan. it is predominantly surrounded by residential properties, and so the principle of a residential redevelopment is acceptable and makes use of a vacant site to help contribute towards the housing supply needs of the borough.

The dwellings are of an appropriate scale and design for the site and the surrounding area. The access is direct to Bonds Lane with the highway arrangements improved through the provision of a table junction at the Beech Road/Ash Road/Bonds Lane junction.

There are no areas of detail that are unresolved and so the development is considered to be a beneficial and suitably efficient reuse of this previously developed settlement site. It is in accordance with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review) and the provisions of the NPPF and so is recommended for approval subject to a series of standard conditions.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

- Location Plan - Drawing no. EAD\_074\_01
- Proposed Site Plan - Drawing no. EAD\_074\_05 Rev S2
- Proposed Plans & Elevations House Type 1 (plots 1 and 5) - Drawing no. EAD\_074\_06 Rev S2
- Proposed Plans & Elevations House Type 2 (plots 2 and 6) - Drawing no. EAD\_074\_07 Rev S2
- Proposed Plans & Elevations House Type 3 (plots 3 and 7) - Drawing no. EAD\_074\_08 Rev S2
- Proposed Plans & Elevations House Type 4 (plots 4 and 8) - Drawing no. EAD\_074\_09 Rev S2

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework.

3. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works of development shall take place until samples or full details of all materials to be used on the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

4. No above ground works of development shall take place until details of the finished floor levels for each dwelling and the ground levels for the external areas of the site, above ordnance datum, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the new dwellings and between the development and surrounding buildings before ground works to establish site levels are

completed in the interests of ensuring a good standard of amenity for existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

5. No above ground works of development shall take place until a scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:
  - a) separate systems for the disposal of foul and surface water;
  - b) an investigation of surface water drainage options which follow the hierarchy set out in the Planning Practice Guidance, including evidence of an assessment of ground conditions and the potential for surface water to be disposed of through infiltration;
  - c) details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development discharge rate does not exceed the pre-development rate (including an appropriate allowance for climate change);
  - d) details of any necessary flow attenuation measures, including the use of SUDS where appropriate;
  - e) a timetable for implementation, including details of any phased delivery; and
  - f) details of how the drainage system will be maintained and managed after completion.

The duly approved scheme shall be implemented before any of the dwellings hereby approved are first occupied, and shall be managed and maintained as such thereafter.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Fylde Local Plan to 2032 policies CL1 and CL2 and the National Planning Policy Framework.

6. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, before any of the dwellings hereby approved are first occupied a soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs. The duly approved soft landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

7. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, none of the dwellings hereby approved shall be occupied until a scheme for the construction of all hard surfaced areas of the development has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the layout, design and construction (including sub layers and surfacing materials) of all hard surfaced areas, and a timetable for their provision. The hard surfaced areas shall thereafter be laid out and made



available for use in accordance with the duly approved scheme and the timetable contained therein.

Reason: To ensure satisfactory treatment of hard surfaced areas and an appropriate standard of engineering works in the interests of visual amenity and the amenity of future occupiers of the development in accordance with the requirements of Fylde Local Plan to 2032 policy GD7.

8. The development shall be carried out in strict accordance with the tree and hedgerow protection measures detailed in section 4 of the Arboricultural Impact Assessment prepared by Karen O'Shea of 'Urban Green' (dated March 2020). The identified tree and hedgerow protection measures shall be implemented before any development takes place and maintained as such thereafter for the entirety of the construction period.

Reason: To ensure that adequate measures are put in place to protect existing trees and hedgerows which are to be retained as part of the development before any construction works commence in accordance with the requirements of Fylde Local Plan to 2032 policy GD7

9. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:
  - a) hours of work for site preparation, delivery of materials and construction;
  - b) arrangements for the parking of vehicles for site operatives, contractors and other visitors;
  - c) details of areas designated for the loading, unloading and storage of plant and materials;
  - d) arrangements for the provision of wheel washing and road sweeping facilities, including details of how, when and where the facilities are to be used;
  - e) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
  - f) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
  - g) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;
  - h) measures to control the emission of dust and dirt during construction;
  - i) a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjoining the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

The development shall thereafter be carried out in full accordance with the duly approved CMS.

Reason: In order to ensure that appropriate measures are put in place before any development commences to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties and to avoid obstruction of the surrounding highway network during the construction of the development in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

10. No clearance of any vegetation and/or demolition of buildings (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation and/or buildings to be cleared do not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation and/or buildings shall take place during the bird nesting season until a scheme for

protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

11. No above ground works of development shall take place until a scheme for the siting, layout, design and construction of the following highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

a) The provision of a junction table at the junction of Beech Road, Ash Road, and Bonds Lane.

The highway improvement works shall be implemented in full accordance with the details in the duly approved scheme and before any of the dwellings hereby approved are first occupied, or within any other timescale that has first been agreed in writing with the Local Planning Authority.

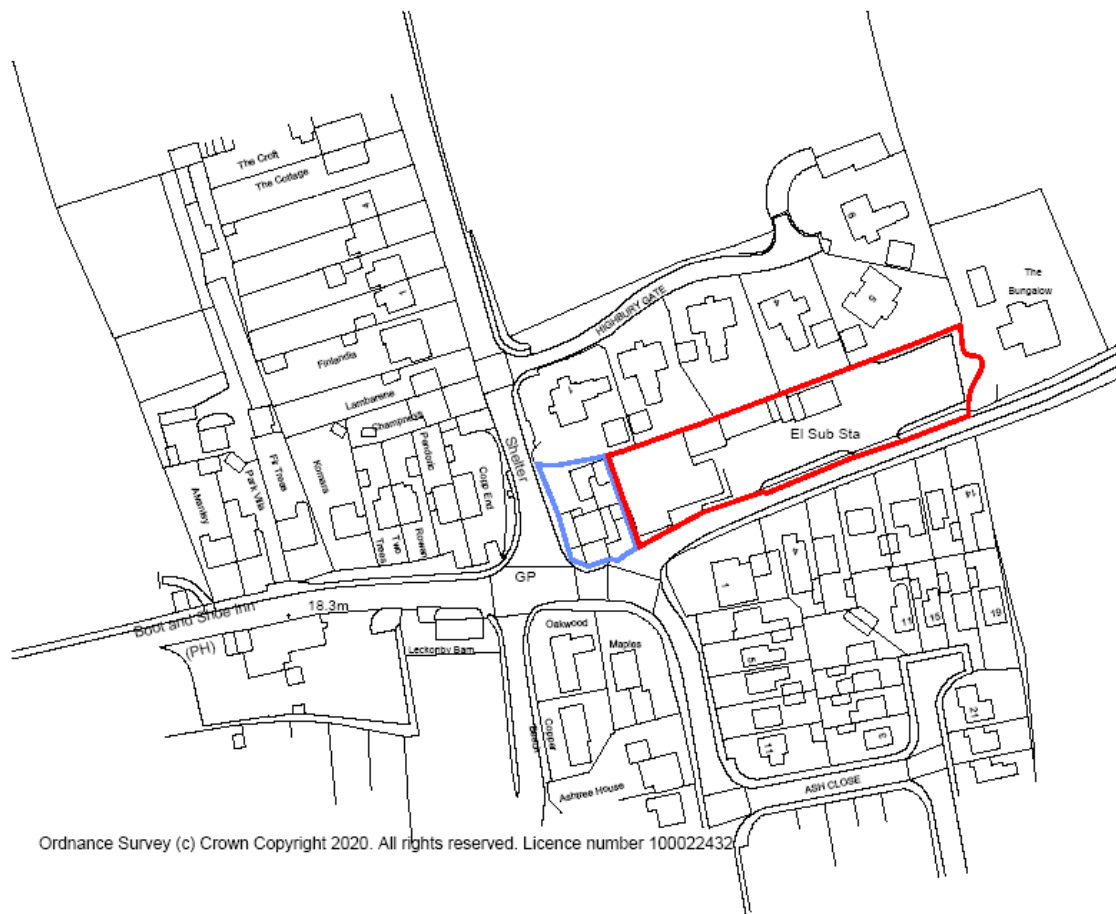
Reason: To secure appropriate and proportionate improvements to surrounding highway infrastructure in order to achieve a safe and suitable means of access to the development for all users in the interests of highway safety, and to promote modal shift and increased use of sustainable methods of travel in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T4, and the National Planning Policy Framework

### **Informative(s)**

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Location Plan for Application 20/0363



## REPORT TO 30 MARCH 2022 PLANNING COMMITTEE – ITEM 2

<b>Application No:</b>	21/1026	<b>Case Officer:</b>	Beth Winstanley Area Team 2
<b>Applicant:</b>	Mr De'ath	<b>Agent:</b>	Mr Sinkinson
<b>Location:</b>	10A ST GEORGES SQUARE, LYTHAM ST ANNES, FY8 2NY		
<b>Proposal:</b>	CHANGE OF USE OF BUILDING FROM TWO FLATS TO A SINGLE DWELLINGHOUSE INCLUDING FIRST FLOOR SIDE AND REAR EXTENSIONS, ERECTION OF FIRST FLOOR BALCONY TO FRONT ELEVATION, CLADDING OF EXTERNAL WALLS IN RENDER TO FIRST FLOOR, ALTERATIONS TO WINDOW OPENINGS AND REMOVAL OF EXTERNAL STAIRCASE AND STORE TO REAR		
<b>Ward:</b>	Ashton	<b>Parish:</b>	St Anne's on the Sea
<b>Statutory Expiry:</b>	1 April 2022	<b>Earliest Decision:</b>	7 February 2022
<b>Reason for any delay:</b>	Officers negotiating design improvements		<b>To view application file on FBC website click <a href="#">here</a></b>

### Summary of Officer Recommendation

The application relates to works at no. 10a St Georges Square, a detached two storey building which is currently used as two independent flats and is located within the Porritt Houses Conservation Area and positioned next to Ashton Gardens which has the Grade II listed War Memorial located within it.

The application proposes the change the use of the building from two flats to a single dwelling and some physical alterations to facilitate that change of use. These involve enclosing the existing external staircase to create additional internal floor area, creating a first floor extension above an existing single storey extension as an extended bedroom, re-rendering the first floor of the property in white K-Rend, replacing all windows to the property, and the formation of a balcony to the front elevation of the property with a black iron balustrade around.

The building is located within the Town Centre of Lytham St Annes, which is listed as a key service area under Policy S1 of the Fylde Local Plan to 2032 (Incorporating Partial Review) therefore allowing the principle of removing one residential unit to be considered appropriate and would not create a significant loss in available units within the area.

The proposed works to the external parts of the dwelling will see the existing building improved visually – with the removal of the tired light blue render and replacement with a more appropriate white render. The window replacements will replace the existing aged UPVC which are of poor standard with a more modern alternative which improves the overall visual appearance of the property. The extensions, which are minimal in projection and size will not over dominate the existing building and will be an appropriate and sympathetic addition to the property.

The application site is located within the Porritt Houses conservation area, and adjacent to Ashton Gardens, which contains the Grade II listed War Memorial, therefore the character of the property must not harm or degrade either heritage asset. Overall, the works proposed to the external parts

of the dwelling will improve the visual character of the dwelling – with the retention of the brick dental course and the addition of the sympathetic white render to the first floor of the dwelling. The creation of the balcony to the front elevation will be completed in matching black iron railings which are seen around Ashton Gardens and as boundary treatments to dwellings within St Georges Square, therefore the overall appearance will not be of an overtly modern design. The balcony has a limited overall size and subservient appearance so does not degrade the surrounding character of the area or the nearby heritage assets.

The proposal will not lead to any undue harm to the surrounding neighbours of no. 10 St Georges Square or no. 355 Clifton Drive North due to the distance and minimal works proposed.

As such, the application represents an improvement to the visual appearance of the property, which in turn brings improvements to the conservation area and within the setting of the listed war memorial. The works have been sympathetically designed to enhance the character of the dwelling while also allowing the building to be used for its owner's needs.

The application accords with all relevant policies of the Fylde Local Plan to 2032 (Incorporating Partial Review) and as such is recommended for approval.

### **Reason for Decision Level**

The officer recommendation for approval conflicts with the views of the Town Council and so it is necessary to present the application to the Planning Committee for a decision.

### **Site Description and Location**

The application relates to a detached building set within the grounds of no. 10 St Georges Square but set serves as an independent residential unit to that property and is currently split in to two self-contained flats, one to the ground floor and one to the first floor. The first floor flat is accessed from an external staircase located to the rear and accessed from Back Clifton Drive North.

The site is located within the 'Porritt Houses' Conservation area, an area to the north of St Annes Town Centre which incorporates Ashton Gardens. The surrounding conservation area is characterised by large semi-detached properties built in stone with several floors. Many of the buildings have been converted into apartments, offices and care homes due to the size and grandeur. The site neighbours Ashton Gardens, where the Grade II listed war memorial is located.

The site is located within the settlement of Lytham St Annes, as defined under Policy GD1 of the Fylde Local Plan to 2032 (Incorporating Partial Review)

### **Details of Proposal**

In simple terms planning permission is sought to convert the building from two flats to a single dwelling with associated minor extensions and alterations to facilitate that change of use.

In more detail the application is for the following:

- The conversion of the building in to one dwelling house from 2 independent flats.
- The creation of a single storey extension to the south west (rear) elevation of the property to enclose part of the ground floor area that is created by the removal of the external staircase

- The creation of a first-floor extension to the northern side elevation above the existing ground floor side outrigger which will project approx. 2.4m outwards away from the side elevation of the dwelling and have an overall depth of approx. 4.7m. The roof will be gabled with a matching eaves height to the host dwelling of 5.4m and a top ridge height of approx. 7.2m, approx. 0.5m lower than the ridge height of the main dwelling.
- The addition of a first floor extension to the south western (rear) elevation of the property to enclose the area currently used as an external access to the first floor flat.
- The creation of a balcony to the north eastern (front) elevation of the property which will project approx. 2m away from the front wall of the dwelling and will have a width of approx. 5.5m across the front wall of the dwelling. The balcony will have 1m high black steel handrails around the edge.
- The addition of render to the external faces of the dwelling in white.
- The alteration of window openings at the dwelling with the window opening being retained and renewed with slimline framed upvc.
- The removal of the external staircase and store to the rear (south western) elevation of the property.

#### **Relevant Planning/Appeal History**

#### **Relevant Planning/Appeal History**

<b>App. No</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>	<b>Appeal</b>
78/0170	LOUNGE EXTENSION AND LOBBY	Granted	05 April 1978	

#### **Parish/Town Council Observations**

<b>Parish/Town Council</b>	<b>Observations</b>
<b>Saint Annes On The Sea Town Council</b>	<p><u>Comments dated 22 December 2021</u></p> <p><i>We have no Objection to the Change of Use proposal or extensions but do have clear reservations regarding the proposed external materials and front balcony.</i></p> <ol style="list-style-type: none"> <li><i>1. The property is in Ashton Gardens Conservation Area, although no mention of this is made in the Heritage Statement.</i></li> <li><i>2. Consideration to the external symmetry within its setting, must be considered. (Including the proposed balcony to the front).</i></li> <li><i>3. The proposed 1st floor balcony will directly overlook the Rose Gardens and park areas, up to the Grade 2 Listed War Memorial to the side elevation.</i></li> <li><i>4. As is stated in the Heritage Statement,</i></li> </ol> <p><i>The surrounding houses and others in this area of St. Anne's are known as Porritt houses. They are constructed on their main elevations (front and side) in a beige brick with red brick decorative stringer coursing. The elevation corners are finished in stone quoins, the window headers and cills are in stone. The roofs are finished in slates with a grey clay ridge tile.</i></p>

	<p><i>This of course, brings us to consider if the proposed 1st floor balcony and external, vertical, wooden cedar cladding are appropriate in this setting.</i></p> <p><i>For the above reasons, we cannot agree with the concluding paragraph of the Heritage Statement -</i></p> <p><i>'The idea is to give this property an up-to-date contemporary look and design. We feel that with the above proposals the application property will NOT look substantially different to how it currently looks. With that in mind we hope that you will look favourably on the application with a view to approve'.</i></p> <p><i>The application pays no regard to Neighbourhood Plan Development Guide and therefore the proposed external materials and front balcony conflict with Policy DH1. 'Heritage Development proposals must preserve or enhance the character or appearance of Conservation Areas and Listed Buildings and their settings, must have regard to adopted Conservation Area. Character Appraisals and must respect the special interest of non-designated heritage assets, including buildings on the local list. The removal of historic features will be resisted. Development proposals must preserve or enhance the character and appearance of the historic parks and gardens identified on the Policies Map'.</i></p> <p><i>As a note of historical and relevant significance this group of properties was built by Oliver Porritt (the grandson of William who built the Porritt houses on Clifton Drive) as part of a circular estate that was left unfinished due to the market situation before WW1. The proposed alteration to the front elevation of the property by adding a balcony and modern fascia cladding would destroy the unified appearance of the whole group. These period houses are very much a part of the Ashton Gardens vista.</i></p> <p><u>Comments dated 22 February 2022</u></p> <p><i>The TC's previous Objections regarding the external cladding have now been met, as the proposed external render is now an improvement to the original proposal. However, the Town Council's objections to a balcony overlooking this historical park and War Memorial remain, as not considered to be appropriate in this setting.</i></p> <p><i>Original Objections in this regard only, remain.</i></p>
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### **Statutory Consultees and Observations of Other Interested Parties**

There are no observations to report.

### **Neighbour Observations**

**Neighbours notified:** 25 November 2021

**Amended plans notified:** 24 January 2022

<b>Site Notice Date:</b>	29 November 2021
<b>Press Notice Date:</b>	9 December 2021
<b>Number of Responses</b>	Total number of comments 0

### **Relevant Planning Policy & Government Guidance**

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (the 'FLP') was formally adopted by the Council at its meeting on Monday 22 October 2018 as the statutory, adopted development plan for the Borough. The Council submitted a Partial Review of the FLP to the Secretary of State for Examination on 21 October 2020. The Partial Review does not delete or add new policies to the FLP and is, instead, concerned principally with matters relating to re-calculating housing need and amending the wording of policies within the FLP to bring these in alignment with the 2021 version of the National Planning Policy Framework.

The Inspector's report on the examination of the Partial Review of the FLP was received on 21 October 2021 and confirms that plan is sound. Following the conclusion of the Partial Review, the Council formally adopted the Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the 'FLPPR' – at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004. Therefore, the FLPPR should guide decision taking for the purposes of paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework.

### **Fylde Local Plan to 2032 (incorporating Partial Review):**

CNA - Conservation area site  
DLF1 - Development Locations for Fylde  
S1 - The Proposed Settlement Hierarchy  
GD1 - Settlement Boundaries  
GD7 - Achieving Good Design in Development  
ENV5 - Historic Environment  
SPD1 - Extending Your Home - November 2007  
STANP - St Annes on the Sea Neighbourhood Plan

### **Environmental Impact Assessment**

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### **Comment and Analysis**

#### **Principle of Change of use**

The application site is located within the settlement as identified under Policy GD1 of the Fylde Local Plan to 2032 (Incorporating Partial Review). The site is located within the town centre of St Annes,



therefore according to policy S1 the application is located within a key service area and as such is an appropriate location for residential development.

The proposal involves a reduction in the overall residential units at the site from 2 to 1 which is a negative factor in the planning balance given the importance of maintaining a housing supply, but the loss is minimal and has to be weighed against other planning factors. The surrounding area is made up of residential properties with a number of dwellings available of varied sizes, and the reduction in residential units within the area by 1 will not significantly harm the overall availability of dwellings within the area.

As such, the overall principle of creating a single dwelling at the building is considered to be appropriate for the town centre location of the development. This satisfies Policy GD1 of the FLPPR and also accords with the aims of GP1 and HOU1 of the St Annes Neighbourhood Plan to promote residential development on previously developed land within the settlement areas.

### **Design and Appearance**

FLPPR policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 16 guiding principles (a - p). In particular, criteria d), h) and i) of the policy identify the following requirements:

- Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.
- Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the local area.
- Taking the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

Paragraph 130 of the NPPF sets out six general principles of good design (a) – f)) that developments should follow and paragraph 134 indicates that “development that is not well designed should be refused, especially where it fails to reflect local design policies”.

STANP policy DH1 states that "all development must be of a high quality of design and must be appropriate and sympathetic to the character of the town and its neighbourhoods." Additionally, the policy requires that "development should create pleasant places to live and work and take into account surrounding scale, density, layout and car parking, as well as achieving high visual standards."

The application involves a number of changes to the overall design and appearance of the dwelling. The existing property has a staircase to the south-west (rear) elevation to provide access to the first floor unit. The existing building has been completed in light blue render to the first floor and brick to the ground floor. The windows are completed in UPVC and the roof completed in slate. Taking the key elements of the external changes in turn:

#### Extensions

The application involves a number of extensions at the building. The extensions to the ground floor of the property will infill the area to the south-west (rear) which faces on to Back Clifton Drive North. The extension fills in an area that is created by the removal of the first floor flat access stairs to form

a slight extension to the lounge of the property and respects the side and rear building line of the building. As such it has a negligible impact on the host building or wider area.

The first floor extension to the same elevation which will sit above the ground floor extension will also be set within the same building line of the main dwelling and will infill the stairs and landing area currently positioned externally. The extensions will be completed in matching render to the rest of the property and will retain the same roof as currently seen. Therefore the overall design of the extensions will be sympathetic to the host dwelling and allow the property to have an improved visual appearance within the streetscene without the external staircase and landing area.

There is an existing single storey extension located to the northern side elevation of the property which has been completed in brick with a mono-pitched sloped roof away from the main dwelling. The proposal looks to extend above this existing extension at first floor which will project approx. 2.4m outwards away from the side elevation of the dwelling and have an overall depth of approx. 4.7m. This provides an extension to an existing bedroom. The roof will be gabled, with a matching eaves height to the host dwelling and a ridge height which will sit approx. 0.5m lower than the ridge of the main dwelling.

The proposed first floor extension will have a sympathetic roof profile which follows the guidelines set out within the SPD for extending your home. The overall appearance of the extension will improve the overall visual appearance of the dwelling, with a balanced extension which is looking to be completed in part brick part render, which matches the existing appearance of the property.

#### Balcony to front elevation

The proposed balcony will be located to the north-eastern (front elevation) and will face on to Ashton Gardens. The balcony itself will project approx. 2m away from the front wall of the dwelling and will have a width of approx. 5.5m. The balcony will have a 1m high black steel rails around the edge.

The Town Council express objection about the principle of this balcony and also it seems about the detailing.

With regards the principle it is the case that balconies are a common feature on dwellings and flats in the area, and whilst many of the more historical ones are integrated not the construction of the building by using recesses and areas over ground floor accommodation, that is not the case with all. This balcony is supported by a post in each corner so is not traditional in its appearance, but sits on a property that is also more contemporary. This design approach is therefore considered to not be unsuitable and allows the design to be more discrete. The use of vertical metal columns below the handrail will complement the retained boundary treatment currently seen at the property and seen widely within the surrounding area.

Although the use of a balcony is considered to be contemporary in appearance, the sympathetic design of the handrails and overall minor projection of the floorspace creates a balcony which does not over dominant the building in the views from the surrounding area and will allow the appearance of the dwelling and the character of the surrounding area to remain unharmed.

#### External rendering

The proposal involves the re-rendering of the top half of the building, with full render to the south western (rear) elevation. The existing property has brick to the ground floor, and a light blue render to the first floor. The light blue render will be removed and replaced with white render and the ground floor brick will be retained.

The addition of white render to the property will improve the overall appearance and retain much of the character already visible at the dwelling. There is a brick dental course currently carried around the top part of the ground floor brick work, this is to be retained therefore allowing the overall character and appearance of the dwelling to be retained.

#### Alterations to window openings

The existing windows at the property are in UPVC and are of varying opening styles, the majority of windows which can be seen from the footpath have an appearance of a sliding sash, however the window designs themselves do not look to be of heritage grade.

The proposal is to replace all window openings at the property in slimline framed UPVC. The proposed windows will not have the glazing bar located across which the current windows show, however due to the lack of character and historic value of the windows this is not a critical factor and the benefits of introducing consistency to the windows in the replacements will benefit the overall appearance of the dwelling.

The extension works create two larger windows within the ground and first floor of the building on the northern side of the dwelling. These windows will be symmetrical in appearance and positioned away from the public footpath surrounding the dwelling, therefore will not be visible and as such will not compromise the overall visual appearance of the dwelling.

#### Policy Summary

The design implications of new development are to be assessed against Policy GD7 of the FLPPR and, in St Annes, against Policy DH1 of the St Annes Neighbourhood Plan. The proposed alterations all reflect the character of the existing building in their scale and use of materials, and they accord with the requirements of Policy GD7 as set out at the beginning of this section of the report. It is also officer view that they reflect the requirements of Policy DH1 as the extension, alteration and balcony achieve an appropriately high visual standard for the building.

#### **Heritage Implications**

The building is not listed, but is within the Porritt Houses Conservation Area which is a designated heritage asset. It is also adjacent to Ashton Gardens which is a registered Historic Park and Garden. This means that the following guidance is relevant:

#### Policy Guidance

FLPPR policy ENV5 states that development proposals should conserve, protect and, where appropriate, enhance the character, appearance, significance and historic value of Fylde's designated and undesignated heritage assets.

Policy DH1 of the Neighbourhood Plan reflects the legal position for development in conservation areas by highlighting the need to preserve or enhance the character or appearance of conservation areas. It also refers to the need to apply the same tests to Historic Parks and Gardens.

Paragraph 199 of the NPPF indicates that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Paragraph 206 of the NPPF indicates that “local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

The subsection to policy ENV5 relating to Conservation Areas indicates that “proposals within or affecting the setting of any of the ten designated conservation areas in Fylde [listed in the policy] or within any additional conservation areas designated during the lifetime of the Local Plan, should conserve or enhance those elements that make a positive contribution to their special character and appearance and setting. Proposals that better reveal the significance of these areas will also be supported.” The subsection goes on to state that “there will be a presumption in favour of the retention of buildings and / or features which make a positive contribution to the special character and appearance of a conservation area” before setting out six criteria (a – f) that proposals within the conservation area should satisfy.

#### Application Assessment

Whilst the building is within the conservation area, it is untypical if much of the buildings within that area. It is of a different scale, location on the plot, design, and materials. This is reflective of the age of its construction which is much later than the Porritt House buildings which form the basis for the designation of the conservation area.

The works that that are set out as part of this application are limited in their scope and will not have significant impacts on the appearance of the building, or the contribution it makes to the conservation area or the historic park and garden. Accordingly it will preserve the character of these heritage assets and satisfy the requirements of the Local Plan, Neighbourhood Plan, and national guidance on such matters.

It is noted that the Town Council take a different view with specific regard to the inclusion of a balcony within the scheme and the relationship of this to Ashton Gardens and to the war memorial within those gardens which is individually listed. The building is immediately alongside the boundary of the Park and so this feature will be visible from a range of viewpoints within the Park. It is separated by around 80m from the war memorial and so it is possible that views will also be available between them, although there are a number of mature trees between which will effectively filter views and so ensure that the setting of the war memorial and the Park as a whole are limited. It is with that in mind that officers are of the view that the balcony does not create any heritage harm that could present a justification to refuse the application as being contrary to the stated policies.

#### **Other matters**

##### Neighbour Amenities

The proposal involves minor increases in the scale of the building and some new windows to upper floors and so has the potential to impact on the amenity of neighbouring properties. This is also a common concern where balconies are introduced.

However in this case the property is well separated from neighbours, and the new windows are all into existing elevations that feature habitable windows and so they do not change the relationships. Indeed, the change of the upper floor from a flat to the bedrooms with a dwelling is likely to reduce the actual level of overlooking. The balcony is on the side facing the park only and so does not create any overlooking concerns of dwellings or their private gardens in that location.

### Access and Parking

The access arrangements are unchanged from the existing arrangement, and the garage that lies on Back St Georges Square will remain available to provide for the reasonable parking needs of the property. These are likely to be similar to those of the existing flats, and with the town centre location of the property this single space is adequate.

### Conclusions

The application relates to the change of use of a building from two independent flats to one single dwelling, as well as external alterations, extensions, and the creation of a balcony to the front of the dwelling. The application is considered to improve the overall visual appearance of the property and as such retain the important heritage asset of the conservation area, historic park and garden, and the Grade II listed War Memorial. As such, the application is recommended for approval.

### Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

- Location Plan Scale 1:1250
- Existing and Proposed Plans and Elevations -Drawing no. HP 2907D PL / 21 / 07.1 Rev D

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework.

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the development shall be constructed in accordance with the materials detailed on the approved plans listed in condition 2 of this permission.

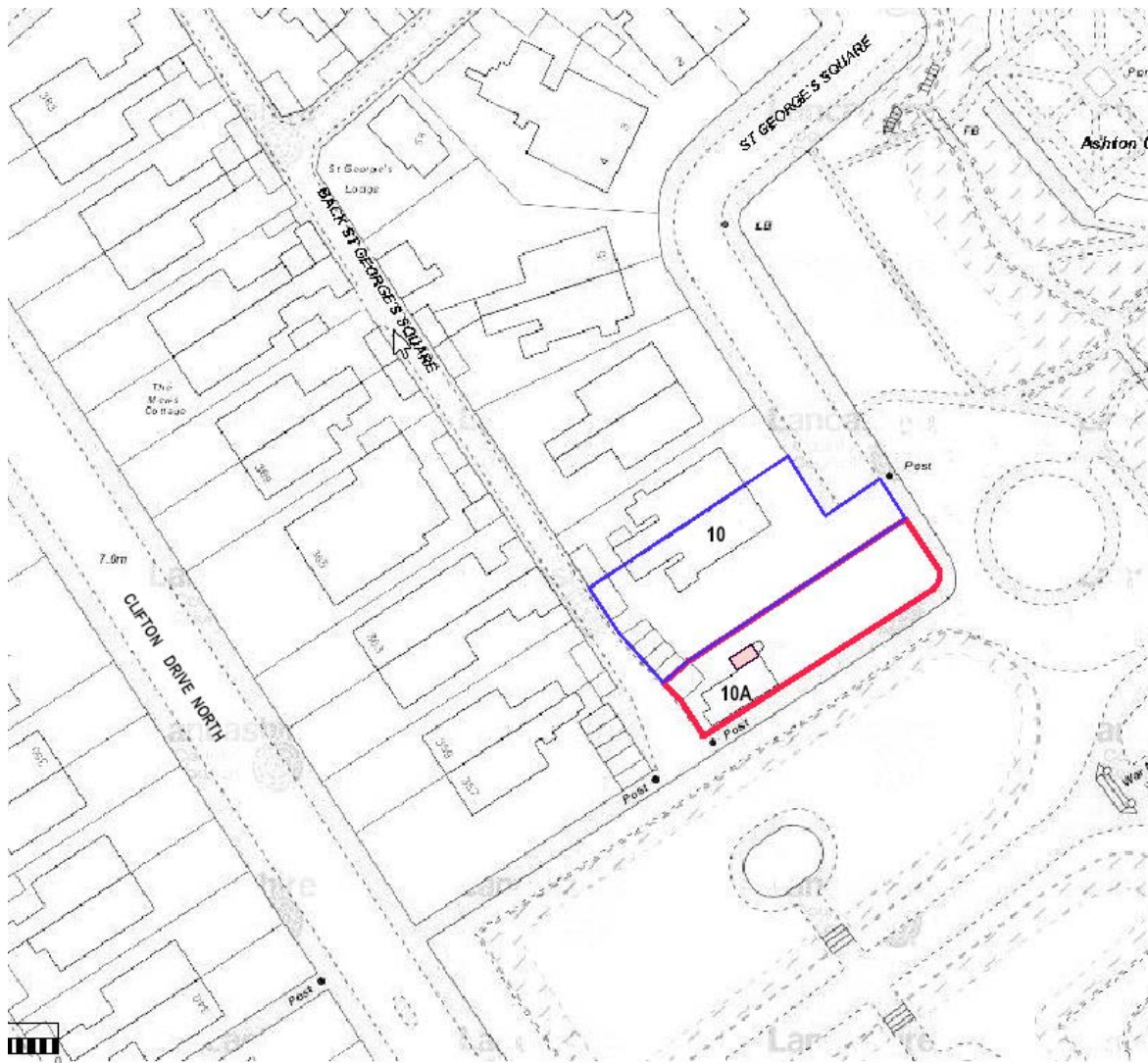
Reason: To ensure the use of appropriate materials which are sympathetic to the character of the host building and surrounding area in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

### **Informative(s)**

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Location Plan for 21/1026



## REPORT TO 30 MARCH 2022 PLANNING COMMITTEE – ITEM 3

<b>Application No:</b>	21/1054	<b>Case Officer:</b>	Alan Pinder Area Team 2
<b>Applicant:</b>	Ms Blaj	<b>Agent:</b>	Mr Jones
<b>Location:</b>	24 SUMMERVILLE AVENUE, STAINING, BLACKPOOL, FY3 0BP		
<b>Proposal:</b>	SINGLE STOREY SIDE AND REAR EXTENSION TO DWELLINGHOUSE INCORPORATING FOOTPRINT AND RAISING ROOF HEIGHT OF FORMER DETACHED GARAGE - PART RETROSPECTIVE APPLICATION		
<b>Ward:</b>	Staining and Weeton	<b>Parish:</b>	Staining
<b>Statutory Expiry:</b>	8 April 2022	<b>Earliest Decision:</b>	28 January 2022
<b>Reason for any delay:</b>	Awaiting amended or additional details from applicant/agent		<b>To view application file on FBC website click <a href="#">here</a></b>

### **OFFICERS REPORT – HOUSEHOLDER APPLICATION**

#### **Summary of Officer Recommendation**

This application relates to a semi-detached dwelling located within a residential area of Staining. The property is in a row of similar properties and has been previously extended with a rear extension and a detached garage. The application seeks retrospective planning permission for extensions to the detached garage which include its repurposing as habitable accommodation, an increase in its roof height, and a link to the main dwelling from a replacement of the rear extension. A raised deck area to the rear is also replaced.

The property is in the settlement area where appropriately designed and scaled extensions are acceptable in principle subject to having an acceptable relationship to their neighbours and satisfying other planning consideration. Having viewed the proposal and assessed the issues raised, it is considered that the development is appropriate in its scale for the property, has an acceptable design, and does not cause undue harm to neighbouring properties. Accordingly it satisfies the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review) and the NPPF and is recommended for approval.

#### **Reason for Decision Level**

The officer recommendation for approval is in conflict with the views of the Parish Council and so it is necessary to present the application to the Planning Committee for a decision.

#### **Site Description and Location**

This application relates to a semi-detached two storey dwelling that has an existing single storey rear extension (approved under ref. 76/0337) with a rearward projection of 5.4 metres along the shared



boundary with No.22 Summerville Avenue. The property is located within a wholly residential area of Staining settlement and is neighboured on all sides by other dwellings.

### **Details of Proposal**

Planning permission is sought for the following:

- Front and side extensions to the detached garage to link it into the existing single storey rear extension, and conversion of the garage to use as habitable space.
- Increase in the roof height of the converted garage so that it matches the height of the existing extension's roof.
- Replacement of the external decked area to the rear of the existing extension.

The application is retrospective in nature as the development is now virtually complete.

### **Relevant Planning/Appeal History**

<b>Appn</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>	<b>Appeal</b>
76/0337	EXTENSION AT REAR - DINING ROOM	Granted	02 June 1976	

### **Parish/Town Council Observations**

<b>Parish/Town Council</b>	<b>Observations</b>
<b>Staining Parish Council</b>	<p><u>Comments dated 25 Jan 2022</u></p> <p><i>The parish council strongly object to the application on the following on grounds:</i></p> <ul style="list-style-type: none"> <li>• <i>The plans do not match what has been built</i></li> <li>• <i>Overshadowing and overbearing impact of extension on neighbouring property</i></li> <li>• <i>Excessive increase in footprint of the property</i></li> <li>• <i>May impact on surface water drainage</i></li> <li>• <i>Possible Party Wall issues</i></li> <li>• <i>Did not consult with neighbouring property</i></li> <li>• <i>Loss of garage</i></li> <li>• <i>Poor build quality.</i></li> </ul>

### **Statutory Consultees and Observations of Other Interested Parties**

N/A

### **Neighbour Observations**

**Neighbours notified:** 14 December 2021  
**Amended plans notified:** N/A  
**Site Notice Date:** N/A

<b>Press Notice Date:</b>	N/A
<b>Number of Responses</b>	Total number of comments    0 Total Number Objecting        0 Total Number supporting       0
<b>Summary of Comments</b>	<p>The representations received all raise objection to the development with the points raised summarised as follows:</p> <ul style="list-style-type: none"> <li>• The increased footprint of the property could cause surface water flooding for neighbouring properties</li> <li>• The extension has further eroded the privacy of No.33 Meadow Park's rear garden</li> <li>• Building work started before planning permission was applied for. If approved this will send a signal to others that the planning process is meaningless</li> <li>• Neighbours weren't informed of the build by the applicant and possible breach of the Party Wall Act</li> <li>• The extension is built onto the side of No.26's garage and there are doubts about its structural integrity and insulation against fire and sound</li> <li>• Damage caused to the side boundary wall</li> <li>• It harms the amenity of the occupiers of No.22</li> <li>• The extension and the conversion of the garage to habitable accommodation are harmful to the character of the area</li> <li>• The driveways serving the application property and No.22 are not physically divided and so there could be parking and safety issues</li> </ul>

### **Relevant Planning Policy & Government Guidance**

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (the 'FLP') was formally adopted by the Council at its meeting on Monday 22 October 2018 as the statutory, adopted development plan for the Borough. The Council submitted a Partial Review of the FLP to the Secretary of State for Examination on 21 October 2020. The Partial Review does not delete or add new policies to the FLP and is, instead, concerned principally with matters relating to re-calculating housing need and amending the wording of policies within the FLP to bring these in alignment with the 2021 version of the National Planning Policy Framework.

The Inspector's report on the examination of the Partial Review of the FLP was received on 21 October 2021 and confirms that plan is sound. Following the conclusion of the Partial Review, the Council formally adopted the Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the 'FLPPR' – at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004. Therefore, the FLPPR should guide decision taking for the purposes of paragraph 38 (6) of the

Planning and Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework.

**Fylde Local Plan to 2032 (incorporating Partial Review) and other relevant Guidance:**

- GD1 - Settlement Boundaries
- GD7 - Achieving Good Design in Development
- SPD1 - Extending Your Home - November 2007
- National Planning Policy Framework (July 2021)

**Comment and Analysis**

**Principle**

The application site is located within one of the settlement boundaries identified on the FLPPR Policies Map. As set out in policy GD1 of the Local Plan, the principle of residential extensions within the identified settlements is acceptable subject to the development's compliance with other relevant policies of the Plan. In this case the criteria contained in policy GD7 of the FLPPR are of greatest relevance, having particular regard firstly to the development's effects on the character and appearance of the area arising from its design and, secondly, to its impact on the amenity of surrounding occupiers. Each of these issues is examined further below with reference to the relevant criteria in policy GD7.

**Design and Appearance in Streetscene**

FLPPR policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 16 guiding principles (a - p). In particular, criteria d), h) and i) of the policy identify the following requirements:

- Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.
- Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the local area.
- Taking the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

Paragraph 130 of the NPPF sets out six general principles of good design (a) – f)) that developments should follow and paragraph 134 indicates that “development that is not well designed should be refused, especially where it fails to reflect local design policies”.

The only elements of the development visible from the public domain are the front extension and roof lift to the existing garage.

The front extension extends the garage *circa* 1 metre forward so that it is level with the rear elevation of the property and so has a negligible impact on the streetscene.

The roof lift has increased the height of the garage by *circa* 0.6 metres and retains the original flat roof profile of the garage. As the roof does not project forward of the dwelling's rear elevation it has little impact on the appearance and character of either the streetscene or the host dwelling.

The remainder of the development is wholly to the rear of the property where the resulting appearance is similar in design and form to how the dwelling appeared prior to the development being carried out and so raises no concern.

Overall the appearance, design and scale of the development is considered to accord with the requirements of criteria d), h) and i) of Policy GD7.

### **Relationship to Neighbours**

FLPPR policy GD7 c) requires that development proposals facilitate good design by "ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed". In addition, criterion h) states that developments should be "sympathetic to surrounding land uses and occupiers".

Paragraph 130 f) of the NPPF indicates that planning decisions should ensure developments "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users."

Neighbouring dwellings most potentially affected by the application are those to either side of the application site, No's 22 & 26 Summerville Avenue. The occupier of No.33 Meadow Park has also raised an objection on the grounds of overlooking and loss of privacy. Looking at the key impacts in detail:

*No.22 Summerville Avenue* – This property is attached to the application property and has a conservatory to the rear. The replacement rear decking enables views over, and so a reduction of privacy, to the rear garden area of No.22. As this decking is in a similar location to that which previously existed these views are no more harmful than that which existed from the previous decking. However, given that the previous decking did not benefit from formal planning permission it is necessary to take this impact into consideration. Accordingly the original proposed scheme has been amended to include a 1.8 metre high privacy screen (fence panel) to be erected along the shared boundary edge of the decking to mitigate overlooking of No.22's garden to an acceptable degree by limiting views to those parts of the garden which are more distant from the property and so less critical to the occupier's amenity.

*No.26 Summerville Avenue* – This is the neighbour to the other side which is separated from the dwelling by the driveway width of both properties. This neighbour has a garage to the side of the property which extends beyond the rear elevation of the dwelling with a patio to the rear that is therefore alongside the garage to the application property. Whilst the development has increased the height of the original solid shared boundary between the two properties by *circa* 0.6 metres it is not considered that this additional height is so great as to have resulted in undue harm to the amenity of No.26 by way of overdominance or overshadowing of the patio area or the remainder of No.26's rear garden. The rear of No.26 does feature patio doors in close proximity to the shared boundary, which may experience some additional loss of natural light, however these doors serve a utility room that has been formed by converting part of the rear of the attached garage. As such a reduction in light to this room is not a concern as this is not a habitable room.

*No.33 Meadow Park* – This property is directly to the rear of the application property and its occupier has objected on the grounds of loss of privacy to their rear garden. The rear garden of the application property slopes away from the rear of the house and as a consequence the rear decking is higher relative to the rear boundary with No.33. This notwithstanding the decking is no higher than that which it has replaced and its rear edge is *circa* 11 metres from the rear boundary. Furthermore No.33 Meadow Park has a large tree and a large shed building along, and taller than, the shared boundary fence which prevent any potential views into their rear garden.

Whilst it has to be noted that all three adjacent properties have raised objection to the development, the considered officer view as set out here is that the works have an acceptable relationship to its neighbours in all regards. On this basis it complies with criteria c) and h) of Policy GD7.

### **Parking and Access Arrangements**

The development has resulted in the loss of the detached garage, however the use of this garage for the parking of vehicles was unrealistic due to the very narrow (*circa* 1.9 metres) width of the driveway that runs from the highway to the garage. Accordingly it is considered that the existing access and parking arrangements have not been compromised by the development and so it complies with criteria j) and q) of Policy GD7.

### **Other Matters**

Objections have also been raised relating to the following:

#### Accuracy of Drawings

It is suggested that the drawings are inaccurate as the extended garage is higher and longer than shown on the submitted drawing.

The officer has measured these elements at site visit and found some minor inaccuracies. To address those a revised drawing has been presented which is under consideration in the determination of this application. It should also be noted that the application is retrospective as the development is now virtually complete. Accordingly the development has been assessed against what is now physically present on the site.

#### Drainage Concerns

These relate to the potential impact on, and the adequacy of, surface water drainage of the building.

With regard to surface water drainage, this application relates to additional development of an existing dwelling located within a residential area. Accordingly any issues regarding surface water drainage would be dealt with under the Building Regulations regime. However this notwithstanding there is no reason to believe that the marginal increase in roof area resulting from the development would increase the level of surface water within the site.

#### Encroachment

The neighbour asserts that the extended garage encroaches onto No.26's garage thus restricting access for maintenance and potentially causing load damage to their garage wall. Further, they believe that the development has been constructed without the necessary compliance with the requirements of the Party Wall Act 1996.

The application is supported with Certificate A which means that the applicant believes that the whole of the site required for the development is within the applicant's control. If the development involved land in other ownership then they would serve Certificate B to highlight that. When officers became aware of these encroachment concerns they raised them with the applicant's agent. He has since confirmed in an email dated 11 March 2022 that all elements of the development lie on land that is within the applicant's control without any encroachment. The council does not have a role in assessing the accuracy of these competing claims, with this being a civil matter between them. The requirements for the determination of the planning application is that it is supported by an ownership certificate, and as this application is supported with Certificate A, then that legal requirement is satisfied.

#### Quality of workmanship

It is stated that the quality of the workmanship on the development is not of a good standard.

This is a further matter that is not a planning consideration. The compliance with the building regulations is a matter that the council is assessing in this case, and the concerns have been passed to officers from that team for their awareness during the various inspections that are made as part of the normal building control process.

#### Conclusions

This application relates to a semi-detached dwelling located within a residential area of Staining. The property is in a row of similar properties and has been previously extended with a rear extension and a detached garage. The application seeks retrospective planning permission for extensions to the detached garage which include its repurposing as habitable accommodation, an increase in its roof height, and a link to the main dwelling from a replacement of the rear extension. A raised deck area to the rear is also replaced.

The property is in the settlement area where appropriately designed and scaled extensions are acceptable in principle subject to having an acceptable relationship to their neighbours and satisfying other planning consideration. Having viewed the proposal and assessed the issues raised, it is considered that the development is appropriate in its scale for the property, has an acceptable design, and does not cause undue harm to neighbouring properties. Accordingly it satisfies the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review) and the NPPF and is recommended for approval.

#### Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This permission relates to the following plans:

- Location Plan - Drawing no. AJ/KT/09/12/A Rev C
- Proposed Plans - Drawing no. AJ/KT/09/12/A Rev C
- Proposed Elevations - Drawing no. AJ/KT/09/12/A Rev C

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework.

2. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the development shall be constructed in accordance with the materials detailed on the approved plans listed in condition 1 of this permission or in section 5 of the submitted application form

Reason: To ensure the use of appropriate materials which are sympathetic to the character of the host building and surrounding area in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

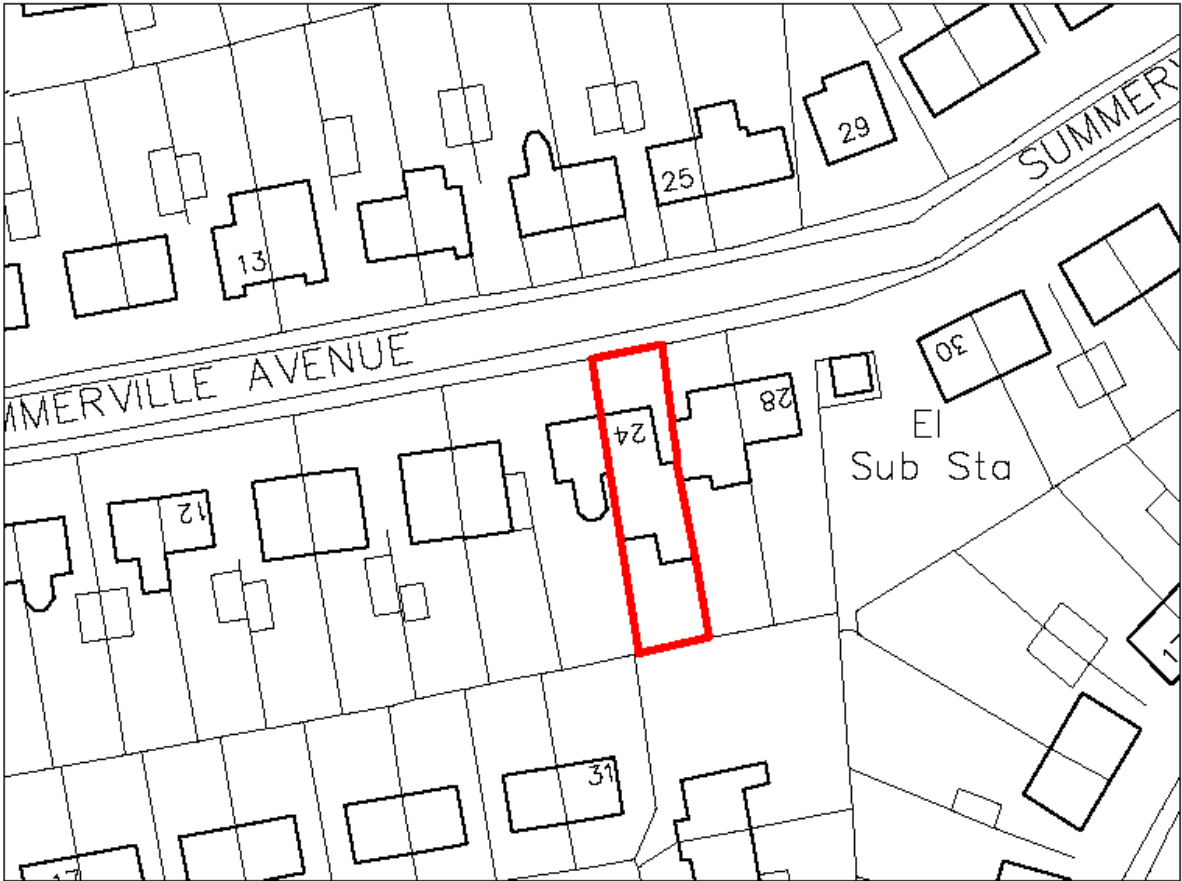
3. Within two months of the date of this permission the 1.8 metre high screen along the western edge of the raised decking area (as shown on the approved drawing no. AJ/KT/09/12/A Rev C) shall be installed. The screen shall thereafter be retained, or if replaced the replacement shall be of the same 1.8 metre height and opaque.

Reason: To safeguard the privacy of occupiers of No.22 Summerville Avenue in accordance with the requirements of policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Location Plan for 21/1054





## REPORT TO 30 MARCH 2022 PLANNING COMMITTEE – ITEM 4

<b>Application No:</b>	21/1114	<b>Case Officer:</b>	Rob Buffham Area Team 1
<b>Applicant:</b>	Mr Cumpsty	<b>Agent:</b>	Mr Hadwin
<b>Location:</b>	SITE 2B LAND, HALLAM WAY/ HOLLY CLOSE, WESTBY WITH PLUMPTONS		
<b>Proposal:</b>	ERECTION OF TERRACE OF 5NO SINGLE STOREY UNITS FOR CLASS E(G)(III) (LIGHT INDUSTRIAL) USE & CLASS B8 (STORAGE AND DISTRIBUTION) USE WITH ACCESS OFF HOLLY CLOSE AND PARKING		
<b>Ward:</b>	Warton and Westby	<b>Parish:</b>	Westby with Plumptions
<b>Statutory Expiry:</b>	18 March 2022	<b>Earliest Decision:</b>	3 March 2022
<b>Reason for any delay:</b>	Need to determine at Committee due to scale or nature of application		<b>To view application file on FBC website click <a href="#">here</a></b>

### **Summary of Officer Recommendation**

The proposal relates to an area of land within the Whitehills Industrial Estate. The proposal is a full planning application for the construction of a single building to be divided into 5 small scale industrial units to be available for either Use Class E (g) (iii) (formerly Class B1 light industry) or Use Class B8 (storage or distribution). The application includes access, car parking and landscaping arrangements on an area of land adjacent to Hallam Way.

The proposal will facilitate job creation (30 jobs specified) and develop an Employment site allocated in the Fylde Local Plan to 2032 (Incorporating Partial Review) which offers support in principle for the land uses applied for.

The development is of appropriate appearance and in-keeping with the character of the area, providing regeneration benefit through the redevelopment of an unsightly land parcel.

The proposal would not compromise the safe, efficient or convenient movement of all highway users and provides for a satisfactory relationship to neighbours of the site.

There are no other technical matters of note that would warrant refusal of the proposal.

The development accords with the development plan and therefore constitutes sustainable development. In accordance with paragraph 11c) of the NPPF21, the proposal should be approved without delay and the Officer recommendation is that Members support the application, subject to conditions.

### **Reason for Decision Level**

The application is for 'major development' and so it is necessary to present the application to the Planning Committee for a decision.

### **Site Description and Location**

The site is located on a currently unused parcel of land within the Whitehills Business Park, south of Hallam Way and immediately north of Lytham St Annes Way which is the main route through the estate that links from the M55 junction towards St Annes.

The site is occupied by surplus spoil from the development of adjacent land parcels, acting to artificially raise levels in places.

The site is within a commercial area with a mix of car dealerships, light industry and public house/ restaurant/ hotel in close proximity. Existing development to the north of Lytham St Annes Way is principally open and set back from the main road behind a landscape buffer.

The wider Whitehills Employment Park has a mix of industrial and commercial development including office space, general industrial use, builders' merchants as well as indoor sport/ recreational uses.

### **Details of Proposal**

Planning consent is sought for the erection of a building split into 5 industrial units – use Class E (g) (iii) (light industry) and B8 (storage and distribution). The scheme proposal reflects that of the neighbouring site to the west in layout and appearance, consisting of a single block of accommodation located to the north with a front facing aspect over a parking and yard area located to the south which is set behind a landscape buffer adjacent to Lytham St Annes Way.

The building measures 26m x 84m x 9m (7.8m to eaves), having a dual pitched roof and constructed of Oatmeal coloured brick with vertically and horizontally fixed light grey cladding, identical to the neighbouring property. There are 2 unit sizes available with 1 at 312sqm and 4 at 468sqm.

### **Relevant Planning/Appeal History**

<b>Appn</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>	<b>Appeal</b>
07/1171	ERECTION OF STORAGE AND DISTRIBUTION (B8) TRADE PARK UNITS WITH ASS. PARKING FOR 57 CARS AND LANDSCAPING SCHEME.	Approve Subject to 106	30 April 2009	
09/0466	VARIATION OF CONDITION 7 ON APPLICATION 07/1171, TO CHANGE OPENING TIMES TO 06.00 TO 22.00 ON ANY DAY.	Granted	29 September 2009	

### **Parish/Town Council Observations**

<b>Parish/Town Council</b>	<b>Observations</b>
<b>Westby with Plumpton Council</b>	<u>Comments dated 13 Feb 2022</u> <i>No Observations.</i>

### Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
Environmental Protection	no objection subject to condition (unexpected land contamination).
United Utilities	no comments received
Environment Agency	no comments received
National Grid	report the development to be in the vicinity of a gas asset and have placed a holding objection on the proposal to enable Cadent Engineering Teams to review the proposals (26/01/22). No further update at the time of writing
LCC Highways	<p>No objection subject to condition.</p> <p>The proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. The wider area that the proposed development is to be situated within has high demand for parking. This means that the car parking requirements for the proposals would need to be served within the development site. Class E(g)(iii) Light Industry requires 1 space per 45 sqm, the proposed site plan demonstrates this can be met.</p> <p>Suggested conditions - car park/ yard to be constructed in accordance with LCC specification, provision of parking and manoeuvring space pre-occupation, and Constriction Method Statement.</p>
Lancashire CC Flood Risk Management Team	no objection subject to condition requiring implementation of the submitted Drainage Strategy and Construction Surface Water Drainage Design, and verification of drainage implementation and construction surface water management details.
Health & Safety Executive	do not advise, on safety grounds, against the granting of planning permission.
Lancashire Fire and Rescue Services	no objection to the planning application but do make reference to building control requirements that the development must adhere to.

### Neighbour Observations

Neighbours notified:	25 January 2022
Amended plans notified:	n/a.
Site Notice Date:	28 January 2022
Press Notice Date:	10 February 2022
Number of Responses	Total number of comments 0
	Total Number Objecting 0
	Total Number supporting 0
Summary of Comments	N/A

### **Relevant Planning Policy & Government Guidance**

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (the 'FLP') was formally adopted by the Council at its meeting on Monday 22 October 2018 as the statutory, adopted development plan for the Borough. The Council submitted a Partial Review of the FLP to the Secretary of State for Examination on 21 October 2020. The Partial Review does not delete or add new policies to the FLP and is, instead, concerned principally with matters relating to re-calculating housing need and amending the wording of policies within the FLP to bring these in alignment with the 2021 version of the National Planning Policy Framework.

The Inspector's report on the examination of the Partial Review of the FLP was received on 21 October 2021 and confirms that plan is sound. Following the conclusion of the Partial Review, the Council formally adopted the Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the 'FLPPR' – at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004. Therefore, the FLPPR should guide decision taking for the purposes of paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework.

### **Fylde Local Plan to 2032 (incorporating Partial Review) (FLPPR):**

EC1 - Overall Provision of Employment Land and Existing Employment Sites

EC2 - Employment Opportunities

GD7 - Achieving Good Design in Development

T5 - Parking Standards

CL1 - Flood Alleviation, Water Quality and Water Efficiency

CL2 - Surface Water Run-Off and Sustainable Drainage

ENV1 - Landscape

ENV2 - Biodiversity

### **Environmental Impact Assessment**

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### **Comment and Analysis**

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 indicates that development proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. Chapter 2 of the NPPF advocates a presumption in favour of sustainable development, Paragraph 11 c) states that in terms of decision taking, this means approving development proposals that accord with an up-to-date development plan without delay. Paragraph 11 d) states that where there are no relevant development plan policies, or where policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in

Framework. It advises that planning decision takers should seek to approve applications for sustainable development where possible.

The main issues pertinent in the assessment of the proposal are:

- Principle of use.
- Design.
- Highways.
- Amenity.
- Flood Risk and Drainage.
- Ecology.

### **Principle of Use**

The site is designated as an Existing Employment allocation in the FLPPR. FLPPR Policy EC1 is of relevance and supports industrial land uses including B1(a), B1(b), B1(c), B2 and B8, within such areas.

The proposal seeks consent for construction of business units, with the following use classes being specified:

- Class E(G)(III) – any industrial process which can be carried out in any residential area without causing detriment to the amenity of the area.
- Class B8 - storage and distribution

Members should note that Class E(G)(III) is a relatively new classification that has replaced the former B1 light industrial use class.

The proposal will facilitate job creation (30 jobs specified on the application form) and develop an employment allocation for land uses specified by Policy EC1. This will help preserve and develop a strong, vibrant and sustainable economy within the Fylde Borough in accordance with the Strategic Objectives of the Fylde Local Plan.

The land use sought lies within the Class E category, enabling permitted change of use within that classification (including to retail, food and drink). To ensure continued compliance with Policy EC1 it is necessary to impose land use restriction requiring that the development be occupied by E(G)(iii) and B8 uses only.

Subject to this restriction, the proposal is consistent with Policy EC1 and the principle of the proposal in this location is therefore considered acceptable.

### **Design**

Policy GD7 requires development to be of a high standard of design, taking account of the character and appearance of the local area, referring to a number of criteria to meet this aim. Those relevant to the current proposal are:

- d) siting, layout, massing, scale, design, building to plot ration and landscaping relate well to surrounding context.
- f) conserving and enhancing the built environment.
- g) applying Secured by design principles.
- h) avoiding demonstrable harm to the visual amenities of the local area.

- i) Positive contribution to the character and local distinctiveness of the area.
- j) parking should be safe, accessible and sympathetic to the surrounding area.
- m) protect existing landscape features.

The site is one of several undeveloped land parcels within this area of Whitehills, representing an unkempt infill plot that presently detracts from the area. It is located to the end of a cul de sac and is highly prominent in the street scene being exposed to views from Lytham St Annes Way.

The site is neighboured by employment and commercial development with buildings in the vicinity of mixed appearance and scale, some having an industrial form constructed of brick work and profiled metal sheet, or more traditional brick and tile roof such as the adjoining public house and hotel. Whilst there is no consistent design of buildings within the locality, previous development has ensured that buildings are set back from and behind a landscaped buffer to Lytham St Annes Way. This character acts to soften the built form and provides a sense of openness to this main road and is an intrinsic feature of the streetscene.

The proposal has been designed to replicate a recently constructed employment site to the west that was built by the applicant. The proposed building footprint is set back from Lytham St Annes Way in alignment with neighbouring buildings, behind a car park and service yard area. A substantial landscape strip incorporating trees, shrub and turf is provided adjacent, which marries in with the existing landscaping set either side of the site on Lytham St Annes Way. Boundary treatments include a low-level timber knee rail to more prominent areas and a secure 2.4m mesh fence line to the rear of the building. These measures help assimilate the development into the locality, maintaining the current open aspect of development along Lytham St Annes Way.

The building itself is identical in appearance to the neighbouring property, being constructed of light grey cladding, dark grey doors and an oatmeal coloured brick, measuring approximately 9m to ridge (7.8m to eaves).

The proposed design and layout are in-keeping with the commercial nature of the locality, importantly retaining an open landscaped buffer to Lytham St Annes Way. The development will rejuvenate a parcel of land that currently detracts from the visual appearance of the area, providing significant regeneration benefits, in accordance with the provisions of Policy GD7.

### **Highways**

FLRRP policy GD7 supports good design that would not prejudice highway or pedestrian safety, and the efficient and convenient movement of all highway user (q), and, encourages alternative modes of transport including walking and cycling (r). Similarly Policy T4 also encourages walking and cycling to improve quality of life and reduce the Boroughs carbon footprint. Policy T5 relates to parking provision and indicates that a flexible approach to the level of car parking provision will be applied dependent on the location of the development.

Paragraph 110 b) of the NPPF states that decision makers should take account of whether safe and suitable access to the site can be achieved for all users, and, 110 d) improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The development is to be accessed via a vehicular entrance from Hallam Way/ Holly Close, continuing the existing footpath to individual units proposed. The access road accommodates the needs of servicing by larger delivery vehicles, with reversing areas available to accommodate the

needs of HGV vehicles if needed. 63 parking bays (4 disabled, 6 electric charging bays) and 3 cycle stores are indicated on plan.

There is presently a high demand for car parking in the area, with parking from existing uses being displaced to surrounding streets. This on street car parking has reduced road widths to single lane in places impinging upon the free flow of traffic about the Whitehills Employment Park. It is important that new development does not exacerbate this situation and appropriate car parking that accords with adopted standards should be provided. In this regard, given the speculative nature of the development, end users are not known at this present time and it is therefore appropriate to plan for a worse case scenario, with an assumption that the development would be occupied by the higher car park generating use (E(G)iii). Comment from the local highway authority confirms the parking standard suggestion for this use to be 1 space per 45sqm, based on a proposed total floor area of 2184sqm this equates to a requirement of 49 spaces for the development. The provision of 63 spaces within the scheme is therefore above the adopted standard but is accepted given the reported car parking concern for the wider employment park.

It is inevitable that the development will attract additional vehicle movements to the area. Due to the nature and scale of the development the majority of movements will be outside of peak times and would not therefore have a significant impact on present or future highway capacity.

The Highway Authority has raised no objection to the proposal.

On this basis it is considered that the development provides for a safe and suitable layout and that impact on the network would not be severe. It is therefore in accordance with the requirements of Policy GD7, and T5 of the Fylde Local Plan to 2032 in this regard.

#### **Amenity**

FLP Policy GD7 requires high design standards and supports new development that would be sympathetic to surrounding land uses and occupiers, and that existing uses in the local would not undermine amenity of proposed occupants. This amenity impact includes privacy, dominance, loss of light, over shadowing or disturbance resultant from the development itself on neighbours or those living within the development, or during the construction period.

The site is bound by commercial premises including similar industrial uses to the west, and public house/ hotel to the east. Housing is located to the south east, to the opposing side of Lytham St Annes Way.

The separation distance between the application site and nearest dwellings is 150m+ at the closest point. Lytham St Annes way is also heavily trafficked which acts to increase ambient noise levels in the locality. These factors in combination ensure that the amenity of residents in the area, relative to the use applied for as well as the physical presence of structures to be built, is not undermined.

A public house and hotel adjoin the application site to the east, which has restaurant room windows that look out over the front yard area of the application site. The applicant has provided additional landscaping in the form of hedge planting and trees to help soften the appearance of the development and safeguard the outlook from this neighbour. The public house acts as a physical barrier between the proposal and bedrooms within the hotel, ensuring that any disturbance to occupants relative to the uses proposed would be negligible.

The development is therefore considered to have an acceptable relationship to neighbouring premises and would not undermine the general amenity of the area, in accordance with FLP policy GD7.

### **Flood Risk and Drainage**

The site falls entirely within flood zone 1, as defined by the Environment Agency's Flood Map. The application is accompanied by a Drainage Strategy.

Policy CL1 requires all new development to minimise flood risk by a number of specific criteria, including ensuring use of sustainable surface water drainage solutions, ensuring new development is directed away from high risk areas of flooding (Flood Zone 2 and 3) and the incorporation of mitigation in lower risk areas. Policy CL2 provides detailed design guidance for surface water drainage strategies, including attenuation requirements.

The site is located within Flood Zone 1 and is not therefore considered to be at risk from or contribute to flood risk off site.

The submitted drainage strategy refers to provision of separate surface and foul water discharges into the existing drainage networks. Surface water will have a restricted rate, attenuated by a holding tank situated beneath the car park.

The Lead Local Flood Authority (LLFA) has not objected to the proposal, confirming acceptance of the surface water drainage design. On this basis, it is considered that adequate measures can be put in place in order to ensure appropriate drainage provision and that the development poses no unacceptable risk in terms of flooding in accordance with the development plan and NPPF.

### **Ecology**

Policy ENV2 states that the Council is committed to the protection and enhancement of the boroughs biodiversity and geological assets. The strongest protection will be given to sites of international importance (Ramsar, Special Area of Conservation, Special Protection Areas or candidate sites of such). Development affecting sites of local importance will be permitted only where there is an overriding local public need. ENV2 also safeguards protected species and states that development that has any adverse effect will not be supported, unless the benefits of development outweigh the ecological impact, and subject to appropriate mitigation.

The site has no specific nature conservation designation in the adopted Local Plan. The site is of low ecological interest being occupied by spoil that has been relocated following development of the adjacent plot. The proposed layout makes provision for landscaping, including tree, hedge and shrub planting which should be recognised as a net gain for the ecological value of the site in the context of this scheme. This ensures compliance with Policy ENV2.

### **Conclusions**

The proposed use is acceptable for this Employment land allocation. The development is considered to be of appropriate appearance and in-keeping with the character of the area, providing significant regeneration benefit through the redevelopment of a prominent unsightly land parcel.

The development would not compromise the safe, efficient or convenient movement of all highway users, there are no drainage or ecological issues of note and the development provides for a satisfactory relationship to neighbours.



The proposal therefore accords with the development plan and consequently can be considered sustainable development for the purposes of paragraph 11 c) of the NPPF21.

In accordance with paragraph 11 c) development must be approved without delay and the proposal is therefore recommended for approval to Members of the Planning Committee.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

- Location Plan drawing reference: AC/HCP3/LP/001.
- Site Location Plan drawing reference: AC/HCP3/SLP/001 revision B.
- Proposed Phase 3 Plan & Elevations drawing reference: AC/HCP3/PE/001 revision C.
- Proposed Phase 3 External Materials drawing reference: AC/HCP3/EX/001 revision B.
- Proposed Phase 3 Landscaping drawing reference: AC/HCP3/L/001 revision C.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework.

3. The approved access design, pedestrian access points, car parking (including disabled spaces and electric charging points), covered cycle store and vehicular manoeuvring areas as detailed on drawing titled 'Proposed Phase 3 Plan & Elevations' (drawing reference: AC/HCP3/PE/001 revision C), and soft and hard landscaping as detailed on drawing titled 'Proposed Phase 3 Landscaping' (drawing reference: AC/HCP3/L/001 revision C) must be made available for use prior to first occupation of the development, and retained thereafter.

Reason: For the avoidance of doubt, to ensure that the development is carried out in accordance with the approved plans in the interests of highway safety and visual amenity, in accordance with the policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework.

4. Soft and hard landscaping as detailed on drawing titled 'Proposed Phase 3 Landscaping' (drawing reference: AC/HCP3/L/001 revision C) shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 (Incorporating Partial Review) policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

5. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the development hereby approved shall be used for the following use classes only:

- Class E (g) iii) - any industrial process which can be carried out in any residential area without detriment to the amenity of the area.
- Class B8 - Storage and Distribution.

and for no other purpose (including any other uses falling within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to those classes in any statutory instrument amending or replacing that Order.

Reason: To ensure that the use of the premises remains compatible with the character of surrounding uses, to ensure that the level of parking provided by the development remains sufficient to serve the use in the interests of highway safety; in accordance with the requirements of policies EC1 and GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

6. Notwithstanding the provisions of the Town & Country Planning (Use Classes Order) 1987 [as amended] and the Town & Country Planning (General Permitted Development) Order 2015 [as amended] or any other legislation that amends or re-enacts those Orders, where premises are in use as Class E (g) (iii) (any industrial process which can be carried out in any residential area without detriment to the amenity of the area) or Class B8 (storage and distribution) any retail sales shall be limited to a level that is ancillary to the main use of the premises for wholesale distribution and under no circumstances shall exceed 15% of the floor area of each unit.

Reason: For the avoidance of doubt and in order to avoid the establishment of a retail operation in this out of centre location, in accordance with Policy EC1 and EC5 of the Fylde Local Plan to 2032 (incorporating Partial Review) and NPPF21.

7. No goods of any description shall be stored on site other than within the buildings.

Reason: In the interests of the visual amenity of the area in accordance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review).

8. Unless otherwise agreed in writing by the Local Planning Authority through the discharge of this condition, the development hereby approved shall be constructed in accordance with the submitted Drainage Strategy:

- Drainage Strategy (Keystone Design Associates Ltd, December 2021).
- Drainage General Arrangement drawing reference: A021/330/BR/01 revision A.
- Drainage Strategy during Construction Works Statement (Cumpsty Properties Ltd, 7th March 2022)

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Fylde Local Plan to 2032 (Incorporating Partial Review) policies CL1 and CL2 and the National Planning Policy Framework.

9. Prior to occupation of the development hereby approved, a Surface Water Verification Report and Operation and Maintenance Plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme discharged by condition 4 (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including

national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that agreed surface water design is implemented so that the development is not at risk of flooding and does not increase flood risk elsewhere, in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies CL1 and CL2 and the National Planning Policy Framework.

10. Unless otherwise agreed in writing by the Local Planning Authority through the discharge of this condition, the development hereby approved shall be constructed in accordance with external materials illustrated on drawing titled 'Proposed Phase 3 External Materials' (drawing reference: AC/HCP3/EX/001 revision B).

Reason: To provide sufficient clarity over the construction materials and in the interests of visual amenity for the development, in accordance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

11. If, during development, contamination is found to be present on the site then no further development shall take place on the affected part(s) of the site until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

- a) a survey of the extent, scale and nature of contamination;
- b) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems; and archaeological sites and ancient monuments.
- c) an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the buildings on the affected part(s) of the site are first occupied.

Reason: To prevent pollution of the surrounding environment and to ensure the safe development of the site in the interests of the amenity of future occupiers and other sensitive receptors in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD9 and the National Planning Policy Framework.

12. Unless otherwise agreed in writing by the Local Planning Authority through the discharge of this condition, construction of the development hereby approved shall be undertaken in accordance

with the submitted Construction Method Statement and Construction Site Layout drawing received on 10th March 2022.

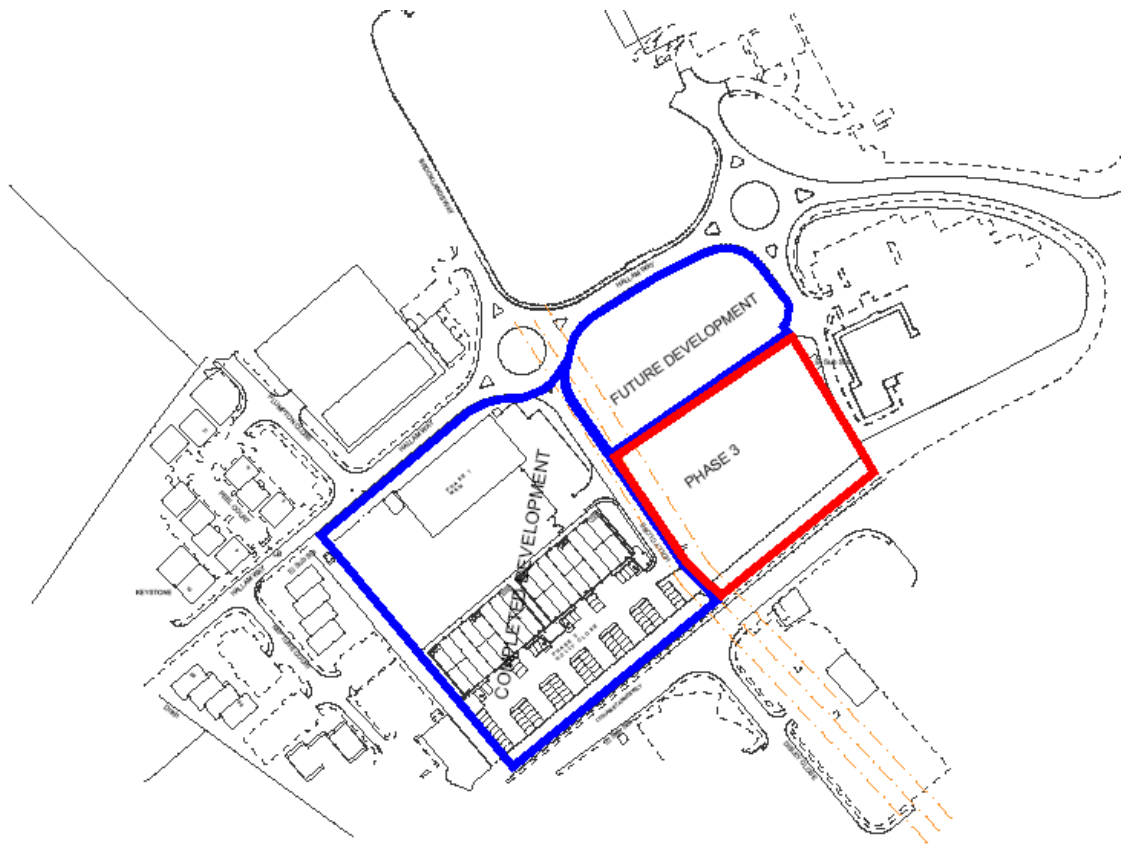
Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings during the construction of the development, in accordance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

**Informative(s)**

Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by providing advice to the applicant/agent during the course of the application on potential problems and possible solutions.

Location Plan for 21/1114



## REPORT TO 30 MARCH 2022 PLANNING COMMITTEE – ITEM 5

<b>Application No:</b>	22/0013	<b>Case Officer:</b>	Alan Pinder Area Team 2
<b>Applicant:</b>	Mr Maher	<b>Agent:</b>	Mr Ross
<b>Location:</b>	44 LAVERTON ROAD, LYTHAM ST ANNES, FY8 1EN		
<b>Proposal:</b>	ENLARGEMENT TO ROOF SPACE OF DWELLING TO CREATE SECOND FLOOR LIVING ACCOMMODATION INCLUDING RAISING OF EAVES AND RIDGE HEIGHTS, STEEPENING OF ROOF PITCH, ADDITION OF PEDIMENT ABOVE DOUBLE HEIGHT BAY WINDOW, INSTALLATION OF ROOF LIGHTS TO FRONT, REAR AND SIDE FACING ROOF PLANES AND INSERTION OF ADDITIONAL FIRST FLOOR WINDOW IN WEST FACING SIDE ELEVATION OF ORIGINAL DWELLING - RESUBMISSION OF APPLICATION 21/0910		
<b>Ward:</b>	Fairhaven	<b>Parish:</b>	St Anne's on the Sea
<b>Statutory Expiry:</b>	2 March 2022	<b>Earliest Decision:</b>	30 January 2022
<b>Reason for any delay:</b>	Officers negotiating design improvements		<b>To view application file on FBC website click <a href="#">here</a></b>

### Summary of Officer Recommendation

This application relates to a detached two storey dwelling that is located in a residential area of St Annes. The area predominately features other properties of a similar scale around, but some variation in their design.

The application is submitted as an amendment to an earlier application that proposed a full roof lift of the property which was refused by Fylde Council and subsequently dismissed at appeal. The application under consideration here seeks planning permission for the lifting of the main roof by 0.7 metres to facilitate the provision of additional accommodation in the roofspace along with other associated alterations including the removal of one chimney, insertion of roof lights and a new first floor side elevation window.

Unlike the earlier proposal this scheme is not considered to be harmful to either the character and appearance of the host dwelling or the wider streetscape, or to the amenity of neighbouring dwellings. Accordingly the proposal accords with the relevant policies of the Fylde Local Plan to 2032 (incorporating partial review) and so is recommended for approval.

### Reason for Decision Level

The officer recommendation for approval is in conflict with the views of the Town Council and so it is necessary to present the application to the Planning Committee for a decision.

### **Site Description and Location**

The application site is a detached two storey dwelling, with hipped roofs on all four elevations, located on the south side of Laverton Road which is itself in a wholly residential area of the settlement of Lytham St Annes. The dwelling has been previously extended with a two-storey rear extension alongside and adjoining into an existing two storey rear outrigger. There is a detached single storey annex within the rear garden.

### **Details of Proposal**

Planning permission is sought for the following:

- Lifting of the main roof to increase the ridge height by 0.7 metres (from 6.8 metres to 7.5 metres) and the eaves height by 0.2 metres (from 4.9 metres to 5.1 metres)
- Removal of one chimney
- Insertion of two roof lights in the front roof slope and one roof light in each side facing roof slope
- Insertion of a first floor window in the west facing side elevation

### **Relevant Planning / Appeal History**

<b>App. No</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>	<b>Appeal</b>
77/0247	GARAGE EXTENSION AND SUN LOUNGE	Granted	20 April 1977	
19/0012	TWO STOREY REAR EXTENSION AND CONVERSION OF GARAGE TO RESIDENTIAL ANNEX	Granted	07 March 2019	
21/0910	EXTENSION TO ROOF SPACE OF DWELLING TO CREATE SECOND FLOOR LIVING ACCOMMODATION INCLUDING RAISING OF EAVES AND RIDGE HEIGHTS, HIP-TO-GABLE ENLARGEMENTS AND CONSTRUCTION OF REAR DORMER INCLUDING INSERTION OF ADDITIONAL FIRST FLOOR WINDOW IN WEST FACING SIDE ELEVATION OF ORIGINAL DWELLING	Refused	25 November 2021	Dismissed

### **Parish/Town Council Observations**

<b>Parish/Town Council</b>	<b>Observations</b>
<b>Saint Annes On The Sea Town Council</b>	<u>Comments dated 25 January 2022</u>  <i>This was previously Refused by the DMA and objected to by the Town Council. (See Decision Notice and TC Observations). Although this is an improvement on the original proposal, we feel that the revised proposal still looks very unbalanced with the loss of one chimney stack, and still dominates the street scene by virtue of its height, which distorts the visual</i>

	<i>consistency and character of surrounding properties. In conflict with Neighbourhood Plan Policy DH1.</i>
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### **Statutory Consultees and Observations of Other Interested Parties**

N/A

### **Neighbour Observations**

**Neighbours notified:** 6 January 2022  
**Amended plans notified:** N/A  
**Site Notice Date:** N/A  
**Press Notice Date:** N/A  
**Number of Responses** Total number of comments 0

### **Relevant Planning Policy & Government Guidance**

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (the 'FLP') was formally adopted by the Council at its meeting on Monday 22 October 2018 as the statutory, adopted development plan for the Borough. The Council submitted a Partial Review of the FLP to the Secretary of State for Examination on 21 October 2020. The Partial Review does not delete or add new policies to the FLP and is, instead, concerned principally with matters relating to re-calculating housing need and amending the wording of policies within the FLP to bring these in alignment with the 2021 version of the National Planning Policy Framework.

The Inspector's report on the examination of the Partial Review of the FLP was received on 21 October 2021 and confirms that plan is sound. Following the conclusion of the Partial Review, the Council formally adopted the Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the 'FLPPR' – at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004. Therefore, the FLPPR should guide decision taking for the purposes of paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework.

### **Fylde Local Plan to 2032 (incorporating Partial Review) and other relevant Guidance:**

GD1 - Settlement Boundaries  
 GD7 - Achieving Good Design in Development  
 STANP - St Annes on the Sea Neighbourhood Plan  
 NPPF – National Planning Policy Framework (July 2021)  
 NPPG – Planning Practice Guidance



## **Comment and Analysis**

### **Principle**

The application site is located within one of the settlement boundaries identified on the FLPPR Policies Map. As set out in policy GD1 of the Local Plan, the principle of residential extensions within the identified settlements is acceptable subject to the development's compliance with other relevant policies of the Plan. In this case the criteria contained in policy GD7 of the FLPPR are of greatest relevance, having particular regard firstly to the development's effects on the character and appearance of the area arising from its design and, secondly, to its impact on the amenity of surrounding occupiers. Each of these issues is examined further below with reference to the relevant criteria in policy GD7.

### **Design and Appearance in Streetscene**

FLPPR policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 16 guiding principles (a - p). In particular, criteria d), h) and i) of the policy identify the following requirements:

- Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.
- Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the local area.
- Taking the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

Paragraph 130 of the NPPF sets out six general principles of good design (a) – f)) that developments should follow and paragraph 134 indicates that "development that is not well designed should be refused, especially where it fails to reflect local design policies".

STANP policy DH1 states that "all development must be of a high quality of design and must be appropriate and sympathetic to the character of the town and its neighbourhoods." Additionally, the policy requires that "development should create pleasant places to live and work and take into account surrounding scale, density, layout and car parking, as well as achieving high visual standards."

In this case the application relates to a detached, two storey dwelling located within a row of similarly designed properties on the southern side of Laverton Road where there is a uniformity of design approach comprising two storey detached and semi-detached properties with fully hipped roofs.

The application property is neighboured to the west by No.42 Laverton Road and No.46 to the east. Both of which feature hipped roofs. No.46 has the same ridge and eaves heights as the application property, and No.42 has an 8 metre high ridge and 5.1 metre high eaves. The proposed roof lift would increase the eaves height of the application property slightly to match that of No.42 and create a graded increase of ridge heights in the vista these three dwellings. This graded transition of ridge heights, and retention of the hipped roof appearance, would not appear incongruous or jarring within wider streetscape of Laverton Road.

The Town Council have opined that the loss of one chimney would create an unacceptable visual imbalance to the appearance of the property, however opposing gable chimneys are not defining character of either the host dwelling or of dwellings generally within the locale. Hence the loss of one chimney is not considered to an overriding factor that could justify the refusal of permission.

The scheme that preceded this application related to a slightly taller increase in the roof ridge, a significant increase in the eaves so they were well above the height of neighbouring dwellings, and the formation of gables to each side of the building which accentuated the increased ridge height. This was refused by Fylde Council for reasons that included the harm that this would create to the streetscene. This decision was subject to an appeal with the Inspector stating that:

*“Raising the roof to form a gap between the top of the first floor windows and the eaves would disrupt the harmonious feature of the streetscene, this combined with the hip to gable change in roof design would result in an incongruous form of development. The proposed development would be disproportionate to the host property and at would be out of keeping with the prevailing characteristics of the area.”*

She then dismissed the appeal on the basis of the policy conflict which this created.

The current scheme removes the two most harmful elements of the earlier scheme. Firstly the eaves remain very similar to the height of the neighbouring properties thereby removing the gap that was formed below them and the top of the first floor windows in that scheme. Secondly the existing hipped design to the roof is retained rather than forming gables, which further reduces the dominance of the roof. This revised design is considered to address the reasons that Fylde Council refused the earlier application, and the matters that the Inspector found critical to that scheme in her decision. Taken together the design and scale of the extension accord with the requirements of criteria d), h) and i) of Policy GD7.

### **Relationship to Neighbours**

FLPPR policy GD7 c) requires that development proposals facilitate good design by “ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed”. In addition, criterion h) states that developments should be “sympathetic to surrounding land uses and occupiers”.

Paragraph 130 f) of the NPPF indicates that planning decisions should ensure developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

Neighbouring dwellings potentially affected by the application are No's 42 & 46 Laverton Road, which neighbour to either side of the development property.

*No.42 Laverton Road* - The proposed additional first floor window in the west elevation of the application property would face towards No.42, however these two dwellings share a similar rear building line and so views from this window into the rear garden area of No.42 would be restricted by the bulk of No.42's side elevation and the acute angle of views towards its rear garden. No.42 has only one small obscurely glazed window at eaves level in its east facing side elevation but even if this elevation were populated by other windows the proposed roof lift would have little greater effect than existing in terms of overshadowing or overbearingness.

*No.46 Laverton Road* - This property would have a similar spatial relationship to the proposed development as No.42 and thus there are no concerns regarding impacts on the amenity of its occupiers.

The earlier scheme was refused for a reason relating to the loss of privacy from a dormer that was included in that proposal. That was not an area that the Inspector felt warranted a refusal in her assessment of the scheme as it could be mitigated by the imposition of a condition to require that the dormer windows be obscurely glazed. Irrespective of that there is no dormer included in this proposal so that aspect is not for consideration.

As such the proposal has an acceptable relationship to its neighbours in all regards and complies with criteria c) and h) of Policy GD7.

### **Parking and Access Arrangements**

The proposal retains an appropriate level and location of parking for the site and does not compromise the access arrangements or highway safety. As such it complies with criteria j) and q) of Policy GD7.

### **Conclusions**

The application relates to a roof lift and minor external alterations to a dwelling located in the settlement of Lytham St Annes. Having viewed the proposal and assessed the issues raised, it is considered that the development accords with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review) and the NPPF. Accordingly the application is recommended for approval.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

- Location Plan - Supplied by Streetwise Maps Ltd, scale 1:1250 and dated 12/12/2018
- Proposed Plans & Elevations - Drawing no. FBC-1092-21-09-002 Rev B

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework.

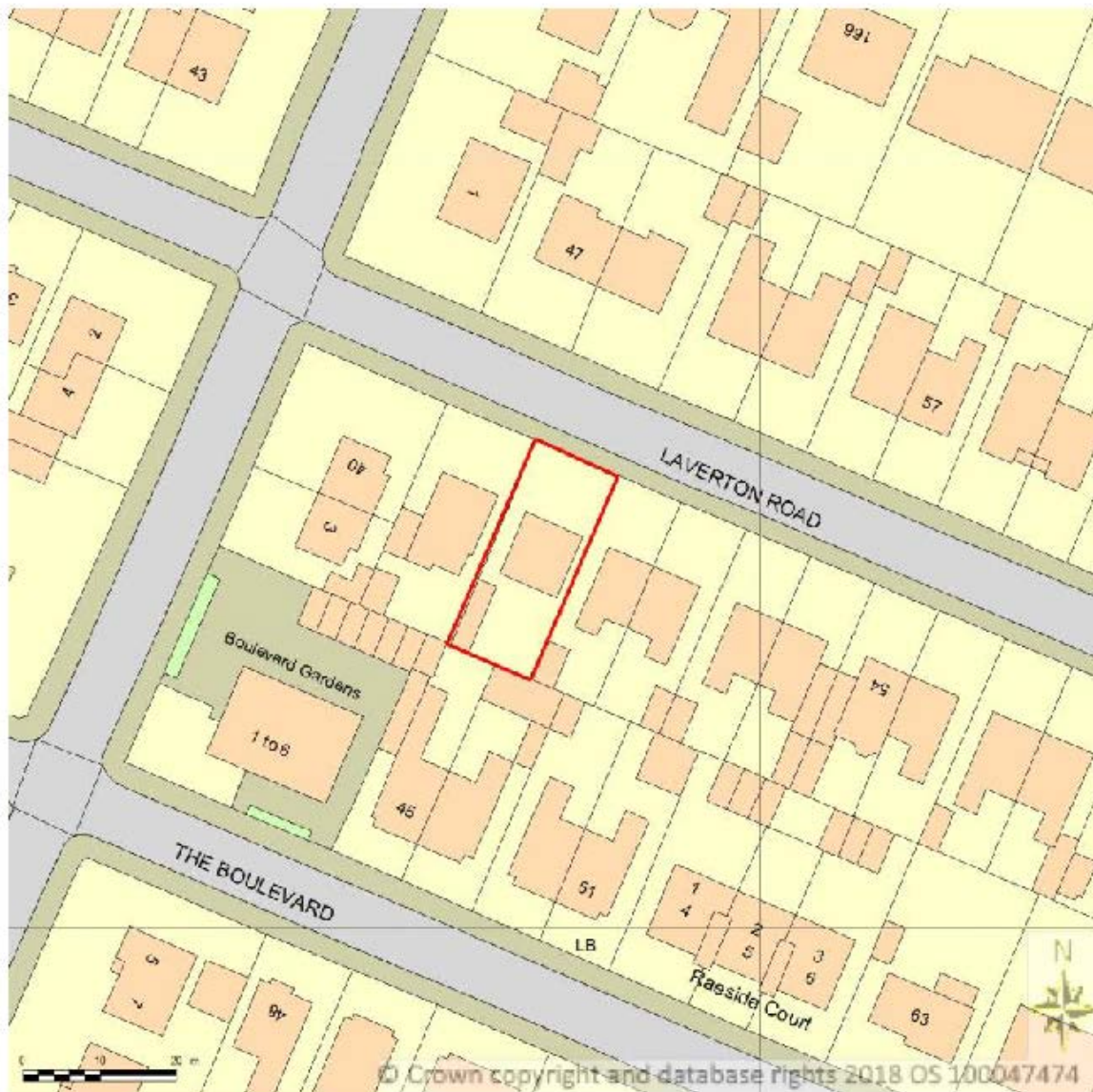
3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the development shall be constructed in accordance with the materials detailed on the approved plans listed in condition 2 of this permission.

Reason: To ensure the use of appropriate materials which are sympathetic to the character of the host building and surrounding area in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Location Plan for 22/0013



## REPORT TO 30 MARCH 2022 PLANNING COMMITTEE – ITEM 6

<b>Application No:</b>	22/0032	<b>Case Officer:</b>	Ruth Thow Area Team 2
<b>Applicant:</b>	The Veterinary Health Centre	<b>Agent:</b>	Mr Eastham
<b>Location:</b>	LAND TO THE REAR OF 4 GREENWAYS, LYTHAM ST ANNES, FY8 3LY		
<b>Proposal:</b>	APPLICATION TO VARY CONDITIONS NO.2 (APPROVED PLANS), NO. 9 (CONSTRUCTION METHOD STATEMENT), NO. 6 (CAR PARK LAYOUT) OF PLANNING PERMISSION 19/0917 TO ALLOW: 1) RE-POSITIONING OF DETACHED SINGLE STOREY BUILDING FURTHER TO THE SOUTHWEST OF ITS APPROVED LOCATION; 2) PROVISION OF CONSTRUCTION METHOD STATEMENT PURSUANT TO PLANNING PERMISSION 19/0917; 3) REVISED SITING OF FIFTH CAR PARKING SPACE TO NORTHEAST SIDE OF BUILDING.		
<b>Ward:</b>	Park	<b>Parish:</b>	St Anne's on the Sea
<b>Statutory Expiry:</b>	9 March 2022	<b>Earliest Decision:</b>	16 February 2022
<b>Reason for any delay:</b>	Need to determine at Committee due to scale or nature of application	<b>To view application file on FBC website click <a href="#">here</a></b>	

### Summary of Officer Recommendation

The application relates to an area of land located to the rear of Greenways in Lytham St Annes that formerly housed a series of 'lock-up' garages as part of a longer terrace. Planning permission was granted at Committee on 6 January 2021 to erect a building on part of this land to provide additional facilities for the existing veterinary practice which operates at 4 Greenways, with the application also including some staff parking spaces.

Construction work has commenced on this development, but in order to avoid an electricity supply cable linked to the adjacent substation the building was constructed in a different location to that shown on the approved plans. This is around 2.6m to the side of the approved location.

This application is submitted as a 'minor material amendment' to that earlier planning permission and seeks consent for the erection of the building in its revised location, and consequential amendments to the layout of the parking arrangements that form part of that planning permission. The application is to vary the conditions imposed under planning permission 19/0917 relating to the approved plans, the layout of parking spaces, and the construction method statement.

The proposal does not propose any alterations to the scale of the building and retains the same number of parking spaces as secured by the previous permission. Accordingly, it is considered that the proposed variation does not prejudice any aspect of highway safety, the visual amenity of the area or neighbour amenity. The scheme complies with the criteria of Policies GD7 and EC2 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework and is therefore recommended for approval by Members.

### **Reason for Reporting to Committee**

The application is presented to vary conditions imposed to Planning Permission 19/0917 which was determined by Members and so it is appropriate to present the current application to the Planning Committee for a decision.

### **Site Description and Location**

This application relates to land to the rear of no. 4 Greenways, Lytham St. Annes. In particular to a vacant site previously occupied by a series of 12 no. single storey lock up garages in a row of 19 garages. The site is to the rear of no. 4 Greenways and the terraced properties adjacent to no. 4 and is separated from them by a service road. The site also backs onto the gardens of properties on Lindsey Avenue.

The character of the area is mainly residential with the exception of no. 4 which has a lawful use as a veterinary practice granted approval in 1999 as a change of use from the former car showroom. The surrounding residential properties are a mix of bungalows and two storey dwellings located off one of the main arterial routes into St. Annes.

The site is within the settlement of Lytham St. Annes as designated on the Fylde Local Plan to 2032 (incorporating Partial Review).

### **Details of Proposal**

This application is submitted under Section 73 of the Town and Country Planning Act 1990 for permission to vary conditions imposed under planning application 19/0917. In particular condition no. 2 (relating to approved plans), Condition no. 6 (relating to car park layout) and condition no. 9 (relating to the construction method statement) of permission 19/0917.

The revised plan is proposed to allow the re-positioning of the detached single storey building further to the southwest of the plot, internal layout changes, and alterations to the elevation of the building to remove a window together with the re-arrangement of the layout car parking spaces. It is understood that the revised siting of the building is required due to the presence of an electricity cable associated with the substation requiring a 'no build' easement.

The application also includes the submission of a construction method statement pursuant to condition 9 of application no. 19/0917. This condition required the submission of this information prior to the commencement of the development, but this was not presented at that time, but is available for consideration as part of the assessment of this application.

Note: The description of development has been amended during the course of the application to include condition no. 6 of application no. 19/0917 which referred to the layout of the parking spaces.

### **Relevant Planning/Appeal History**

App. No	Description	Decision	Date	Appeal
19/0917	DEMOLITION OF 12 EXISTING GARAGES TO THE REAR OF NO. 4 GREENWAYS AND ERECTION OF DETACHED SINGLE	Granted	08 January 2021	

	STOREY BUILDING FOR EXPANSION OF VETERINARY CENTRE INCLUDING FORMATION OF FIVE ADDITIONAL CAR PARKING SPACES			
14/0909	PROPOSED FIRST FLOOR EXTENSION OVER EXISTING FLAT ROOF AREA TO REAR	Granted	03 March 2015	

#### Parish/Town Council Observations

Parish/Town Council	Observations
<b>Saint Annes On The Sea Town Council</b>	<p><u>Comments dated 25 January 2022</u></p> <p><i>This is a Minor Material Amendment Application. Condition 9 information was not submitted prior to commencement and this application wishes to address this by the provision of a Construction Method Statement and include the updated site plan to show that the building has been moved slightly on site from its approved position.</i></p> <p><i>The building was moved to avoid an existing underground high voltage electric cable. All five new car parking spaces have been retained.</i></p> <p><i>This in accordance with pre-application advice issued 21/12/2021.</i></p> <p><i>The Town Council approves of the proposed separation of waste materials, salvage, re-use etc contained in the Construction Method Statement. The applicant is encouraged to investigate and implement appropriate measures to provide renewable energy, to maximise energy efficiency, and to incorporate water recycling technology into the development wherever possible.</i></p>

#### Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
<b>LCC Highways</b>	<p><i>LCC Highways does not have any objections regarding the proposed application to vary conditions 2 and provision of construction method statement pursuant to condition 9 of planning permission 19/0917 and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.</i></p>

#### Neighbour Observations

**Neighbours notified:** 14 January 2022  
**Amended plans notified:** N/A  
**Site Notice Date:** 26 January 2022



<b>Press Notice Date:</b>	N/A
<b>Number of Responses</b>	Total number of comments    4 Total Number Objecting        4 Total Number supporting       0
<b>Summary of Comments</b>	The comments received raise objection to the application, with the grounds for objection summarised as: <ul style="list-style-type: none"> <li>• Traffic congestion on Greenways</li> <li>• Emergency vehicles struggle to get through</li> <li>• Vets have 23 employees and little parking space by 9 am</li> <li>• Everyone on estate fed-up</li> <li>• New proposal would seem to have parking spaces</li> <li>• Have disabled relative and parking stressful</li> <li>• Suggest vets mini-bus for staff</li> <li>• Grassed area in front of vets used as dog toilet</li> <li>• Positioning of space 5 near blind corner and could result in an accident</li> <li>• Has the applicant considered moving the electric cable?</li> <li>• Inconsistencies in the plans</li> <li>• Can boundary wall be built up and a tree removed</li> </ul>

### **Relevant Planning Policy & Government Guidance**

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (the 'FLP') was formally adopted by the Council at its meeting on Monday 22 October 2018 as the statutory, adopted development plan for the Borough. The Council submitted a Partial Review of the FLP to the Secretary of State for Examination on 21 October 2020. The Partial Review does not delete or add new policies to the FLP and is, instead, concerned principally with matters relating to re-calculating housing need and amending the wording of policies within the FLP to bring these in alignment with the 2021 version of the National Planning Policy Framework.

The Inspector's report on the examination of the Partial Review of the FLP was received on 21 October 2021 and confirms that plan is sound. Following the conclusion of the Partial Review, the Council formally adopted the Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the 'FLPPR' – at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004. Therefore, the FLPPR should guide decision taking for the purposes of paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework.

### **Fylde Local Plan to 2032 (incorporating Partial Review):**

- GD1 - Settlement Boundaries
- GD7 - Achieving Good Design in Development
- EC2 - Employment Opportunities:

- NPPF
- NPPG
- STANP – St Annes on the Sea Neighbourhood Plan

### **Environmental Impact Assessment**

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### **Comment and Analysis**

#### **Background to Decision and Principle of development**

This application has been submitted to under Section 73 of the Town and Country Planning Act 1990 for a variation of three conditions relating to an existing planning permission, which in this case is reference 19/0917. The effect of an application under this section is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.

This is confirmed in the Planning Practice Guidance which provides guidance on this at paragraph 031 (ID 21a-031-20180615) in the “use of planning conditions” chapter to the NPPG. That paragraph sets out guidance on removing or varying conditions on an extant planning permission, with the first bullet point indicating that: *“Some or all of the conditions could be removed or changed by making an application to the local planning authority under section 73 of the Town and Country Planning Act 1990. In deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application”*.

This point is made as a number of the representations that have been received and are reported above refer to the principle of the development, and that is simply not a matter that is under consideration.

The proposal relates to the expansion of the facilities available at a local veterinary practice through the erection of a detached building to the rear of the practice to provide additional facilities for the business including housing a CAT scanning machine. The decision on the original application grants planning permission for that development and so this establishes the position that the principle of the development is acceptable, with that decision concluding that the scheme was in compliance with Policies GD1 and EC2 of the Fylde Local Plan to 2032. Whilst that Plan has changed with the adoption of the Partial Review version, the revision to the relevant policies has no bearing on this decision and so there can be no doubt that the principle of this development is acceptable. The matters for consideration in this decision relate to the changes that are introduced in this application, and so this report will focus on an assessment of those elements and the implications which arise from them.

These changes are assessed in the following sections of this report and are:

- The impact of changes to streetscene
- The impact of changes to neighbours
- The implications for access and parking arrangements
- The details of the construction management Statement that has been supplied

## **Design and Appearance in Streetscene**

FLPPR policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 16 guiding principles (a - p). In particular, criteria d), h) and i) of the policy identify the following requirements:

- Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.
- Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the local area.
- Taking the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

Paragraph 130 of the NPPF sets out six general principles of good design (a) – f)) that developments should follow and paragraph 134 indicates that “development that is not well designed should be refused, especially where it fails to reflect local design policies”.

The revised plan does not propose any alteration to the overall scale of the building which remains 15.2 metres in length by 7.3 metres in depth with its height at 3.6 metres. The change that is introduced in this submission is that the building is located 2.6 metres to the south west of the approved location to enable it to be adequately separated from the substation facility. In this revised location it remains in front of the existing boundary wall and a line of Leylandii trees situated within the gardens of properties on Lindsey Avenue and behind the properties on Greenways. Consequently, the revised siting of the building has very limited impact on the visual amenity of the area from that previously approved.

An external change to the building is also proposed through the removal of a window to facilitate the revised internal layout of the building. As the building is situated on a back street where the character is mainly provided by a row of garages and the sub-station the reduction in the number of windows does not result in a building which is out of keeping with the neighbouring buildings.

Overall, the changes proposed continue to deliver the improvement to the visual amenity of the area from the removal of the previously existing garages which were in a poor state of repair, and by their replacement with a modern building that will be appropriate in design and materials to the streetscape.

Consequently, it is considered that the development complies with the requirements of Policy GD7 of the FLPPR and with Policy DH1 of the St Annes Neighbourhood Plan in this regard.

## **Impact on Residential amenity**

The original submission for this development (application no. 19/0917) generated a significant number of objections from local residents which covered several issues, including security and highway matters. Whilst this application has received limited objections these also refer to the same subjects as the previous comments.

As reported above the scale of the proposed building has not altered from that approved and the revised siting does not prejudice the amenity of occupiers of neighbouring properties in respect of

the potential for loss of light or privacy due to the scale of the building and its position in respect of dwellings and their key amenity space.

Security to neighbouring gardens also remains as the previous approval in that the developers are proposing to erect a 1.8 metre high wall along the boundary with neighbours on Lindsey Avenue to enclose their gardens following the demolition of the existing block of garages which will ensure that the security of their gardens is protected. The section of the wall which will be exposed as a consequence of the re-siting of the building should also be increased in height from the existing 1.5m to 1.8m to ensure consistency with the remainder of the development to provide privacy and security for the neighbours on Lindsey Avenue. A condition will be imposed to secure that is undertaken.

Accordingly, the development complies with the criteria of Policy GD7 of FLPPR32 in respect of neighbour amenity.

### **Access and Parking**

The issue arising from this development as with the approved application, relates to matters of access and parking, with the latter said to lead to congestion in the area.

The site is accessed from Greenways which is a side road from Church Road that is adopted highway and serves these premises and a wider residential area. It is a suitable road to serve the development in capacity terms and leads to the back street which is also adopted. There are therefore no access concerns associated with the development, with this unchanged from the situation with the approved development.

The main issue raised by residents at the time of the assessment of the original application was the availability of parking around the site. This is due to the design of the development in the area where a number of properties do not benefit from any off-road parking arrangements, and the inevitable activity from staff and visitors to a veterinary practice. The resultant situation is one of an intensively used area, which is similar to that found around other high-turnover services that are found in residential areas such as GP practices, hot food takeaways, schools, barbers, etc.

The vets do not currently have access to any off-road parking areas, other than a lay-by that runs across the front of the whole terrace. The approved application recognised the pressures on parking in the area and provided 5 parking spaces within the application site. Whilst this proposal is to re-site the building and alter the layout of the parking spaces the number of spaces available for use by the business is not reduced from that previously approved, and remains at 5 spaces.

As with the previous application the revised scheme has been assessed by LCC Highway Engineers who raise no objection to the proposal. As the application will provide parking that is not currently available to the business this is a positive factor in the overall assessment of the application, and as this reflects the number of spaces that were provided by the extant planning permission it must be appropriate for this development. Consequently, it is considered that the revised scheme will also not result in a detriment to highway safety and is in accordance with the requirements of Policy GD7 and Policy DH1 of the Neighbourhood Plan.

### **Construction Management Statement**

Condition 9 of the existing planning permission required that a Construction Management Statement (CMS) was submitted prior to the commencement of works, with this designed to set out

the controls to be put in place to ensure that the construction phase was undertaken without lading to undue harm to neighbouring amenity, highway safety or other environmental implications around the site. The development commenced without this scheme being submitted.

However, the submission of this s73 application allows the consideration all aspects of the development that relate to planning conditions, and so it is accompanied by a 'Construction Method Statement'. The CMS outlines the safety measures for the site, the methods for ensuring environmental protection, hours of working and means liaising with parties outside of the development project. The information submitted within the CMS is considered acceptable and compliance with this statement will form a condition of the recommendation on this application in order to protect the amenity of neighbours and the other protections that such Statements afford to the development of all major construction projects.

### **Conclusions**

This application seeks a variation of conditions imposed on planning permission 19/0917 for a new building with associated parking spaces to provide additional facilities to serve the existing veterinary practice operated from 4 Greenways in Lytham St Annes.

The variations are modest in scale as they relate to the revised location of the building and the omission of a window from its front elevation, and the provision of a Construction Management Statement to ensure effective control over the potential for disturbance from construction activity.

The proposal is sufficiently similar in its scope to that previously approved to ensure that the principle of development remains acceptable, and the variations to the building do not create any harmful impacts to the streetscene or neighbours that were not assessed alongside the economic and other benefits of the development in the planning balance on that previous planning permission. Accordingly, this scheme is also acceptable and accords with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review) and the St Anne Neighbourhood Plan.

It is therefore recommended for approval subject to a series of conditions which are minor revisions to those previously approved to reflect the fact that the permission has been implemented, to revise the drawings to those now proposed, to include a requirement to extend the boundary wall to provide security to the neighbours, and to ensure that the development is undertaken in compliance with the submitted Construction Management Statement.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

1. This permission relates to the following plans:

- Site plan and Streetscene elevation - Drawing 1383-19-03 REV. H

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework.

2. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the approved plans listed in condition 1 to this planning permission.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework.

3. The scanner and theatres hereby approved shall only be utilised between 8.30 and 1800 on weekdays (Monday to Friday inclusive) and not at anytime on Saturdays or Sundays.

Reason: To provide control over the level of use of the building in the interests of preserving the amenity of neighbouring properties from potential noise and other disturbances as required by Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and paragraph 170 of the NPPF.

4. The development hereby approved shall not provide overnight accommodation for any dogs or other animals that have the potential to create a level of noise that could be audible outside of the building.

Reason: To ensure the development is implemented without compromising residential amenity in accordance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework.

5. The five car parking spaces indicated on the approved site plan drawing listed in condition 1 of this planning permission, and the bike storage facility shown on that drawing also, shall be marked out in accordance with the details shown on the approved plan and made available for use prior to first use of the building hereby approved. Of these spaces four shall remain available for use by staff at the practice at all times thereafter.

Reason: In order to ensure the provision for vehicle parking off the highway in the interests of road safety and the amenity of neighbouring residents in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and T5, and the National Planning Policy Framework.

6. The areas of boundary wall to the rear of the site that are to the boundary with properties on Lindsay Avenue shall be provided to a height of 1.8 metres as indicated on the approved site plan in condition 1 of this permission prior to first use of the building hereby approved with bricks to reflect those used in the construction of the building, and shall be retained as such thereafter.

Reason: To safeguard the amenity of occupiers of neighbouring dwellings and the appearance of the area in accordance with the requirements of Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework.

7. The construction activity associated with the development hereby approved shall be carried out in complete accordance with the 'Construction Method Statement' undertaken by 'Skeer Chartered Building Consultancy' on behalf of Greenways Vets and Construction Management

Plan - drawing no. SKEER0001 unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to ensure that appropriate measures are put in place before any development commences to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties and to avoid obstruction of the surrounding highway network during the construction of the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

8. The building hereby approved shall only be used in conjunction with the existing veterinary practice operated at no. 4 Greenways and shall not be converted or used for any other purpose or sold or rented as a separate business use.

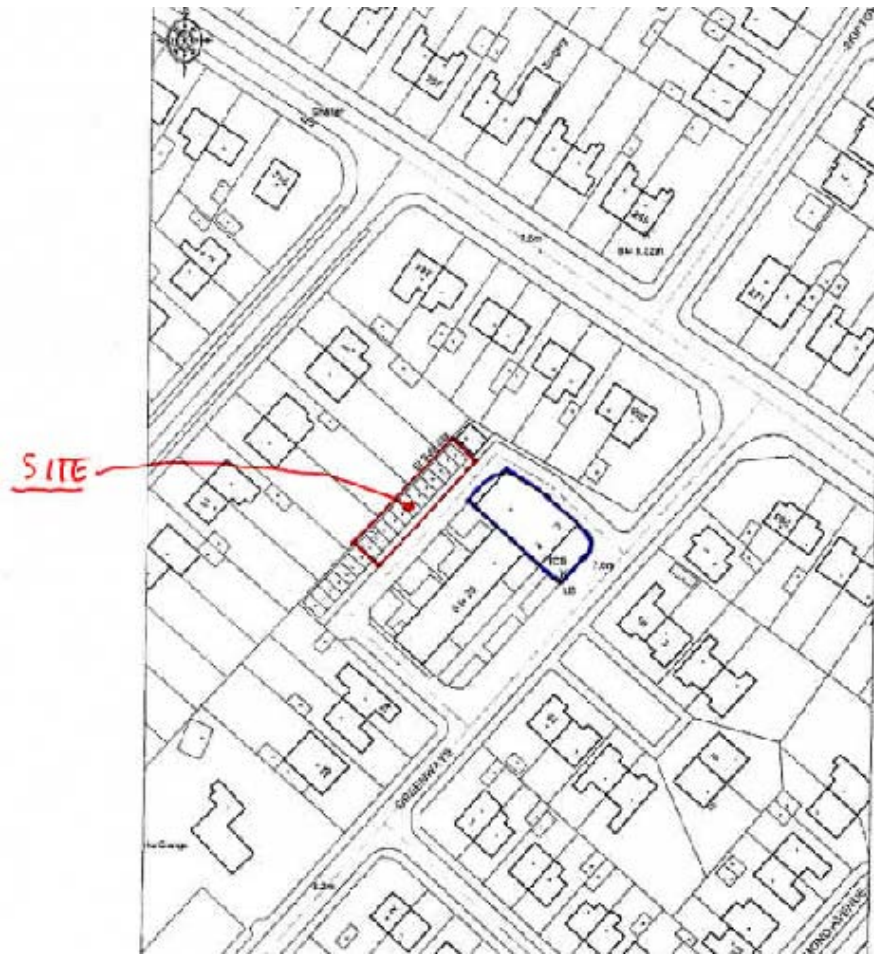
Reason: To safeguard the amenity of occupiers of neighbouring dwellings in accordance with the requirements of Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework.

**Informative(s)**

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Location Plan for 22/0032





## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PLANNING COMMITTEE	30 MARCH 2022	5
<b>NOMINATIONS TO OUTSIDE BODIES/WORKING GROUPS</b>			

### PUBLIC ITEM

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

### SUMMARY

The report deals with nominations to Outside Bodies and Working Groups.

Appointments to Outside Bodies are made at Full Council following recommendations from the various programme committees.

It is timely for the programme committees to review the current Outside Body appointments and put forward any recommended changes to membership to the next Council meeting scheduled for 25 April 2022.

In line with the Protocol for Members on Outside Bodies (Part 5f of the Council's Constitution), every member serving on an outside body is required to complete a reporting form every six months, which is submitted to the relevant programme committee to which the external partnership relates. The last reports were submitted to the September 2021 cycle of meetings.

This report covers those nominations that relate to the Planning Committee.

At the same time, it seems prudent for this committee to review the current appointments to the working groups that relate to the terms of reference of the Planning Committee. The establishment of working groups is within the responsibility of the individual programme committees and does not require the approval of Council.

### RECOMMENDATIONS

The Committee is invited:

1. To recommend to Council any nominations to the outside bodies within the remit of the Planning Committee,
2. To confirm the membership to any working groups that relate to the terms of reference of the committee.
3. To note the reports from members currently serving on Outside Bodies.

### SUMMARY OF PREVIOUS DECISIONS

Full Council approves appointments to Outside Bodies annually, following nominations from the programme committees.

CORPORATE PRIORITIES	
Economy - To create a vibrant and healthy economy	√
Environment - To deliver services customers expect	
Efficiency - By spending money in the most efficient way	√
Tourism - To create a great place to live or visit	√

## REPORT

1. The Council makes a number of appointments to outside bodies in each municipal year. In an election year, these appointments are made at the AGM. In non-election years, these appointments are made at the last Council meeting of the municipal year.
2. Programme committees are asked to review the current appointments to the Outside Bodies within the remit of their committee and at the same time, consider the value, in terms of contribution to the council, of retaining representation i.e. should the council continue to dedicate a resource.
3. Any changes in representation or appointments on the Outside Bodies represented will be put forward to the next scheduled Council meeting for confirmation.
4. This report deals with the outside bodies that relate to the terms of reference for the Planning Committee. The first table below includes the name of the body/group, the role/purpose and which elected member is the current appointee. The committee is invited to recommend nominations for consideration by Full Council.
5. Programme committees may wish to establish their own subject specific working groups to be set up when required in order to advise the parent programme committee on a particular topic/issue.
6. The second table below lists those working groups that relate to the terms of reference of the Planning Committee that are currently established.
7. The establishment of working groups is within the responsibility of the individual programme committees and does not need the approval of Council.
8. It is important that the members nominated to represent the Council on outside bodies/working groups have an appropriate interest in the body/partnership/subject, can commit to positively represent the Council and be available to commit the time to attend the majority of the meetings involved.
9. The members nominated should ideally be a member of the programme committee to which the matter relates to.
10. The current protocol is that members are required to produce regular reports about the outside bodies on which they serve, currently every six months. It is the intention that this information will be made available to the programme committee members to which the external partnership relates.
11. The conclusion of any working group would be brought to committee in a formal report.
12. The following appended reports from members currently serving on Outside Bodies are provided to maintain an understanding of the work of the Outside Body, and to remain abreast of any issues that may have an impact on the residents of the borough or the council.

Finance and Democracy Committee- Outside bodies/partnerships			
Outside body / partnerships	Role/Purpose	Frequency of meetings	Current representation
Duty to Cooperate	Resolution of Cabinet 18/09/2013 - Leader of the Council appoints two members of the Council to sit on the joint member/officer Steering Group established to oversee the work under the Duty to Co-operate with neighbouring planning authorities.	When required	Chairman and Vice Chairman of Planning Committee
Planning Education Liaison Group	To ensure liaison between Lancashire CC and Fylde BC on education issues and to ensure these are reflected in planning policy and decisions made by Fylde BC	When required	Councillors Richard Redcliffe & Linda Nulty
Highways and Transportation Group	Newly established Highways and Transportation Liaison Group (to be established with Lancashire County Council). The purpose of the group is to ensure effective communication between Lancashire County Council and Fylde Council on both policy and operational matters relating to highways and transportation. It is intended that the group will meet as and when required.	When required	Councillors Liz Oades, Chris Dixon & Stan Trudgill
Lancashire Enterprise Partnership (LEP) Joint Scrutiny Committee	To increase transparency of the decisions made by the LEP and to give further assurance by providing an independent committee that is able to explore and interrogate the rationale for decisions taken by the Lancashire Enterprise Partnership with particular regard to investment decisions including, but not limited to, Growth Deal and Growing Places allocations.	Twice yearly	Councillor Chris Dixon

Planning Committee– Working groups			
Working group	Role/purpose	Notes	Current representation
Local Listings Project Board	To establish a process and protocol, to be applied to compiling a local list of heritage assets including buildings. To undertake research in this regard and to make recommendations to Planning Committee in respect of the potential for local listing and related conservation issues.	When required	Councillors Richard Redcliffe, Julie Brickles, Heather Speak & Ray Thomas.
Town Centres Working Group	To examine all opportunities to secure funding to assist in the future development of the borough's town centres, including, but not limited to any future rounds of the Future High Street Fund.	At least monthly	Councillors Richard Redcliffe, Liz Oades, David O'Rourke, Stan Trudgill, Michael Sayward, Roger Small, Michael Withers.
Carbon Neutral Working Group (Lead committee EH&H)	To investigate and consider the options to minimize the reliance on single use plastic items across the borough to become a 'plastics conscious' borough. To develop a Carbon Reduction Action Plan with a view to the Council becoming net-zero carbon by 2050.	Current	Councillors Jayne Nixon and Stan Trudgill  (plus 4 reps from Op Mgmt and 3 reps from EH&H)

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

LEAD AUTHOR	CONTACT DETAILS	DATE
Democratic Services	democracy@fylde.gov.uk	1 March 2022

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

Appendix 1 – Summary and reports received on current Outside Bodies

Outside Body		Councillor	Report Status
<b>Planning Committee, 30/3/2022 meeting</b>			
	Duty to Cooperate	Chair & vice of Planning – Trevor Fiddler & Richard Redcliffe	Nil return - no meetings
	(Planning) Education Liaison Group	Richard Redcliffe	Report attached
	(Planning) Education Liaison Group	Linda Nulty	Report attached
	(Planning) Education Liaison Group	Trevor Fiddler	Nil return
	Highways and Transportation Group	Liz Oades	Nil return – no meetings
	Highways and Transportation Group	Chris Dixon	Nil return – no meetings
	Highways and Transportation Group	Stan Trudgill	Nil return – no meetings
	Lancashire Enterprise Partnership (LEP) Joint Scrutiny Committee	Chris Dixon	Nil return

## Outside Bodies - Member Reporting Form

Details **Education Liaison Group**

**Councillor Name and Role on Outside Body** (*for example, Observer, Trustee, Director*):-

Cllr Richard Redcliffe

Email:- cllr.rredcliffe@fylde.gov.uk

**Period this report covers** (date):- **September 2021 – February 2022**

**Name of Outside Body**:- **Education Liaison Group**

**How often does the organisation meet? And how often have you attended?**:-

**Usually at least once a year but there have been two meetings in the last twelve months.**

**Key issues arising for Fylde Borough Council**:-

*Examples of issues could be those that may affect decisions regarding budget setting, challenges for residents, policy changes that affect partnership working etc*

**A key issue and responsibility is to ensure that housing development passed by Fylde Planning Authority has the necessary supporting infrastructure in particular educational provision ie adequate number of school places to serve the needs of new or expanding communities.**

**The ELG is an arm of the planning Committee which now receives an Annual Monitoring Report regarding the above matters.**

**Who did you inform of these issues within Fylde Borough Council?**:-

Planning Committee, Cllr Fiddler, Cllr Buckley, CEO, Planning officers

**In the light of these meetings, is it worthwhile for the Council to continue to have a representative/representatives on this body?**:-

**Yes very definitely.**

**Any further comments?**:-

**Last meeting was held with LCC on November 3<sup>rd</sup> with a focus on the following areas :-**

**1/ Future imminent School Place Strategy from LCC involving forecasting school places.**

**2/ Current trends/position locally in terms of school places locally in Fylde**

**3/ Update on Queensway/Whyndyke Farm developments and educational provision site requirements.**

**4/ Use of S106 funds locally to mitigate educational needs arising from development. Also to ensure that these funds are spent in a coordinated and timely manner.**

**5/ Local Authority Monitoring Report to be issued annually reporting on use of monies held by FBC**

**6/ Lack of State Sixth Form provision in Fylde commented on by members.**

## INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	30 MARCH 2022	6
<b>LIST OF APPEALS DECIDED</b>			

### PUBLIC ITEM

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

### SUMMARY OF INFORMATION

The council received the following attached appeal decisions between 19 January and 18 March 2022.

For a copy of the decision letter click on the decision in the tables below and follow the link to the Appeal where you will find the decision letter and other appeal documents.

### SOURCE OF INFORMATION

Development Services

### WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform members on appeals that have been decided.

### FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473

## Index of Appeal Decisions

Appeal decisions received between 19 January 2022 and 18 March 2022.

For a copy of the decision letter click on the decision in the tables below and follow the link to the Appeal where you will find the decision letter and other appeal documents.

<b>App. No.</b>	20/0965	<b>FBC Decision:</b>	Refusal	<b>Level:</b>	Delegated
<b>Location:</b>	70 HORNBY DRIVE, NEWTON WITH CLIFTON, PRESTON, PR4 3SU				
<b>Description:</b>	ERECTION OF DETACHED BUNGALOW WITHIN REAR GARDEN INCLUDING FORMATION OF NEW VEHICLE ACCESS ONTO THE A583 (BLACKPOOL ROAD)				
<b>PINS Decision</b>	<a href="#">Dismissed</a>	<b>Date:</b>	7 March 2022	<b>Costs:</b>	N/A

<b>App. No.</b>	21/0372	<b>FBC Decision:</b>	Refusal	<b>Level:</b>	Delegated
<b>Location:</b>	5 WHITEHEAD CLOSE, STAINING, BLACKPOOL, FY3 0DZ				
<b>Description:</b>	SINGLE STOREY SIDE EXTENSION				
<b>PINS Decision</b>	<a href="#">Dismissed</a>	<b>Date:</b>	8 February 2022	<b>Costs:</b>	N/A

<b>App. No.</b>	21/0393	<b>FBC Decision:</b>	Refusal	<b>Level:</b>	Delegated
<b>Location:</b>	6 HODGSON AVENUE, FRECKLETON, PRESTON, PR4 1SQ				
<b>Description:</b>	ERECTION OF FENCE AND GATE TO SIDE BOUNDARY TO OVERALL HEIGHT OF 1.85M WITH ELEMENT ABOVE 1M TO BE 'HIT AND MISS' STYLE (PART RETROSPECTIVE)				
<b>PINS Decision</b>	<a href="#">Allowed</a>	<b>Date:</b>	19 January 2022	<b>Costs:</b>	N/A

<b>App. No.</b>	21/0731	<b>FBC Decision:</b>	Refusal	<b>Level:</b>	Delegated
<b>Location:</b>	21 MILL VIEW, FRECKLETON, PRESTON, PR4 1YQ				
<b>Description:</b>	ERECTION OF DETACHED DOUBLE GARAGE TO FRONT				
<b>PINS Decision</b>	<a href="#">Dismissed</a>	<b>Date:</b>	16 March 2022	<b>Costs:</b>	N/A



<b>App. No.</b>	21/0910	<b>FBC Decision:</b>	Refusal	<b>Level:</b>	Delegated
<b>Location:</b>	44 LAVERTON ROAD, LYTHAM ST ANNES, FY8 1EN				
<b>Description:</b>	EXTENSION TO ROOF SPACE OF DWELLING TO CREATE SECOND FLOOR LIVING ACCOMMODATION INCLUDING RAISING OF EAVES AND RIDGE HEIGHTS, HIP-TO-GABLE ENLARGEMENTS AND CONSTRUCTION OF REAR DORMER INCLUDING INSERTION OF ADDITIONAL FIRST FLOOR WINDOW IN WEST FACING SIDE ELEVATION OF ORIGINAL DWELLING				
<b>PINS Decision</b>	<a href="#">Dismissed</a>	<b>Date:</b>	18 March 2022	<b>Costs:</b>	N/A