



Agenda

Planning Committee

Date:	Wednesday, 11 October 2017 at 1:30pm
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Christine Akeroyd, Jan Barker, Michael Cornah, Neil Harvey, Kiran Mulholland, Barbara Nash, Linda Nulty, Liz Oades, Heather Speak, Ray Thomas.</p>

Public Speaking at the Planning Committee

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

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 13 September 2017 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 25.	1
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Contact: Lyndsey Lacey-Simone - Telephone: (01253) 658504 – Email: democracy@fylde.gov.uk

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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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Background Papers

In accordance with Section 100D of the Local Government Act 1972, the background papers used in the compilation of reports relating to planning applications are listed below, except for such documents that contain exempt or confidential information defined in Schedule 12A of the Act.

- Fylde Borough Local Plan (As Altered) October 2005 (Saved Policies)
- Joint Lancashire Minerals and Waste Local Plan
- Fylde Local Plan to 2032 (Submission Version) December 2016
- Bryning-with-Warton Neighbourhood Plan
- Saint Anne's on The Sea Neighbourhood Development Plan
- National Planning Policy Framework
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- Strategic Housing Market Assessment (SHMA) 2014 and Addendum I and II November 2014 and May 2015 and Housing Market Requirement Paper 2016
- Five Year Housing Land Supply Statement at 31 March 2017 (as amended July 2017)
- Strategic Housing Land Availability Schedule (SHLAA)
- Consultation on Additional Evidence in Support of Fylde Local Plan to 2032 – August 2017
- Other Supplementary Planning Documents, Guidance and evidence base documents specifically referred to in the reports.
- The respective application files
- The application forms, plans, supporting documentation, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
- Any additional information specifically referred to in each report.

These Background Documents are available either at www.fylde.gov.uk/resident/planning or for inspection by request at the Town Hall, St Annes Road West, St Annes.

Planning Committee Schedule

11 October 2017

Item Number: 1

Committee Date: 11 October 2017

Application Reference:	15/0177	Type of Application:	Full Planning Permission
Applicant:	Mr Miller	Agent :	
Location:	LAND WEST OF KIRKHAM BYPASS (OPPOSITE ST GEORGES PARK), KIRKHAM		
Proposal:	PROPOSED ERECTION OF 231 NO. RESIDENTIAL UNITS AND ASSOCIATED WORKS		
Parish:	KIRKHAM NORTH	Area Team:	Area Team 1
Weeks on Hand:	127	Case Officer:	Kieran Birch
Reason for Delay:	Design Improvements		

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

<https://www.google.co.uk/maps/@53.7870542,-2.896955,1108m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

The application site is an area of greenfield land that forms part of the Kirkham Triangle located to the western side of the A585 Kirkham Bypass and south of the railway line. The proposal is a full application for the residential development of the site with 231 dwellings and as such all matters are for consideration by Committee.

With regards to the principle of development, the site is a housing allocation in the emerging Fylde Local Plan to 2032, and so whilst the examination of this is continuing the general support for this allocation to this stage establishes the acceptability of the principle of development.

The application has been with the council for a considerable period which has involved a series of revisions to the proposal to reduce the number of dwellings from the 291 first proposed to the 231 now under consideration. This reduction has allowed the layout to be improved with additional areas of open space and landscaping and a better urban form introduced. The scheme proposes that 30% of the properties are provided as affordable units and it is also appropriate that it makes contributions to education capacity, public realm works in Kirkham, sustainable transport improvements and off-site open space facilities.

The officer recommendation is to support the application subject to the resolution of a minor detail relating to the provision of landscaping within areas that will be put forward for future adoption by the local highway authority and the completion of the s106 agreement needed to secure the infrastructure works that form part of the scheme.

The application provides a considerable contribution towards the council's housing supply in

a location that is considered to be sustainable due to its proximity to the Kirkham and Wesham settlement, and so the officer recommendation is that the application be supported and the authority to grant planning permission on conclusion of the outstanding matters be delegated to officers as detailed in the report below.

Reason for Reporting to Committee

The application is for Major development and as such under the scheme of delegation in the Council's Constitution needs to be determined by Planning Committee.

Site Description and Location

The application site comprises agricultural land and forms part of a wider area often referred to as 'Kirkham Triangle' which extends to a total area of approximately 27 hectares. The application site comprises approximately 9.9 hectares on the east side of the A585 in Kirkham, north of Blackpool Road and south and east of the railway line and Kirkham junction. The site is relatively flat with a number of trees to the south of the site and a pond with trees around it in the central area. There is a public right of way running through the site leading to Kirkham to the east and through the fields to the south. This will be required to be diverted as part of the application. The southern boundary is defined by a brook known as Wrongway Brook. The development site lies to the West of the main residential area of Kirkham with a number of agricultural and industrial properties surrounding the development. Kirkham itself is typical of a textile and industrial town which saw a massive post war drive for new housing and settlements. Beyond the original central core and the historic terraces associated with the mills of the industrial revolution are estates mainly semi-detached homes.

Details of Proposal

The application was originally submitted for 291 dwellings however, throughout the course of the significant consideration of this application, this has been reduced to 231 dwellings. The number of dwellings has been reduced as officers requested improvements to the layout be made in order to deliver appropriate amounts of public open space on the site and produce a layout that maximises the existing environmental features of the site. The site is proposed to be accessed via the existing roundabout opposite the Kingfisher public house, and the existing access to the site is to be retained as a 3.7m emergency link with demountable bollards. The eastern boundary is adjacent to existing tree planting by the A585 and this will be further reinforced by trees as well as an acoustic mound with fence to reduce the potential for noise disturbance at these dwellings. Within the site the access road meanders north to where the existing pond and protected trees are retained and form an area of Public Open Space, and then a tree lined boulevard leads to a further area of public open space (POS) equipped with a play area (LEAP) with dwellings fronting onto it from all directions. To the north and east of these roads are smaller dwellings access roads which are cul-de-sacs, but which are linked via a footpath to the east of the site. The dwellings to the south of the site all front the linear woodland and Wrongway Brook, which is kept clear of development and has a footpath along its length which links dwellings from west to east, and leads to the dwellings to the south of the site through the existing public right of way (PROW) through the trees and to the site's entrance point. Sixty nine units of affordable housing, set out in five clusters around the northern end of the site, comprised of 1, 2 and 3 bedroomed dwellings. The name of each house type, the number of bedrooms, its size and number of each unit are listed below;

NAME	DESCRIPTION	SIZE (sqft)	Units	TOTAL (sqft)
Thorpe	1 bed mews	570	7	3990
Berresford	2 bed mews	736	7	5152
R1 type B	1 bed apartment	505	2	1010
R1 type A	1 bed town house	545	4	2180
R1 type C	1 bed apartment	613	2	1226
Budworth	2 bed mews	687	30	20610
Chatsworth	3 bed mews	740	14	10360
Chatsworth End	3 bed mews	808	3	2424
Didsbury Semi	3 bed semi	874	4	3496
Dalton Semi	3 bed corner splay	938	10	9380
Didsbury	3 bed detached	874	1	874
Ely	3 bed detached/int. single garage	938	10	9380
Capesthorpe 2	3 bed detached/int. single garage	947	1	947
Dunham 2	3 bed detached/det single garage	957	22	21054
Rufford 2	3 bed detached/int single garage	994	5	4970
Appleton 2 +	4 bed detached/int single garage	1119	13	14547
Brereton	4 bed detached/det single garage	1172	18	21096
Malham	4 bed detached/det single garage	1189	19	22591
Bramhall +	4 bed detached/int single garage	1353	8	10824
Staunton	4 bed detached/det single garage	1318	15	19770
Moreton 2	4 bed detached/det single/double garage	1326	3	3978
Wharfdale +	4 bed detached/int single garage	1423	12	17076
Sutton +	4 bed detached/int single garage	1553	4	6212
Willington	4 bed detached/det double garage	1462	5	7310
Willington SA	4 bed detached/det double garage	1498	1	1498
Winster SA	4 bed detached/det double garage	1796	7	12572
Stratford SA	5 bed detached/det double garage	2172	4	8688
	TOTAL		231	243,215

Relevant Planning History

None

Relevant Planning Appeals History

None

Parish/Town Council Observations

Kirkham Town Council notified on 12 May 2015 and again on the revised plans on the 17 July 2017 and comment:

Kirkham Town Council support this proposal subject to:

- 1. The public pathway not rerouted onto the main road but kept within the boundary of the development until it reaches the existing exit*
- 2. Environmental sustainability is considered in the building of the properties and the greenest options available are implemented*
- 3. The maximum Section 106 Public Realm contribution being paid up front to further Kirkham Town Centre enhancement scheme.*
- 4. Kirkham Town Council are pleased to see additional screening along the boundary with the by-pass and hope to see it implemented along with the retention of the trees on the highway verge*
- 5. KTC believe that the "LEAP" detailed in the proposal does not provide enough facilities for the number of properties and request a contribution to Kirkham's Parks, Open Spaces and Sports Development Scheme.*

Medlar with Wesham Town Council notified on 12 May 2015 (were not consulted on revised plans) and comment:

Objects to the development due to Environmental Sustainability, disruption to agricultural industry, scale of development and housing supply.

Statutory Consultees and Observations of Other Interested Parties

Regeneration Team (Trees)

No objections. A Tree Preservation Order has been placed on one ash tree in the hedge, the linear woodland along the north bank of Wrongway Brook, and the area of trees around the pond on this site.

Highways Agency

No objections.

Blackpool Airport

No comments received.

Network Rail

Raise no objections but request various conditions that are required to protect the railway for example from surface water and land movements.

Natural England

No objections.

This application is in proximity to the Newton Marsh, Ribble Estuary, and Wyre Estuary Sites of Special Scientific Interest (SSSIs). Respectively, the Ribble Estuary and Wyre Estuary SSSIs form part of the Ribble & Alt Estuaries Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site), and Morecambe Bay SPA and Ramsar Site. Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which the Ribble & Alt Estuaries SPA and Ramsar Site and Morecambe Bay SPA and Ramsar Site have been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the sites' conservation objectives. In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Newton Marsh, Ribble Estuary, and Wyre Estuary SSSIs have been notified. We therefore advise your authority that these SSSIs do not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England. We have not assessed this application and associated documents for impacts on protected species.

Lancashire County Council - Highway Authority

Various comments received throughout the course of the application. The most recent in relation to the revised plans are available in full on the Council's website. The below is the summary of their comments in their covering email:

LCC Highways have given due regard to all available information from development proposals in this area in order to come to an informed position in regard to this and others proposals with an impact on the A585 corridor. A review of all information has allowed LCC to understand the impact of this proposal and the Residual Cumulative Impact of all development that can be expected on the local transport network.

It must be noted that, LCC Highways position in regard to the Cumulative Residual Impact is predicated on the wider infrastructure improvements expected and the full support for the A585 Sustainable Transport Strategy and the s278 and s106 funding as requested within the Statutory comments, otherwise we would be unable to support the application as presented.

My main remaining concern is in relation to the internal site layout for this full planning application and in particular the central tree lined boulevard (with trees located in the verge on both sides of the access road and the verge in front of the footpath). This results in a highway safety issue. This matter was raised in previous comments.

As set out above under the heading 'Specific Comments on the Latest Internal Site Layout' sight lines of 2.0 x 25m are required to be provided in both directions from the centre of all drives, leading to the carriageway fronting plots 95 to 105 and 228 to 231, ensuring that the trees (when mature) are not located within the sight lines. The crown height of the trees within the sight lines will also need to have a clearance of 2.4m.

I consider that an agreed/amended site planning layout is required. The applicant should

provide accurate details of the required sight line requirement, before determining the application. Where acceptable sight lines are not provided (due to the trees) the Highway Development Control Section would raise an objection to the development in the interest of highway safety. Therefore, at this stage, I must recommend refusal of the proposal until the layout has been amended to address LCC Highway concerns and so that it can be demonstrated that a safe and suitable access can be delivered to dwellings on the proposed site.

United Utilities - Water

No objections subject to surface water drainage condition.

Electricity North West

Confirm it has no impact on the system.

Environmental Protection (Pollution)

With reference to your memorandum dated 12 May 2015, there are no objections to the above proposals in principle subject to conditions to control construction times, and that the mitigation in the acoustic report are implemented, particularly:

1. Bedroom ceilings of all plots near the perimeter should be boarded with two layers of acoustic plasterboard with 200mm mineral wool on top.
2. Acoustic glazing shall be fitted in 10/12/6 well-sealed frames.
3. A combination bund and close boarded timber fence of 4m overall height shall be erected on the east side boundary and part of the North site.
4. Details of alternative ventilation shall be provided for dwellings identified in the acoustic report that are subject to sound levels that are above the "good" criteria as defined in the NPPF.

The air quality report is satisfactory but nearby by developments are experiencing high dust levels/production from open ground during dry windy spells. The applicant shall ensure that mitigation measures proposed are budgeted and provided as they are likely to be required.

Regeneration Team (Heritage)

No comments received.

Regeneration Team (Landscape and Urban Design)

No comments received.

Strategic Housing

No comments received.

Environment Agency

Initially objected as there is not adequate information to demonstrate that there is no development within the 8m boundary of the easement from the brook. However from the submitted plans it is clear that there is greater than 8m from the boundary of the site which is the Brook and the proposed development.

The Ramblers Association

This footpath is clearly mentioned and shown in the Transport Assessment document under Public Rights of Way and a suggested diversion is detailed in appendix D of the

same document. This proposed diversion is not appropriate. To suggest that moving what was a clear public right of way across the site (field) so that it now becomes a roadside footpath on the main entry road is not acceptable as a diversion of this nature is not expedient in the interests of the public. In the Design & Access statement, under Design, the existing footpath as it enters the site at the southern boundary becomes part of a footpath link through an open space area which leads to a central circular planted area. I have no objection to this as a solution, but there would have to be a similar corridor of open space for the public right of way to get from the central circle to the A585.

Lancashire County Council Rights of Way

No comments received.

Greater Manchester Ecology Unit

The application site is not designated for its nature conservation value and it is not close to any designated sites. It is dominated by species-poor agricultural (arable) grassland and is considered to have only low potential to support any specially protected species. Nevertheless the site does support some locally important habitats, including a pond, broadleaved trees and hedgerows and supports reasonable, albeit localised, terrestrial habitat for amphibians. The small water course forming the southern boundary of the site has some potential to support the protected species Water Vole, although I note that at this stage it is not planned that the development will not directly affect the water course.

The development will inevitably lead to a loss of open-ness of this large, open site and a level of landscape permeability will be lost, impacts that should be seen in the light of the planned developments to the south.

The Ecological Appraisal of the site has been undertaken by suitably qualified consultants and is to appropriate and proportionate standards. Although the 'walkover' survey was conducted in November, outside of the optimum period for botanical surveys, given the character of the site and the land-use I do not regard this as a significant limitation. It is also of note that the surrounding area has been subject to ecological surveys, including recent surveys, conducted in support of other planning applications and I have taken these findings into account in my response. The most recent ecological appraisal of the site (TEP March 2015) recommends that the pond within the application site be re-surveyed for the possible presence of great crested newts. But this pond was surveyed for this species in 2009 and 2012 and great crested newts were not found. Other ponds within the 'Kirkham Triangle' are also not considered to support the species and the habitat on the application site is mostly sub-optimal for the species. Further, I note that the pond on site and the immediately surrounding habitat are to be retained as part of the scheme. The pond does support other amphibians and in practice the measures necessary for mitigating any possible harm to amphibians (see below) will also benefit great crested newts in the unlikely event that they are present.

I would therefore conclude that great crested newt surveys are not required prior to determining the application since the risk of harm to this species is very low.

The Landscape Plan (dwg. M2487.01) provides a level of reassurance that important habitats will either be retained (e.g. pond) or replaced if lost (e.g. trees, hedgerows) and that a level of permeability will be retained through the site and, more particularly, at site boundaries. However further details are required regarding the final designs and management of the ponds.

I would advise that, if permission is granted to the development a series of conditions are appropriate relating to:

Protection of ponds and amphibians

Prior to commencement of the development the final designs of the retained pond and the new pond should be provided to the planning authority for comment and approval. The existing pond and associated vegetation should be appropriately protected from physical or chemical disturbance or pollution prior to the commencement of any works on site and / or during all site operations, excepting approved maintenance or other relevant enhancement works. The protection plan will include ensuring that water input to the pond is maintained.

A Method Statement must be prepared giving details of how any potential harm to amphibians is to be avoided during the course of the scheme. Once approved this method Statement must be implemented in full

Reason: To ensure the continuity of nature conservation value afforded by the ponds and to protect amphibians

Protection of other habitats

Habitats to be retained on or close to the application site, including Brook Wood and the Wrongway Brook, should be adequately protected from harm during the course of any construction activities.

Protection of nesting birds

No tree felling or vegetation clearance required by the scheme should be undertaken during the optimum period for bird nesting (March to July inclusive).

Reason: All nesting birds, their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended).

Invasive plant species

A protected and invasive plant species survey should be undertaken in the appropriate season (between April and June) to ensure that floral species listed on Schedule 8 or Schedule 9 of the Wildlife and Countryside Act are identified and considered during site clearance and construction activities.

Protection of Water Voles

If at any time it is proposed to directly disturb the Wrongway Brook then a survey for Water Voles will be required. If water voles are found by survey then a Method Statement must be prepared giving details of measures to be taken to prevent any possible harm to Water Voles.

Reason: Water voles are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended).

As a general comment I would prefer to see more in the way of Green Infrastructure (GI) included in a development of this scale in what is currently an undeveloped open landscape. If it is not possible to secure greater provision of greenspace then it is important to ensure that the GI that is provided is of a high quality and is maintained to high standards in perpetuity.

No objections subject to conditions requiring the development to be carried out in accordance with the FRA – which states that surface water of the developed site will not exceed that of the undeveloped site.

NHS Fylde and Wyre CCG

No comments received.

Neighbour Observations

Neighbours notified:	12 May 2015
Site Notice Date:	27 May 2015
Press Notice Date:	28 May 2015
Number of Responses	One
Summary of Comments	Objects on basis of Road congestion, Lack of services. Traffic Noise.

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
EP01	Environmental Improvement Schemes
EP10	Protection of important landscape and habitat features
EP11	Building design & landscape character
EP13	Planting of trees, hedgerows and woodland
EP14	Landscaping of new developments
EP17	Development in or near Biological & Geological Heritage Sites
EP18	Natural features
EP19	Protected species
EP21	Archaeology
EP22	Protection of agricultural land
EP23	Pollution of surface water
EP24	Pollution of ground water
EP30	Development within floodplains
HL02	Development control criteria for new housing proposals
HL06	Design of residential estates
TR05	Public transport provision for large developments
TR09	Car parking within new developments
TREC17	Public Open Space within New Housing Developments
CF01	Provision of community facilities
CF02	Provision of new primary schools

Fylde Local Plan to 2032:

DLF1	Development Locations for Fylde
ENV1	Landscape
ENV2	Biodiversity
ENV4	Provision of New Open Space
GD7	Achieving Good Design in Development
GD8	Demonstrating Viability
H2	Density and Mix of New Residential Development

H4	Affordable Housing
HW1	Health and Wellbeing
INF1	Service Accessibility and Infrastructure
INF2	Developer Contributions
S1	Proposed Settlement Hierarchy
SL4	Kirkham and Wesham Strategic Location for Development

Other Relevant Policy:

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

Site Constraints

Within countryside area
Tree Preservation Order
Within countryside area

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended. Officers have screened the development for any potential environmental impact and concluded that the application need not be accompanied by a formal Environmental Statement.

Comment and Analysis

The main issues when considering this application are;

Principle of the Development
Proposed layout and design of dwellings
Residential amenity
Highways
Flooding and drainage
Ecology and Trees
Affordable Housing
Education

The Principle of the Development

The application site is located within land defined as open countryside in the Adopted Fylde Borough Local Plan but is proposed as a housing allocation in the Fylde Local Plan to 2032 as are the sites currently being developed to the south of the site. The site has been allocated in that plan for housing to help Fylde meet and maintain a 5 year supply of housing. The Fylde Local Plan to 2032 is now at an advanced stage in the process and as such can now be afforded moderate weight. Therefore given this allocation the site has clearly been found to be a sustainable location for current and future development and this housing proposal would complement the existing permissions and would comply with the NPPF requirement that housing applications should be considered in the context of the presumption in favour of sustainable development. The proposal would, therefore, contribute to meeting this identified need for dwellings in the emerging Local Plan and the housing supply for the Borough as a whole. The site is considered to be a suitable location for development and the principle of developing the site is acceptable.

The proposed layout and design of dwellings.

Paragraph 58 of the NPPF indicates that planning policies and decisions should ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

Criteria (1), (2), (3), (4) and (8) of FBLP policy HL2 – Development control criteria for new housing estates state that applications for housing will be permitted where they:

- Is acceptable in principle and is compatible with nearby and adjacent land uses
- Would be in keeping with the character of the locality in terms of scale, space around buildings, materials and design.
- Would be developed at a net density of between 30 - 50 dwellings per hectare net with greater intensity of development (i.e. more than 50 dwellings per hectare net) at places with good public transport availability.
- Would not adversely affect the amenity and privacy of neighbouring properties.
- Would not prejudice the future development of a larger area of developable land.

FBLP policy HL6 – Design of residential estates states that well-designed housing schemes which respect the character of the area and provide an attractive, safe and crime free environment for residents will be permitted and that proposals which involve poor designs and/or layouts which would prejudice the character of the area or public safety, or increase the potential for crime will not be permitted.

The publication version of the Local Plan to 2032 Policy GD7 – Achieving good design in development criteria (a), (c), (d), (g), (h) and (j) state that development will be expected to be a high standard of design, taking into account the character and appearance of the local area, including;

- (a) Ensuring densities of new residential development reflect and wherever possible enhance the local character of the surrounding area;
- (c) Ensuring the layout, massing, scale, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed layout relates well to the surrounding context
- (d) Taking account of landform, layout, building orientation, massing and landscaping to minimise energy consumption
- (g) being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the area
- (h) Taking to opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality design that responds to its context and using sustainable natural resources where appropriate

(j) Ensuring the layout, design and landscaping of all elements of the proposal, including any internal roads, pedestrian footpaths, cycleways and open spaces are of a high quality and respect the character of the site and local area.

As the application site has been allocated for housing development the landscape impact of developing the site has been considered through the call for sites and site allocations process, with the landscape impact of developing this site considered acceptable. The application when first submitted was considered to present an unacceptable layout by Officers, failing to provide an adequate amount of open space, lacking a cohesive residential or urban character that failed to fully maximise the natural assets of the site. Extensive discussions have taken place since it has been submitted which has resulted in the layout being recommended for approval by Officers. The proposed layout takes access of the existing roundabout and contains the following features;

- Area of landscaping adjacent to the A585 with a 2m landscaped acoustic bund proposed to protect residential amenity to the east and north of the development.
- POS at the heart of the development around the existing pond. This POS is retained through to Brook Wood to the south which retains ecological connectivity.
- Outward facing development towards Brook Wood and a public footpath in front of the wood
- A tree lined boulevard running through the middle of the development with key vistas terminated with appropriate house types.
- Further POS to the west of the layout with a LEAP which is overlooked by dwellings.
- A mix of house types and designs but with a consistent theme throughout the development.
- 1 bed mews, apartments and town houses, 2 bed mews, 3 bed semi and detached, 4 bed detached and 5 bedroom detached dwellings which complies with the mix required by policy H2 – Density and Mix of New Residential Development of the Local Plan to 2032.
- The amount of hardstanding reduced wherever possible with parking standards met throughout.
- On site sustainable drainage systems.
- Footpath links through the open spaces.

It is considered that the proposed layout complies with above policies. It is considered a high quality layout that respects the local character of the existing residential development on the other side of the A585 and that being constructed to the south of the 'triangle'. The layout makes the best use of the natural features of the site and with the open space throughout the development will be an attractive high quality development. The proposed dwellings range in size and style and are acceptable in design. The appearance of the development picks up on and makes reference to the more historic and crafted detail within the eclectic mix of the surrounding local architecture. The post war features such as barge boards and fascias have been avoided with crafted detail such as brick eaves, stone cills and heads to windows utilised. The predominant material to be used is red brick, with each of the building incorporating design features which enhances their quality and appearance. True corner turning buildings are proposed throughout the development so as to create a continuous streetscene, visual interest and natural surveillance. These occur at focal points and arrival points throughout the scheme. It is considered that the design of the dwellings is high quality and will create a cohesive character that will be an attractive place to live.

Landscaping

It is proposed that all public space areas will be transferred to and managed by a private management company which all the residents of the development will be involved with. To control and fund this the residents will sign up to an agreement in their house sale transfer and pay an

annual service charge. This removes the financial burden from the local authority and gives the residents stewardship of their space which often results in an improved sense of belonging, responsibility and community amongst them. The hard and soft landscaping is an important element of the proposals in helping to create a sense of place and emphasize the character of the site. POS is linked and framed by appropriate landscaping as illustrated by the landscape structure plan. A large amount of trees are proposed throughout the site and these comprise native trees and plants which also helps create ecological enhancements and eventually when the planting is established a development that sits comfortably into its surroundings. Key features of the landscape proposals include the use of strategic walls, railings and hedge planting to help define the private and public realm.

Public Open Space

The Local Plan requires that open space be provided on site in residential developments of this scale in line with the amount per plot detailed in Policy TREC17, with appropriate provision made for the on-going maintenance of this. When the application was first submitted the amount provided was significantly less than this but officers considered that given the site's location in relation to existing open space that it was critical that a large amount be provided on site. The application has been revised with the number of dwellings reduced from 291 to 231 dwellings, a reduction of 60 dwellings which has resulted in the area of POS complying with amount required by the policy. The POS also included a LEAP (Locally Equipped Area of Play) which is located in a central location within the development, is overlooked on all sides by dwellings, and is set far enough away from dwellings so as not to create noise and disturbance to these dwellings. The purchasers of these dwellings will also obviously be aware of this area when they purchase this area so it is not anticipated to create any amenity issues.

Residential amenity

Given the site's location and the barriers to the site from the A585, Brook Wood and the railway to the north the proposal is well separated from existing dwellings and therefore the issue with this proposal is not its impact on neighbouring amenity but the residential amenity of the application dwellings themselves. The proposed layout has been assessed with regard to overlooking and loss of light between the proposed dwellings and is considered acceptable, first floor side elevation windows will need to be conditioned to be obscure glazed. In order to mitigate for the noise from the A585 to the east an acoustic bund with a 2m high close board fence is proposed together with landscaping. This is also proposed alongside part of the northern boundary where the small employment buildings located adjacent to the railway line are proposed. The acoustic report confirms that the recommended sound levels can only be achieved by mitigation. Therefore the conclusions of the acoustic report should be conditioned, namely;

1. Bedroom ceilings of all plots near the perimeter should be boarded with two layers of acoustic plasterboard with 200mm mineral wool on top.
2. Acoustic glazing shall be fitted in 10/12/6 well-sealed frames.
3. A combination bund and close boarded timber fence of 4m overall height shall be erected on the east side boundary and part of the North site.
4. Details of alternative ventilation shall be provided for dwellings identified in the acoustic report that are subject to sound levels that are above the "good" criteria as defined in the NPPF.

It is considered that with such mitigation the amenity of the occupiers of the dwellings will be appropriately protected and this will be secured via condition. A condition will also be placed on the

permission with regard to construction times.

Highways

The main issues that need to be considered from a highways point of view are the impact that the development will have on the existing highway network and whether or not the access is safe. Other issues are the mitigation required to ensure that the development is sustainable, and the internal layout with regard to parking and speeds throughout the estate.

The application has been supported with a Transport Assessment. As stated previously the application was submitted for 291 dwellings which has now been reduced to 231, the supporting highways information. LCC comments are summarised above and are available in full on the Council's website. Their comments are split into 6 sections; Access Strategy, comments on the TA, internal layout, S278 works, planning obligations and the summary and recommendation and so serve as a useful way to look at this aspect of the development.

Access Strategy

LCC have commented that the main access is acceptable but the width of the pedestrian cycle provision adjacent to the A585 is not acceptable and should be increased in width. They state that the proposed Toucan crossing will need to be subject to detailed design, and railings will be required for the pedestrian/cycle users. Its exact location will also need to be agreed. This would be an offsite highway work so via a S278 agreement. LCC state that they consider the delivery of a high quality crossing over the A585 is fundamental to the acceptability of this proposal on sustainability grounds. Your officers agree with this as this will allow residents to safely walk to Kirkham. They also comment that as part of the agreed site access works to be delivered through a s278 agreement that the developer will be required to find a speed limit review on the A585 in the vicinity of the site.

The applicants have commented that the width of the pedestrian/cycle link is limited by the extent of the adopted highway boundary and have provided registry plans that show that the adopted highway extends 2m back from the face of the kerb and as such has been the limiting factor regarding the width of the proposed footpath/cycle lane to the eastern side of the A585 and that justification for the proposed width is provided within section 3.2.9 of the TA Addendum. They comment that the importance of a link across the A585 is agreed, however due to land ownership constraints they would seek to agree the width as proposed within the planning application. LCC comments are awaited and will be made available through the late observations.

Comments on the TA and TA Addendum

LCC make a number of points regarding the information covered in the TA with the key points being;

- LCC have had due regard to all available information from other developments in the area to come to an informed position on this and others on the A585 corridor.
- The assessment years of the TA are acceptable. The trip rates and traffic distribution are acceptable.
- With regard to committed development LCC state some emerging development proposals have not been considered. However some of these have not been determined or have been refused. LCC state they have taken into consideration all available information to assess the impact of this proposal and the cumulative impact that can be expected on the transport network.
- The cumulative impact of all piecemeal development remains a concern to LCC and is why LCC consider the A585 corridor sustainable transport improvements are necessary.

- No off site highway works apart from the bus stops and Toucan crossing are proposed by the developer. LCC state that they consider this development should deliver a pedestrian/cycle improvement on A585 along the site frontage to support the A585 Sustainable Transport Strategy and wider connectivity from this site to recent development, existing education, retail, leisure and employment opportunities.
- There are no concerns with any recurring pattern of traffic collisions.
- The A585 is a barrier to movement for sustainable travel. Therefore high quality provision from this development is important.
- Improvements to bus services (frequency/routeing) will be requested to support sustainable development. Any service improvement provided should seek to provide a frequent service throughout the day and also consider evenings and weekends to a range of destinations.
- A framework travel plan has been submitted. This is not acceptable to LCC and they request £18,000 towards a range of Travel Plan services to be provided. They also require commitment to suitable funding towards any measures needed if targets are not met.

Comments on the Site Layout

LCC state that the applicant has provided adequate car parking for this type of development and that the garages are adequately sized.

They have expressed concern over the incorporation of trees in the highway and state that the sight lines of 2.0m x 25m are to be provided in both directions from the centre of all drives, leading to the carriageway fronting plots 95 to 105 and 228 to 231 and ensure the trees (when mature) are not located within the sight lines. The site line requirement is based on table 7.1 from Manual for Streets and an estimated wet road 85th percentile speed of 20 mph. The crown height of the trees within the sight lines will also need to have a clearance of 2.4m. They state the applicant should provide accurate details of the required sight line requirement, before determining the application. Where acceptable sight lines at the trees are not provided the Highway Development Control Section would raise an objection to the development in the interest of highway safety.

These comments relate to the tree lined boulevard in the central area of the site. It is your officer's opinion that in this area the trees are critical to enhancing the appearance of the development and that given the short length of road involved these trees would not compromise highway safety to a degree that justifies their removal from the layout. However given this comment from LCC it is considered prudent that the application be delegated to officers to approve to resolve this landscaping issue.

With regard to the PROW they proposal is an acceptable alternative with the toucan crossing a benefit that doesn't exist at the moment. They have also commented that due to the trees that part of the site may not be adoptable to LCC and that 'All trees should be removed from the grass verge area fronting plots 95 to 105 and 228 to 231, as they are not performing a highway function and they are a highway maintenance and safety issue which the highway authority is not willing to accept additional safety issue with providing adequate street lighting levels on the carriageway and footpath'. There are other minor areas where they want landscaping and grass verges removed.

Section 278 works

LCC consider it appropriate that the s278 works include the following;

- Site access and emergency access onto A585, including agreed Toucan crossing over A585;
- Shared pedestrian/cycle facility to appropriate width on eastern side of A585 from proposed

Toucan to St Georges Park

- Provision of 2 No. Bus Stops – north and southbound (EA compliant);
- Provision of shared footway cycle way on site frontage between proposed site access and the rail bridge to provide wider connectivity to recent and emerging development in the A585 corridor in line with LCC's developing A585 Sustainable Transport Strategy.

Speed Limit Review on A585 Kirkham Bypass and potential Gateway measures:

- A review of the speed limit and signing on A585 Kirkham Bypass in the vicinity of the proposed site is considered appropriate;
- I would therefore recommend, should approval be granted, that a Condition is attached that would require the applicant to fund investigation/consultation and if appropriate implementation of TRO's to support a change or reinforcement of the appropriate speed limit on A585 Kirkham Bypass in the vicinity of the site (to include waiting restrictions and Gateway Measures, if necessary). Works to be carried out as part of access/off-site highway works under s278 agreement.

The applicants have commented on LCC's request for the provision of a shared footway / cycle way on site frontage between the proposed site access and the rail bridge to say that they understand that this is part of an existing £400,000 LCC scheme to provide a shared-use pedestrian/cycle path along the A585 using some S106 funding already secured from other consented developments. They consider that the provision of a footway along the frontage of the site would provide little benefit in isolation and the development should instead provide the required connections to the toucan crossing and the initial infrastructure to tie-in with the wider LCC scheme with a S106 commitment made towards the LCC scheme. They comment that the TA Addendum states that;

"In compliance with LCC's scheme, the proposed footway on the access road continues onto the western side of the A585 in both directions, with scope to continue further south towards the A583 Blackpool Road and north towards the railway bridge. In order to promote sustainable travel at the site, and upon achieving planning consent, the developer has agreed in principle to making a s106 financial contribution towards LCC's scheme. This is based on the understanding that the contribution would be compliant with the Community Infrastructure Levy (CIL) regulations, and proportionate to the scale of development proposed and in line with funding already secured from other consented developments."

They therefore state they seek agreement to a S106 contribution to the wider LCC scheme with the initial infrastructure provided as set out within the application, and that this approach has been accepted for other developments within the area, for example the Mill Farm development.

This is correct and LCC request a contribution of £150,000 to their wider footway scheme in addition to the s278 requests. This approach is considered acceptable in principle by officers although LCC have been asked to clarify why the footpath to the bridge needs to be completed independently of the rest of the footpath.

Planning obligations

LCC state; 'Funding for improvements for sustainable movements in line with LCC's developing A585 Sustainable Transport Strategy to support a level of further development in the area will be expected to be agreed with the LPA and LHA. Within the TA Addendum the applicant has indicated a level of commitment to the A585 Corridor, Sustainable Transport Strategy'. LCC state that 'should the LPA be minded to approve this application, it is considered appropriate to seek planning contributions to support improvements to sustainable transport links on the local highway network, in line with LCC's

developing A585 Corridor Sustainable Transport Strategy. This funding will be used to implement changes to limit the negative impact of this large development on the existing, at times, congested network. The trigger point for s106 sustainable transport planning contributions should be prior to commencement of development unless otherwise agreed with LCC and the LPA.’ They request the following mitigation measures;

- Public Transport service improvements – A contribution of £240,000 to support service and frequency improvement to additional locations including Wyre villages Wrea Green, Warton and Lytham St Annes. Requested contribution, £240,000
- Shared Pedestrian and cycle improvement provision on A585 – A contribution of £150,000 to provide measures as indicated particularly shared pedestrian/cycle route to Weeton Road roundabout and thus connecting in with further measures being secured from development.
- Travel Plan Support contribution – A contribution of £18,000 to assist with the implementation and monitoring of this.

Summary of highways issues

As such LCC do not raise objections to the position or design of the vehicle access to the site, or the amount of traffic generated by the proposal. They do however consider elements of the submitted site plan unacceptable such as the tree lined boulevard and location of the bollards. In an attempt to address this issue the applicants have submitted an amended site plan that LCC have been asked for comments on and these will be made available in late observations. Officers however consider the boulevard a key positive design feature of the site, with the trees capable of being maintained by the management company that will maintain the POS and that they will not impact on highways safety. An update on this matter will be provided in the late observations.

Flooding and drainage

The application site is located in flood zone 1 which has a low probability of flooding and is an area where dwellings are appropriate. The application is submitted with a FRA and drainage strategy by Ironside Farrar which outlines that surface water run-off generated by the critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. This will be controlled and managed via SUDS storage structure's. Foul water is proposed to enter existing sewers. No objections from any statutory consultee have been received and this issue can be controlled via condition, there are therefore no reasons to refuse the application for this reason.

Ecology and Trees

The site is not subject to any statutory ecology designations and there are no international or national designations within 2km of the site. The application has been submitted with an Ecological Assessment by TEP which makes a number of recommendations and mitigation strategies. Natural England and GMEU have assessed this information.

Natural England have no objections and confirm that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which the Ribble & Alt Estuaries SPA and Ramsar Site and Morecambe Bay SPA and Ramsar Site have been classified. They have not considered the development with regard to protected species, however GMEU have done and their comments are reported in full above. They state that is dominated by species-poor agricultural (arable) grassland and is considered to have only low potential to support any specially protected species. Nevertheless the site does support some locally important habitats, including a pond, broadleaved trees and hedgerows and supports reasonable, albeit localised,

terrestrial habitat for amphibians. They state that the Brook to the south of the site has the potential support water vole. The Ecological Appraisal of the site has been undertaken by suitably qualified consultants and is to appropriate and proportionate standards and they conclude that great crested newt surveys are not required prior to determining the application since the risk of harm to this species is very low. They state that the landscape plan provides a level of reassurance that important habitats will either be retained (e.g. pond) or replaced if lost (e.g. trees, hedgerows) and that a level of permeability will be retained through the site and, more particularly, at site boundaries. However further details are required regarding the final designs and management of the ponds. Since this consultation response was received the amount of open space and green infrastructure has increased significantly, with 60 dwellings lost and open space and landscaping proposed in its place. This will assist in encouraging wildlife at the site. GMEU recommend a number of conditions in order to secure mitigation at the site, this includes;

- Protection of ponds and amphibians
- Protection of Brook Wood and Wrongway brook during construction
- Protection of nesting birds.
- Eradication of invasive species.
- Protection of water voles.

The Tree officer has no objections to the development but has placed a Tree Preservation Order on the trees that he values the most, including an Ash in the hedgerow in the middle of the site, the trees around the Pond which will form part of the POS and the linear woodland adjacent to the Brook. The retention of these trees together with the provision of new planting is critical to enhance the appearance of this development. Therefore there are no objection from any statutory consultee and this issue can be controlled via conditions requiring mitigation.

Minerals and Waste

The application site is located within a Mineral Safeguarding Area in the LCC Minerals and Waste plan. LCC were consulted and raised no objections to the loss of the site through the Local Plan making process and as such there are no issues with regard to Minerals and Waste in this application.

Affordable Housing

The Council require 30% of the dwellings approved to be affordable houses in accordance with the requirements now carried through in Policy H4 of the Submission Version of the Fylde Local Plan to 2032. The application has been submitted in full and a plan has been provided identifying where the affordable housing is located within the scheme. These are mainly located in the northern area of the site, but are intermingled adjacent to market dwellings. This spread of dwellings is not really true 'pepper potting' but is considered appropriate with regard to the management needs of the Registered Providers and the submitted plan shows which dwellings will be affordable rent (60%) and shared ownership (40%). The provision of the affordable housing and that they be retained as affordable in perpetuity will need to be secured through a section 106 legal agreement.

Education

The improvement of any identified shortfalls in local education facilities is a recognised aspect of a major residential development proposal such as this one, with Policy CF2 of the Fylde Borough Local Plan and Policy INF2 of the Fylde Local Plan to 2032 providing a mechanism to secure this where Lancashire County Council advise that a shortfall is identified. In this case as this is a full

application and the bedroom mix is known it can be calculated accurately what the shortfall would be. There is a short fall of 24 secondary school places and 56 primary school places in the area to accommodate the additional children that would result from the development and the applicant is therefore expected to make a contribution in the order of £796,169.36 towards primary school places, this going to Lytham Church of England primary school – this being the closest Primary school to the development that has space to accommodate an expansion. And £514,158.48 towards secondary school places at Our Lady's Catholic High School in Preston as the closest school with capacity and capability for expansion. This contribution would be secured through a section 106 agreement, if permission was granted.

Public Realm

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

It is proposed that the development contributes to public realm in Kirkham town centre and the improvement of sustainable transport through improving footpaths to improve accessibility to and desirability of Kirkham. The provision of this contribution will allow for the site to be more sustainably linked to the town centre and that this area will be a more attractive destination for the residents of the site which is considered to be key in meeting the requirements of the NPPF. As such it is directly related to the development and serves a planning purpose in ensuring that attractive access to services is available to support the development proposed. Accordingly this aspect is also in accordance with the requirements of the CIL regulations. The payment of £1000 per plot totalling £231,000 is proportionate in its delivery, and is proportionate to that delivered by other recent developments in the Borough. The Town Council have asked for this to be delivered up front, and it would be usual to secure substantial amount of this at an early stage to allow meaningful improvements to the Town Centre environment for the early occupiers of the site to benefit from, but the phasing of the payment is a matter to be concluded in a s106 agreement.

Conclusions

The principle of the development is acceptable, there are no neighbouring amenity issues and the proposed layout and design of the housing estate are good quality. There are no issues in relation to highways capacity or safety and the sustainable transport improvements requested will ensure the site is sustainable development. As such the development is considered acceptable.

Recommendation

That authority to grant planning permission be delegated to the Head of Planning and Housing when he is satisfied that the highway landscaping issues have been satisfactorily resolved and the Section 106 agreement finalised. The section 106 agreement is to secure:

- provision, retention, phasing of delivery, tenure and operational details for 30% of the proposed dwellings to be affordable properties
- a financial contribution of £1000 for each proposed housing unit towards securing public realm works in the vicinity of the site and the phasing of the payment of that funding,
- a financial contribution of £240,000 towards the improvement of public transport initiatives in

the vicinity of the site and the phasing of the payment of that funding.

- a financial contribution of £150,000 towards shared Pedestrian and cycle improvement provision on A585 (to support connectivity of developments and amenities in line with the principles of the developing A585 Corridor, Sustainable Transport Strategy) and the phasing of the payment of that funding.
- a financial contribution of £18,000 towards Travel Plan support and the phasing of the payment of that funding.
- A financial contribution of £796,169.36 towards Primary Education at Lytham Church of England Primary School, a financial contribution of £514,158.48 towards Our Lady's Catholic High School, Preston and the phasing of the payment of that funding.
- Arrangements for the on-going management and maintenance of the areas of public open space across the site.

The agreement will be expected to meet the full amounts quoted above in all cases, unless the Head of Planning and Housing accepts that a reduced contribution is acceptable on the basis of viability or other such evidence provided by the developer.

The grant of planning permission be subject to the following conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning & Housing believes is necessary to make otherwise unacceptable development acceptable):

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

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

2. This permission / consent relates to the following details:

Approved plans:

- Planning Layout N278/P/PL04 Rev D
- Affordable Housing Layout N278/P/AH01
- Enclosures Layout N278/P/EN01
- House Type Booklet
- Sections Layout N278/P/SS01
- PROW plan 60333317-P-103
- Detached Garage details GR1
- Landscape structure plan M2487.01A
- Site location plan

Reason: To provide clarity to the permission.

3. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. The works to include:
 - Site access and emergency access onto A585, including agreed Toucan crossing over A585;(To include a review of the speed limit and also Gateway Measures, as necessary on A585 Kirkham Bypass in the vicinity of the proposed site)

- Shared pedestrian/cycle facility to appropriate width on eastern side of A585 from proposed Toucan to St Georges Park
- Provision of 2 No. Bus Stops – north and southbound (EA compliant);
- Provision of shared footway cycle way on site frontage between proposed site access and the rail bridge to provide wider connectivity to recent and emerging development in the A585 corridor in line with LCC's developing A585 Sustainable Transport Strategy.

No part of the development hereby approved shall commence until the works above have been constructed and completed in accordance with the agreed scheme.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users and so that traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

4. The layout of the development shall include provisions to enable construction vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning space shall be laid out and be available for use before any development commences and a suitable turning area is to be maintained thereafter.

Reasons: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles.

5. That the development shall be implemented with highway works that ensure that the internal road network is designed to control vehicle speeds to no more than 20mph.

Reason: In the interest of highway and pedestrian safety

6. The new estate road for the approved development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be further extend before any development commences fronting the new access road.

Reasons: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

7. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of this Order, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority.

Reasons: To allow for the effective use of the parking areas.

8. Prior to the start of the development, a survey shall be carried out by the developer with the details agreed with the planning authority (in conjunction with the highway authority) to determine the condition of A585 Kirkham Wesham Bypass between Weeton Road roundabout to the north and the A585/A583 roundabout to the south of the proposed site access. A similar survey shall be carried out every six months during the development phase with the final inspection within one months of the completion of the last house, and the developer shall make

good any damage to A585 Kirkham Wesham Bypass to return it to the pre-construction situation as required.

Reasons: To maintain the construction of A585 Kirkham Wesham Bypass in the interest of highway safety.

9. Prior to the commencement of development a Traffic Management Plan for the construction works, shall be submitted to and approved in writing by the Local Planning Authority, the plan shall include details of:-
- The parking of vehicles of site operatives and visitors;
 - Loading and unloading of plant and materials used in the construction of the development;
 - Storage of such plant and materials;
 - Wheel washing facilities;
 - Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
 - Routes to be used by vehicles carrying plant and materials to and from the site;
 - Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reason: To provide appropriate protection to the highway network and so the safety of road users.

10. No development shall be commenced until an estate street phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate street phasing and completion plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed. The development shall be implemented in accordance with this plan.

Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

11. No dwelling within phase each phase shall be occupied until the estate street affording access to those dwellings has been completed in accordance with the Estate Street Development Plan.

Reasons: To ensure that the estate streets serving the development are completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development, in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

12. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the streets and communal areas within the development have been submitted to and approved by the local planning authority.

These areas shall thereafter be maintained in accordance with the approved management and maintenance at all times thereafter.

Reason: To ensure a satisfactory appearance and maintenance of the infrastructure serving the approved development.

13. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with policy HL2 of the Fylde Borough Local Plan

14. No development shall take place until full details of scheme indicating areas of public open space and / or children's play areas have been submitted to and approved by the Local Planning Authority. Such a scheme should make provisions in accordance the Council's adopted policy on public open space in terms of layout and requirements, and include details of the phasing of the provision and on-going maintenance of these facilities.

Reason: To ensure adequate provision and maintenance of the on site play space.

15. Prior to the first occupation of the development hereby permitted, a Full Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan to include objectives, targets, measures to achieve targets, monitoring, and implementation timescales and continue with the provision of a travel plan co-ordinator. The approved plan(s) will be audited and updated at intervals as approved and the approved plan(s) be carried out, and implemented in accordance with the approved details.

Reason: To ensure that the development provides sustainable

16. Construction times at the site shall be limited to 08.00- 18.00 Mondays to Fridays; 08.00 – 13.00 Saturday and no activity on Sundays or Bank Holidays.

Reason: To protect neighbouring residential amenity.

17. Prior to the occupation of any relevant dwelling the following mitigation measures shall be installed in those properties:

1. Bedroom ceilings of all plots adjacent the northern and eastern boundary shall be boarded with two layers of acoustic plasterboard with 200mm mineral wool on top.
2. Acoustic glazing shall be fitted in 10/12/6 well-sealed frames.
3. A combination bund and close boarded timber fence of 4m overall height shall be erected on the east side boundary and part of the North site in accordance with the submitted details.
4. Details of alternative ventilation shall be provided for dwellings identified in the acoustic report that are subject to sound levels that are above the "good" criteria as defined in the NPPF.

Reason: To protect the amenity of the occupiers of the relevant properties from harm from potential noise nuisance associated with railway, road or other such off-site and uses.

18. A tree protection scheme for all retained trees and hedges on the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. No work of any kind shall take place until the protective fences are erected around the retained trees in the position and to the specification agreed by the local planning authority. Such fencing

shall be retained throughout the development where work of any kind is undertaken in proximity to trees and hedging.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

19. Prior to the commencement of works there shall be a further precautionary inspection/survey of Wrongway Brook to inform any change in the habitat quality for and use by water voles. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to Fylde Borough Council for approval in consultation with specialist advisors. Any necessary and approved measures for the protection of Water Vole will be implemented in full.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

20. No tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys by a competent ecologist show that nesting birds would not be affected.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

21. No works shall commence until full details of bat and bird nesting opportunities to be installed within the developed site have been submitted and approved in writing by the local planning authority. The details shall include details of nesting opportunities in trees and within/on buildings. The approved details shall be implemented in full in accordance with a phasing plan agreed as part of the submitted details

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

22. No external lighting shall be installed until details of the lighting scheme have been submitted and approved in writing by Fylde Borough Council. The principles of relevant guidance shall be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009).

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

23. No site clearance, site preparation or development work shall take place until a fully detailed landscaping/habitat creation and management plan has been submitted and approved in writing by the local planning authority. The scheme shall demonstrate:

1. adequate planting of native species appropriate to the locality to compensate for direct and indirect impacts,
2. that habitat connectivity through the site and to the wider area will be retained as a minimum, including for amphibians and in and around ditches
3. that any planting along site boundaries will comprise appropriate native species,
4. provide details of habitat creation for amphibians including the design and protection of the retained and proposed ponds,

5. maintenance and enhancement of the biodiversity value of retained and established habitats and the site as a whole, and
6. a method statement detailing how harm to amphibians will be prevented during the construction of the development. The approved details shall be implemented in full.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework

24. Unless otherwise agreed in writing and in line with the surface water manage hierarchy, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing public sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding

25. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) March 2015 - 30133/SRG with the surface water run-off generated by the critical storm limited so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

26. Any scaffolding which is to be erected /constructed within 10metres of a boundary to a railway line must be erected in such a manner that at no time will any poles over-sail the railway line. A method statement giving details of measures to be taken to prevent construction materials from the development reaching the railway (including protective fencing) shall be submitted to and approved in writing by the LPA before the development commences. The measures including protective fencing) to prevent any construction materials from the development reaching the railway line hereby approved shall be implemented in full before development commences.

Reason: In the interests of railway safety

27. Prior to the use of any vibro-impact works on site, a risk assessment and method statement shall be submitted and approved in writing by the Local Planning Authority. These works shall thereafter only be undertaken in accordance with any requirements of this method statement.

Reason: To prevent any piling works and vibration from de-stabilising or impacting the railway.

28. Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with these approved details.

Reason: To protect the adjacent railway.

29. Details of appropriate vehicle safety protection measures along the boundary with the railway shall be submitted to and approved in writing by the Local Planning Authority (in consultation with

Network Rail), such approved details to be implemented prior to the occupation of any dwelling hereby approved.

Reason: to prevent the design and layout of the road and parking spaces from impacting the adjacent operational railway with accidental vehicle incursion.

30. Prior to the commencement of development full details of the external materials to be used in the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include brickwork, roof treatment, windows and doors, fascias, cladding, guttering and any other detailed design features on the dwelling. Only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

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

31. All first floor side elevation windows on the development hereby approved shall be obscure glazed and this shall thereafter be retained.

Reason: To safeguard the amenities of the occupants of adjoining residential premises.

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

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

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

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

35. Any trees removed without the consent or trees damaged or becoming severely diseased during the development period shall be replaced during the next planting season with trees of such a size and species as may be agreed with the Local Planning Authority.

Reason: To safeguard the visual amenities of the neighbourhood.

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

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

Item Number: 2

Committee Date: 11 October 2017

Application Reference:	16/0972	Type of Application:	Change of Use
Applicant:	Bryning Lane Caravan Park	Agent :	Mr Bracken
Location:	WEST WINDS, BRYNING LANE, BRYNING WITH WARTON, PRESTON, PR4 1TN		
Proposal:	(RE-SUBMISSION OF APPLICATION REFERENCE 15/0762) CHANGE OF USE OF LAND TO FORM 28 PITCH EXTENSION OF EXISTING TOURING CARAVAN SITE WITH OVERALL INCREASE FROM 32 TO 60 CARAVAN PITCHES. PROPOSED ERECTION OF FACILITIES BLOCK, BIN STORE AND OTHER SUCH ANCILLARY WORKS, INCLUDING THE FORMATION OF A NEW ACCESS AND CULVERT OVER DITCH (THE NEW ACCESS HAS BEEN FORMED AND SO THIS ASPECT IS APPLIED FOR RETROSPECTIVE).		
Parish:	WARTON AND WESTBY	Area Team:	Area Team 1
Weeks on Hand:	44	Case Officer:	Ruth Thow
Reason for Delay:	Design Improvements		

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

<https://www.google.co.uk/maps/@53.7574725,-2.9075233,554m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is an area of land that lies outside of Warton and close to the properties at Kellamargh including the Birley Arms pub and the former home of AFC Fylde. The site is a greenfield area that is available for agricultural use and accessed from a track off Bryning Lane. This track serves an existing caravan site and the proposal here is to use this field as an extension of that caravan site to provide an additional 28 touring pitches.

The application has been with the council for some time as discussions have taken place over the visual impact of the proposal, the access arrangements and the management of the site for touring use. These have all now been addressed to the satisfaction of officers and so it is recommended that the tourism and rural economy benefits of the development outweigh the visual impact of the proposal and allow a recommendation for approval.

Reason for Reporting to Committee

The application site is of a size that ensures the proposal is a 'major' development and so the favourable officer recommendation requires that it is determined by the Planning Committee.

Site Description and Location

The application refers to an area of land located to the northwest of Warton and to the east of Bryning Lane and 'Thornley Cottage' and south of the access track serving an existing caravan site

at 'West Winds' and the land beyond.

To east side of the site area is the AFC Fylde training ground and to the west along Bryning Lane is a small group of residential properties and farm properties known as Kellamargh.

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

Details of Proposal

This application is re-submission application for a change of use of the land to form a 28 pitch extension to the existing touring caravan site at 'Greenacres Caravan Park' also within the applicant's ownership to increase the overall numbers from 32 to 60 pitches, with those proposed in this application retained for touring caravans. The application includes the erection of a facilities block, bin store and other such ancillary works.

The application is supported with:

- a planning statement
- a landscape and visual impact assessment
- a tree survey and arboricultural impact assessment
- information on the pitches occupied on the existing site
- names of people interested in proposed pitches
- associated plans

The facilities block is proposed to be timber clad with cedar boarding with black stained windows and doors and measuring 12.5 metres by 8.8 metres with a pitched roof to a height of 4.89 metres and an eaves height of 2.5 metres. The building provides for male and female WC's and showers with a manager's office, wash room & laundry and plant room. Caravan waste facilities are provided in a 'lean-to' adjoining the building. The building is to be located within the site alongside the access track.

A bin storage compound is also proposed enclosing an area measuring 3 metres by 4.1 metres and having timber boarding to a height of 2.1 metres.

The development includes a proposal to form a new access and culvert over the ditch. The works have been carried out and so this element of the proposal is applied for retrospectively.

During the course of the application negotiations with the applicant have resulted in a revised scheme and the current plans, which indicate a reduced number of pitches proposed from the original 33 and includes additional landscaping.

Relevant Planning History

Application No.	Development	Decision	Date
15/0762	CHANGE OF USE OF LAND TO FORM 33 PITCH EXTENSION OF EXISTING TOURING CARAVAN SITE WITH OVERALL INCREASE FROM 32 TO 65 SEASONAL PITCHES. PROPOSED ERECTION OF FACILITIES BLOCK, BIN STORE AND OTHER SUCH ANCILLARY WORKS	Refused	15/02/2016

15/0134	CHANGE OF USE OF EXISTING CERTIFIED LOCATION TOURING CARAVAN SITE TO TOURING CARAVAN SITE PROVIDING 14 SEASONAL TOURING PITCHES WITH ASSOCIATED INTERNAL ROADWAY, HARDSTANDINGS AND SEWERAGE TREATMENT PLANT	Granted	27/04/2015
13/0519	PROPOSED CHANGE OF USE OF LAND TO FORM EXTENSION OF EXISTING TOURING CARAVAN SITE WITH OVERALL INCREASE FROM 7 TO 18 SEASONAL PITCHES. PROPOSED ERECTION OF FACILITIES BLOCK.	Granted	03/10/2013
09/0187	CREATION OF 7 NO. TOURING CARAVAN PITCHES WITH ASSOCIATED DEVELOPMENT AT LAND ADJACENT BRYNING CARAVAN PARK (RESUBMISSION OF 08/0786)	Granted	03/07/2009
08/0786	ADDITIONAL 7 NO. TOURING CARAVAN PITCHES	Granted	03/11/2008

Relevant Planning Appeals History

None

Parish/Town Council Observations

Bryning with Warton Parish Council notified on 08 December 2016 and comment:

"No objection or observations to make on the application."

Statutory Consultees and Observations of Other Interested Parties

BAe Systems

No comments received.

Ministry of Defence - Safeguarding

No comments received

Lancashire County Council - Highway Authority

"Any development that generates additional traffic movements in the Warton area is a concern. This is particularly relevant to the junction of Lytham Road and Church Road.

While no information has been provided by the developer on the anticipated level of traffic movements to and from the site. Using the TRICS database to estimate the level of traffic that would be generated by this site I am satisfied that there would be no significant impact on the highway network. I estimate that 33 touring pitches are likely to generate between 2 and 5 car movements in the peak hours. I would also note that towed caravan movements generally take place outside peak hours.

The existing site access connects to Bryning Lane which has a 40mph speed limit. The revised application incorporates the removal/relocation of the existing hedgerow in order to deliver the required visibility splays of 2.4 x 120m. These are shown on the landscaping plan, submitted with the revised application..

Providing that the caravans are used for holiday purposes only and shall not be occupied as a person's sole, or main place of residence I can confirm that there are no highway objections."

Tourism Officer

No comments received.

Environment Agency

Raise no objection in principle to the proposed development, but make comments relating to the drainage hierarchy for securing an appropriate surface water drainage arrangement for the site and that the foul drainage is separate to that.

Lancashire CC Flood Risk Management Team

They highlight that work has already been undertaken to form an access for the track to this field which includes culverting a watercourse without the necessary consent being in place, and so are presumably pursuing this with the landowner responsible.

They then make a series of general comments about the works necessary to ensure that the surface water drainage arrangements comply with the surface water hierarchy and are designed so that the Land Drainage Consent application that is required will be successful. Without this, they explain that the development could not proceed.

They conclude by stating that the Lead Local Flood Authority has no objection to the proposed development subject to the inclusion of conditions relating to the implementation and management of an appropriate surface water drainage scheme.

Regeneration Team (Landscape and Urban Design)

With respect to the original proposal the comments made are:

The existing caravan site at West Winds is located in an area designated as open countryside. The proposed extension to the existing site proposes locating 33 additional pitches to the south of the access track in the field opposite. Such an extension would result in the loss of an area of open, agricultural land to the rear of properties along Bryning Lane and increase the amount of built form in an otherwise agrarian landscape.

The existing caravan site is visible from several viewpoints, in particular from the south and east along Hillock Lane. Many of the pitches hold caravans of considerable size, most having awnings and canopies attached, and these are particularly visible in the winter months when trees and hedgerows are not in leaf. The caravans are at odds with the character, scale and form of the adjacent rural landscape and therefore it is concluded that any extension to this site would increase the visual impact and similarly not fit with the existing character of the countryside, its form or scale.

.....

With respect to the revised scheme under consideration here with reduced caravan numbers and enhanced landscaping the comments made are:

Whilst the proposed extension of the caravan site would still be located within an area designated as open countryside, I am satisfied that the proposed woodland and

hedgerow planting indicated on the revised Landscape Plan (4077-03 Rev B) would screen most views of the site in the long term.

The site is subject to a minimum 10 year maintenance programme to ensure successful establishment of soft landscape material. The applicant should ensure that an appropriate Landscape Maintenance and Management Plan is provided to the appointed contractor which sets out exactly what work shall be undertaken, as set out on the Landscape Plan.

All work is to be undertaken in accordance with the appropriate following British Standards to ensure correct implementation of soft landscape materials:

Any proposed external lighting within the application site must be low level and directional. Lighting should be approved by the Planning Officer prior to installation.

Greater Manchester Ecology Unit

Summary

No ecological information has been supplied with the application. The site is however from photographs provided clearly low ecological value improved grassland and the boundary features are to be retained accept for access. No survey is therefore necessary with potential ecological issues resolvable by condition and or informative.

They then look at the key ecological issues and conclude on each as follows:

- Morecombe Bay SPA - The site is within the impact zone for the Morecombe Bay SPA and a potential feeding area for pink footed geese. However the field in question is low risk owing to the disturbance being almost surrounded by human activity whether the existing caravan site or recreational land to the east. They are satisfied that the development would not have a significant impact on the SPA or pink footed geese winter feeding areas.
- Nesting Birds – Whilst the majority of existing nesting habitat is to be retained, small sections of hedgerow appear to be lost to enable access. A condition is appropriate to ensure that this is not removed in the breeding season and is appropriately replaced.
- Habitat – The hedgerows and ditch on the site boundary should be protected during construction from accidental damage, with a construction management plan condition appropriate.
- Ecological Mitigation - The additional hedgerow proposed in the landscaping scheme will more than mitigate for the loss of the hedgerow and grassland in the site. A condition is needed to ensure the implementation and maintenance of this.

Environmental Protection (Licensing)

On assessment of the proposed plan of the facilities building I can confirm that the proposed sanitary facilities meet the standards as detailed within the Model Standards for Touring Sites.

Neighbour Observations

Neighbours notified:	08 December 2016
Site Notice Date:	16 December 2016
Press Notice Date:	15 December 2016
Number of Responses	9 letters received
Summary of Comments	<ul style="list-style-type: none">• hedging is made up of low growing deciduous species offering limited amount of cover, almost non-existent in late Autumn to early spring• caravans clearly seen during autumn/winter, always occupied despite claims to be seasonal operation• will be significant increase in surface water flowing into ditch at eastern end - been problematic in past• access once quiet lane for dog walkers and farmers• caravans have permanent residents• caravans crossing border of land - own half the lane permission not requested.• intrusion on peace and tranquillity• light pollution in evenings from present fields is bad enough• noise aspect is problematic• highway safety hazardous and dangerous• house in constant glare of lights from permanent hook ups• feel trapped in our homes• further development would destroy community• visibility splay encroaches over the existing footpath any changes will have significant impact on pedestrian safety• access dangerous in car more so with a caravan in tow• 40 MPH frequently exceeded• concerns over up keep of unadopted road• pitches become available on existing site - not completely full• land could be given over for allotment use• development not in spirit of countryside area• work already taken place• owner may go ahead regardless of approval• concerned over substantial increase in traffic entering /exiting site• upkeep of the unadopted road will partly fall on me and my neighbour• unfair that I am liable• caravans used by people trying to save money not spend it• no benefit to local economy• land used for sheep farming• adequate capacity on other sites• many of caravans are permanent• intrusive floodlighting from site

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
TREC07	Touring Caravan & Camping Sites
EP14	Landscaping of new developments
EP22	Protection of agricultural land

Fylde Local Plan to 2032:

GD4	Development in the Countryside
EC7	Tourism Accommodation
ENV1	Landscape
GD1	Settlement Boundaries

Other Relevant Policy:

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

Site Constraints

Within countryside area

Environmental Impact Assessment

The development is of a type listed within Part 12 Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended. Officers have screened the development for any potential environmental impact and concluded that the application need not be accompanied by a formal Environmental Statement.

Comment and Analysis

This application seeks permission for a change of use of land to provide a 28 pitch extension to the existing touring caravan site at 'Greenacres' to provide a total of 60 pitches overall with a mix of 'seasonal' and 'touring' pitches.

The application is a resubmission of application no. 15/0762 which proposed a similar development. However, after protracted negotiations the applicants have amended the scheme to reduce the number of pitches proposed from 33 to 28 with an extension to the site area to provide a native woodland to the eastern and southern boundaries.

The application includes the erection of a facilities building, bin store and other ancillary works including the culverting of the ditch to provide a new access to the land. The culverting works have already carried out and so this aspect is applied for retrospectively.

Policies

Policies SP2, TREC7, EP14 and EP22 of the Fylde Borough Local Plan, as altered (October 2005) and Policies GD1, GD4, EC7 and ENV1 are relevant to this application together with the aims of the National Planning Policy Framework and the Planning Practice Guidance.

Principle

Policy SP2 of the local plan refers to development in countryside areas and this is carried through to the submission version of the local plan at Policy GD4. These policies allow for uses appropriate

to a rural area including those provided for in other policies which would help to diversify the rural economy, including small scale tourism development.

The NPPF advises at paragraph 19 that significant weight should be placed on the need to support economic growth through the planning system. Paragraph 28 relates specifically to the rural economy and encourages the support of sustainable tourism and leisure development that benefit business in rural areas, communities and visitors, and which respect the character of the countryside.

Policy TREC7 states that touring and caravan sites will be permitted, in areas where existing provision is inadequate and providing that all the criteria can be met.

Policy EC7 (local plan to 2032) advises that a limited increase in static and touring caravan and camping pitches will be permitted within existing site boundaries in order to enable environmental improvements.

Background

The existing caravan site to the north at 'Greenacres' has developed and expanded in several stages from the original certified caravan site to form a larger, formal touring caravan site with ancillary facilities. Application no. 13/0519 saw the caravan numbers increase to 18 pitches in total with a further 14 pitches approved under application no. 15/0134, thereby having a total of 32 existing caravan pitches which are mainly rented out on a permanent seasonal basis i.e. a touring caravan permanently pitched on the site.

Existing provision and need

Policy TREC7 states *"touring caravan and camping sites will be permitted in areas where existing provision is inadequate and providing that the criteria can be met."*

Policy EC7 of the local plan to 2032 refers to holiday caravans and camping pitches. *"Holiday caravan pitches will be retained for holiday use. Proposals to allow residential use of existing holiday caravan pitches and holiday park homes will be resisted. Conditions will be imposed on any permissions granted for additional holiday caravan pitches and holiday park homes to ensure that they are retained for holiday use. A limited increase in static and touring caravan and camping pitches will be permitted within existing site boundaries in order to enable environmental improvements".*

In the case of the previous permissions for extensions to the 'Greenacres' site evidence of need was not provided however, as the most recent application here referred to a change of use of the land from a Caravan and Camping Club's Certified site this had demonstrated that there was a need for a touring caravan site.

The previous extensions to the existing site require that *"The owners/operators of the caravan site shall maintain a register of names of all owners/occupiers of individual caravans and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority".*

The reasoning for requiring the above information is to ensure that the caravans are not being occupied residentially and to have some assessment of the numbers and turnover of caravans on the site in order to assess the need.

Application 15/0762 was for the same development as that proposed in this application, this was refused and part of the reason for refusal was the lack of any demonstrable need for such a large touring caravan site extension and the potential for a harmful visual impact.

In this application the applicants, through their agent, have submitted information which includes the names of 42 people on a waiting list for pitches and a list of occupiers of the existing pitches for the month of September was also supplied.

The information supplied with the current application does not include a log of the existing touring site usage to demonstrate the turn over of numbers of visitors utilizing the existing pitches and numbers of visitors that were turned away. However, this is as a result of the existing site being mainly occupied on a 'seasonal' basis where the pitches are rented out long term.

The prospect of long term pitch rentals also caused a concern with this proposal as it was considered that the expansion would provide minimal economic benefits to the borough whilst still resulting in a harmful visual appearance in the countryside.

These concerns have formed the basis of discussions with the applicants and which have resulted in the revised scheme which has reduced the number of pitches, introduced a native woodland planting scheme, and which offers a limit to the length of stay on a pitch. In addition the applicants have submitted with the application a waiting list of people seeking a pitch although it is not clear if this would be for a short-term holiday stay or additional seasonal pitches.

Location of the site

Criterion 1 of TREC7 requires that the caravan site is not within the Green Belt.

In this instance the site is located within the defined countryside and so is in compliance with this aspect of the policy.

Visual amenity

Criterion 2 states "*The proposed development would not itself or in conjunction with other existing or proposed similar developments have a significant prejudicial effect on the character or visual amenities of the area*".

The applicants have submitted a 'Landscape and Visual Impact Assessment' and a 'Tree Survey and Arboricultural Impact Assessment'. The landscape assessment refers to Lancashire County Councils Landscape Strategy for Lancashire. This site is within landscape character type 15 'Coastal Plain and Landscape Character Area 15d The Fylde.

The document advises that "*the proposed development would be low key, would reinforce the landscape character at local scale and the overall significance of the impact would be minor beneficial*".

The proposed site is to the rear of properties on Bryning Lane and to the west side of AFC Fylde Football Club grounds. The proposed area extension to the caravan site would result in an area which is almost twice as large as the existing site. However, the revised scheme has reduced the number of pitches and proposed additional landscaping in the form of native hedge planting between pitches and introduced species rich grasslands and a woodland belt around the eastern and

southern boundaries where the widest views of the site would be available. Whilst the tree belt would take some time to establish overall, it proposes a mix of deciduous and non-deciduous trees which provide some all year round screening which now offers wider environmental benefits to off-set the visual harm.

As a consequence it is considered that the proposed caravan extension would not result in an undue detriment to the visual amenity and character the area.

Accordingly the proposal is in compliance with criterion 2 of Policy TREC7 and Paragraph 17 of the NPPF which aims to protect the "intrinsic character and beauty of the countryside....."

Flooding

3. The site is not at significant risk from flooding

The Environment Agency's web site shows the applicant site to be in a flood zone 1 area and hence is not at significant risk from flooding. Drainage of the site is referred to below.

Loss of agricultural land

4. The application would not involve the permanent loss of the best and most versatile agricultural land

Criterion 4 of Policy TREC7 (above) and Policy EP22 refer to the loss of agricultural land. Grades 1, 2 and 3A being the best and most versatile, and development will not be permitted which would involve the permanent loss of this land where it could reasonably take place on previously developed sites, on land within the boundaries of existing developed areas or on poorer quality agricultural land.

The majority of the land for the proposed caravan site is located on Grade 2 agricultural land with a small area to the south west corner Grade 3.

It is considered that a change of use of the land, the provision of hard standings, facilities building etc. would not permanently restrict the use of the land which could be reverted back into an agricultural use, should need arise and so the proposal is in accordance with Policy TREC7 and EP22 of the local plan.

Impact on neighbours

Criterion 6 of Policy TREC7 refers to the impact of the development on the amenities of adjacent or nearby dwellings and requires that the proposal would not promote conflict with any other nearby land uses or operations, including farming operations.

The application site wraps around the rear of the property 'Thornley Cottage' however there is intervening land with several buildings of an agricultural appearance. The proximity of the caravan site would not result in any loss of amenity by way of loss of light or privacy. Some noise and disturbance maybe experienced by neighbours from the proposed caravan site however, the level of noise experienced is unlikely to be of a level which would warrant refusal on these grounds alone.

One of the neighbours has reported that he owns half of the access lane and has not given permission for its use however, this is a private matter between neighbours and the applicant, with

this land ownership issue not being a material planning consideration in determining this application.

Access

Criterion 7 of TREC7 requires that the site must have or be capable of being provided with safe and satisfactory vehicular access; and should be capable of being adequately served by the local highway network.

Access to the site would be via the existing entrance off Bryning Lane and down an unadopted track which is only hard surfaced as far as the entrance to the existing caravan site.

Whilst a letter from a neighbour refers to rights to the road and the responsibility of its up keep, these are not a planning matter as reported above.

LCC Highways Engineers advise that the development would be unlikely to generate a significant impact on the highway network and that the revised application demonstrates the required visibility splays at the junction with Bryning Lane.

As a consequence there are no objections from Highways providing the caravans are occupied on the basis of holiday use.

Drainage

Criterion 8 of TREC7 requires satisfactory foul and surface water drainage disposal arrangements and that other essential services can be provided.

The application proposes a sewage treatment plant and the Environment Agency have advised of the need for the applicant to obtain a variation of the existing permit to ensure adequate drainage of the site.

The Lead Local Flood Authority have been advised that the applicant has carried out culverting works to the existing ditch to provide an access to the proposed site and that permission for these works has not been sought from LCC. Subsequently LCC Flood Authority have advised that they have no objection to the scheme subject to compliance with condition imposed.

Conclusions

The application proposes an 'extension' to an existing caravan site in the countryside. The extension will result in a large scale increase of the existing site provision, both in terms of its scale and in the numbers of pitches proposed. Policy TREC7 of the Fylde Borough Local Plan, as altered, (October 2005) allows for touring caravan and camp site where the existing provision is inadequate. Policy EC7 of the local plan to 2032 allows for 'a limited increase' 'within existing site boundaries'.

The existing site provides for 32 pitches with a facilities building with this application proposing an additional 28 pitches (a total of 60 pitches across the two sites). The applicant has provided some, albeit limited evidence, to demonstrate that there is a need for the additional pitches and this has previously been a concern with the proposal due to the impact that long term stationary caravans would have on the character and appearance of the countryside.

However in an attempt to address these concerns the applicants have reduced the number of

pitches proposed, offered their acceptance of compliance with restrictive conditions and propose wide scale environmental enhancement scheme.

It is therefore considered that on balance, the scheme is acceptable and overcomes previously expressed concerns and is in compliance with the criteria of the above policies of the local plan and the aims of the NPPF, in particular Paragraph 28 of the NPPF supports sustainable rural tourism that benefit businesses in appropriate locations it is considered that the harm arising from this expansion does not overcome the potential increase in tourism as no requirement has been demonstrated to support the proposal.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission / consent relates to the following details:

Approved plans:

- Location Plan - Ordnance Survey (received by LPA 29.09.17)
- Proposed landscape plan - drawing no. 4077-03 REV. B
- Facilities block floor plan & elevation plan - drawing no. 1425-P4
- Tree protection plan - drawing no. 4077-02
- Bin store - drawing no. 1425-P5
- Tree constraints plan - drawing no. 4077-01
- Proposed visibility splay - drawing no. 4077-04

Supporting Reports:

- Planning Statement - Leith Planning Ltd - December 2016
- Landscape and visual impact assessment - Richard Eaves - September 2017
- Tree survey and arboricultural impact assessment - Richard Eaves - October 2016
- List of occupiers of existing pitches
- Waiting list for pitches

Reason: To provide clarity to the permission.

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

Reason: In the interests of visual amenity in accordance with Policy TREC7 of the Fylde Borough Local Plan, as altered (October 2005) Policy EC7 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

4. The caravans stationed on the part of the caravan site that is the subject of this permission shall be used as touring caravans for holiday purposes only and shall not be occupied as a person's sole, or main place of residence.

Reason: To ensure that the approved holiday accommodation is not used for permanent residential occupation which would be contrary to Policy SP2 of the Fylde Borough Local Plan As Altered October 2005, Policy GD4 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

5. The owners/operators of the caravan site shall maintain a register of names of all owners/occupiers of individual caravans, their main home addresses, and the period of occupancy including date of arrival and date of departure from the caravan site. This information shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the approved holiday accommodation is not used for permanent residential occupation which would be contrary to Policy SP2 of the Fylde Borough Local Plan As Altered October 2005, Policy GD4 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

6. No pitch shall be occupied by the same caravan for more than 28 days, and no caravan shall return to the site hereby approved within 28 days of its vacating a pitch within the site.

Reason: To ensure adequate provision of touring caravan site pitches to prevent long term occupancy of pitches which would be contrary to TREC7 of the Fylde Borough Local Plan As Altered October 2005, Policy EC7 of the submission version of the Local Plan to 2032 and the aims of the National Planning Policy Framework. Such occupation will also bring reduced economic benefits to the borough and so prevent these benefits from outweighing the visual harm that the development causes in the overall planning balance.

7. No works to trees or shrubs shall occur between the 1 March and 31 August in any year unless a detailed bird nest survey by a suitably qualified ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981, Policy EP19 of the Fylde Borough Local Plan, as altered (October 2005), Policy ENV2 of the submission version of the Local Plan to 2032 and the National Planning Policy Framework, Section 11.

8. No development shall be commenced until all lighting details proposed for the site have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reason: In the interest of visual amenity and safeguard the amenities of nearby residents in accordance with Policy TREC7 of the Fylde Borough Local Plan, as altered (October 2005) Policy EC7 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

9. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:
 - a. Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor

- levels in AOD;
- b. The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate.
- c. Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d. Flood water exceedance routes, both on and off site;
- e. A timetable for implementation, including phasing as applicable;
- f. Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained, and that there is no flood risk on or off the site resulting from the in accordance with Policy TREC7 and EP25 of the Fylde Borough Local Plan, as altered (October 2005) and Policy EC7 and INF1 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

10. No pitch hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reasons: To ensure that the drainage for the proposed development can be adequately maintained., and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system. This is in accordance with Policy TREC7 and EP25 of the Fylde Borough Local Plan, as altered (October 2005) and Policy EC7 and INF1 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

11. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:
 - a. The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Management Company (or other such body)
 - b. Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i) on-going inspections relating to performance and asset condition assessments
 - ii) operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
 - c. Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved pitches, and thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, and to reduce the flood risk to the development as a result of inadequate maintenance. This is in accordance with Policy TREC7 and EP25 of the Fylde Borough Local Plan, as altered (October 2005) and Policy EC7 and INF1 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

12. No development shall be commenced until the visibility splays at the junction of the access road with Bryning Lane have been provided in accordance with the details submitted and shown on drawing no. 4077-04 including the 2.4m x 120m visibility splays in both directions. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reason: In the interest of visual amenity and safeguard the amenities of road users in accordance with Policy TREC7 of the Fylde Borough Local Plan, as altered (October 2005) and Policy EC7 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

13. That the development hereby approved shall be implemented in full accordance with the landscape details as shown on Richard Eaves drawing no. 4077-03 REV. B. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved in writing by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season following the site being first brought into use. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

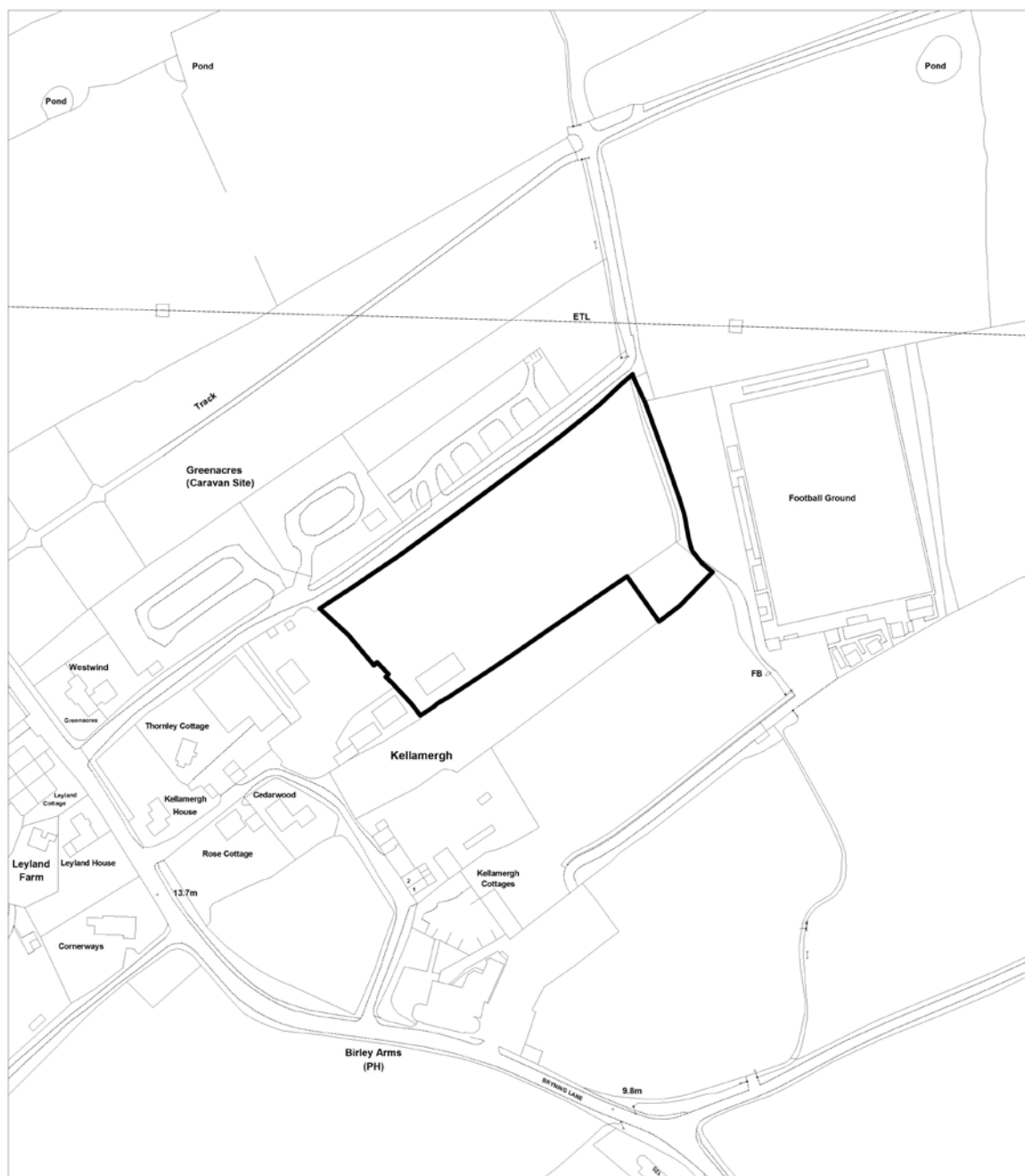
Reason: To enhance the quality of the development in the interests of the amenities of the locality in accordance with Policies SP2 and TREC 7 of the Fylde Borough Local Plan As Altered October 2005, Policies GD4, ENV1 and EC7 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

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

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

15. Prior to commencement of development, the site shall be provided with bat boxes and owl boxes to encourage biodiversity and within the site, details of the provision of these boxes, including the number, design and position within the site hereby approved, shall be submitted to an agreed in writing with the Local Planning Authority and thereafter the agreed boxes shall subsequently be fitted and maintained to the satisfaction of the Local Planning Authority.

In the interests of providing roosting opportunities for bats and owl as the species is protected by the Wildlife and Countryside Act 1981 and in accordance with Policy EP19 of the Fylde Borough Local Plan, as adopted (October 2005) and Policy ENV2 of the submission version of the local plan to 2032 and the aims of the NPPF.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/16/0972	Address West Winds, Bryning Lane, Warton	Grid Ref. E.3404 : N.4294	Scale 0 10 20 30 40 m

Item Number: 3

Committee Date: 11 October 2017

Application Reference:	17/0466	Type of Application:	Householder Planning Application
Applicant:	JOHN ROWE ARCHITECTURE	Agent :	JOHN ROWE ARCHITECTURE
Location:	THE BUNGALOW, BLACKPOOL OLD ROAD, LITTLE ECCLESTON WITH LARBECK, PRESTON, PR3 0YQ		
Proposal:	ALTERATIONS TO ROOF AND EXTERNAL APPEARANCE OF EXISTING OUTBUILDING.		
Parish:	ELSWICK AND LITTLE ECCLESTON	Area Team:	Area Team 2
Weeks on Hand:	18	Case Officer:	Alan Pinder
Reason for Delay:	Design Improvements		

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

<https://www.google.co.uk/maps/@53.8567838,-2.8832841,138m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application relates to the provision of a replacement roof, and the application of some exterior cladding, to an existing outbuilding located within the domestic curtilage of The Bungalow which is a detached dwelling in Little Eccleston.

As originally submitted the application also included the construction of a side extension to the outbuilding, however following the receipt of feedback from neighbours and the Parish Council the applicant has removed the extension from the proposed development.

Original objections to the application related mainly to the potential use of the proposed extension to facilitate the expansion of an existing business being carried out from the building. Whilst it is acknowledged that a small business is currently being carried on from the building it is of a level and type that is considered acceptable for this residential location and is not of sufficient extent as to have triggered a material change of use.

The revised scheme, which excludes the side extension and so simply involves adding a roof to the building, raises no overriding concerns over its scale or relationship to neighbours and accords with the relevant policies of both the current and emerging local plans and the application is recommended for approval.

Reason for Reporting to Committee

The Parish Council have not objected, but have specifically requested the application go before the Planning Committee to enable residents to address the planning committee directly. Under the Scheme of Delegation the Head of Planning and Housing is obliged to comply with such requests.

Site Description and Location

The application site is The Bungalow, located on land to the rear of Blackpool Old Road and Cartford Road, in Little Eccleston. The site contains a large detached bungalow dwelling located centrally on the eastern boundary, and a detached outbuilding sited alongside the southern boundary shared with a neighbouring dwelling called Tower View. The property lies just outside the settlement boundary of Little Eccleston and within countryside, as designated in the adopted and emerging local plan.

Details of Proposal

Planning permission is sought for alterations to an existing outbuilding located within the garden curtilage. The proposed alterations are as follows:

- Replacement of the existing roof with a pronounced mono-pitched roof. The new roof would rise from a height of 3.2 metres, on the side facing the shared boundary with the dwelling 'Tower View' located on Blackpool Old Road, up to a height of 4.4 metres. The roof covering is to comprise of either built up felt or trapezoidal metal roof sheets.
- Cladding of the east gable in light grey corian panels
- Part cladding of the north elevation in light grey corian panels
- West, south, and remainder of north elevation to be re-rendered as existing

The application originally proposed a single storey extension to the outbuilding however following feedback from neighbours and the Parish Council this element of the proposal has now been removed from the application.

Relevant Planning History

None

Relevant Planning Appeals History

None

Parish/Town Council Observations

Little Eccleston with Larbreck Parish Council notified on 07 June 2017 and commented on the original application as follows:

"We are informed that numerous resident have forwarded their written objections to FBC. With this being the case the Parish Council requests that this application is determined by the Development Management Committee to give the residents the opportunity to address the Committee directly.

The Parish Council is informed that the applicant works from home utilising the existing building as an acrylic fabrication business. Whilst the Parish Council fully understands that planning permission is not necessarily required to work from home, we would ask that Fylde Borough Council undertakes key tests to establish if this is still mainly a home or has it or will it become a business premises, ie: Has or will the proposal be used mainly for business? IF THIS IS THE CASE:

- *Will the business result in a marked rise in traffic or people calling?*

- Will the business involve any activities unusual in a residential area?
- Will the business disturb neighbours at unreasonable hours or create other forms of nuisance such as noise?

The footprint of the proposal appears to be large compared to the domestic dwelling and could potentially constitute over development of the site.

The proposal will raise the existing building by one metre in height. This would have an unacceptably adverse impact on the amenities of the properties immediately adjacent to the site causing a visually overbearing impact.

The Parish Council understands that FBC has been furnished with details of restrictive covenants on "The Bungalow" plot for your consideration of this application."

The Parish Council have been consulted on the amended scheme, with the side extension removed, however as of the time of writing no further comments have been forthcoming. Any comments that are received will be added to the Late Observations Schedule.

Statutory Consultees and Observations of Other Interested Parties

Wyre Borough Council - Planning Dept

No comments received.

Regeneration Team (Trees)

No objections

Neighbour Observations

Neighbours notified:

07 June 2017

Number of Responses:

Six responses to the initial proposal and two responses to the re-consultation following the removal of the extension from the scheme

Summary of Comments:

Comments on original proposal:

- Concerned that the proposed extension would result in an increase of noise levels and level of commercial activity being carried on at the premises
- At least one tree will need to be removed to enable the development to be built
- The increase in height to the existing outbuilding would create an overbearing sense of enclosure to the rear garden of Tower View
- The site is the middle of a residential area and feel this could be an abuse of the premises
- The access road to The Bungalow is not in the ownership of the applicant
- There is a covenant on the land that prohibits any trade or business being carried on from any building on the land
- Object to the use of the building for business

Comments on the amended proposal:

- Reiterate the concern about the height of roof creating an

- overbearing structure when viewed from Tower View
- Potential escalation of business use of building

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
HL02	Development control criteria for new housing proposals
HL04	Replacement and extension of rural dwellings

Fylde Local Plan to 2032:

GD4	Development in the Countryside
GD7	Achieving Good Design in Development

Other Relevant Guidance:

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

Site Constraints

Within countryside area

Environmental Impact Assessment

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

Comment and Analysis

Principle

The application site is located in the Countryside area under Policy SP2 of the Fylde Borough Local Plan and as carried forward in Policy GD4 of the emerging Fylde Local Plan to 2032. In such areas the principle of residential extensions is acceptable subject to the normal planning criteria as examined below with reference to Policy HL5 / GD7, and to a further assessment of the overall scale of the extension to the property and how it impacts on the open character of the countryside and relates to the scale of surrounding properties as required by Policy HL4 / H7.

Design and Appearance in Streetscene

The outbuilding is located wholly to the rear of properties along both Blackpool Old Road and Cartford Lane and as such cannot be seen from the highway. As such it would have no impact on the appearance and character of the wider street scene. With regard to the overall proposed finished appearance, the existing outbuilding has a 'tired' appearance and the proposed cladding and re-rendering would improve its appearance. The proposed works are considered to accord with the requirements of criteria 1 of Policy HL5, and Policy GD7.

Scale of Extension

The test in Policy HL4 of the Fylde Borough Local Plan is whether the extensions (or rebuilding) of a dwelling would harm the rural character of the area. The additional roof will add some additional volume and height to this outbuilding, but given the comments above about its location set back

from the streetscene the impact of this is minimal on the character of the countryside and it is not considered that there is any conflict with Policy HL4.

This is to be replaced by the test in Policy H7 of the Fylde Local Plan to 2032 which includes an assessment of the visual impact of a proposal, but only if the scale of the extension does not exceed a 33% increase over the footprint of the original dwelling. As this proposal does not involve any increase in footprint then there is no conflict with this emerging Policy.

Relationship to Neighbours

The occupier of Tower View, whose curtilage backs onto the application building, has raised an objection based on the development creating an overbearing sense of enclosure to his rear garden. Whilst the proposal would involve the maximum height of the outbuilding increasing to 4.5m from the existing 3.2m, the roof profile would be mono-pitched with the lower end being adjacent to, and approximately 2 metres distant from, Tower View's rear garden boundary. This lower end of the mono-pitch would be no higher than the existing roof of the outbuilding and the roof height would increase as it pitches away from the boundary. This design significantly reduces the apparent height of the new roof to this neighbour and would not create an unacceptably overbearing structure or sense of enclosure to Tower View's rear garden. Overall the proposal is considered to have an acceptable relationship to its neighbours in all regards and complies with criteria 2 of Policy HL5, and Policy GD7.

Other Matters

- All neighbour letters have expressed concern that the extension originally proposed by the application was sought in order to allow a business being carried on from the building to expand, and thus result in an increase in noise and other disturbance to an unacceptable level. During the case officer's site visit the applicant readily acknowledged that he makes kitchen worktops in the outbuilding and sells these on. However based on the information the applicant provided during the visit it appears this is a small scale home run operation with few deliveries, no outside employees, and no customer facilities. Furthermore it is noted that whilst neighbours have raised concerns regarding the possible expansion of the business they are generally accepting of the current level of activity, with the closest neighbours (Ash Villa and Tower View) describing it "*mildly intrusive*" and "*generally tolerable*". It is also noted that no complaints regarding the business have previously been submitted to either the environmental protection team or the planning department. Hence it does appear that the level of business activity is acceptable and does not amount to a material change of use that might otherwise require planning permission although this can be monitored and appropriate action taken in the future should the position change irrespective of this application. The provision of a new roof and some exterior cladding is not a form of development that would either encourage or enable any further expansion of the business and so this has no bearing on the determination of this application.
- The neighbour at Tower View has raised the concern that the development would require the removal of at least one tree and maybe more. The council's tree officer has visited the site and assessed the proposal against the context of the existing trees and has raised no objections to the scheme or removal of some trees.
- The executor for the estate of the neighbouring property, 'Kimmeridge', has brought to attention the existence of a restrictive covenant on the land that prohibits the use of any building on the land for the purposes of a trade business or manufacture. Whilst this may impact on the applicant's current business activity it is not a relevant consideration in planning terms and it is not the local authority's responsibility or duty to enforce the covenant.

Conclusion

The application relates to the replacement of an existing roof, and some exterior cosmetic alterations, to an existing outbuilding within the domestic curtilage of 'The Bungalow' at Little Eccleston. Having viewed the proposal and assessed the issues raised, it is considered that the proposal accords with Policy HL5 / GD7 of the Fylde Borough Local Plan and other relevant development plan policies. Accordingly the application is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission / consent relates to the following details:

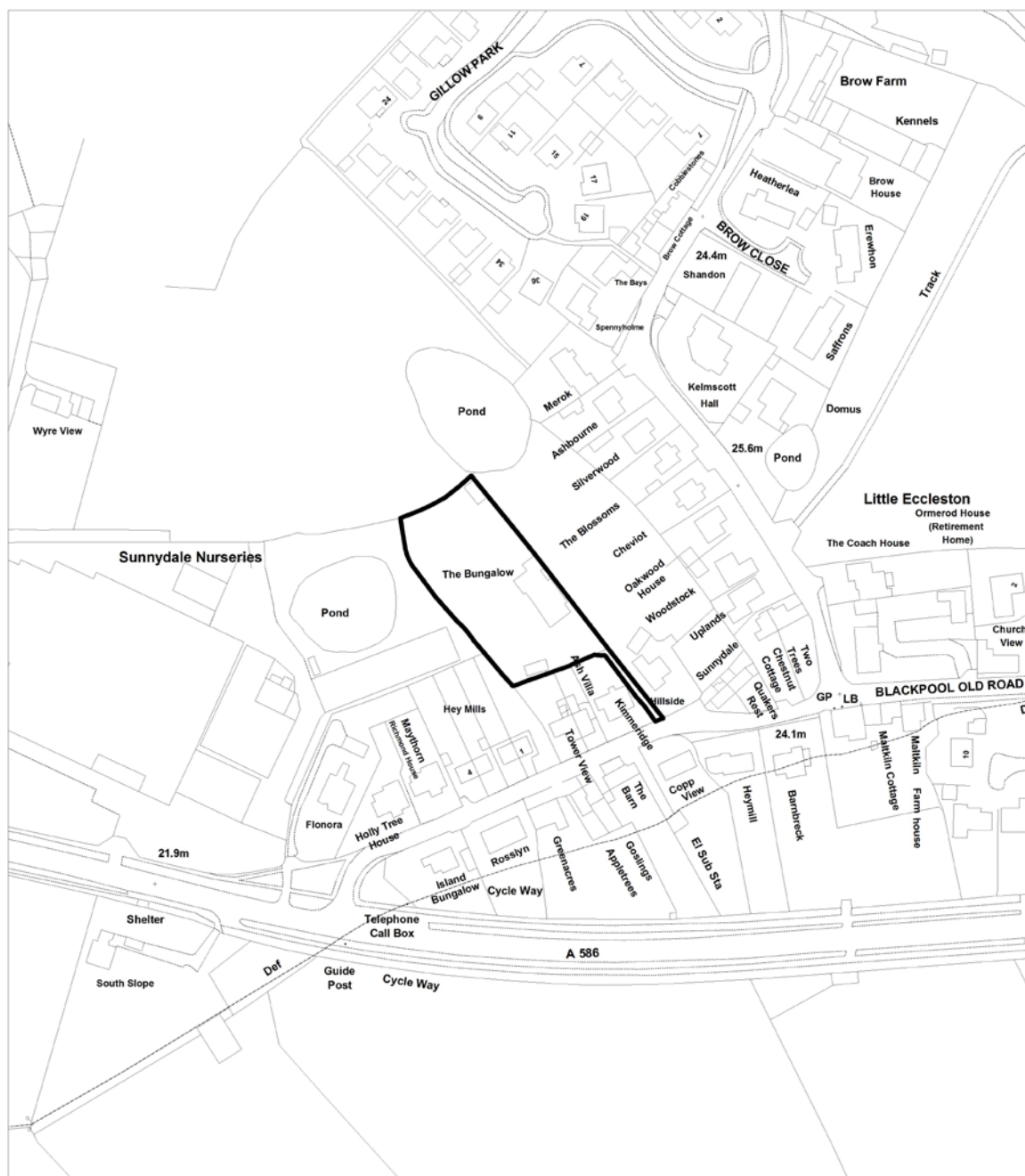
Approved plans:

- Location Plan - Dwg no. LP01 Rev A
- Proposed Elevations - Job no. A766, dwg no. 03 Rev A
- Proposed Roof Plan - Job no. A766, dwg no. 04 Rev A

Reason: To provide clarity to the permission.

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

Reason: In the interests of visual amenity as required by Policy HL5 of the Fylde Borough Local Plan.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0466	Address The Bungalow, Blackpool Old Road, Little Eccleston	Grid Ref. E.3419 : N.4404	Scale 0 10 20 30 40 m

Item Number: 4

Committee Date: 11 October 2017

Application Reference:	17/0468	Type of Application:	Advertisement Consent
Applicant:	Story Homes	Agent :	
Location:	LAND TO THE REAR OF LANGTONS FARM AND OFF WILLOW DRIVE, RIBBY ROAD, RIBBY WITH WREA		
Proposal:	ADVERTISEMENT CONSENT FOR DISPLAY OF 2 ADVERTISEMENT FLAGS ON 6M HIGH POLES, 1 X 3M HIGH INTERNALLY ILLUMINATED SALES BOARD, 2 X 3M HIGH INTERNALLY ILLUMINATED TOTEM SIGNS, 3 X SECTIONS OF HOARDING BOARDS, 1 X EXTERNAL CABIN WRAP, 1 X SWING SIGN.		
Parish:	RIBBY WITH WREA	Area Team:	Area Team 1
Weeks on Hand:	11	Case Officer:	Alan Pinder
Reason for Delay:	Design Improvements		

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

<https://www.google.co.uk/maps/@53.7762913,-2.9109145,554m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application relates to a site off Willow Drive in Wrea Green where the construction of 86 dwellings is progressing following the grant of outline planning permission 14/0302 on appeal and reserved matters approval 16/0280. The site access has been formed through the demolition of the dwelling at 15 Willow Drive and building works are advancing.

This proposal is for the erection of a various forms of advertisement at the site entrance to promote the development and aid visitors to locate the site.

The council must determine applications for advertisement consent by assessing whether they have adverse impacts on public safety or public amenity. In this case there are no public safety concerns and the proposed signage is considered to be of a scale and siting that is appropriate for its intended purpose in the context of the site as an active development site. Accordingly the officer recommendation is that advertisement consent should be granted.

Reason for Reporting to Committee

The Parish Council's recommendation for refusal is at odds with the officer recommendation for approval, and so the Scheme of Delegation requires that the application is determined at Committee.

Site Description and Location

This application relates to the display of advertisements associated with the temporary sales office

for a new residential development of 86 dwellings currently being constructed on land off Willow Drive, and to the rear of Langtons Farm, in Wrea Green (planning permission ref. 14/0302). The site is located within countryside as designated in the adopted Fylde Borough Local Plan, although that designation was effectively superseded by the grant of a residential planning permission.

Details of Proposal

Advertisement consent is sought for the display of the following advertisements:

- A 3 metre high, pole mounted sales advertisement board erected close to the new access road from Willow Drive
- 2 x externally illuminated 3 metre high totem signs erected to either side of the sales parking area. Both signs would be illuminated by trough lighting along the top edge of each sign, with an illumination level of 600cd/square metre
- 2 x advertisement flags displayed on 6 metre high poles located alongside the proposed 3 metre high pole mounted board.
- 2.4 metre high non-illuminated hoarding advertisements to each side of the sales cabin
- Non-illuminated fascia sign and assorted window vinyls on sales cabin
- 1 x freestanding 'swing' sign placed adjacent to footpath leading to sales cabin.

The application is retrospective as the signage is all in place, and has been for some months.

Relevant Planning History

Application No.	Development	Decision	Date
16/0909	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS ON PLANNING PERMISSION 16/0280 - CONDITION 2 (BOUNDARY DETAILS), CONDITION 3 (BUILDING MATERIALS), CONDITION 4 (SURFACE MATERIALS), CONDITION 8 (ARBORICULTURAL METHOD STATEMENT), AND CONDITION 9 (AFFORDABLE HOUSING STATEMENT)	Advice Issued	
16/0818	ADVERTISEMENT CONSENT FOR 2NO STATIC FLAG POLES (6M IN HEIGHT) WITH FLAGS AND 1 NO STATIC ADVERTISEMENT BOARD (4M IN HEIGHT)	Granted	10/02/2017
16/0431	DISCHARGE OF DETAILS ASSOCIATED WITH CONDITION 6, 7, 8, 9, 10, 11, 12, 16, 20, 21 AND 22 ON PLANNING PERMISSION 14/0302 RELATING TO OPEN SPACE MANAGEMENT PLAN, BOUNDARY TREATMENT PLAN, CONSTRUCTION METHOD STATEMENT, SCHEME SITE ACCESS, ADOPTED HIGHWAY S38 PLAN & CONSTRUCTION DETAIL, S278 WORKS PLAN AND DETAILED SURFACE & FOUL WATER DRAINAGE PLAN	Advice Issued	
16/0280	APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 14/0302 FOR THE DEVELOPMENT OF 86 DWELLINGS INCLUDING 26 AFFORDABLE UNITS, PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE.	Granted	18/10/2016

15/0458	OUTLINE APPLICATION FOR THE DEVELOPMENT OF UP TO 49 DWELLINGS, INCLUDING THE PROVISION OF ACCESS FOLLOWING THE DEMOLITION OF 15 WILLOW DRIVE	Approved with 106 Agreement	16/10/2015
14/0735	OUTLINE APPLICATION FOR THE DEVELOPMENT OF UP TO 49 DWELLINGS INCLUDING THE PROVISION OF ACCESS FOLLOWING THE DEMOLITION OF 15 WILLOW DRIVE	Refused	13/01/2015
14/0302	OUTLINE APPLICATION FOR UP TO 100 DWELLINGS INCLUDING THE PROVISION OF ACCESS FOLLOWING THE DEMOLITION OF 15 WILLOW DRIVE	Refused	05/09/2014

Relevant Planning Appeals History

Application No.	Development	Decision	Date
14/0735	OUTLINE APPLICATION FOR THE DEVELOPMENT OF UP TO 49 DWELLINGS INCLUDING THE PROVISION OF ACCESS FOLLOWING THE DEMOLITION OF 15 WILLOW DRIVE	Withdrawn	30/11/2015
14/0302	OUTLINE APPLICATION FOR UP TO 100 DWELLINGS INCLUDING THE PROVISION OF ACCESS FOLLOWING THE DEMOLITION OF 15 WILLOW DRIVE	Allowed	14/01/2016

Parish/Town Council Observations

Ribby with Wrea Parish Council notified on 25 July 2017 and comment:

1. *"The installation of illuminated signs is not acceptable in the opinion of the council. This is a purely residential area and will serve no purpose as there is no passing traffic. However, they will cause a nuisance to residents as they will be visible from several properties. The council recommends refusal of this item."*
2. *The use of flags is not acceptable – the height and size of the units will cause noise issues for local residents. If the purpose of the flags is to attract traffic from Ribby Road, the only visible point will be the mini roundabout at the Willow Drive / Ribby Road junction – there are already issues at this point with regards to traffic and particularly drivers being unaware of traffic exiting Willow Drive – this will further highlight this issue. The council recommends refusal of this item."*
3. *The non-illuminated signs are not an issue with the parish council – the parish council has no object to these."*

Statutory Consultees and Observations of Other Interested Parties

N/A

Neighbour Observations

Neighbours notified: No Neighbours Notified as not a requirement of legislation

Number of Responses: None

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
EP09	Shop front advertisements

Fylde Local Plan to 2032

Policy GD7:	Achieving Good Design in Development
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Other Relevant Guidance:

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

Site Constraints

Within countryside area
Tree Preservation Order

Environmental Impact Assessment

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

Comment and Analysis

Legislative Background

As this application relates to Advertisement Consent it is to be assessed against the requirements of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). These confirm that the only matters that are to be assessed are the implications of the advertisement for amenity and public safety.

Whilst this legislation is dated, this point is reinforced by para 67 of the NPPF which states:

"Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

At a local level the development plan policy is Policy EP9 of the Fylde Borough Local Plan (as amended) 2005 which is primarily aimed at shopfront advertisements and states: *"Advertisements will only be permitted where they respect the character and architectural details of the buildings on which they are proposed. The proposed signage must respect the character of the building and the surrounding area in terms of scale, details, siting and method of illumination."*

The emerging Fylde Local Plan to 2032 is more general and makes reference to advertisements in Policy GD7 relating to general design matters stating: *“w) Advertisement designs should respect the character and architectural details of the buildings and location within which they are proposed, and their surroundings, in terms of scale, details, siting and method of illumination.”*

The proposal here is therefore to be assessed against this background.

Planning History Background

Members will be aware of the planning history to this site. They may also recall the determination of application 16/0818 at the meeting of Committee on 8 February 2017 that granted consent for flag signs and a display board at the site entrance in Willow Drive. When these were erected they were in the same location but in a different arrangement and so this application includes this revised arrangement to these previously approved signs. A series of additional signage around the sales office are included in this application that did not form part of the earlier consent.

Public Amenity

The adverts are effectively in two locations: the flags and a non-illuminated display board at the site entrance from Willow Drive, and the remainder of the signage around the sales cabin that is set back from the Willow Drive streetscene within the site.

The flag/sign at the entrance are located in an area of residential properties and so it is appropriate that any signage respects that character and the domestic scale of the surrounding properties. This proposal relates to signage promoting the residential development currently under construction and which has its access at a point not directly visible from the main road network of Ribby Road. The revised location of the flags and signage at the entrance has little materially different impact to that as previously approved. The other signage is set well back from Willow Drive and will only be visible in views from first floor windows of a small number of neighbouring properties and those actually visiting the site. As such it is considered that this signage is all of an appearance, scale and siting that is appropriate for both its purpose and location, and is typical of sales signage normally associated with new residential developments. Overall the scale and siting of the advertisements is not considered to be inappropriate or unacceptable.

The Parish Council has raised concerns regarding the impact of the external illumination of the totem signs on neighbour amenity and regarding the noise generated by the use of flag adverts which may disturb local residents. The use of external illumination on the totem signs is not considered unreasonable for the forthcoming dark winter days and the proposed level of illuminance accords with that required by para 2 of Part 2 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007. These signs are also approximately 20 metres and 24 metres respectively from the closest residential properties and are screened to a large extent by intervening high boundary fences and flora. As such it is not considered that nearby residents would be unduly affected by the level of illumination proposed.

With regard to the flag adverts these are relatively narrow in width and do not feature any guide ropes or metal parts (apart from the flag pole itself) that might otherwise generate an unacceptable level of noise through movement by the wind. Any noise generated by the flags would be due only to the material of the flag flapping against the pole, which is unlikely to be of any appreciable level or louder than noise generated by the adjacent windblown trees. It is also noted that these flags have been in position for some months without any noise complaints having been received by the council. Overall it is considered that the signage is proportionate to ensure the development being advertised is appropriately visible without being excessive or compromising the general public amenity of the area.

Public Safety

The advertisements are considered to be of a scale and position that will not unduly compromise highway safety or any other aspect of the public safety obligations of policy and guidance.

Conclusion

Having viewed the proposal and assessed the issues raised against the relevant guidance in para 67 of the NPPF and Policy EP9 of the Fylde Borough Local Plan and para w of Policy GD7 of the Fylde Local Plan to 2032 it is considered that the advertisements are appropriate in scale, location, design and all other regards. Accordingly the application is recommended for approval. As with all applications for the display of advertisements, any consent granted would be subject to the standard conditions, which includes a condition which requires the advertisement to be removed after a period of 5 years. Following the expiry of this period, the advertisement benefits from deemed consent and the Council could at that time require the advertisement to be removed if it is displayed after its intended purpose, in this case to advertise the site, is no longer relevant.

Recommendation

That Advertisement Consent be GRANTED subject to the following conditions:

1. The advertisements hereby approved shall, unless a further period of consent is granted, be removed with any necessary re-instatement undertaken after the earliest of either a period of 5 years from the date of this consent, or the date on which the development of the dwellings has been completed and all sold.

In accordance with the provisions of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007, this is the maximum period of years for the display of advertisements; and in order to enable the Local Planning Authority to retain control over the situation.

2. This consent relates to the following details:

- Sales Sign Location Plan - Dwg no. SL115.90.9.TSL Rev D
- Sales Advertisement Board - Dwg no. SL115.90.9.SL.SAB
- Sales Advertisement Flags - Dwg no. SL115.90.9.SL.SAF
- Temp Sales Layout - Dwg no. SL115.90.9.TSL Rev G
- Sales Advertisement Swing Sign - Dwg no. SL115.90.9.SL.SS
- Hoarding Detail - Dwg no. SL115.90.9.SL.HD
- Elevation Detail (Cabin & Fascia) - Dwg no. SL115.90.9.SL.SC

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

3. The limits of the illuminance shall not exceed those described in paragraph two of Schedule 3 Part II of the Town and Country Planning Act (Control of Advertisements) Regulations 1992.

To avoid glare, dazzle or distraction to passing motorists and nearby residents, in the interest of highway safety and residential amenity

4. a) All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- b) Any hoarding or similar structure, or any sign, placard board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- c) Where any advertisement is required under the regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

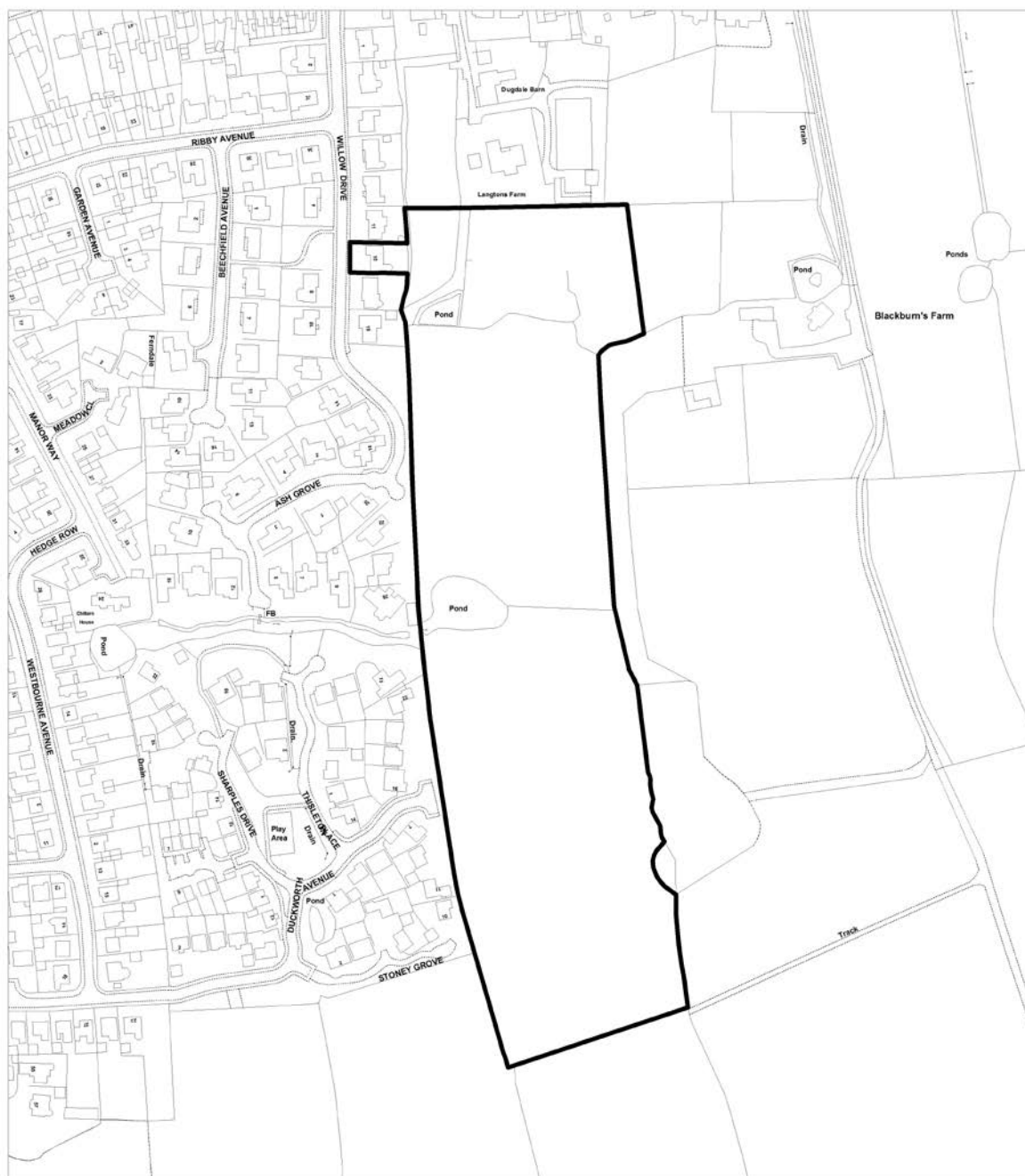
Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- e) No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway [including any coastal waters]; or aerodrome [civil or military].

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0468	Address Land rear of Langtons Farm, Ribby Road and off Willow Drive, Wrea Green	Grid Ref. E.3399 : N.4316	Scale 0 15 30 45 60 m

Item Number: 5

Committee Date: 11 October 2017

Application Reference:	17/0471	Type of Application:	Full Planning Permission
Applicant:	Newhall Downey Ltd	Agent :	ADS Design
Location:	FOUNDRY YARD, KIRKHAM ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SD		
Proposal:	ERECTION OF 4 RESIDENTIAL DWELLINGS		
Parish:	NEWTON WITH TREALES	Area Team:	Area Team 1
Weeks on Hand:	18	Case Officer:	Ruth Thow
Reason for Delay:	Securing Design Improvements and need to report at Committee		

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

<https://www.google.co.uk/maps/@53.7892006,-2.8528662,277m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application is for the erection of four dwellings on a site off Kirkham Road in Treales that has the benefit of residential permission for the erection of 2 of the 7 dwellings approved under permission 16/0217, but includes a greenfield extension to that site that will increase the overall development to 9 dwellings.

Whilst there is an inclusion of an area of greenfield land into the site, the area in question offers little value to the rural character of the countryside as it is surrounded by built development or land that has permission to be developed. Accordingly there is no visual harm from the use of this land. The proposal as a whole offers an appropriately designed development with dwellings of an appropriate scale and design that relationship well to each other, to their off-site neighbours, and to the surrounding landscape. As such the proposal is considered to comply with the relevant elements of the local plan policies and the guidance in NPPF relating to housing design with which those Policies are consistent. It is therefore recommended that the application is approved by Members.

Reason for Reporting to Committee

The application is on the agenda as the Parish Council have objected to this application yet the officer recommendation is for approval. Under the Council's scheme of delegation such applications are required to be determined by the Planning Committee.

Site Description and Location

The majority of the application site is the former Foundry Yard, now named 'Foundry Court', Kirkham Road, Treales. In particular this application relates to an irregularly-shaped parcel of land extending to an area of 0.40 hectares located to the rear of Smithy Farm and to the south side of

Kirkham Road.

The site is vacant but previously formed part of the Foundry Yard and the wider site is presently occupied by a group of portal-framed former industrial buildings which are in a poor state of repair.

The site is accessed via a recently constructed road off Kirkham Road which also serves three detached, newly constructed dwellings to the east of the access road (constructed under planning approval 12/0090). Planning application 16/0217 granted approval of reserved matters of appearance, landscaping, layout and scale pursuant to outline planning permission 15/0450 for development of 7 dwelling.

The site also includes a triangle of land that lies between this site and the rear garden of Smithy Farm and seems to have had no active use in recent years other than being associated with a long-abandoned agricultural use on the site.

The application site falls entirely outside the Treales settlement boundary and is designated as Countryside Area on the Fylde Borough Local Plan, as altered (October 2005) and this designation is carried forward in the submission version of the Fylde Local Plan to 2032 in which Treales does not have settlement status.

The land is bounded by open farmland to the south and west, with existing boundaries formed by a combination of timber post-and-wire fencing and scattered vegetation. Smithy Farm lies to the north of the site, with the farmyard comprising a series of block work and portal-framed agricultural buildings in a general poor state of repair, and a thatch-roofed, two-storey cottage (Smithy Cottage) to the northern end which is a grade II listed building. To the east, the site abuts the access drive onto Kirkham Road, with the new dwellings on the eastern boundary and the built up area of the village located beyond.

Details of Proposal

This application seeks full planning permission for the erection of four detached dwellings to the north side of the new access road as a revised layout to that previously approved under application 16/0217 including two additional dwellings.

Each dwelling is two storeys with attached single garages comprising plots 9 to 12. The dwellings provide a mix of four and five bed properties but all having the same ground floor layout providing combined kitchen/dining areas, lounge, study, WC and utility. Additional parking for a further car can be provided externally to the garages.

The dwellings are designed to be constructed using a mix pallet of brick and render and provided with external brick chimneys, UPVC window frames in black are also proposed. Each plot is to be sub-divided with close boarded timber fences to a height of 1.8 metres, block paving to driveways and soft landscaped areas to the remaining areas.

Relevant Planning History

Application No.	Development	Decision	Date
17/0634	APPLICATION FOR NON MATERIAL AMENDMENT TO RESERVED MATTERS APPROVAL 16/0217 - AMENDMENT TO HOUSE TYPE DESIGN OF PLOTS 4-8 INCLUSIVE.	Granted	13/09/2017

17/0579	APPLICATION FOR NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 15/0450 TO HOUSE TYPE DESIGN FOR PLOTS 4-8 INCLUSIVE FROM APPROVED MATTERS APPLICATION 16/2017 AS APPROVED.	Withdrawn by Applicant	27/07/2017
16/0217	APPLICATION FOR APPROVAL OF RESERVED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO OUTLINE PLANNING PERMISSION 15/0450 FOR DEVELOPMENT OF 7 DWELLINGS	Granted	05/10/2016
15/0450	OUTLINE APPLICATION FOR DEMOLITION OF EXISTING WORKSHOP BUILDINGS AND ERECTION OF UP TO 8 DWELLINGS (USE CLASS C3) INCLUDING ASSOCIATED WORKS (ACCESS APPLIED FOR WITH OTHER MATTERS RESERVED)	Granted	04/09/2015
12/0090	DEMOLITION OF EXISTING WORKSHOPS AND CONSTRUCTION OF 3 DETACHED DWELLINGS AND ACCESS ROAD.	Granted	23/05/2013
10/0261	PROPOSED ERECTION OF 8 TWO STOREY B1 WORKSHOP / OFFICE UNITS AND 3 DETACHED TWO STOREY HOUSES TOGETHER WITH ASSOCIATED INTERNAL ACCESS ROADS AND PARKING AREAS.	Granted	23/05/2013
08/0825	OUTLINE APPLICATION FOR 12 NO. DWELLINGS	Refused	20/11/2008

Relevant Planning Appeals History

None.

Parish/Town Council Observations

Treales, Roseacre & Wharles Parish Council notified on 09 June 2017 and comment:

"The Parish Council resolved to OBJECT to the above application to develop in open countryside which is in conflict with Policies SP2 and GD4 of the Fylde Local Plan.

The Parish Council does not support the enlargement of the development site which now encroaches into agricultural land part of Smithy Farm not only to the North but to the West as well and has therefore extended the boundaries of the previously approved site.

The proposed large detached dwellings are out of character with the countryside setting and detrimental to the Grade II listed building Smithy Farm.

If the applicant wishes to come back with an application within the original approved development boundary, the Parish Council would wish that the landscape scheme previously approved following consultation with Councillor Speak be put into place and that the finished appearance to the houses are of a muted colour i.e. brown/brick with grey roof tiles to enable the houses to sit appropriately in the countryside setting."

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

"The Highway Development Control Section does not have any objections regarding the

proposed 4 residential dwellings and is of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site, although the planning department is advised to consider the impact on the internal highway layout and future maintenance of the roads, as detailed in this report."

They then consider the various highway issues raised by the proposal which are summarised as follows:

- Network Capacity – As the development will replace the work shop and office elements of planning application 10/0261 the site will have similar traffic flows as the approved development. It will be accessed via a recently constructed access on to Kirkham Road which is classified as the C294 road and is categorised as a secondary distributor road with a speed limit of 40mph fronting the site access.
- Internal Layout – there is a need to ensure that the driveways each provide 2m x 11m sight lines that are free from obstruction and parked cars, and there is a need to prove the forward visibility around plots 9 and 12 as well as consideration to re-routing the footway to the more desirable route.
- Adoption – A series of comments are made with regards to works needed should the developer wish to have the roads adopted in future. These cover technical matters such as kerbway routing and design, and the need to enter into a legal agreement as part of the adoption process.
- Conditions – A series of conditions are proposed, with these being generally standard for a development of this scale and nature and covering matters such as the provision of turning head, the appropriate surfacing of the road and the maintenance of clean roads during construction.

United Utilities - Water

Refer to the need to comply with the surface water drainage hierarchy in the development of the site.

Greater Manchester Ecology Unit

Summary

No significant ecological issues were identified by the consultants. Issues relating to nesting birds and ecological mitigation can be resolved via condition.

Protected Species

There is no evidence within the assessment that any species protected under UK or EU law are at risk from the development. I have no reason to doubt this assessment. No further surveys or measures are required.

Nesting Birds

Potential bird nesting habitat was identified on the site. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended.

No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no

active bird nests are present which has been agreed in writing by the LPA.

Contributing to and Enhancing the Natural Environment

Section 109 NPPF states that the planning system should contribute to and enhance the natural and local environment. I am satisfied that the soft landscaping proposed, native tree planting around the site boundary, is adequate to mitigate for the ecological impact of the development. I am happy for the plans to be conditioned.

Neighbour Observations

Neighbours notified:	23 June 2017
Site Notice Date:	23 June 2017
Number of Responses	1
Summary of Comments	Queried the notification process but doesn't comment on the application

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
HL02	Development control criteria for new housing proposals
HL06	Design of residential estates
EP14	Landscaping of new developments
EP19	Protected species

Fylde Local Plan to 2032:

GD4	Development in the Countryside
GD7	Achieving Good Design in Development
ENV1	Landscape
ENV2	Biodiversity

Other Relevant Policy:

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

Site Constraints

Within countryside area

Environmental Impact Assessment

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

Comment and Analysis

This application seeks full permission for the re-development of part of a site which has been previously granted approval for 7 dwellings, with a minor extension to it.

Policies

The policies relevant to this application are Policies SP2, HL2, HL6 and EP14 of the Fylde Borough Local Plan, as altered (October 2005), Policies GD4, GD7 and ENV1 of the submission version of the Fylde Local Plan to 2032 and the guidance and aims of the National Planning Policy Framework and the National Planning Practice Guidance.

The development is to be considered with regard to local plan policies, as above and their compliance with the NPPF and assessing the weight which should be applied to the relevant Policies of the local plan in regards to the sustainability of the development and balancing any positive or adverse impacts the development may have.

The NPPF seeks to boost housing supply and economic growth where the site is sustainably located. In assessing sustainability, there are three dimensions and development should perform an economic, social and environmental role.

Economically to ensure sufficient land of the right type is available in the right place to support growth and innovation. Socially by providing the supply of housing required with access to local services and environmentally by protecting and enhancing natural, built and the historic environment and improving biodiversity.

Principle of development and accessibility of the site

This site is outside of the small settlement of Treales but in the main has an established use for industrial purposes (now ceased) and lies adjacent to, the settlement boundary. It is therefore largely a brownfield site that has accessibility to the village and whilst the village lacks a number of public amenities and access to public transport, it is, however, located approximately 1.9km from Kirkham town centre which includes a range of shops, schools, health services and public transport links.

Paragraph 55 of the NPPF, refers to rural areas and advises that the introduction of housing in rural areas is capable of enhancing the vitality of rural communities by supporting local shops and services elsewhere. Therefore, the lack of specific services in individual villages should not stifle development in rural areas where such facilities exist nearby and, accordingly, a development would not result in “isolated homes in the countryside”. Accordingly, it follows that future occupiers of the proposed dwellings are likely to rely on facilities in Kirkham.

Most importantly, the principle of a residential use on the majority of this site and adjoining land has already been established by the previous outline permission, and so establishes a strong precedent for the acceptability of residential development in principle.

Impact of development on the character of the countryside

In considering the impact of the development on the character and appearance of the countryside area Policies HL2 and GD7 of the respective plans are relevant.

The wider site is currently occupied by a series of buildings in poor state of repair and formerly in use as part of the Foundry Yard with this particular part of the site appearing run down and overgrown. This scheme for four dwellings proposes a re-designed layout to planning permission 16/0217 which granted approval for 7 dwellings with two properties occupying the Plots 9 & 10 as indicated in the current application with the site now extended to the north and east to provide

Plots 11 & 12. This is an additional two dwellings that would provide 9 in total on the wider site, and so the proposal needs to be considered in that context.

The site occupies a backland location to the rear of Smithy Farm and Smithy Cottage. As a result the land is not prominently in view from the main road through the village (Kirkham Road). Instead, the site is more visible across open countryside from public vantage points to the east/southeast on Spen Lane and, more distantly, to the southwest on Carr Lane.

The ground level falls away to the south of the site, and as a result the existing buildings occupy an elevated position in relation to adjoining farmland. There are, however, no public footpaths crossing the land to the south of the site (e.g. between Spen Lane and Carr Lane) which would provide direct views of the site from vantage points within adjoining fields to the south. The site's boundaries to adjoining farmland are formed by a combination of post and rail/wire fencing and scattered vegetation. A number of existing buildings are of a substantial height and massing. Therefore, whilst the most sensitive boundary in visual/landscape terms is along the southern edge of the site where it transitions into open countryside, any impacts of the development must also be considered in the context of the site's established use.

In addition the application indicates the formation of a landscaped buffer along the full length of the southern boundary in the form of a Hawthorn hedgerow and tree planting. This buffer is also continued, in the form of a Beech hedge, to the west sides of the site around plots 4 - 8. This provides an intervening feature between the access road and open countryside beyond to create a softer countryside edge to the built development than is currently the case.

The dwellings also front the road and thereby benefit from a front-facing aspect on the countryside, thus avoiding rear garden boundary treatments up against the countryside perimeter.

The Parish Council have raised concerns in respect of the additional two dwellings and their encroachment into the countryside. However, this extension of the site is small scale, and is within a site which does not benefit from any specific landscape designations. Whilst the additional site area is designated as 'countryside' and has likely only had an agricultural use it is surrounded by urban development and so has no effective rural character meaning its loss to development is not a concern. It is considered that the introduction of an additional two dwellings can be accommodated in a sympathetic manner within the site and any impact from that development can be offset by the landscape buffer to the more important wider open countryside views to the south of the site.

Relationship to neighbours

The site abuts Smithy Farm and Smithy Cottage to the north and a group of three recently constructed detached dwellings to the east. As a result of the separation distances between the proposed plots and existing dwellings the occupiers of the existing dwellings and future occupiers of the proposed properties, would not be unduly affected with respect to their amenity.

Therefore, it is considered that the development is capable of achieving a satisfactory relationship with surrounding uses and acceptable living conditions for future occupiers. The proposed landscaping also includes screening between individual plots which would be compatible with the prevailing residential character of surrounding properties and therefore it is considered that the development is capable of achieving a satisfactory relationship with surrounding uses for the purposes of policies HL2/GD7.

Highways

The site takes its access from the existing road which serves the three new dwellings to the east and merges with Kirkham Road at a priority junction. This access road is of a sufficient width to allow two-way traffic flow and its design provides adequate visibility at the junction of Kirkham Road as required in Manual for Streets.

The proposed layout also demonstrates that the scheme is capable of delivering sufficient in-curtilage parking to meet the maximum standard identified in the Local Plan. LCC Highways have not raised any objections to the scheme on the basis of the development's transport impacts, and their comments regarding site layout have been accommodated. Therefore, adequate measures can be put in place to ensure that the development has no adverse impact on the safe and efficient operation of the surrounding highway network, either adjacent to or further away from the site.

Biodiversity and protected species

The application is submitted with an ecological appraisal which has looked at the site in respect of:

- Amphibians - The site was considered to be of low significance for amphibians given its distance from any suitable breeding ponds.
- Badger - the survey states that there are no records of badgers occurring within 2 km of the site and no signs of badger on the site.
- Bats - there are 48 records of two species of bat within 2km of the site. However, the foraging habitat is very poor for bats, being open and exposed. The buildings were also considered to offer negligible potential for use by bats. Overall domestic gardens could offer higher quality foraging potential for bats than that which already exists on the site.
- Birds - there are negligible opportunities for barn owls to nest or roost on site or immediately adjacent to the site. Opportunities at the site and the immediate surrounding areas are generally considered to be poor for all birds.
- Invertebrates - impacts on the species are considered likely to be negligible, post development, domestic gardens will create greater habitat diversity in the area than already exists, the site can only improve for invertebrates.
- Reptiles - are considered to be absent from the site which offers poor quality habitat for these species.

The report has been consulted upon by the LPA's consultant ecologist who have not expressed any concern in regards to the development subject to condition in regard to mitigation.

On this basis the proposal is considered acceptable in respect of any protected species and habitat on the site and is in accordance with local plan Policies EP19/ENV2 and Paragraph 118 of the NPPF.

Drainage

Policy EPA/INF1 refers to development and waste water. The site proposed for the new dwelling is within Flood Zone 1 and foul drainage is proposed via a package treatment plant. Surface water is to connect with the existing infrastructure for the adjacent 3 dwellings.

United utilities have commented on the application and indicate that they have no objections to the development providing that the applicant implements the scheme in accordance with the surface water drainage hierarchy and that the site is drained on separate systems for foul and surface water.

Accordingly the proposal complies with Policy EPA and criterion 10 of Policy HL2 of the Fylde Borough Local plan and Paragraphs 99,100 and 103 of the NPPF.

Landscaping

Policy EP14/ENV1 of the local plan refers to planning applications for the construction of new housing or other developments, and states that "*development schemes must make suitable provision for landscape planting. Where appropriate, planning permission will be granted with conditions to ensure the proper implementation and maintenance of such and maintenance of such schemes*".

A landscaping scheme has been submitted with this application which indicates appropriate landscaping to improve biodiversity in the area and enhance the visual amenity of the site in the surrounding countryside.

Accordingly the proposal is considered to comply with Policy EP14/ENV1 of the Local Plan, and Paragraph 109 of the NPPF - 'Conserving and enhancing the natural environment'.

Heritage implications

The Smithy Cottage farmhouse (a thatch-roofed cottage) is located to the north of the site.

Paragraph 129 of the NPPF indicates that:

- Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

Paragraphs 132 and 133 of the NPPF make clear than any development causing substantial harm or total loss to the significance of a designated heritage asset (including its setting) should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. This approach is supported by local plan policy EP4 which states that development which would prejudice the setting of a listed building will not be permitted.

Two large, portal-framed agricultural buildings intervene between the farmhouse and the site boundary, and provide a substantial screen which results in the farmhouse being visible only in glimpsed views between the adjacent buildings.

Given the distance and screening between the farmhouse and the site, it is considered that the development of the scale and design proposed can be delivered on the site which preserves the significance of the listed building of Smithy Farmhouse (including its setting). Accordingly, there is no conflict with the requirements of the local plan policies, the NPPF or the Planning (Listed Buildings and Conservation Areas) Act.

Contamination

The application is accompanied by a Phase I Land Quality Assessment of the site which concludes that the site is at a "*low/moderate risk from contamination*" and recommends that further intrusive

ground investigations are undertaken in order to establish the location/extent of any contamination on the site, and any necessary remediation measures. An appropriate condition is recommended in this regard to ensure that the development does not conflict with the requirements of local plan policy and the requirements of the NPPF.

Conclusions

The proposal seeks permission for four dwellings (two additional dwellings over previously approved in a smaller site area) as part of a revised layout to a residential development approved under 16/0217 for seven dwellings on a site at the former Foundry Yard located to the south of Kirkham Road and rear of Smithy Farm in Treales. The site falls outside the settlement boundary and within the Countryside Area as defined on the Fylde Borough Local Plan. The principle of residential development in this countryside area therefore having been previously established as being in a sustainable location for new dwelling which will assist in meeting the borough's housing targets.

The site area would follow the established, previously developed boundaries of the Foundry Yard and would not encroach into adjoining open countryside. The landscaping proposed will soften the visual impact of the development along the rural edge of the site which would be compatible with the rural character of the surrounding landscape.

The scheme would not result in the loss of the Borough's best and most versatile agricultural land and there are no other landscape designations on the site to restrict its development for housing. Satisfactory arrangements would be made for vehicle access, parking and manoeuvring in order that the development would not have a detrimental impact on the safe and efficient operation of the surrounding highway network, either adjacent to or further away from the site.

The proposal would result in an acceptable relationship with surrounding uses and would have no detrimental effect on the significance of any heritage assets. Appropriate mitigation can be provided to ensure that the development would have no adverse impacts in terms of ecology, flooding and drainage. The proposal is therefore considered to represent sustainable development in accordance with the requirements of the relevant policies of the National Planning Policy Framework and the Fylde Borough Local Plan.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission / consent relates to the following details:

Approved plans:

- Location Plan - drawing no. 1350 - 1
- Proposed site layout - drawing no. 1388 51 f
- Proposed floor plans Plots 9, 10, 11 & 12 - drawing no. 55 d
- Proposed floor plans & elevations Plots 9 & 10 - drawing no. 56 d
- Proposed floor plans & elevations Plots 11 & 12 - drawing no. 57 c
- Proposed street scene view -drawing no. 59 c

Supporting Reports:

- Planning, Design and Access Statement
- Phase 1 Land Quality Assessment - PSA dated 3 June 2015
- Hydro International drainage information - dated 30.01.17.
- Ecological appraisal - Envirotech - September 2017

Reason: To provide clarity to the permission.

3. That prior to the commencement of any development hereby approved a schedule of all materials to be used on the external walls and roofs of the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority. This specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwellings and only varied with the prior written consent of the Local Planning Authority.

Reason: In order to secure a satisfactory standard of development in accordance with Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD7 of the submission version of the Local Plan to 2032 and the aims of the National Planning Policy Framework.

4. Prior to the commencement of the development hereby approved, full details of the means of surface water drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage shall not include any connections to the public foul sewer system and should it involve a Sustainable Urban Drainage System (SUDS) then details of the future management of the SUDS and a management company that will be established to oversee the maintenance of the drainage system shall form part of the submitted scheme. The approved works shall thereafter be implemented, fully commissioned and maintained on site during the development.

Reason: To ensure a satisfactory means of drainage is provided and that there is no increase in the volumes of surface water discharged from the site. In accordance with Policies HL2 and EP25 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD7 and INF1 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

5. Prior to the commencement of the development hereby approved, full details of the means of foul water drainage of the residential development area shall be submitted to and approved in writing by the Local Planning Authority. This approved scheme shall be implemented during the development and shall include that the development is drained on a separate system with only foul drainage connected into the foul or combined sewer.

Reason: To ensure that appropriate measures are taken to provide suitable drainage from the site. In accordance with Policies HL2 and EP25 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD7 and INF1 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

6. Details of finished floor levels and external ground levels for each plot shall be submitted to and approved in writing by the Local Planning Authority before any development at that plot takes place. 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 any ground works take place to establish site levels in the interests of residential and visual amenity in accordance with the requirements of Fylde Borough Local Plan policy HL2.

7. Prior to the commencement of any development a Construction Management Plan for the construction works is to be submitted to and approved in writing by the local planning authority. This shall include:
- a. Details of the location of parking areas for vehicles of site operatives and visitors;
 - b. Arrangements for the loading and unloading of plant and materials used in the construction of the development;
 - c. Locations for the storage of such plant and materials;
 - d. The type, location and operational details of a wheel washing facility
 - e. Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
 - f. Routes to be used by vehicles carrying plant and materials to and from the site;
 - g. Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties
 - h. The times when construction works that could generate noise that could be audible at the site boundary is to be undertaken.

The development shall be constructed in full accordance with the agreed details in this Construction Management Plan.

Reason: To ensure that the development is implemented whilst minimising the opportunities for safety and nuisance issues to be caused to neighbouring dwellings and the wider highway network.

8. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 1995 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

Reason: To allow for the effective use of the parking areas. In accordance with Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD7 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

9. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the streets and other communal areas within the development have been submitted to and approved in writing by the local planning authority. These areas shall thereafter be maintained in accordance with the approved management and maintenance details.

Reason: To ensure a safe and satisfactory on-going appearance of the development in accordance with Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005) Policy GD7 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

10. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005) Policy GD7 of the submission version of the Local Plan to 2032 and the aims of the National Planning Policy Framework.

11. Prior to the commencement of development full details of the boundary treatments around the

site perimeter and between the plots shall be submitted and approved in writing to the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be in place prior to occupation of each of the dwellings to which it relates.

Reason: To protect the visual amenities of the area in accordance with Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005) Policy GD7 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

12. No site clearance, site preparation or development work shall take place until a landscaping scheme incorporating ecological habitat creation and retention, enhancement and management schemes has been submitted and approved in writing. The scheme shall demonstrate maintenance of wildlife habitat (quantity and quality), including hedgerows and shall demonstrate that the development will be permeable to the passage of wildlife. Specific details shall also include finished levels, means of enclosures, car parking [as applicable] hard surfacing materials, provision of refuse receptacles, lighting and services as applicable soft landscape works shall include plans and written specifications noting species, plant size, number and densities and an implementation programme. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

Reason: To enhance the quality of the development in the interests of the amenities of the locality and in the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981, Policy EP19 of the Fylde Borough Local Plan, as altered (October 2005), Policy ENV2 of the submission version of the Local Plan to 2032 and the National Planning Policy Framework, Section 11.

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

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

14. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981, Policy EP19 of the Fylde Borough Local Plan, as altered (October 2005), Policy ENV2 of the submission version of the Local Plan to 2032 and the National Planning Policy Framework, Section 11.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0471	Address Foundry Yard, Kirkham Road, Treales	Grid Ref. E.3440 : N.4328	Scale 0 6 12 18 24 m

Item Number: 6

Committee Date: 11 October 2017

Application Reference:	17/0509	Type of Application:	Outline Planning Permission
Applicant:	Ribby Hall Village	Agent :	Fletcher Smith Architects
Location:	WINDRUSH FARM, BROWNS LANE, RIBBY WITH WREA, PRESTON, PR4 3PQ		
Proposal:	OUTLINE (ACCESS, LAYOUT AND LANDSCAPING APPLIED FOR) APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 40 NO TIMBER HOLIDAY LODGES SURROUNDING A NEW LEISURE LAKE WITH ASSOCIATED LEISURE FACILITIES, AND A 50 VEHICLE CAR PARK TO ACCOMMODATE NEW AND EXISTING STAFF MEMBERS.		
Parish:	RIBBY WITH WREA	Area Team:	Area Team 1
Weeks on Hand:	16	Case Officer:	Rob Buffham
Reason for Delay:	Need to determine at Committee		

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

<https://www.google.co.uk/maps/@53.7766376,-2.8919769,1108m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

The planning application relates to a triangular parcel of land located adjacent to the south eastern boundary of Ribby Hall Village. Outline planning consent is sought for 40 holiday lodges, recreational facilities (leisure lake, club house and marina), 50 staff car parking spaces with matters relating to access, landscaping and layout applied for.

The holiday lodge and club house elements of the proposal are all located within designated green belt and are not one of the land uses supported by the NPPF within such areas. On this basis the proposal is considered to be inappropriate development within the green belt, impinging on openness, contributing toward the merging of Kirkham and Warton and encroachment of development into the countryside. The presence of a public right of way to the western boundary of the site intensifies the prominence and visual impact of the development.

The applicant has provided information in an attempt to justify the very special circumstances necessary to outweigh the green belt policy position. This includes a 'Socio-economic Benefits Statement' which estimates construction of the development to cost £7 million, taking 2 years to build. It is estimated that the development would support 15 jobs per annum during the construction period. Once operational 22 additional staff will be employed in full and part time roles, and is estimated to create 3 jobs off site. The Design and Access Statement also refers to regeneration of vacant derelict buildings, enhanced landscaping and habitat provision, and access to increased leisure and recreational uses.

The decision for Members to consider is whether the reported benefits of the scheme represent the very special circumstances necessary to outweigh the harm that the

development will cause to the green belt.

In this case it is considered that the reported benefits of the scheme are minor and are not considered to be the very special circumstances necessary to outweigh the harm to the green belt, and refusal of the proposal is recommended.

Reason for Reporting to Committee

The application is 'major development' and the Chairman of Committee has requested that it be determined at Planning Committee due to the borough-wide implications of an expansion of Ribby Hall Leisure Village.

Site Description and Location

The planning application relates to a triangular parcel of land located adjacent to the south eastern boundary of Ribby Hall Village. The site is currently occupied to the south west by a dwelling, stables, ménage and riding arena building, the remainder being grazing land used for the exercise of horses. Open fields envelope the site to the south and up to the boundary with Kirkham Prison to the east. The boundaries are largely defined by existing vegetation and trees and there is a small pocket of trees intruding into the site midway along the eastern boundary. The southern boundary is set to the brow of a hill, with land levels across the site falling away from this point in a northerly direction.

Vehicular access to the site is currently via a gated entrance from Browns Lane, which serves the residential and equestrian uses on the site. A Public Footpath (5-10-FP 9) runs along the western boundary of the site. The site is within Flood Zone 1.

The majority of the application site is allocated as Green Belt in the adopted Fylde Borough Local Plan (FBLP) and Submission Version Fylde Local Plan to 2032 (SV), a small portion to the south east is within the Countryside Area. The Grade II Listed Building of Ribby Hall is located 500m north west, being separated from the development by lodges within the existing Ribby Hall Village.

Details of Proposal

Outline planning consent is sought for 40 lodges, recreational facilities (leisure lake, club house and marina), 50 staff car parking spaces with matters relating to access, landscaping and layout being applied for only. Detail relating to appearance and scale are to be assessed through subsequent reserved matters application(s).

The existing ménage, riding arena building and stables will be demolished to facilitate the development, the existing dwelling is to be retained. The development is orientated about a central leisure lake which will provide recreational opportunities for visitors to Ribby Hall such as fishing, canoeing, kayaking and sailing. Excavated spoil from formation of the lake will be used to re-grade the site. The 40 lodges will be sited about the lake internally facing and overlooking the waterbody. The lodges will be of single storey appearance providing 3 bedroom accommodation, over 3 different sizes of footprint (13.7 x 6.7, 16.8 x 6.7 and 18.3 x 6.7) and constructed predominantly of timber. The western side of the lake will be utilised as a small marina and club house where the recreational activities will be available.

The lodges will be accessed via a link road from the Village and circular road about the perimeter of the lake, Browns Lane will be used for emergency access only and a fitness trail will be provided

about the site perimeter. Submitted drawings indicate provision of extensive tree planting about the site perimeter which will supplement existing vegetation and trees identified in the Tree Survey.

The scheme will also provide for 50 additional staff parking spaces located to the south west on the site of the existing ménage, in order to account for existing shortfalls of provision. The parking area will be accessed via the new link road, and footpath provision is provided to the hotel located to the west of the application site.

Relevant Planning History

Application No.	Development	Decision	Date
03/0465	MODIFICATION OF AGRICULTURAL TENANCY CONDITION ON 5/83/457 (CONDITION 3), 5/83/675 (CONDITION 2) AND 5/87/779 (CONDITION 1) TO ALLOW OCCUPATION BY EMPLOYEE OF LIVERY YARD	Granted	23/07/2003
03/0038	PROPOSED REMOVAL OF AGRICULTURAL TENANCY CONDITION FROM PLANNING PERMISSIONS 5/83/457 (CONDITION 3), 5/83/675 (CONDITION 2) AND 5/87/779 (CONDITION 1)	Withdrawn by Applicant	03/07/2003
98/0263	ERECTION OF 8 NEW STABLES, ERECTION OF 5 METRE HIGH SODIUM LIGHTS ON THE EXISTING SAND PADDOCK AND RETROSPECTIVE PERMISSION FOR THE SAND PADDOCK	Granted	02/12/1998
98/0518	CERTIFICATE OF LAWFUL USE FOR LIVERY	Granted	30/09/1998
87/0779	ALTERATIONS TO APPROVED DWELLING	Granted	27/01/1988
83/0675	RESERVED MATTERS - FARMHOUSE AND GARAGE (AGRICULTURAL WORKER'S CONDITION).	Granted	12/10/1983
83/0457	OUTLINE - FARMHOUSE (AGRICULTURAL WORKERS CONDITION).	Granted	20/07/1983
82/0419	OUTLINE - ONE DWELLING.	Refused	18/08/1982
81/0846	STABLES AND INDOOR EXERCISING AREA.	Granted	09/12/1981
81/0857	INSTALLATION OF GAS SUPPLY TANK.	Granted	09/12/1981
81/0479	MOBILE HOME AND STUD FARM.	Granted	24/06/1981
80/0251	STUD FARM FOR SHIRE AND CLYDESDALE HORSES.	Refused	29/04/1981

Relevant Planning Appeals History

None

Parish/Town Council Observations

Ribby with Wrea Parish Council notified on 26 June 2017 and comment:

The Parish Council has the following concerns:

- *Issues of drainage.*
- *Encroachment in to the Green Belt Area.*
- *Siting within the area of separation.*
- *Properties are of the type that will be occupied throughout the year rather than holiday homes.*

- Increased traffic to the site.

Whilst the development is aesthetically pleasing, there are genuine concerns that the development is starting to sprawl and close to the area of separation between Ribby with Wrea and Kirkham.

Kirkham Town Council notified on 26 June 2017 and comment:

No objection.

Statutory Consultees and Observations of Other Interested Parties

National Grid

No comment received. To be reported by Late Observations if received.

HM Inspector of Health & Safety

Do not advise, on safety grounds, against the granting of planning permission.

Lancashire County Council - Highway Authority

No objection, subject to conditions requiring implementation of the road layout, footpath link to the hotel and parking areas, road construction to LCC specification and scheme to restrict Browns Lane access to emergency vehicles only.

Lancashire County Council carried out a full week transport study, beginning on 25 January at the eastern boundary of the site with Blackpool Road. The traffic study indicates: -

- The 85th percentile speed is 34mph east bound and 36mph west bound.
- The average weekday flow of traffic passing the site is 5113 east bound and 4906 east bound.
- The morning peak traffic period is 8am till 9am in both directions
- The evening peak traffic period is 4pm till 5pm east bound and 5pm till 6pm west bound

It is understood that the 50 vehicle car park is to accommodate new and existing staff members and as such the additional car parking space would not generate any significant increase in existing staff numbers, but would free up customer parking nearer the main complex.

Highway Capacity

As part of the applicants planning application their consultants Prime Transport Planning produced a Transport Statement dated the June 2017. The Transport consultants carried out a two week traffic count within the site from 8 April 2017 till 21 April 2017. This traffic count included Easter Bank holiday weekend and the schools half term breaks as such it is considered that this study is robust for the holiday village and represents a period of high demand and occupancy at the village.

The traffic study was carried out around similar use holiday let units to determine the existing use of the site and these results were then manipulated to accommodate the proposed additional traffic movements generated by the 40no timber holiday lodges.

The study indicates that the proposed 40no timber holiday lodges would not have a significant impact on vehicle movements at the site access with Ribby Lane during the

am and pm rush hours.

The National Planning Policy Framework directs in paragraph 32 states "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The Highway Development Control Section is of the opinion that the proposed 50 vehicle car park to accommodate new and existing staff members and other associated works will not have a severe impact on highway capacity in the immediate vicinity of the

Highway Safety

The Lancashire County Councils five year data base for Personal Injury Accident (PIA), was checked on 29 August 2017. The data based indicates there has / been two reported incidents near the access to the new development. The incidents includes one vehicle losing control on loose material and the other vehicle losing control on a bend.

Whilst any accident is regrettable, the highway network surrounding the site is considered to have a good accident record and indicates there are no underlying issue which the proposed development would exacerbate.

Based the guidelines in Manual for Streets, observations on site and the plans provided by the applicant, the Highway Development Control Section is of the opinion that available sight lines from the existing access onto Ribby Lane over the existing adopted highway are acceptable.

Based on the prescribed design standards, observations on site and the plans provided by the applicant, the Highway Development Control Section is of the opinion that existing site access geometry onto Ribby Lane is acceptable.

The National Planning Policy Framework directs in paragraph 32 states "*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*" and "*safe and suitable access to the site can be achieved for all people*".

The Highway Development Control Section is of the opinion that the proposed development should not have a severe impact on highway safety in the immediate vicinity of the site.

Footpath Officer

Comment outstanding and will be reported by Late Observations of received.

Natural England

No comments to make on the application.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment.

Greater Manchester Ecology Unit

No objection subject to conditions requiring method statement for demolition, lighting, reasonable avoidance measures for protection of great crested newts during construction, compensation for loss of breeding swallow habitat, no works affecting breeding bird habitat during the breeding season, containment/ control/ removal of invasive species (Japanese Knotweed), and, provision of bat and bird nesting boxes.

Bats

Habitats and features that may be used by foraging bats are being retained in the development. Of the buildings to be lost one, Building 2 has been identified as having low bat roost potential and further survey has been recommended. Normally any necessary bat surveys should be submitted prior to the determination of the application. However having looked at the description and photographs of the building, we would consider this recommendation to be of a precautionary nature and should be undertaken immediately prior to the building being demolished. We would therefore advise that a condition be attached to any permission, if granted requiring a method statement for the demolition of this building in relation to bats. The lighting design of the development should also follow the recommendations in the ecology report and lighting around the new lake should also be carefully designed.

Great Crested Newts

The site supports habitat that could be used by great crested newts and there are ponds in close proximity to the site. However, all areas of suitable habitat appear to be retained and the ecology report recommends that precautionary measures are taken to avoid harm to newts. These measures, known as Reasonable Avoidance Measures, should be required by condition.

Breeding Birds

The report identifies that there will be loss of swallow nesting sites and recommends that compensation for this loss is provided.

Landscaping

The Ecology Report recommends that any tree or hedgerow planting should be of native species. However this has not been followed through in the Landscaping Schedule. We would therefore recommend this plan be amended to exclude species such as sycamore and horse chestnut to be replaced with species such as pedunculate oak, holly, wild cherry and silver or downy birch.

Regeneration Team (Landscape and Urban Design)

The site is located on a parcel of land which lies in the Green Belt and is enclosed by woodland areas and drainage ditches which have high ecological value (refer LCC and LERN). Woodland along the western boundary of the site is also protected by TPO. National and local Green Belt policy sets out the need for inappropriate development in the Green Belt to be resisted.

The site comprises five small fields currently used for grazing horses. It slopes gently towards the west with a slightly dished topography towards the centre. The existing farm and stables at Windrush Farm appear to be disused and uninhabited. Visually the site is very contained and views from the surrounding areas are limited by topography and the woodland belts around the boundaries.

The proposed development would be largely contained by existing vegetation and topography and there would be limited damage to the TPO woodland through

development. However, excavation of the lake would alter the local ground water conditions and may have a detrimental effect on the ecological and visual value of the surrounding ditches and woodland. In addition, I do not believe that the spoil excavated from the proposed lake can be adequately distributed around the site without significant impact on the existing landscape, which would in turn compromise the screening which exists at present. Light pollution from the proposed development would also be extended into the countryside.

I would expect both a hydrology and ecology report to determine the effects of the proposed lake on the local drainage systems and TPO woodland, with accompanying cross sections and elevations of the development. In addition, a substantial woodland buffer should be provided along the eastern boundary to contain Ribby Hall Village. A fully detailed landscape plan should be provided which considers the hard and soft landscape and includes lighting proposals.

Regeneration Team (Trees)

Site has a 'self-contained' feel owing to topography and the occurrence of linear wooded areas to its boundaries. The proposal is not visually intrusive for this reason.

Bracken Strip wood, lying between the proposal site and Ribby Hall is TPO'd and functions to separate and buffer the two sites. Those woodlands to the boundaries with the old Kirkham Camp and Halls Wood are currently not protected. Kirkham Camp belongs to HM Ministry of Justice and it's probably never been necessary to consider a proactive TPO here.

The proposed access road seems to invade root protection areas in places but this has been anticipated by the applicant and an engineering solution (Cell Web) has been put forward, which is acceptable.

The suggestion of a woodland buffer is also welcome, though I feel the council may want input into suitable species composition.

My reservations are around the following matters:

- Drawing 2017-070-SK-02 A indicates a possible main sewer connection that pierces Bracken Strip wood to connect to the pumping station at Ribby Hall. This is obviously undesirable and we need to know what is envisaged to gain a better appreciation of what this might cost in terms of trees.*
- I don't welcome the notion of using overburden from the proposed leisure lake around the site as "bunds". These won't be attractive – rather they will provide an artificial appearance to what is now a very natural landscape.*
- Contour lines indicate a fall of 5 metres from the site to the wooded boundaries. That fall allows soil water to percolate to the trees below. I fear the large lake will prevent this and so change the soil hydrology, making the water less available to offsite trees. This, in the long term, might be harmful.*
- The site is crossed by public right of way No 3. This is a rural walk through green belt, available to anyone who wishes to use it. Walkers can experience this as rural seclusion, open views and tranquillity. If permitted the path will be experienced as a walk through a suburb – access roads, private properties, vehicles, onlookers, a sense of trespass even – will be the walker's sensation. The proposal represents a loss of rural seclusion that is available to no cost to any person.*

- *On balance, I therefore don't express support for this.*

Environment Agency

This type of development is not listed in the 'When to consult the Environment Agency' document or in the Development Management Procedure Order 2015 General Permitted Development Order.

United Utilities

No objection to the proposal subject to condition requiring implementation of principles contained within the Flood Risk Assessment, no surface water to the public sewer and a scheme for the management/ maintenance sustainable drainage systems.

Lead Local Flood Authority

No objection subject to conditions requiring provision for surface water drainage to be agreed, no occupation until implementation of SuDS, management and maintenance of sustainable drainage and provision of attenuation basins and flow control devices prior to construction.

Council for Protection of Rural England (CPRE):

Object to the proposals for the following reasons:

1. Precedent if the development was allowed.
2. Conflict with green belt policy.
3. No 'very special circumstances'.
4. Alteration of the green belt – no strategic review of the green belt boundary proposed in the new local plan.
5. Examination of the Local Plan Green Belt policy – minor alterations to the green belt boundary only in the new local plan which do not concern the green belt at Windrush Farm.
6. Loss of agricultural land.

British Aerospace

No comment received. To be reported by Late Observations if received.

NATS

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

MoD

No comment received. To be reported by Late Observations if received.

Neighbour Observations

Neighbours notified:	26 June 2017
Site Notice Date:	3 July 2017
Press Notice Date:	13 July 2017
Number of Responses	None

Relevant Planning Policy

Fylde Borough Local Plan:

SP03	Development in green belt
TREC04	Ribby Leisure Village
TREC03	Tourist Accommodation Outside Lytham St Annes
TREC06	Static Caravans and Chalets
EP10	Protection of important landscape and habitat features
EP12	Conservation trees & woodland
EP14	Landscaping of new developments
EP11	Building design & landscape character
EP17	Dev't in or near Biological & Geological Heritage Sites
EP18	Natural features
EP19	Protected species
EP04	Alteration and adaptation of listed buildings

Fylde Local Plan to 2032:

GD2	Green Belt
GD7	Achieving Good Design in Development
EC6	Leisure, Culture and Tourism Development
CL1	Flood Alleviation, Water Quality and Water Efficiency
CL2	Surface Water Run-Off and Sustainable Drainage
ENV1	Landscape
ENV2	Biodiversity
ENV5	Historic Environment

Other Relevant Policy:

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

Site Constraints

Pipelines
Within Green Belt

Environmental Impact Assessment

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

Comment and Analysis

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

- principle of development,
- landscape impact,
- loss of agricultural land,
- highways,
- trees,
- ecology,
- flood risk and drainage,

- impact to the setting of a Grade II Listed Building.

Principle of development

The application site adjoins the south eastern boundary of the Ribby Hall Village, located to the periphery of a much larger green belt allocation situated between the settlements of Kirkham and Freckleton, as defined by both the FBLP and SV. A small easterly portion of the site is within open countryside.

Paragraph 79 of the Framework (NPPF) states that the Government attach great importance to green belts, with their fundamental aim being to prevent urban sprawl by keeping land permanently open. Paragraph 80 of the NPPF refers to five purposes for including land within green belt including, to prevent neighbouring towns from merging and to assist in safeguarding the countryside from encroachment. Paragraph 89 advises that Planning Authorities should regard the construction of new buildings as inappropriate in the green belt, with the only exception to this being for agriculture and forestry, extension/ alteration or replacement of a building, appropriate provision of sport, recreation and cemeteries, limited infilling or redevelopment of brownfield land which has no greater impact on the openness of the green belt. Policy SP2 of the FBLP and GD2 of the SV reflect the green belt policy position of the NPPF.

Whilst buildings are to be demolished as part of the proposal, such works are to facilitate access arrangements only and all lodges and the club house are located on undeveloped green belt land. The lodges, club house and associated infrastructure are not considered to be one of the new building typologies specified by paragraph 89 of the NPPF, or development plan, as appropriate for a green belt location. On this basis the principle of the development proposed is considered contrary to local and national green belt policy, contributing toward the encroachment of development into the countryside and the merging of Kirkham and Warton.

Paragraph 88 of the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm by reason of inappropriateness (and any other harm) is clearly outweighed by other considerations. The applicant has referred to Very Special Circumstances within the submitted Planning Statement and has provided a 'Socio-economic Benefits Statement' (SEBS) to justify support for the proposal.

Very Special Circumstances.

The SEBS report states that due to the economic downturn there are 2200 fewer jobs in Fylde Borough than there were in 2010 (-5%) which compares to growth of 3.4% in Lancashire and 7.3% in Great Britain. The second largest employment sector is the accommodation and food services sector which accounts for 4000 jobs (10% of employment), the tourism sector is therefore considered as being an important source of employment in the Fylde and a key driver for growth helping to create new opportunities for local residents. The Lancashire STEAM report 2012 showed that the Borough attracts over 3 million visitors annually, generating nearly £220 million spending in the local economy. The importance of the tourism sector to Lancashire and Fylde's economy is recognised in a number of local strategies and plans including the Lancashire Visitor Economy strategy, Fylde Boroughs' Economic Development Strategy and the Local Plan, and Ribby Hall Village (RHV) is singled out as a major asset in these strategies.

The SEBS views Ribby Hall Village as a major asset and key contributor to the local tourism sector employing 650 on-site jobs (520 permanent and 130 contractors or tenant businesses), making RHV the largest single employer in Fylde's tourism sector. It currently attracts 92,200 overnight visitors

per annum and generates a total turnover of £24 million. This equates to 10% of total visitor expenditure, 14% of overnight stays and 1 in 5 jobs, in Fylde's tourism sector. Annual visitors to RHV increased by over 10,000 between 2015 – 2016 and the company has created over 100 jobs since 2014 (25% increase) and directors are confident that the business will continue to grow profitably.

The SEBS also views RHV as supporting jobs off site through expenditure with local suppliers, 60% of employees live and spend earnings within the Borough, visitors will also make trips off the village and spend money in the local economy. It is estimated that RHV supports around 700 jobs in Fylde Borough, 1 in 54 jobs in Fylde are either directly or indirectly supported by RHV and is therefore considered to be a high quality source of employment for local people.

The SEBS estimates construction of the development to cost £7 million (including cost of the lodges), taking 2 years to build. It is estimated that the development would support 15 jobs per annum during the construction period. Once operational 22 additional staff will be employed in full and part time roles, and is estimated to create 3 jobs off site.

The submitted Planning Statement refers to other special circumstances, namely:

- Regeneration of the site given its redundant previously developed use as an equestrian centre.
- Addressing existing onsite parking problems.
- Opportunity and access to additional outdoor sport and recreational facilities.
- Design of the proposal limits impact on the openness of the green belt through use of landscaping which will have no detrimental impact on the green belt with visual and ecological enhancement of the site, single storey time lodges, use of previously developed land on the site.

Loss of agricultural land.

Policy EP22 states that development will not be permitted if it would involve the permanent loss of the best and most versatile agricultural land (grades 1, 2 and 3a) where it could reasonably take place on previously developed sites, on land within the boundaries of existing developed areas or on poorer quality agricultural land. Policy EP22 identifies that there is no Grade 1 agricultural land within the borough, with Grades 2 and 3a considered the best and most versatile. Policy GD1 of the SV maintains a similar policy stance.

The application is supported by an Agricultural Land Classification and Soil Handling Strategy (ALC) which concludes that the land is currently used as permanent pasture for the grazing of horses and quality on the whole site is limited by soil wetness coupled with soil texture of Subgrade 3b. On this basis it should be concluded that the development would not result in the permanent loss of the best and most versatile agricultural land (Grade 2 and 3a) within the Borough.

Visual and Landscape Impact.

Policy HL2 supports new residential development which is compatible with adjacent land uses and would be in-keeping with the character of the locality. Policy EP11 states that new development in rural areas should be sited so that it is in keeping with landscape character, development should be of a high standard of design and matters of scale, features and building materials should reflect the local vernacular style. Policies EP10 and EP12 seek to protect the distinct character and important habitats of Fylde will be protected, including protection of important landscape and habitat features, such as hedgerows. Policy EP14 requires new housing developments to make suitable provision for landscape planting. This reflects policies of the SV.

The applicant refers to the scheme being designed to limit the impact on the openness of the green

belt, referring to this matter as a very special circumstance in support of the proposal. The submitted Landscape Visual Impact Assessment (LVIA) concludes that the development will slightly reduce green belt oneness within the site boundary but the development could be accommodated without causing harm to the landscape character and visual amenity of the surrounding countryside. There will be an immediate change in the character of the existing site, but this would be limited to within the site boundary. The proposal is likely to have a minor negligible effect on the broad landscape, however the landscape proposals are considered to be beneficial to biodiversity and enhance landscape character. The proposal will have a range of effects with that being more adverse within close proximity to the development. Recreational receptors located on footpaths to the western boundary of the site will experience major effect. Green belt openness will be reduced but visually this will be contained to the landscape southern boundary.

The majority of landscape features on the site will be retained within the proposal. The felling of low quality trees on the site is reported, and the proposal has made for extensive replacement planting to the south and eastern boundaries within the landscaping proposals. The Tree Officer comments that the longevity of retained trees could be affected by altered land levels. The Landscape Officer comment broadly concurs with the LVIA stating that the site is very contained with views from the surrounding areas being limited by topography and woodland belt to boundaries. Site section drawings illustrate that land levels will be altered on site to facilitate provision of the lake and to set lodges to a lower land level, and, will act to reduce visibility of the proposal when viewed externally. Notwithstanding, it is recognised that a public right of way is located to the western edge of the application site and would act to increase visibility and prominence of the development from this public vantage point, whilst spoiling the countryside experience for users of the network. The submitted LVIA acknowledges this impact.

Principle of Development – Conclusion

The holiday lodge and club house elements of the proposal are all located within designated green belt and are not one of the land uses supported by the NPPF within such areas. On this basis the proposal is considered to be inappropriate development within the green belt, impinging on openness, contributing toward the merging of Kirkham and Warton and the encroachment of development into the countryside. Whilst the site is not particularly visible from external vantage points, the site would be particularly prominent when viewed from a PROW to the western boundary.

It is recognised that there will be direct economic benefits resultant from the development, including investment in the local economy of the Borough, as well as job creation both at RHV and other businesses associated to the tourism industry. The proposal would also improve the appearance of developed portion of the site through removal of redundant buildings and replacement with a sensitively designed scheme, as well as improving access to additional leisure and recreational uses.

It is important to note that, in terms of impact upon the green belt, the concept of “openness” means the state of being free from built development, the absence of buildings, as distinct from the absence of visual impact.

The decision for Members to consider is whether the reported benefits of the scheme represent the very special circumstances necessary to outweigh the potential harm of the development on the green belt.

Whilst visible at close quarters from the public footpath, it is not considered that the development would be particularly prominent when viewed externally.

It is considered that the reported benefits resultant from the proposals are relatively small and are not considered to be, either individually or together, the very special circumstances necessary to outweigh the potential harm to the green belt by reason of the in-appropriate development.

Highways

Paragraph 32 of the NPPF states that decision makers should take account of whether safe and suitable access to the site can be achieved for all people, and, improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy HL2 supports new residential development provided satisfactory access and parking arrangements are provided, and do not adversely affect the safe and efficient operation of the highway network, either individually or cumulatively with other permitted developments. Policy TR1 also encourages the improvement of facilities for pedestrians to encourage walking as an alternative means of travel. Policy GD7 and T5 of the SVFLP reiterate the above highway policy position.

Access to the lodges and 50 space staff car park will be via an internal link road from RHV and not via Browns Lane. Browns Lane is proposed to be used for emergency access only. The new car park will be linked to the hotel on RHV via a new footpath. Existing buildings to the south west of the site will be demolished to enable a new access road to lodges and associated parking areas and will be a circular peripheral route about the lake. A Transport Statement accompanied the planning application.

The Highway Authority (HA) comment that the proposed car park is to accommodate existing and new staff members resultant from the development. It is not considered that the proposals would generate any significant increase in staff numbers and would also free up customer parking closer to the main complex. The submitted Transport Statement indicates that the proposal would not have a significant impact on vehicles movements at the RHV main site access during Am and PM peak periods. On this basis the HA conclude that the development would not have a severe impact on highway capacity. Furthermore, the HA refer to only 2 reported accidents adjacent to the main access point in the previous 5 years and that appropriate visibility to the main access is provided currently.

On this basis the HA concludes that the proposal should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

Trees

There are a number of trees on the site which afford amenity value to the locality, those to the western boundary are safeguarded by Tree Preservation Order. Policy EP12 states that trees and hedgerows which individually or in groups make a significant contribution to townscape or landscape character will be protected. Policy GD7 of the SV seeks to protect existing landscape features.

The application is supported by a Tree Survey which indicates that the development will require the removal of one low quality group and part of two further low quality groups, but states that the proposal can accommodate substantial new planting in mitigation. Significant tree planting to the site periphery is provided for on the layout provided.

The Tree Officer has not raised objection to the referred tree felling and welcomes the use of an engineering solution (cellweb) in circumstances where the new road layout conflicts with the root

protection area (RPA) of existing trees. Support is also offered for the woodland planting subject to provision of appropriate species within the final scheme.

The Tree Officer raises concern to the provision of a main sewer through the woodland to the west. A condition requiring detail of drainage routing and construction methodology should be applied to any approval to ensure trees are safeguarded. The Tree officer also refers to possible impact on existing hydrology of the site. Currently existing land levels allow soil water to percolate toward trees, new land levels proposed could interrupt this flow making water less available for trees which could be harmful in the long term. Members should note that this is a potential long term impact of the development only and would be difficult to substantiate a reason for refusal on such grounds.

Ecology

The site has no specific nature conservation designation in the Local Plan, though is within a Site of Special Scientific Interest (SSSI) impact risk zone associated to a SSSI south of the site.

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 states that local planning authorities should aim to conserve and enhance biodiversity, refuse consent if significant harm resulting from a development cannot be avoided, and opportunities to incorporate biodiversity in and around developments should be encouraged.

Policy EP15 indicates that development affecting the integrity of a designated European Site will not be permitted. Policy EP16 states that development proposals within or likely to prejudicially affect SSSIs will not be permitted unless damaging impacts on the nature conservation interest of the site can be appropriately avoided or mitigated. Policy EP18 encourages the retention/replacement of existing natural features and the introduction of additional features as part of the development in order to provide biodiversity enhancements. Policy EP19 identifies that development which would have an adverse impact upon species specifically protected under schedules 1, 5 or 8 of the wildlife and countryside act 1981, (as amended) or their habitats will not be permitted. Policies ENV1 and ENV2 of the SV reflect this current policy position.

The application was accompanied by a Preliminary Ecological Appraisal. The Appraisal concluded that trees on site have a moderate-high potential for use as a bat roost, and, buildings have a negligible-moderate potential. The site has been classified as moderate for bat foraging and commuting habitat, and, the scheme therefore has sought to retain and enhance such habitats. Measures are also proposed to enhance biodiversity including provision of bird boxes, barn owl nesting box, tree planting and provision of a wild flower meadow. Further bat surveys prior to demolition of buildings, and, reasonable avoidance measures for great crested newts are suggested on a precautionary basis.

Natural England has no objection to the proposal and the consultant Ecologist agrees with the Appraisal findings and suggests conditions to ensure Conclusions of the Ecological Appraisal are implemented.

Flood Risk and Drainage

The site falls entirely within flood zone 1, as defined on the Environment Agency's Flood Map. Policy EP25 and EP30 of the FBLP states that development will not be permitted which would be subject to an unacceptable risk of flooding or create an unacceptable increase in the risk of flooding within the development site, or elsewhere, foul sewers and sewerage treatment facilities should be of adequate design and capacity to meet additional demand or their provision can be secured as part

of the development. Policies CL1 and CL2 of the SV reflect EP25 and EP30, and encourage use of sustainable urban drainage systems.

A Flood Risk Assessment (FRA), surface water flow and indicative foul sewer information has been provided with the application. The FRA sites the application site within Flood Zone 1 meaning the site has a low probability of flooding (less than 1 in 1000 year event) and the site has been shown to be at low risk of flooding from groundwater, sewers and reservoirs and therefore requires no further mitigation. The surface water flow directs overland flows toward the newly formed lake and foul drainage from lodges will be directed to the existing network serving RHV.

United Utilities, the Flood Authority and the Environment Agency have not raised objection to the proposal, subject to conditions requiring submission of a surface water drainage scheme, and that appropriate management and maintenance plans are put in place in respect of any sustainable drainage system. Therefore, adequate measures can be put in place in order to ensure that the development poses no unacceptable risk in terms of flooding in accordance with the requirements of FBLP policies EP25 and EP30, and the NPPF.

Heritage

Ribby Hall is a Grade II building located to the north west of the application site, to the opposing side of the RHV. According to the Historic England web site, the property is a Mansion house constructed during the 1790's for Joseph Hornby and has now been converted to private suites.

Paragraphs 132 and 133 of the NPPF make clear that any development causing substantial harm or total loss to the significance of a designated heritage asset (including its setting) should be refused, other than in exceptional circumstances. This approach is supported by FBLP Policy EP4 and ENV5 of the SV which states that development which would harm the setting of a listed building will not be permitted.

The Grade II heritage asset is located approximately 500m to the north west with the lodges within RHV and woodland intervening between the application site. There are no views of the application site from the listed structure, or vice versa, and, the existing RHV site itself acts as a barrier to obscure and dilute the setting of the Listed Building. The presence of the application site south east of the RHV would not unacceptably impinge on this existing situation to any greater extent.

On this basis it is not considered that the development would not have any harmful impact, nor would it diminish significance on the setting of the listed heritage assets, in accordance with the development plan and NPPF.

Conclusions

The holiday lodge and club house elements of the proposal are all located within designated green belt and are not one of the land uses supported by the NPPF within such areas. On this basis the proposal is considered to be in-appropriate development within the green belt, contributing toward encroachment of development into the countryside, impinging on openness and contributing toward the merging of Kirkham and Warton. The presence of a public right of way intensifies the prominence of the site and visual impact of the development.

The applicant has provided information to demonstrate the very special circumstances necessary to outweigh the green belt policy position. This includes a 'Socio-economic Benefits Statement' which highlights economic benefit associated to the development. The submitted Planning Statement also refers to a number of other unique circumstances including regeneration of a vacant derelict site,

enhanced landscaping and habitat provision, and, access to increased leisure and recreational uses.

The decision for Members to consider is whether the reported benefits of the scheme represent the very special circumstances necessary to outweigh the potential harm of the development on the green belt. Notwithstanding, it is considered that the reported benefits resultant from the proposals are relatively small, that the development will adversely affect the openness of the green belt and that there are no very special circumstances necessary that outweigh the potential harm.

At present there are no other technical matters to prohibit the site's development, although outstanding consultee responses from air safety consultees are awaited and may indicate concerns over the implications for birds to be attracted to the proposed water body to the detriment of air safety at BAE Systems Warton.

In the event of approval, since the proposal would be contrary to green belt policy the application must be referred to the Secretary of State for determination.

Recommendation

That the authority to refuse this application be delegated to the Head of Planning & Regeneration subject to receipt and consideration of comments from BAE Systems and the Ministry of Defence, and, that any planning permission refused be subject to any additional reason(s) resultant from these comments.

That Planning Permission be REFUSED for the following reasons:

1. The proposed lodge and club house elements of the proposal are not one of the forms of development that the National Planning Policy Framework or local policy consider to be exceptions to the definition of inappropriate development in the Green Belt. The development would result in the encroachment of development into the countryside, impinging on the openness, of the green belt whilst contributing toward the merger of Kirkham and Warton. The applicant has failed to demonstrate any Very Special Circumstances necessary to outweigh the harm caused to the green belt by way of the inappropriate development. Accordingly, the proposal is contrary to Paragraphs 79, 80, 87, 88 and 89 of the National Planning Policy Framework, Policy SP3 of the adopted Fylde Borough Local Plan (October 2005) and Policy GD2 of the Submission Version of the Fylde Local Plan to 2032.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0509	Address Windrush Farm, Browns Lane, Wrea Green	Grid Ref. E.3414 : N.4313	Scale 0 25 50 75 100 m

Item Number: 7

Committee Date: 11 October 2017

Application Reference:	17/0616	Type of Application:	Householder Planning Application
Applicant:	Mr Fisher	Agent :	Homeplan Designs
Location:	24 SOUTH HOLME, LYTHAM ST ANNES, FY8 4JR		
Proposal:	PART SINGLE / PART TWO STOREY SIDE EXTENSION, AND SINGLE STOREY REAR EXTENSION.		
Parish:	ST JOHNS	Area Team:	Area Team 1
Weeks on Hand:	11	Case Officer:	Alan Pinder
Reason for Delay:	Need to determine at Committee		

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

<https://www.google.co.uk/maps/@53.7424559,-2.9582453,555m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

Planning permission is sought for various extensions to an existing dormer bungalow dwelling located within a residential cul-de-sac of similar properties in Lytham. The application has been revised since initial submission and now proposes a single/two storey extension to the side and retrospective permission for a single storey rear extension that has already been built different to the planning permission previously granted for it.

The property is in a corner location with a number of neighbouring dwellings sharing boundaries with it, and the extensions will be visible from most of these. However, the plans have been revised to a point where the proposal is considered to be acceptable and not cause undue harm to neighbour amenity. The proposal is also not of a scale that will be harmful to the character and appearance of the wider streetscape of South Holme.

Overall the proposed as now revised scheme is considered to accord with the relevant policies of both the current local plan and the emerging local plan and the application is therefore recommended for approval.

Reason for Reporting to Committee

The Head of Planning and Housing has agreed to a request from a ward councillor (Cllr Lloyd) for the application to be determined by the Planning Committee as he has concerns that an earlier iteration of the proposal represented over-development of the plot and would be incongruous to the street and so wished for Committee to determine the application.

Site Description and Location

The application property is a detached three bedroomed dormer bungalow located in the corner of a

residential cul-de-sac of generally identical properties albeit some have a range of extensions. The property is neighboured on all sides by other residential properties comprising of predominantly dormer bungalows. The property is not in a conservation area and there are no listed buildings or other such development constraints around.

Details of Proposal

Planning permission is sought for the following:

- The construction of a combined two storey and single storey side extension to provide a double garage at ground floor and an additional bedroom for the dwelling at first floor. This extension would be located on the rear half of the north west side elevation of the existing bungalow, and project approximately 4.5 metres at first floor and to a point 1 metre from the shared boundary with No.22 at ground level. The first floor would have a gabled roof whilst the ground floor roof would be hipped.
- The retention of a single storey rear extension. Planning permission was granted in July 2017 for a single storey rear extension (ref. 17/0491) however the extension since built is higher than that approved. Hence permission for its retention is now sought under this application. The extension as built accords with the 17/0491 in terms of projection however its overall height (both eaves and ridge) are 0.5 metres higher than approved.

The external materials of both extensions are to match those of the existing bungalow, with cladding to dormer cheeks, concrete tiles to the roof and brickwork to the ground floor elements.

The scheme has been revised three times since first submission. The first revision reduced the scale of the side extension and removed a rear facing balcony element that was within the roof to that element, the second revision reduced the scale of the projection of this to extension, and the final change was to incorporate the rear extension into the application as it became clear that this has been built at variance to a recent planning permission for that element. Neighbour notifications have been undertaken on the original proposal and then to the first and final revisions to the scheme.

Relevant Planning History

Application No.	Development	Decision	Date
17/0491	PROPOSED SINGLE STOREY SIDE AND REAR EXTENSION. DEMOLITION OF EXISTING CONSERVATORY.	Granted	17/07/2017

Relevant Planning Appeals History

None

Parish/Town Council Observations

Not applicable as not in Parished area.

Statutory Consultees and Observations of Other Interested Parties

None

Neighbour Observations

Neighbours notified:	27 July 2017
Amended plans notified:	20 September 2017
Number of Responses:	Five letters of objection
Summary of Comments:	<ul style="list-style-type: none">• The proposal represents inappropriate overdevelopment of the site and an inappropriate increase in overall floor area of the dwelling.• The resulting dwelling would be out of keeping with the surrounding dwellings and local character, and appear overbearing in the wider street scape• It would result in an overbearing structure when viewed from the rear of No's 6, 8 and 10 South Holme• The side extension would have an overbearing impact on the neighbouring property, No.22.• Insufficient external garden would remain to serve the needs of the occupiers of the property• Would likely reduce the value of neighbouring properties• The development has exacerbated the existing flooding issues in the area• Scaffold has been erected on the driveway of No.26 making it difficult to access• The builders have been using the roof of No.26 for access• The building work already carried out is of poor quality

Other comments were received in respect of the rear balcony that is no longer part of the proposal and so these are not included here.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL05	House extensions

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development

Other Relevant Guidance:

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

Environmental Impact Assessment

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

Comment and Analysis

Principle

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

Design and Appearance in Streetscene

Objections to the application have been raised on the grounds that the resulting extended dwelling would fail to accord with the character of the surrounding residential development. In that regard, whilst the proposed side extension would be visible in the South Holme streetscene it is set well back from the front elevation to the dwelling which reduces its impact on that wider streetscape, with the main frontage still presenting a symmetrical gable onto South Holme that retains the visual character of South Holme. With regard to the rear extension its location is such that any views are greatly restricted and its impact on the wider streetscape is minimal.

Whilst there is some benefits from their consistency of design the dwellings on South Holme are dated in appearance and do not have an over-riding pleasant design. The extensions do not unacceptably conflict with the design ethos of the original dwelling and the use of matching materials further integrates the additions into the character of the existing bungalow. Overall the design and scale of the extensions is considered acceptable with regard to criteria 1 of Policy HL5, and Policy GD7.

Relationship to Neighbours

With regards to potential privacy loss, the proposed side extension includes three additional fenestrations that face towards the rear of No's 6, 8 and 10 South Holme. However these take the form of two roof lights set above head height in the roof slope and one window that serves a bathroom and hence will be conditioned to be obscurely glazed and non-opening. As such the development would not create any unacceptable overlooking of, or loss of privacy to, neighbouring residential properties.

The only other property potentially affected is the neighbouring property at the side, No.22, towards which the side extension would project. However the orientation of the two properties relative to each other and the separation distance between the gable of the first floor extension and No.22 has been revised to a point where officers are satisfied that the amenity of the occupiers of that property would not be unduly compromised by the development.

The increased height of the single storey extension to the rear does not create any harmful impacts to neighbours given its separation from the boundaries of the site.

One objection to the application refers to the overbearing appearance of the extended dwelling when viewed from the rear of properties that back onto the application site. Private views are not protected under planning legislation, and the extension is sufficiently distant from these properties as to not create unacceptable massing or overshadowing impacts to their rear gardens or habitable rooms. It is considered that the revised proposal has an acceptable relationship to its neighbours in all regards and accords with criteria 2 of Policy HL5, and Policy GD7.

The original submission included a balcony and rear facing windows that led to unacceptable overlooking to the dwellings to the rear, and so have had to be removed from the scheme.

Similarly, the original and initial revisions included a side extension that created unacceptable massing impacts to the neighbour to the side, with the later revisions reducing the projection sufficiently to address those concerns.

Scale of development on the plot

Several objectors refer to the proposal as being inappropriate overdevelopment of the plot. The corner location of the property means that it has a plot that is wider than others, but also shallower. The rear extension approved earlier this year reduced the extent of rear garden but at that time it was considered that an acceptable extent was retained, and with this scheme not altering its projection the same conclusion is reached. The side extension proposed here is built onto a former driveway and garage to the property and will provide a replacement garage for the dwelling. Whilst the extensions will result in the loss of some rear garden curtilage it is officer opinion that sufficient amenity space will remain to serve the reasonable needs of the occupiers and a refusal of permission on the grounds of loss of garden area would be unsustainable at appeal, particularly given that it is not dissimilar to that available at other corner dwellings on the cul-de-sac.

Parking and Access Arrangements

The proposal includes the provision of a garage with driveway in front and so retains an appropriate level of parking that does not compromise the access arrangements or highway safety and so complies with criteria 4 and 5 of Policy HL5, and Policy GD7.

Other Matters

Other grounds for objection have been raised by neighbours and these are addressed as follows:

- Flooding - Concerns have been raised by neighbours that the development has, and will, result in an increase in the threat of flooding. The occupier of No.10 South Holme has submitted photos that show standing water covering his rear patio, and the occupier of No.6 has stated that their garage has flooded since the rear extension has been built. The rear extension replaced an existing conservatory, small utility room and likely a small area of patio between the two. Whilst the footprint of the extension exceeds the combined footprint of these three former items it is not considered that the additional ground covered has further exacerbated an existing flooding issue. It is noted that guttering has yet to be fitted to the rear extension and it may be that this has resulted in some water run off yet to be directed to the drains, however once guttering has been fitted then there is no reason to think that this extension would create additional flood risk. With regard to the proposed side extension this would be sited on existing hardstanding and hence would not cause the loss of any natural drainage through soft ground.
- Decrease in value of neighbouring dwellings - any development has the potential to impact on neighbouring property values and as such it is not a concern that can form a material consideration when determining planning applications. To do so would otherwise result in the majority of planning applications being refused permission.
- Erection of scaffold on No.26 driveway and use of No.26 garage roof for access - These are all private matters that fall outside the scope of planning and must be dealt with by the parties involved.
- Poor quality of building work already carried out - The acceptability and quality of building work is an issue that would be addressed, if necessary, by Building Regulations.

Conclusion

The application relates to the erection of extensions at a dwelling in the settlement of Lytham St Annes. Officers have viewed the proposal in the street and from several neighbouring properties to assess the issues raised. Having done so revisions to address harmful impacts with the initial proposal have been secured and the scheme as now presented to Committee complies with Policy HL5 of the Fylde Borough Local Plan, with the relevant criteria of Policy GD7 of the emerging Fylde Local Plan to 2032, and the guidance in the House Extensions SPD. Accordingly the application is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This permission / consent relates to the following details:

Approved plans:

- Location Plan - Produced by Homeplan Designs, scale 1:1250
- Proposed Elevations - Dwg no. HP/2377H PL/17/05.2 Rev H
- Proposed Floor Plans - Dwg no. HP/2377H PL/17/05.1 Rev H

Reason: To provide clarity to the permission.

2. The first floor bathroom window shown on the south west facing elevation of the extension hereby approved shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before the extension hereby approved is brought into first use, and shall be retained as such thereafter.

Reason: To safeguard the privacy of occupiers of neighbouring dwellings and ensure satisfactory levels of amenity for adjoining residents in accordance with the requirements of Fylde Borough Local Plan policy HL2.

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

In the interests of visual amenity.

4. The approved integral garage shall be used as a private garage only and shall retain sufficient internal floor area to enable the parking of a minimum of one vehicle. No trade or business shall be carried on, in or from the garage.

Reason: To ensure an appropriate level of car parking is available for the dwelling and to safeguard the amenities of the neighbourhood.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0616	Address 24 South Holme, Lytham St Annes	Grid Ref. E.3370 : N.4277	Scale 0 6 12 18 24 m

Item Number: 8

Committee Date: 11 October 2017

Application Reference:	17/0678	Type of Application:	Full Planning Permission
Applicant:	Ribby Hall Village	Agent :	Fletcher Smith Architects
Location:	RIBBY HALL LEISURE VILLAGE, RIBBY ROAD, RIBBY WITH WREA, PRESTON, PR4 2PR		
Proposal:	CHANGE OF USE OF PART OF CAR PARK TO CAR VALETING WITH ERECTION OF CANOPY TO PROVIDE COVERED BAYS AND TIMBER OUTBUILDING FOR STORAGE.		
Parish:	RIBBY WITH WREA	Area Team:	Area Team 1
Weeks on Hand:	9	Case Officer:	Ruth Thow
Reason for Delay:	Need to determine at Committee		

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

<https://www.google.co.uk/maps/@53.7798335,-2.8962859,139m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to an area of the car parking at Ribby Hall Village that currently provides 6 parking spaces. They are located in a row to the rear of the shop on site and on the boundary of Ribby Hall Village with Ribby Hall itself which is in residential flats.

The proposal is to use the spaces as a car valeting facility with 2 of the spaces covered by a canopy to allow covered valeting and the remaining 4 spaces used for open air parking for valet customers. A timber storage shed is also proposed on an area of perimeter landscaping.

The proposal will be of limited scale in terms of the level of activity generated and with the existing boundary treatment being a tall hedge and fence it is considered that this will provide appropriate protection from any noise nuisance to the off-site neighbours given the existing activity levels within the Ribby Hall site. The use is considered to be a complimentary one to the other leisure and commercial activities on site and will cater for day and holiday visitors. The loss of parking is minimal and is likely to be simply displaced from elsewhere on the site as the scale and location of the operation is such that it is unlikely to attract customers who are not visiting the Ribby Hall site for other purposes. The discreet location on site and limited scale of the works ensures that there is no visual harm caused.

As such it is not considered that there are any overriding concerns with the development and it is recommended that planning permission be granted.

Reason for Reporting to Committee

The application is on the agenda as Kirkham Town Council have raised concerns in respect of this proposal, and so it is necessary that it be presented to the Planning Committee for determination.

Site Description and Location

The application site is Ribby Hall Leisure Village, Ribby Road, Wrea Green. The site is an established holiday 'village' which covers an area of 42.6 hectares which offers a variety of leisure facilities to both day visitors and longer holiday stays. In particular the area of the park to which this application refers to is in use as a car park situated against the boundary wall dividing the leisure village with Ribby Hall apartments.

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

Details of Proposal

This application seeks permission for a change of use of part of the car park to car valeting, including the erection of a canopy and a timber storage building.

The canopy measures 8 metres by 8 metres and covers 3 parking bays to provide 2 larger valet bays, with a further 4 parking spaces retained for car valet wash customers. The timber building is to be positioned on a grass verge and will measure 1.82 metres by 2.43 metres to a height of 2 metres.

A vehicle wash silt trap is to be provided and connected to existing drainage.

Relevant Planning History

There is a very extensive planning history on the site and so the following are the applications from the past 2 years. None of the planning history relates to a car valet use.

Application No.	Development	Decision	Date
16/1017	PROPOSED TWO STOREY EXTENSION TO EXISTING SPORTS CENTRE TO EXTEND NURSERY FACILITY	Granted	24/02/2017
16/0926	PROPOSED EXTENSION OF EXTERNAL DINING AREA ASSOCIATED WITH RESTAURANT AND ERECTION OF CHILDRENS PLAY AREA ON PART OF EXISTING BOWLING GREEN	Granted	31/01/2017
16/0941	PROPOSED WATER SLIDE TO EXISTING SWIMMING POOL	Granted	13/01/2017
16/0612	SINGLE STOREY EXTENSION TO REAR OF SHOP / CAFE	Granted	19/09/2016
16/0382	REPLACEMENT OF SECURITY BUILDING	Granted	20/07/2016
16/0302	REMOVAL OF EXISTING TENNIS COURTS AND SPORT AREA. PROVISION OF NEW CAR PARK AREA FOR 69 NO. CAR SPACES AND 4M HIGH CAR PARK LIGHTING.	Granted	21/06/2016
16/0170	CHANGE OF USE FROM STABLES TO SMALL ANIMAL PETTING ZOO WITH EXTENSIONS	Granted	05/05/2016

	TO PROVIDE ADMIN OFFICE AND ENCLOSURES		
16/0134	ERECTION OF DETACHED SINGLE STOREY BUILDING TO PROVIDE SEGWAY STORE	Granted	18/04/2016
15/0754	RETROSPECTIVE APPLICATION FOR INSTALLATION OF 3. NO AIR SOURCE HEAT PUMP CONDENSER UNITS TO REAR OF SPORTS CENTRE	Granted	17/12/2015
15/0633	ERECTION OF A SINGLE STOREY EXTENSION TO EXISTING FUNCTION ROOM FACILITY	Granted	09/11/2015

Relevant Planning Appeals History

There have been appeals on the site, but none recently and none relevant to this proposal.

Parish/Town Council Observations

The application site is within the Parish of **Ribby with Wrea Parish Council** who comment:

"The parish council recommends approval."

Parts of the wider Ribby Hall Village site are within the area of **Kirkham Town Council** who have also been notified of the application and comment:

"Kirkham Town Council are concerned that this commercial venture will impact on existing car wash businesses in the Town. The noise from this will impact on adjacent neighbours. Car parking should be secured not developed for commercial use. Development should be subject to the existing tourism policy."

Statutory Consultees and Observations of Other Interested Parties

Environment Agency

"The applicant should refer to the pollution prevention advice on the website."

Environmental Protection (Pollution)

"No objection to the above proposals."

Neighbour Observations

Neighbours notified:	11 August 2017
Site Notice Date:	16 August 2017
Number of Responses	None received

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
TREC04	Ribby Leisure Village
EP12	Conservation trees & woodland

Fylde Local Plan to 2032:

GD4	Development in the Countryside
EC6	Leisure, Culture and Tourism Development
ENV1	Landscape
EC2	Employment Opportunities

Other Relevant Policy:

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

Site Constraints

Within countryside area
Tree Preservation Order

Environmental Impact Assessment

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

Comment and Analysis

This application seeks permission for a change of use of part of the car park to car valeting, including the erection of a canopy and a timber storage building.

Policies

Policies SP2, TREC4 and EP12 of the Fylde Borough Local Plan, as altered (October 2005) and Policies GD4, EC6, ENV1 and EC2 of the submission version of the Fylde Local Plan to 2032 together with the aims and guidance of the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are relevant to this application.

Policies SP2/GD4 of the local plans refers to development in countryside areas.

Policies TREC4/EC6 refers to development of Ribby Hall Leisure Village which does not permit further development of Ribby Hall unless it is for the purposes of tourism, business tourism, leisure or recreation.

Policies EP12/ENV1 refer to the protection of trees and Policy EC2 to employment opportunities.

Impact on visual amenity

The application proposes the change of use of part of the car park to the rear of shop and cafe at the entrance to Ribby Leisure Village and as part of the proposal a canvas canopy and timber shed are proposed to be erected.

The part of the site referred to in this application is at the rear of the site adjacent to a high wall which separates the Leisure Village from the apartments at Ribby Hall and where a section of the wall also projects from the boundary wall, dividing sections of the car park, the area is also planted with Leylandii trees along the applicant's side of the boundary.

As a consequence of the open nature of the canopy, the small scale nature of the timber shed and

the siting of the structures, the development will have minimal impact on the overall pleasant parkland appearance of the site.

Impact on neighbours

In considering the scheme in regards to neighbour amenity the nearest residential neighbours are those in the apartments in Ribby Hall itself. Given the separation distance of approximately 50 metres from the nearest apartment to the siting of the canopy area and the boundary screening provided, it is considered that any noise and disturbance from the car wash/valet facility will be minimal and will not be noticeable above the existing general noise levels in this area.

On this basis it is considered that the proposed development is acceptable with regard to neighbour amenity.

Protected woodland

Policy EP12 of the Fylde Borough Local Plan refers to the protection of woodland. This site has several TPO woodland areas within the site however, the proposed development will not result in any impact on any protected trees or landscaping within the site.

Accordingly the proposal is in accordance with Policy EP12 and ENV1 of the local plan.

Other matters

Reference has been made to the potential for loss of business from existing car wash facilities within the town, which is a possibility. However, the car wash facility can accommodate two cars at any one time and is unlikely to result in a significant loss of business for other operators. In addition competition is not a material consideration in determining planning applications.

Whilst the 'appropriateness' of the proposal can be considered it would only warrant a refusal where the scale of the scheme would affect the vitality and viability of the town centre as a whole and not any individual business operator and it is considered that this is not applicable in this instance. This is particularly the case as the customers to the site are most likely to be existing visitors to the Ribby Hall site anyway rather than those from the local area who would likely combine a relatively lengthy process such as a car valet with some other shopping or leisure activity.

Conclusions

It is considered that the change of use and associated works would provide enhanced visitor facilities and the potential for additional employment without detriment to the local economy, visual and neighbour amenity.

Accordingly the scheme complies with Policies SP2, EP12, TREC04 of the Fylde Borough Local Plan as altered (October 2005) and the policies of the submission version of the local plan as these are in line with Paragraphs 215 of the NPPF which requires that due weight should be given to the relevant policies of the development plans according to their degree of consistency with the NPPF. In this instance it is considered that significant weight should be afforded to the above policies as these are consistent with the aims of Paragraph 17 and 118 of the NPPF which seek to secure high quality of design and a good standard of amenity for all existing and future occupants of land and buildings and the conservation of the natural environment.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission / consent relates to the following details:

Approved plans:

- Location Plan - drawing no.2327/000/LP
- Proposed site plan and elevation plan - drawing no. 2327/062/110A

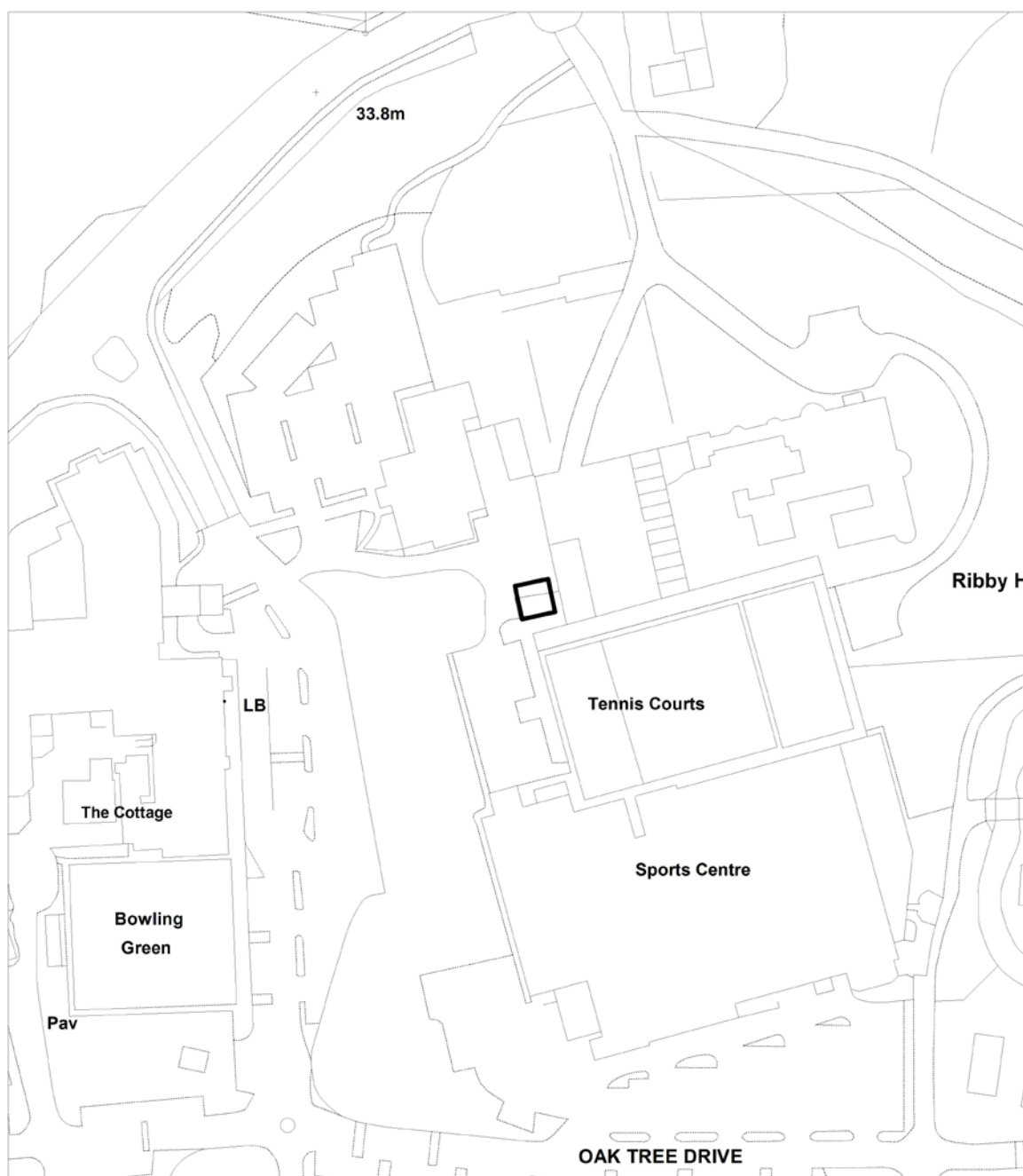
Supporting Reports:

- Design and Access Statement - not applicable.

Reason: To provide clarity to the permission.

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

In the interests of visual amenity.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0678	Address Ribby Hall Leisure Village, Ribby Road, Wrea Green	Grid Ref. E.3409 : N.4319	Scale 0 6 12 18 24 m

Item Number: 9

Committee Date: 11 October 2017

Application Reference:	17/0713	Type of Application:	Householder Planning Application
Applicant:	Mrs Wickens	Agent :	Clover Architectural Design Limited
Location:	1 RICHARDSON CLOSE, FRECKLETON, PRESTON, PR4 1PF		
Proposal:	RESUBMISSION OF APPLICATION 16/0687 FOR TWO STOREY SIDE EXTENSION WITH EXTENDED ROOFLINE TO REAR (PART RETROSPECTIVE)		
Parish:		Area Team:	Area Team 1
Weeks on Hand:	7	Case Officer:	Rob Clewes
Reason for Delay:	Not applicable		

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

<https://www.google.co.uk/maps/@53.7537891,-2.8645892,139m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to a two-storey detached house located on an estate of similar properties in Freckleton. Planning permission was granted in 2016 for the erection of a two storey extension to the side of the property, with the rear corner of that 'cut away' to reflect the taper of the property boundary so that sufficient space for access around could be retained. The approved plans indicated that the roof would be similarly cut away.

The extension has been constructed in accordance with the approved plans other than the roof oversails the cut out section. This application seeks retrospective permission to regularise that change to the design of the extension.

The variance to the previously approved plans is minimal as the extended roof has a width of 300mm and a depth of 1.2m. This additional area of roof is not harmful to the amenity of neighbours or the character of the property / area and so accords with the relevant Local Plan policies. The application is recommended for approval.

Reason for Reporting to Committee

This application has been brought before the Planning Committee as the officer recommendation for approval conflicts with the objection received from Freckleton Parish Council.

Site Description and Location

The application property is a red brick detached house located on the southern side of Richardson Close within the settlement of Freckleton. The property has a pitched roof with side gable ends. There is an integral side garage which has a pitched roof. The neighbouring property to the east is a detached bungalow which has a rear extensions. To the rear (north) and the west there are

detached neighbouring houses.

Details of Proposal

This retrospective proposal is for a two-storey side extension 2.6m wide and 9m deep. It has an eaves height of 4.7m and a ridge height of 7.2m. The roof is gable ended. The materials are to match the existing property. This application is a re-submission of previously approved application ref: 16/0687 with the only difference being that of the overhang of the eaves to the rear of the extension. The roof is now proposed to have a “squared off” finish rather than the set in eaves approved under the previous application.

Relevant Planning History

Application No.	Development	Decision	Date
16/0687	PROPOSED TWO STOREY SIDE EXTENSION	Granted	01/11/2016

Relevant Planning Appeals History

None

Parish/Town Council Observations

Freckleton Parish Council notified on 22 August 2017 and comment:

“The parish council object to this application due to the extension not being built to match the approved plan.”

Statutory Consultees and Observations of Other Interested Parties

BAe Systems

No comments received at time of writing report..

Ministry of Defence - Safeguarding

No comments received at time of writing report.

Neighbour Observations

Neighbours notified: 22 August 2017

Number of Responses: None

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL05	House extensions

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development

Other Relevant Guidance:

NPPF:	National Planning Policy Framework
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Site Constraints

None

Environmental Impact Assessment

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

Comment and Analysis

Whilst the extension proposed is almost identical to that which has permission, it is a re-submission of that proposal and so it is necessary for the council to consider it in its entirety as a new application

Principle

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

Design and Appearance in Street scene

The design of the proposal is in keeping with the existing property and whilst a sizable addition it is not overly dominant nor overbearing within the site. The use of matching materials helps the proposal to appear sympathetic to the existing property. Although not set back from the front elevation the proposal does not harm the appearance of the street scene.

This application has been submitted due to a deviation from the originally approved plan due to a difference in the overhang over the eaves to the rear. This difference is minimal and does not result in a larger extension than that previously approved. The additional overhang does not create an unacceptable appearance. The proposal retains appropriate levels of amenity space and so complies with criteria 3 of Policy HL5, and Policy GD7. Taken together the design and scale of the extension accord with the requirements of criteria 1 of Policy HL5, and Policy GD7.

Relationship to Neighbours

The proposed extension has an impact on the neighbouring property to the east in terms of overbearing and loss of light due to the increase in mass and bulk adjacent the boundary. However, this increase in impact to the amenity is considered acceptable when taking into account the distance between the side elevation of the proposal and the rear elevation of the neighbouring bungalow. The distance of approximately 13m is sufficient to keep overbearing and loss of light to a minimum on the rear elevation. In addition the proposal does not span across the whole width of the rear boundary of the neighbouring bungalow thereby ensuring a degree of openness and light is maintained to the rear garden. In terms of loss of privacy the proposed does not create any detrimental impact. There are no first floor windows which directly face the neighbouring property and views from the ground floor windows are adequately screened by the existing boundary treatments. The additional overhang does not create any additional impact due to the minimal nature of the change from the originally approved plan.

Other neighbouring properties suffer no increase in impact to their amenity due to their distance from and orientation with the extension.

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

Parking and Access Arrangements

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

Other Matters

There are no other material considerations of note to influence the decision. The Parish Council raised objection on the grounds that the development was not built in accordance with the approved plan ref: 16/0687. Whilst this is the case this is not a valid reason to refuse a subsequent retrospective application to regularise the works providing the variation is acceptable, which is the case here.

Conclusion

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

Recommendation

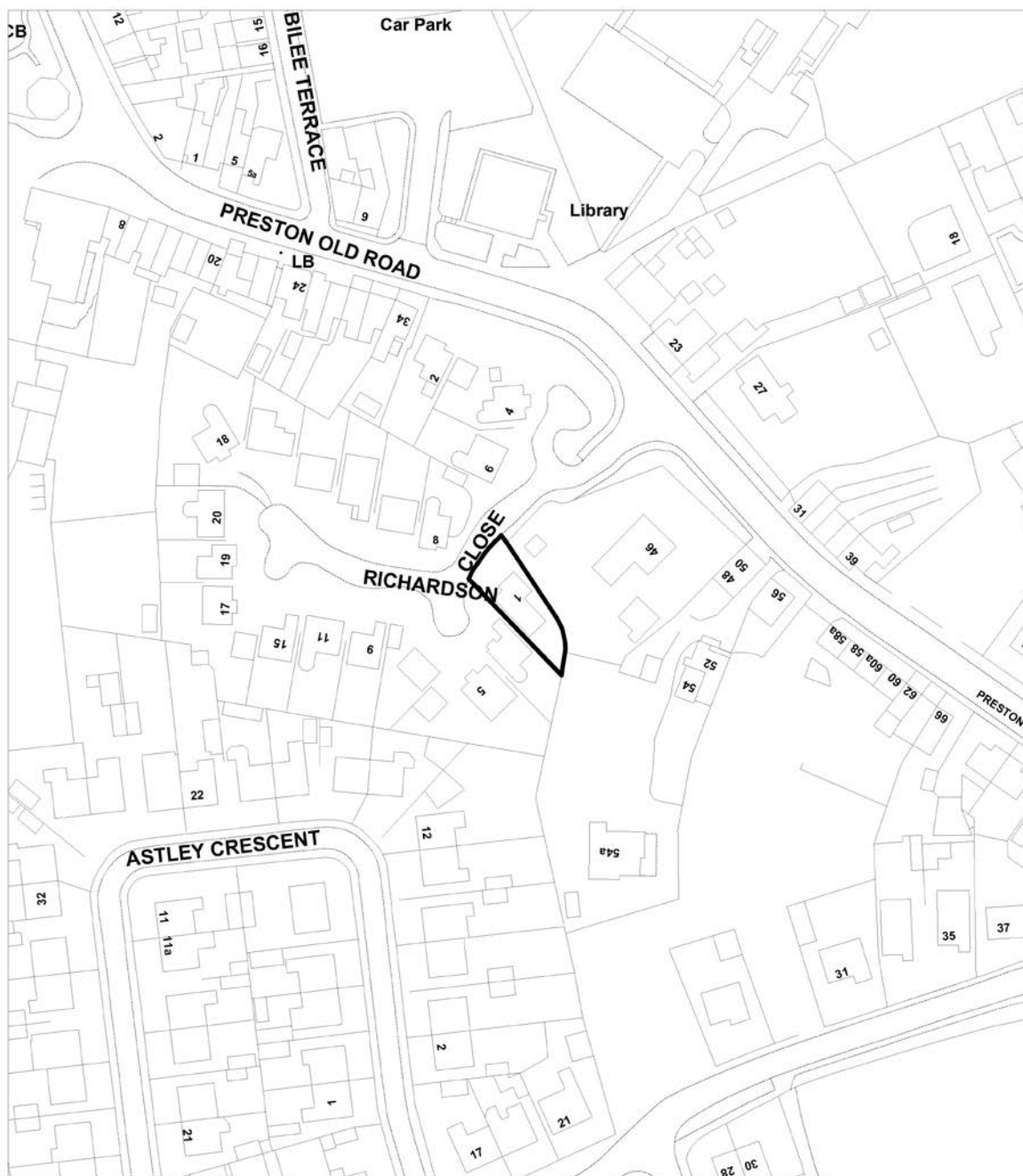
That Planning Permission be GRANTED subject to the following conditions:

1. This permission / consent relates to the following details:

Approved plans:

- Location Plan - 1001
- Proposed Plans and Elevations - 1200 Rev A

Reason: To provide clarity to the permission.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0713	Address 1 Richardson Close, Freckleton	Grid Ref. E.3431 : N.4289	Scale 0 6 12 18 24 m

Item Number: 10

Committee Date: 11 October 2017

Application Reference:	17/0723	Type of Application:	Variation of Condition
Applicant:	Mr Charles Furnell	Agent :	
Location:	84 CLIFTON STREET, LYTHAM ST ANNES, FY8 5EJ		
Proposal:	VARIATION OF CONDITION 2 (APPROVED PLANS) TO PLANNING PERMISSION 17/0262 TO FACILITATE MINOR MATERIAL AMENDMENT INVOLVING INCREASED PROJECTION AND WIDTH OF GLAZED CANOPY AND ASSOCIATED PLINTH		
Parish:	CLIFTON	Area Team:	Area Team 1
Weeks on Hand:	7	Case Officer:	Rob Buffham
Reason for Delay:	Not applicable		

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

<https://www.google.co.uk/maps/@53.7368785,-2.9637002,139m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

This application seeks retrospective consent for a Material Amendment to an external canopy approved by planning permission 17/0262. Development has commenced on this planning approval prior to conditions being discharged, importantly foundation design to minimise impact to trees, and a larger canopy footprint than that approved has been constructed.

Consent is sought to increase the footprint of the approved canopy. Submitted drawings indicate its width to increase by approximately 1.4m to 10.7m, its projection from the building by approximately 1.1m to 6.2m and its plinth height to raise to 0.4m. Submitted drawings indicate the canopy to be 1.1m wider than the concrete plinth which has been laid. When measured on site the plinth at its tallest point is 0.56m in height. The detailed design of the canopy will remain as previously approved.

The existing planning approval is material in the assessment of the current proposal. The overall design and appearance of the canopy itself, including eaves and ridge interface heights with the host building remain as per the approved drawings. The main issues of debate relate to the increased width and depth of the structure, and the resultant height increase of the supporting plinth and the implications that this has for the character of the area, the conservation area, and the trees within the vicinity of the site.

The officer view is that the works would be detrimental to the architectural merit of the host building, would dominate Clifton Square and would result in pressure to fell high value trees (one of which has TPO status) post construction. The proposal would not, therefore, conserve or enhance the Lytham Town Centre Conservation Area contrary to adopted and emerging policies of the Development Plan and national legislation. This represents poor design, which for the purposes of the NPPF and Development Plan is not considered sustainable.

Reason for Reporting to Committee

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

Site Description and Location

This proposal relates to the former Royal Bank of Scotland building which is a corner terrace premise fronting onto Clifton Street and the pedestrianised Clifton Square. The property is an imposing two storey building, which appears to have been purposely built as a bank premises, constructed of red brick and slate with contrasting stone surrounds to the windows and doors and ornate brick/ stone eaves level detail. Works are currently ongoing to implement a change of use of the building to a restaurant and bar (16/0728 refers).

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

Details of Proposal

This material amendment proposal relates to a retrospective application for an external canopy attached to the side elevation of the building opposing Clifton Square. A concrete plinth has been formed in situ and is larger than that previously approved by Members of the June 2017 Planning Committee.

The submission indicate its width to increase by approximately 1.4m to 10.7m, its projection from the building by approximately 1.1m to 6.2m and required plinth of 0.4m. Submitted drawings indicate the canopy to be 1.1m wider than the concrete plinth which has been laid. When measured on site the plinth at its tallest point is 0.56m in height. The detailed design of the canopy will remain as approved.

It is noted that submitted drawings indicate the canopy to be 1.1m wider than the concrete plinth which has been laid.

Relevant Planning History

Application No.	Development	Decision	Date
17/0262	RE-SUBMISSION OF APPLICATION 16/0731 FOR ERECTION OF GLAZED SINGLE STOREY EXTENSION TO CLIFTON SQUARE ELEVATION INCLUDING BALUSTRADE AROUND AND ALTERATION OF EXISTING WINDOW OPENINGS TO BI-FOLDING DOORS TO ALLOW ACCESS TO EXTENSION	Granted	15/06/2017
16/0728	CHANGE OF USE OF EXISTING BANK (CLASS A2) TO RESTAURANT (CLASS A3) WITH ANCILLARY BAR (CLASS A4)	Granted	24/11/2016
16/0731	EXTERNAL CANOPY	Refused	13/01/2017

Relevant Planning Appeals History

None.

Parish/Town Council Observations

Not applicable.

Statutory Consultees and Observations of Other Interested Parties

Regeneration Team (Heritage)

"The previous proposal was considered to significantly upset the historic and architectural integrity of the building and the conservation area. A masonry front should present to the street and a modern glass and steel insertion dilutes the visually strong architecture that is so important to retain the character of the historic streetscene. The comments submitted from Regeneration Manager dated 26th April still stand.

The larger footprint now proposed would exacerbate the harm to the historic environment. The development would not preserve or enhance this part of the conservation area.

The present building is prominently located at an important junction facing The Square and within the built hierarchy of the town centre was obviously designed with a prestige, well detailed façade. It has clean lines and is solid in appearance as befitted bank design from the late Victorian era. It has much in common in this respect with the adjoining Nat West Bank. The window proportions, fenestration and surrounding stone surrounds are an important architectural feature and the stone plinth is similarly important. It also relates well to the grouping of buildings on Dicconson Terrace. However, it has a greater scale and height than the more domestic character of properties further along Dicconson Terrace and so the impact of a forward extension warrants particular consideration. It would be a strong candidate for local listing.

The former bank was not conceived as a retail premises there was, therefore, no need to incorporate a verandah. These structures, essentially sheltered walkways, were designed to provide access to and offer a facility to browse the frontage retail displays within the shops. Thus there was no design reason for such a forward extension to this building as it was not designed for traditional retail purposes. There is no historical basis or justification for such an extension.

The plans have been amended now such that the forward extension is proposed only to the Dicconson Terrace frontage, which whilst better and less intrusive, obviously presents a forward extension.

The frontage has been designed to resemble a verandah but is much deeper than those to be found, for example, on Clifton Street.

The concern here is in respect of what is proposed and what might result. This is unlikely to be seen as a verandah as it is to be used as a sitting/dining space. Experience elsewhere has demonstrated that to make this a viable space (given its somewhat exposed position), there is likely to be pressure for weather protection to the end

elevations and this, coupled with a balustrade and floor covering, is likely to give the appearance of a 'conservatory type' extension. This has occurred further along Dicconson Terrace. The extension would have a somewhat squat appearance in view of the fact that the building is of a significant scale with very high storey heights and this would be especially the case when viewed from distance in the context of the even taller Natwest Bank Building.

The idea to drop the existing windows to form folding door openings – in effect doors – is considered to be detrimental to the architectural character of the façade of the building. As outlined the plinth would be breached and the large openings would appear out of character with the expression of the existing building. The window detailing is a common feature across the whole building frontage. A conservatory type appearance would also tend to weaken the dominance of the building façade as the internal spaces and external space will tend to merge.

The setting of the tree and its long term prospects are seen as a key issue, as well articulated by the Tree and Landscape Officer.

It is appreciated that there may be an economic justification and a commercial wish for such as extension there has nothing been provided to demonstrate how the long term use/viability or success of a business, overall, would be compromised in the absence of the proposed extension. The building is relatively pristine in condition and so there appears to be no immediate regeneration case that would override other design considerations and the impact of the development on the street scene.

It is well known that the quality and townscape of Lytham has of itself a macro economic value and so care is needed to ensure that this character is conserved and enhanced, that draws in the patronage in the first place. For this reason particular care should be taken in the scrutiny of design proposals that can impact on that character, and which over time can have a notable effect.

In conclusion, it is considered that in having paid special attention to these factors, the development would not from a design perspective preserve or enhance this part of the conservation area.

The verandah and use of the frontage would add vitality to this corner, facing Lytham Square and although from an architectural point of view the problems identified are supported the benefits of a reuse of the building that will have to be considered in the planning balance. This is something for Development Management and Committee to consider.”

Regeneration Team (Trees)

Raises objection to the proposal.

“The applicant has again submitted no tree survey that supports or enables insight into the proposal. Since two public realm trees are implicated by this, and the council would require such surveys of any other applicant, there seems no reason to forego this requirement.

The larger glazed canopy now stretches yet further under the crown of the important lime tree and thereby provides greater opportunity for the tree to be regarded as a

nuisance to the structure – exacerbating anticipated tree resentment issues as outlined in earlier applications.

Proposal brings the extension closer to the early-mature London plane on Clifton Street. In this it brings the same tree resentment issues foreseeably to bear on a second tree. It will inevitably grow across the glazed canopy and the result will be a glass structure ‘nuisanced’ by a tree at either end.

No details of engineered, tree-friendly foundation design are available. I’m aware some design has been submitted for the earlier permission but this is not suitable.

With respect to the lime tree especially, an even larger structure serves to remove it from the public realm and is detrimental to its public visual amenity. The tree is TPO’d: a proposal that reduces its public visual amenity is in conflict with the principle of a TPO’d tree.”

Lytham Civic Society

“We were disappointed to find that the comments of the Conservation Officer were ignored when this application was granted. We support entirely the comments made then by the Regeneration Manager (26 April), together with those of Catherine Kitching on 27 September relating to these amendments.

The amendments are not minor, they are obscuring the fine RBS building and spoiling the charm of Clifton Square. The imposition of conservatory like structures such those at Spago and Capri is spoiling the character of Lytham. We look to our planning committee to protect the historic environment and support their Conservation team”

Neighbour Observations

Neighbours notified:	29 August 2017
Site Notice Date:	30 August 2017
Press Notice Date:	07 September 2017
Number of Responses	None

Relevant Planning Policy

Fylde Borough Local Plan:

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

Fylde Local Plan to 2032:

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

Other Relevant Policy:

NPPF:	National Planning Policy Framework
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Site Constraints

Conservation area site

Environmental Impact Assessment

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

Comment and Analysis

The main issues pertinent to the assessment of this proposal are design bearing in mind the site's location within a Conservation Area and trees.

Principle

The application site is located within the urban area of Lytham to where development is primarily focussed by Policy SP01 of the adopted Local Plan, and GD1 of the emerging Local Plan. The principle of the proposal is, therefore, acceptable, subject to other relevant policy considerations of the development plan.

Design

The application site is also located within the designated Lytham Town Centre Conservation Area.

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

Policy EP3 of the adopted Local Plan states that development will only be supported where the character or appearance of the area, and its setting, are appropriately conserved or enhanced. This includes the physical setting of the area, settlement form, townscape, character of buildings and structures, character of open spaces, and views into or out of the conservation area.

Emerging Policy NP1 reflects the sustainable development requirements of Framework. Policy GD7 expects new development to be of a high standard taking account of and seeking to positively contribute toward the character and appearance of the local area, with regards to public realm development should be managed so that they add to the character, quality and distinctiveness of the surrounding area. Emerging Policy ENV5 states that development within conservation areas should conserve or enhance those elements that make a positive contribution to their special character, appearance and setting. Proposals that better reveal the significance of these areas will be supported also.

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

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

The existing planning approval is material in the assessment of the current proposal. The overall design and appearance of the canopy itself, including eaves and ridge interface heights with the host building remain as per the approved drawings. The main issue of debate relates to the increased width and depth of the structure, and the resultant height increase of the supporting plinth.

The increased width of the canopy would result in the structure being symmetrically framed about the created door entrance of the host building. In addition, the canopy would project to a similar depth from the building as the canopy within the front yard area of a neighbouring restaurant (Spago). Notwithstanding that, when compared to the original consent the amendment encourages a sprawling footprint across the affected elevation of the building and the canopy would have a shallower roof pitch, which will result in a horizontal emphasis to the ground floor. This will be at odds with the more vertical scale of the existing building (and those in the locality), giving the property an unbalanced appearance that is considered to be at odds with the architectural merit of the original property. The increased height of the plinth will add to the overall massing of the structure, and when viewed externally the canopy would be seen to dominate the building. The proposal will extend further out into Clifton Square, and impose on the openness of this important space. This dominance will be exacerbated by the perceived height of the structure due to the requirement of a plinth to account for land level changes.

The Tree Officer reports that the proposal will result in tree resentment issues and provide justification for removal of trees in the future if complaint is made. Mature trees make an important contribution to the landscape character of the conservation area. Indeed the larger lime tree has a Trees Preservation Order in recognition of its amenity value. Development which results in the direct removal or future conflict with trees which add to the landscape character of the Area should be refused.

On this basis it is considered that the revised proposal would detract from, and would not conserve, the character of the conservation area. The prominent location of the application site will only serve to exacerbate this assessment. This represents poor design, which for the purposes of the Framework and Development Plan is not considered sustainable. Design concerns were raised to the existing canopy approval and impact to the Conservation Area, though a balanced decision which considered the viability of the development, supported the proposal. In this circumstance the revisions sought are considered to be a step too far, the harm of this current proposal to the Conservation Area is such that refusal is recommended.

Trees

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

Members should note that concern was raised by the Tree Officer during assessment of the approved canopy. In particular the close proximity of the larger lime tree which resulted in a revision of the scheme to reduce the canopy width so as to increase separation to this tree.

This current proposal now seeks revision to the approved canopy width and reverts back to that which the Tree Officer originally made objection to, namely to site the canopy footprint further underneath the crown of a mature lime tree. Submitted drawings indicate the canopy footprint constructed would be extended further towards the lime tree, approximately 0.4m from the trunk. It is considered that this siting will expedite tree resentment issues previously reported by the Tree Officer including leaf litter, moss growth, insect depositions, and, the potential for physical conflict with the canopy in high winds as well as in the future following growth of the tree. In addition, the Tree Officer comments that a second tree in the vicinity would inevitably grow across the canopy resulting in similar issues and pressure for felling.

It is considered that the close proximity of the proposal would impinge on the longevity of protected trees and provide future justification for felling in the future. Whilst it is recognised that the applicant has provided assurance that a request for felling would not be forthcoming, there is nonetheless a compelling case for the applicant to justify tree removal if damage was subsequently caused to the canopy. It must be acknowledged that there is risk to the future of affected trees resultant from the retrospective proposal. The affected trees are of high amenity value and together positively contribute toward the character of the Conservation Area, longevity of trees post construction should therefore be afforded significant weight and refusal is recommended on such grounds.

The plinth in situ has been constructed using a bespoke foundation in an attempt to minimise works within the root protection area (RPA). These works were undertaken prior to discharge of the required condition on the planning approval and without any input from the Tree Officer. The Tree Officer has raised concern to the foundation design implemented and has indicated that there are more acceptable alternative solutions. If refused the applicant could still construct the approved canopy and the Tree Officer is of the opinion that works could be undertaken to minimise works within the RPA, subject to a satisfactory foundation design being agreed.

Conclusions

The application relates to the construction of an external canopy at 84 Clifton Street, Lytham. It is considered that the proposal would be detrimental to the architectural merit of the host building, dominant to the pedestrianised square adjacent and result in pressure to fell trees of high amenity value post construction. The proposal would not, therefore, conserve or enhance the Lytham Town Centre Conservation Area contrary to the provisions of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the adopted and emerging policies of the Development Plan. This represents poor design, which for the purposes of the NPPF and Development Plan is not considered sustainable. Accordingly the application is recommended for refusal,

The proposal is acceptable in all other regards.

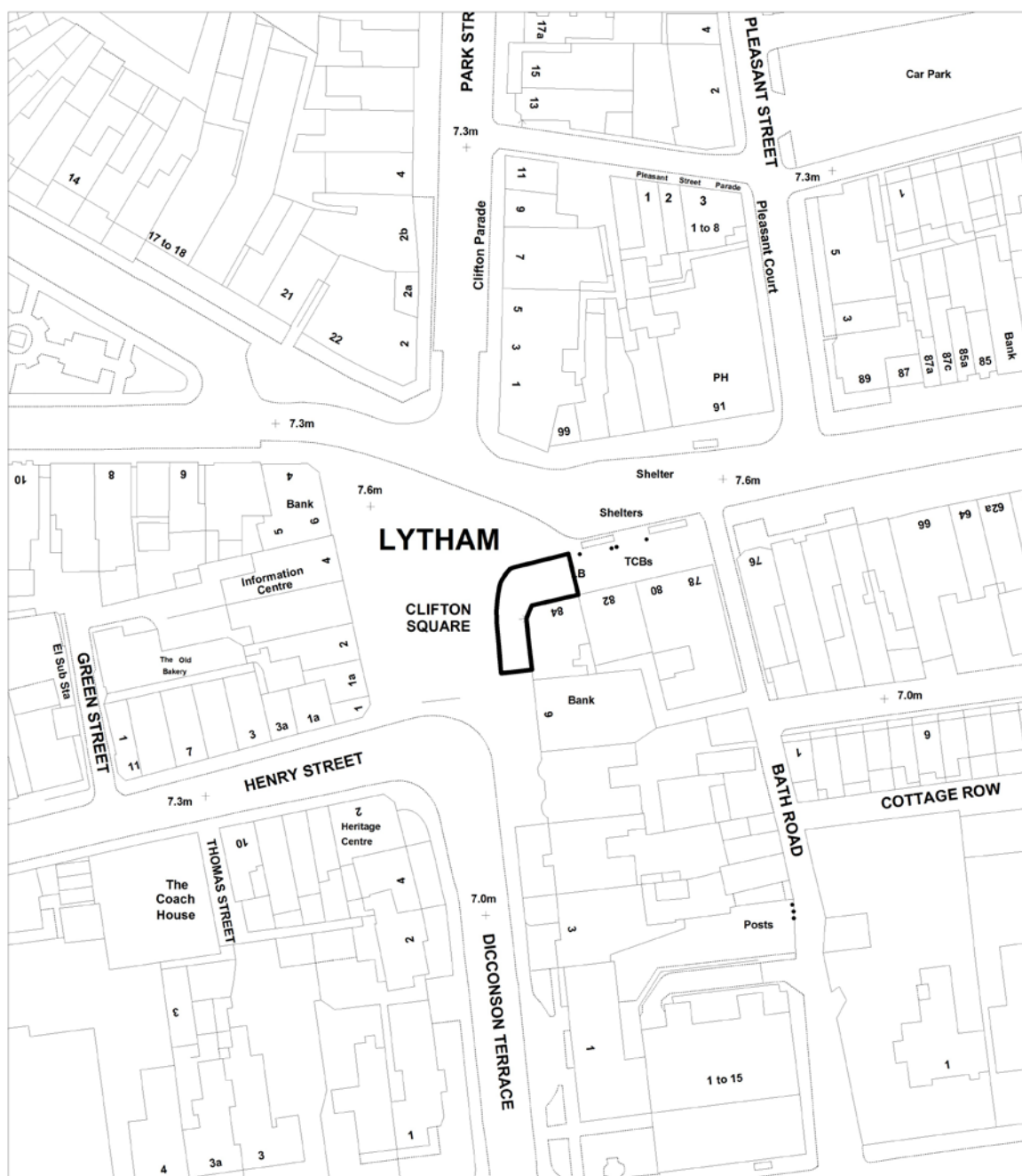
Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The erection of the proposed canopy would result in an addition to the ground floor that would display a horizontal emphasis that would be out of keeping with the character with, and result in an unbalanced appearance to, the host building. The increased dimensions of the proposed structure would also result in a development that would have a dominant impact on the open character of the adjacent pedestrianised area of Clifton Square and would be in such close proximity to adjacent trees that there would be future pressure to remove those trees with an attendant loss of amenity value. The proposal represents poor design, which, for the purposes of the National Planning Policy Framework and Development Plan is not considered sustainable.

Accordingly the proposal would fail to preserve or enhance the character of the conservation area and would be detrimental to character of the existing building contrary to policies EP3, EP12 and EP18 of the Fylde Borough Local Plan (2005) and Policies GD7 and ENV5 of the emerging Fylde Local Plan to 2032 and the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The erection of the proposed canopy would, post construction, create an unacceptable likelihood of future pressure to fell high amenity value trees, including a Lime Tree that is subject to a Tree Preservation Order. Accordingly the proposal would be contrary to policy EP12 of the Fylde Borough Local Plan (2005), Policies GD7 and ENV1 of the submission version Fylde Local Plan to 2032.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0723	Address 84 Clifton Street, Lytham St Annes	Grid Ref. E.3365 : N.4271	Scale 0 5 10 15 20 m

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	11 OCTOBER 2017	5
LIST OF APPEALS DECIDED			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

The council received the following attached appeal decisions between 25/8/17 and 29/9/2017.

SOURCE OF INFORMATION

Development Services

INFORMATION

List of Appeals Decided attached.

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform members on appeals that have been decided.

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473

APPEAL DECISIONS

The council received decisions on the following appeals in the period 25 August 2017 to 29 September 2017. The decision notices are appended to this report.

Rec No: 1 25 July 2017	16/0894	45 WESTBY STREET, LYTHAM ST ANNES, FY8 5JF	Householder Appeal Case Officer: CB
		FIRST FLOOR REAR EXTENSION WITH JULIET BALCONY TO REAR. FORMATION OF PARKING AREA TO REAR WITH ACCESS FROM SOUTH WESTBY STREET WITH WIDENING OF OPENING TO REAR BOUNDARY WALL AND INSTALLATION OF FOLDING DOORS	

Fylde Dec. Level Appeal Decision:	DEL Dismiss: 15 September 2017
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Rec No: 2 21 August 2017	16/0596	27 CECIL STREET, LYTHAM ST ANNES, FY8 5NN	Householder Appeal Case Officer: AS
		PROPOSED DEMOLITION OF PART OF EXISTING BOUNDARY WALL TO UPPER WESTBY STREET SIDE TO FORM NEW VEHICULAR ACCESS ALONG WITH FORMATION OF AREA OF HARDSTANDING TO PROVIDE VEHICLE PARKING.	

Fylde Dec. Level Appeal Decision:	DEL Dismiss: 28 September 2017
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Appeal Decision

Site visit made on 22 August 2017

by Andrew McCormack BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 September 2017

Appeal Ref: APP/M2325/D/17/3176612

45 Westby Street, Lytham St Annes, Lancashire FY8 5JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Matthew Eaton against the decision of Fylde Borough Council.
 - The application Ref 16/0894, dated 1 November 2016, was refused by notice dated 24 March 2017.
 - The development proposed is first floor rear extension over existing single storey kitchen and sliding/folding doors in rear boundary wall to south Westby Street to allow vehicular parking access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's Reasons for Refusal refer to emerging planning policies ENV5 and GD7 within the Fylde Local Plan to 2032 (Submission Version) (the FLP). The FLP is currently the subject of an Examination in Public. As such, the policies within it cannot be afforded full weight in the determination of this appeal. Having had regard to the FLP policies and the stage which the emerging plan has reached, I have given moderate weight to those policies as material considerations. However, as the FLP policies are not adopted, they are not part of the development plan. Therefore, whilst I have given them due consideration as material considerations, I have determined the appeal principally against the adopted policies within the Fylde Borough Local Plan, as altered (October 2005).

Main Issues

3. The main issues are the effect of the proposed development on the:
 - character and appearance of the surrounding area, including the Lytham Town Centre Conservation Area; and
 - living conditions of neighbouring occupiers, with regard to outlook, daylight and privacy.

Reasons

4. The appeal property is situated within a group of terraced dwellings located between Westby Street and South Westby Street and a significant number of nearby properties have single and two storey rear extensions. There are garden areas to the rear of the properties and beyond these and South Westby Street, there is a public surface-level car park. The proposal also lies within the Lytham Town Centre Conservation Area (CA).

Character and appearance

5. The rear elevation of the appeal property is clearly visible from South Westby Street and the nearby car park. I note that the proposed extension would be of a similar type, scale and design to some which can be seen at other nearby properties, including the two storey extension at a neighbouring property, 43 Westby Street (No.43). These extensions form a strong feature in the local area along the rear elevations of properties on the south side of Westby Street. As a result, the character and appearance of those properties, particularly when viewed from South Westby Street, is now mixed and very different to how they would have appeared originally.
6. Given this change in character and appearance of the properties and the area overall, I find that the proposed extension would not be out of keeping with its surrounding context. It would be of a design, scale and appearance which would be similar to other two storey rear extensions nearby. Furthermore, it would appear subservient and of an appropriate scale and appearance to its host property.
7. The Council argues that the upper portion of the appeal property is considered to be distinctive and would be damaged by the proposed extension. As such, it is stated that the property should be retained as it is. Notwithstanding this, I find the upper portion of the property not to be particularly distinctive in its appearance or character. Therefore, in my view, the proposed extension would have no material harmful effect on the character and appearance of the property, the wider street scene or visual amenity within the surrounding area.
8. However, I now turn to the proposed alterations to, and partial removal of, the rear boundary wall of the property. I note that this part of the proposed development seeks to provide access for parking within the appeal site. Nevertheless, given its prominent and highly visible position on South Westby Street and in the wider street scene, I find that the alteration and removal of this traditionally built wall would be detrimental to that street scene. As a result, it would have a significant harmful impact on the character and appearance of the area, including the CA.
9. I acknowledge the appellant's comment no objection would be raised to this element of the proposal being omitted from any planning permission were it considered to have a harmful impact on the locality. Notwithstanding this, I must assess the proposed development on the same basis as the Council has determined the planning application. Therefore, I have considered the proposal in its entirety and reached my decision accordingly.
10. Having regard to the proposal's location, I must assess whether it would have a detrimental effect on the CA or preserve or enhance its character and appearance. Accordingly, I have carefully considered these matters. As a result, I find it inevitable that the proposal would alter the appearance of the host property and its immediate surroundings. Nonetheless, the proposed extension itself would have only a limited impact on the CA. However, the proposed alteration and removal of the rear boundary wall would have a significant adverse effect on the character and appearance of the CA. The harm caused would be less than substantial. Notwithstanding this, in my view, the proposed development, when considered as a whole, would not preserve or enhance the character and appearance of the CA.
11. Consequently, I conclude that the proposed development would have a significant detrimental impact on the surrounding area and would not preserve the character and appearance of the CA. Therefore, it would be contrary to Policy EP3 of the

Fylde Borough Local Plan as Altered (October 2005) and the relevant sections of the Framework. Amongst other matters, this policy and guidance seeks to ensure that development respects and has regard to the character, appearance and setting of its surroundings, including conservation areas.

Living conditions: outlook, daylight and privacy

12. As a mid-terraced dwelling, the appeal property has neighbours in close proximity on either side. The neighbouring occupiers of No.43 would be the most affected by the proposed development with regard to outlook and daylight. I note that there is a set of glazed doors positioned within the original rear wall of No.43. These doors serve the dining room of the property and are located at ground floor level and are adjacent to the shared boundary with the appeal property.
13. There is a two storey rear extension at No.43 which is similar to the proposal. The side elevation of that extension, facing the appeal property and proposed extension, features a ground floor window for the kitchen and a first floor window serving a bedroom. From my site visit, I saw that these rooms are both served by other windows in the south elevation of the property. The first floor bedroom is, in fact, served by glazed doors and a Juliet balcony. As a result, these rooms have a dual aspect. Therefore, I find that the impact of the proposed extension on outlook from these rooms, particularly the bedroom, would be diminished.
14. Furthermore, I note that the glazed doors serving the dining room provide the only direct source of daylight for the room, as well as the outlook from the room for the occupiers of the property. The doors are located between the two storey extension of No.43 and the existing single storey rear extension of the appeal property. As a result, the dining room currently receives a limited amount of daylight through the doors and has a limited but open outlook.
15. The proposal would increase the height of the existing rear extension at the appeal property along the shared boundary with No.43 to two storeys. This would create a two storey recess between the rear extension of No.43 and the proposed extension. This recess would have a depth of around 5 metres and would be about 2 metres wide. As a result, I find that the proposal would significantly impact the amount of daylight reaching the dining room through the glazed doors which is currently experienced by the occupiers of No.43. Furthermore, the proposed extension would significantly diminish the outlook of the occupiers of No.43 from the dining room and create an unacceptable sense of enclosure.
16. In addition, I note the proximity of the proposed extension to the ground floor doors and windows serving in the dining room and kitchen of No.43. Due to the position and nature of these openings, I find that the impact of the proposal on No.43 and its occupiers with regard to daylight and outlook would be significant.
17. I appreciate that the outlook and, to a limited degree, daylight from the first floor side bedroom window within the rear extension of No.43 would be adversely impacted by the two storey blank elevation of the proposed extension. However, from what I saw, I find that its impact would be diminished by the presence of the glazed doors and Juliet balcony in the south elevation.
18. The Council has indicated that the overlooking of neighbouring properties from the proposed Juliet balcony would be unrestricted and therefore unacceptable. Whilst I acknowledge that other properties, including No.43, have been granted permission for similar proposals, it is noted that approval was granted prior to changes in national and local planning policy and guidance. Accordingly, I have assessed the proposed development on its own individual merits and against the most up-to-date, adopted planning policy and guidance.

19. It is apparent that there would be some overlooking of neighbouring gardens from the proposed extension. However, I note that this would not be significantly greater than that which currently exists through the approved and constructed extensions nearby, include the rear extension at No.43 which overlooks the rear garden of the appeal property amongst others. Whilst overlooking would occur as a result of the proposal, in my view, the harm caused would not be significant given the surrounding context and open aspect of the rear gardens in the surrounding area. Notwithstanding this, given my findings on the other aspects relating to outlook and daylight, whilst not significant, I find that combined with the impact of those other aspects the proposal development would result in some limited harm regarding overlooking.
20. As a result, I find that the proposal would have an adverse impact on the living conditions of the occupiers of No.43 and that existing attributes relating to outlook, daylight and privacy would be materially diminished were the proposed development allowed. Furthermore, I find that such impacts would not be appropriately addressed through the imposition of planning conditions.
21. Consequently, I conclude that the proposed development would have a significant adverse impact on the living conditions of neighbouring occupiers with regard to outlook, daylight and privacy. Therefore, it would be contrary to Policy HL5 of the Fylde Borough Local Plan, as altered (October 2005) and the relevant sections of the Framework. Amongst other matters, this policy and guidance seeks to ensure that development has no material detrimental effect on the living conditions of neighbouring occupiers and uses.

Planning Balance

22. The proposed extension would provide additional accommodation to a property in an established, accessible and sustainable residential area. It would be of a similar design and scale to other extensions which have been constructed nearby. As a result, I find that the visual impact of the proposed extension on the host property and the wider area would not be materially harmful. In addition, in my view, the proposed extension would not have a significant adverse impact on the character and appearance of the CA.
23. Notwithstanding this, the alteration and removal of part of the rear boundary wall would be materially harmful to the local area and the CA. As a result, the proposal would not have a preserving or enhancing effect on the character or appearance of the CA. Accordingly, significant weight is given to this matter. Moreover, the outlook from the glazed doors of the dining room of No.43 and the daylight which the dining room currently receives through those doors would be significantly diminished by the proposed development. This would have a significant harmful effect on the occupiers of No.43. In addition, the proposed extension would have some limited adverse impact on the privacy of neighbouring occupiers. Therefore, having had due regard to all of the above, I find that the benefits of the proposal would not outweigh the significant harm I have identified.

Conclusion

24. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew McCormack

INSPECTOR

Appeal Decision

Site visit made on 19 September 2017

by Katie McDonald MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 September 2017

Appeal Ref: APP/M2325/D/17/3178018
27 Cecil Street, Lytham St Annes FY8 5NN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Partington against the decision of Fylde Borough Council.
 - The application Ref 16/0596, dated 4 August 2016, was refused by notice dated 3 April 2017.
 - The development proposed is part demolition of existing boundary wall to form new vehicular access. New area of hardstanding to be created to provide vehicle parking.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Policies GD7 and ENV5 of the Fylde Council Local Plan (submission version) are referred to in the reason for refusal. The purpose of a Local Plan examination is for the Examiner to consider whether the plan is 'sound'. Accordingly, it is possible that a policy could be amended or deleted as a result of the examination or that the plan is withdrawn or found unsound. Whilst the examination may be in an advanced stage, Policies GD7 and ENV5 are not adopted development plan policy and I will not give them significant weight in my assessment.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the Lytham Conservation Area (CA), including its effect on protected trees.

Reasons

4. The site is a three storey, red brick, end of terrace dwelling, located within the CA. The significance of the conservation area is derived from the distinctive late-19th Century buildings that create a pleasant and historic townscape, characterised by many archetypal high quality architectural details.
5. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is to remove a section of the boundary wall to Upper Westby Street in order to create a

- vehicular access point, along with the formation of hardstanding to the side garden and alterations to the kerb. The works would facilitate off-street parking for 2 cars.
6. A prominent feature of the CA is the prevalence of low height brick boundary walls with stone copings. They serve to define private gardens, but are also an important element of the townscape positively contributing to the overall character and appearance of the CA. This is particularly evident at the fronts and side of dwellings, where boundary walls are generally unbroken, with the exception of pedestrian access gates.
 7. In this location, the boundary wall encloses the front and side garden running parallel with Upper Westby Street to the rear boundary. The side wall is extensive and features only one modest break to provide pedestrian access, flanked by gate posts.
 8. The proposal would amount to the removal of around a 4m wide section of boundary wall, relocating the existing gate post and blocking up the pedestrian access. The proposal would introduce a reasonably wide break in a fairly prominent location. Given the almost unbroken and continuous nature of walling in this location, I find that it would be a noticeable and adverse change.
 9. The appellant details that the wall is in a poor condition and the proposal would facilitate its repair. I acknowledge that the wall could perhaps benefit from some remedial works. However based on the evidence before me, there is nothing to conclude that it is beyond economic repair. As such, the interference to the wall would not meet any of the demolition exception criteria set out in Policy EP3 of the Fylde Borough Local Plan as Altered (October 2005) (LP).
 10. Therefore, I find that the creation of the vehicular access would be harmful to the overall setting of the CA, neither conserving nor enhancing its character and appearance.
 11. Moreover, the area proposed for the car parking is a side garden, partially located in front of an attractive bay window. It is currently landscaped, open and reads as part of the front garden, contributing to the landscape quality and character of the CA. On its own, the installation of hardstanding would not be unduly harmful. However, the introduction of cars parked in this specific location would be conspicuous, incongruous and detrimental to the overall physical setting of this dwelling in the CA.
 12. I recognise that the area is heavily reliant on on-street parking. However, as the proposal would remove one on-street space to facilitate the access, I do not find that the provision of one net additional space would be sufficient to outweigh the identified harm to the character and appearance of the CA.
 13. Consequently, I find that the proposal would be in conflict with Policies HL5 and EP3 of the LP, which seek, amongst other things, high quality residential development that conserves or enhances the character and appearance of conservation areas.
 14. The protected trees to the side of the site are of a very high amenity value, being 2 substantial, tall species of *Whitebeam* that positively contribute to the character and appearance of the CA; as recognised by their inclusion in the Tree Preservation Order.

15. The appellant has not submitted a site specific arboricultural report and therefore it is difficult to judge what the impact of the proposal would be on the protected trees. I note the generic method statement, and that the Council's Tree and Landscape Officer suggests that this matter could be dealt with by a planning condition that would control how digging in the root protection areas (RPA) is carried out, during the construction of the development.
16. Nevertheless, in the absence of an arboricultural report that examines the health of the trees, the depth of their roots and their RPAs, this carries risks. Damage to even a small percentage of tree roots can be fatal. I find that allowing the development would risk damaging the trees unnecessarily, which may lead to their premature loss, contrary to Policy EP12 of the LP, which seeks the protection of trees.

Other Matters

17. I observed all examples of parking that were mentioned by the appellant. I found that those within the CA were not directly comparable due to the specific location of the parking areas and the individual circumstances of each site. Furthermore, each proposal falls to be considered on its own particular merits and that is what I have done here.
18. The gap between the trees is narrow, and I have noted the photographs from the appellant regarding vehicles parking in close proximity. To allow this proposal would restrict parking in this area on-street, but this would not outweigh the impact that I have identified above.
19. I have no specific information or evidence regarding the removal of other trees in the area or poor repairs to boundary walls and I give these matters little weight.

Conclusion

20. The statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. I find that the proposal would harm the significance of the CA, leading to 'less than substantial harm' as set out in the National Planning Policy Framework. There are no identified public benefits that would outweigh the harm. I have also found that the proposal may result in the loss of protected trees.
21. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

Katie McDonald

INSPECTOR