



# MINUTES

## Planning Committee

<b>Date:</b>	Wednesday, 19 May 2021
<b>Venue:</b>	Council Chamber, Town Hall, St Annes.
<b>Committee Members Present:</b>	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman)  Councillors Frank Andrews, Tim Armit, Chris Dixon, Jayne Nixon, Linda Nulty, David O'Rourke, Heather Speak, Stan Trudgill.
<b>Other Members:</b>	Councillor Brian Gill.
<b>Officers Present:</b>	Ian Curtis, Mark Evans, Andrew Stell, Julie Glaister, Lyndsey Lacey-Simone, Hannah Kirk
<b>Members of the Public:</b>	1 member of the public attended the meeting.

### Procedural Items

#### Welcome

The Chairman welcomed all present to the first in- person meeting since the start of the Covid pandemic.

#### Public Speaking at the Planning Committee

There were no registered speakers.

#### 1. Declarations of Interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members.

Councillor Tim Armit declared a personal interest in item 5 on the main agenda relating to education contribution/ Section 106 agreement for development of the former EDS site, Heyhouses Lane, Annes in so far as he is a Governor of Lytham St Annes High School.

Councillor Chris Dixon declared a personal interest in item 5 on the main agenda relating to education contribution /Section 106 agreement for development of the former EDS site, Heyhouses Lane, Annes in so far as his wife is a teacher of Clifton Primary School, St Annes.

Councillor Brian Gill declared a personal interest in item 5 on the main agenda relating to education contribution/Section 106 agreement for development of the former EDS site, Heyhouses Lane, Annes in so far as he is a Governor at Clifton Primary School, St Annes.

#### 2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee meeting held on 28 April 2021 as a correct record for signature by the Chairman.

### 3. Substitute Members

The following substitution was reported under Council Procedure Rule 24:

Councillor Frank Andrews for Councillor Ray Thomas.

### Decision Items

#### 4. Planning Matters

The Committee considered the report of Mark Evans (Head of Planning and Housing) which set out the various planning applications. A copy of the Late Observation Schedule was circulated prior to the meeting.

Following detailed consideration of each application, it was RESOLVED to decide the applications as stated in the schedule attached.

#### 5. Education Contribution Relating to Section 106 Agreement for Development at the Former Government Offices Site, Heyhouses Lane, Lytham St Annes

The Chairman invited Mark Evans (Head of Planning and Housing) to present the report. In doing so, he sought the Committee's approval for the transfer of Section 106 funds originally paid to Fylde Council as a contribution towards the provision of additional primary school places in relation to planning application 12/0465, (land at the former EDS site, Heyhouses Lane, St Annes) to fund the provision of additional primary school places to serve the needs of the development. Details regarding this matter were set out in the report.

It was RESOLVED: To recommend to Council approval of a fully funded revenue budget increase of £393,089 fully funded from the S106 contribution (application 12/0465) and to authorise the sum of £278,792 be paid to Lancashire County Council and £114,297 be paid direct to Clifton Primary School for the provision of additional school places at Clifton Primary School in accordance with the terms of the agreement, subject to the approval of the fully funded budget increase by Council.

#### 6. Examination of the Partial review of the Fylde Local Plan to 2032 - Post Hearing Letter

Julie Glaister (Planning Policy Manager) was invited by the Chairman to present the report. She reported that further to the hearing sessions for the examination of the Partial Review of the Fylde Local Plan to 2032 (PRFLP32) on 17 and 18 March 2021, the Council had received a letter (dated 30 April) from the Inspector which directs the Council on matters associated with the Housing Need, the Housing Requirement, and sets out next steps. The letter was included as an appendix to the report.

In summary, the Inspector stated that whilst she is satisfied that the local housing need is 275 dwellings per annum (dpa) or 6,895 dwellings overall, she also considered that the council should seek to assist in the delivery of Wyre's current unmet housing need which is 380 dwellings during the plan period.

Members were advised that when this is aggregated (30dpa) and added to Fylde's assessed need (275 dpa), this resulted in a minimum housing requirement of 305 dpa or 7,275 dwellings for the plan period 2019/20 to 2031/32.

It was further reported that the Inspector recommended that the Council provide draft main modifications in line with her directions. These modifications are required for the plan to be found sound. The adopted Fylde Local Plan to 2032 already allocates enough housing land to deliver 415 dpa. The Inspector concluded that this provides appropriate flexibility to ensure that the revised housing need figure is met and more than enough supply to meet Wyre Council's current unmet need.

Ms Glaister explained that once the revised local plan is adopted, the minimum housing requirement figure of 305 dpa would be used to calculate the five-year land supply and this would help to deliver a robust five-year housing land supply.

Following consideration of this matter, it was RESOLVED:

1. To accept the directions of the Inspector as set out in her letter included at Appendix 1 of the report.
2. To request that Draft Main modifications which set out these changes directed by the Inspector are drafted for further consideration by the Planning Committee prior to being consulted up on, in order that the PRFLP32 can progress towards adoption.

7. Welcome Back Fund

Ian Curtis (Head of Governance) introduced the report. In doing so, he stated that the Government had introduced the “Welcome Back Fund” to support town centres in their recovery from the economic effects of the pandemic. This report proposed administrative arrangements to enable relevant funding to be applied for, managed, and allocated.

Following consideration of this matter, it was RESOLVED

1. To delegate the following powers to the Director of Development Services:

*Power to enter into all administrative arrangements necessary for the council to claim and receive funding from the Welcome Back Fund and the Reopening High Streets Safely Fund, including entering into a grant funding agreement*

2. To delegate the following powers to the Director of Development Services, to be exercised following consultation with the Leader of the Council and the Chairman of the committee

*Power, after appropriate consultations with relevant stakeholders and consideration by the Town Centres Working Group to develop and implement plans and projects to be funded from the Welcome Back Fund and the Reopening High Streets Safely Fund.*

3. To recommend to Finance and Democracy Committee a revenue budget increase of up to £243,516 in 2021/22 fully funded from the government grant funding streams as detailed in the report.

Information Items

8. List of Appeals Decided

It was reported that the Council received no appeal decisions between 16/04/2021 and 07/05/2021.

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# Planning Committee Minutes

## 19 May 2021

Item Number: 1

<b>Application Reference:</b>	20/0324	<b>Type of Application:</b>	Reserved Matters
<b>Applicant:</b>	Prospect Homes Ltd	<b>Agent :</b>	CFM Consultants Ltd.
<b>Location:</b>	LAND EAST OF ORCHARD DENE, KIRKHAM ROAD, TREALES ROSEACRE AND WHARLES		
<b>Proposal:</b>	RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION 16/0433 SEEKING DETAILED PERMISSION FOR THE ACCESS, LAYOUT, APPEARANCE, LANDSCAPING AND SCALE OF A DEVELOPMENT INVOLVING 3 DWELLINGS		

### Decision

Reserved Matters :- Granted

### Conditions and Reasons

1. This permission relates to the following plans:
  - Location Plan - CFM Drawing PH/04701/001
  - Proposed Site Plan - CFM Drawing PH/04701/003 Rev E
  - Boundary Treatment Plan - CFM Drawing PH/04701/004 Rev D
  - Hard Landscaping Plan - CFM Drawing PH/04701/005 Rev D
  - Access and Levels Plan - CFM Drawing PH/04701/006 Rev E
  - Swept Path Plotting - CFM Drawing PH/04701/021 Rev A
  - Proposed Elevations Plot 1 - CFM Drawing PH/04701/010 Rev B
  - Ground Floor Plan Plot 1 - CFM Drawing PH/04701/011 Rev B
  - First Floor Plan Plot 1 - CFM Drawing PH/04701/012 Rev B
  - Elevations Plot 2 - CFM Drawing PH/04701/013 Rev A
  - Ground Floor Plan Plot 2 - CFM Drawing PH/04701/015 Rev A
  - First Floor Plan Plot 2 - CFM Drawing PH/04701/016 Rev A
  - Elevations Plot 3 - CFM Drawing PH/04701/014 Rev E
  - Ground Floor Plan Plot 3 - CFM Drawing PH/04701/016 Rev C
  - First Floor Plan Plot 1 - CFM Drawing PH/04701/017 Rev C
  - Landscaping Proposals Plan - ReLandscape Plan 206.4.01 Version 6
  - Planting Plan - ReLandscape Plan 206.4.02 Version 6
  - Tree Protection Plan - CFM Drawing PH/04701/008 Rev E
  - Tree Removal Plan - CFM Drawing PH/04701/022

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

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

2. Notwithstanding any description of materials in the application and the requirements of

condition 1 of this permission, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the dwellings and the hard surface areas within the site have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

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

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the soft landscaping scheme for the development shown on the Planting Plan by ReLandscape (ref: 206.4.02 V6) as listed in condition 1 to this reserved matters approval shall be carried out during the first planting season that occurs after the dwelling on each associated plot is first occupied.

The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with a maintenance scheme which has been submitted to and approved in writing by the local planning authority before any of the dwellings are first occupied. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in order that the development assimilates sympathetically into its surroundings, to provide an appropriate landscape buffer with surrounding land uses, to enhance the character of the street scene and to provide appropriate biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 policies ENV1, ENV2 and GD7, and the National Planning Policy Framework.

4. The development shall be carried out in strict accordance with the tree and hedgerow protection measures detailed in the Arboricultural Impact Assessment Overview by Bowland Tree Consultancy dated March 2021. The tree protection fence of the design and routing shown on the Tree Protection Plan (CFM Drawing PH/04701/008 Rev E) as listed in condition 1 of this permission shall be erected prior to the commencement of any other works on site, and shall be retained in the location shown throughout the construction of the dwellings and any associated works hereby approved.

Reason: To ensure that adequate measures are put in place to protect existing trees and hedgerows which are to be retained as part of the development before any construction works commence in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV1.

5. With the exception of those specimens identified on CFM Tree Removal Plan (Ref: PH/04701/022) as listed in condition 1 of this approval, no other trees or hedges shall be pruned, topped or removed unless details of those works and, in the case of removal a scheme for the provision of appropriate replacement planting which includes details of the number, size, species, siting, planting distances/densities and the programme of planting for replacement hedges and trees, have first been submitted to and approved in writing by the local planning authority. Any replacement planting to be introduced pursuant to this condition shall be carried out in accordance with a timetable which has first been submitted to and approved in writing by the local planning authority and any replacement trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to

those originally required to be planted.

Reason: To protect the existing trees and hedgerows on the site that are shown to be retained as part of the scheme and to ensure appropriate compensatory planting is introduced to offset any additional tree and hedge removal required as a result of the development in the interests of visual amenity, to safeguard the amenities of existing and future occupiers and to ensure appropriate protection for and/or replacement of valuable green infrastructure networks in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2.

6. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, boundary treatments to each plot shall be erected in accordance with the details (including their type, siting, height, design, materials and finish) shown on the boundary treatment plan listed in condition 1 of this reserved matters approval before the dwelling on that plot is first occupied, and shall be retained as such thereafter.

Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), where this plan confirms that the boundary treatment shall be formed with a hedge only then there shall be no other form of fixed boundary treatment installed or erected in that location.

Reason: In the interests of the security of future occupiers, to ensure adequate levels of privacy between neighbouring dwellings and to achieve an acceptable appearance in the street scene in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

7. Prior to the first occupation of each of the dwellings hereby approved the access arrangements for that property as shown on the Access and Levels Plan listed in condition 1 of this reserved matters approval shall have been implemented in full accordance with that plan, in particular the development shall have made provision for:

- a) minimum visibility splays of 2.4 metres x 43 metres (measured along the centre line of the proposed new driveway from the continuation of the nearer edge of the existing carriageway of Kirkham Road in both directions
- b) that part of the access extending from the highway boundary for a minimum distance of 5 metres into the site to be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.
- c) that part of the access to not exceed the widths shown on the Access and Levels Plan listed in condition 1 of this reserved matters approval
- d) any gates erected across the access to be positioned at least 5 metres behind the back edge of the footway and for the gates to open away from the highway.
- e) the dwelling to be provided with on-site parking and turning areas as shown on the approved Access and Levels Plan listed in condition 1 of this reserved matters approval

The site access and any associated gates shall be constructed in accordance with the duly approved details and made available for use before the dwelling on the respective plot is first occupied. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent order following the revocation or re-enactment thereof (with or without modification), the visibility splay in a) shall thereafter be kept free of any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction) over 1 metre in height.

Reason: To ensure a suitable and safe means of access to the site for vehicular traffic and to achieve a satisfactory standard of engineering works in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

8. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the following fenestration 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 extensions hereby approved are first occupied:
- a) The first floor windows on the east and west facing side elevation of plot 1 (excluding the side facing window to bed 2)
  - b) The first-floor windows on the west facing side elevation of plot 3 (excluding the side facing window to bed 1)

The duly installed obscured glazing shall be retained as such thereafter.

Reason: To ensure that appropriate measures are put in place to limit the potential for overlooking between future occupiers of the approved dwellings and existing properties in order to ensure a high standard of amenity for existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

9. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), all garages (whether integral or detached) associated with each dwelling hereby approved shall be retained for the parking of vehicles and shall not be converted to or used as additional living accommodation.

Reason: To ensure that appropriate provision is maintained for the parking of vehicles off the highway in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T5, and the National Planning Policy Framework.

#### **Informative notes:**

1. **Highway Note**

This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information. This can be done either by:

- Visiting [www.lancashire.gov.uk](http://www.lancashire.gov.uk) and following the links after searching 'Vehicle Crossings'
- telephoning the Area Manager South 01772 538560
- writing to the Area Manager South, Lancashire County Council, Cuerden Way, Bamber Bridge, Preston PR5 6BS quoting the planning application.

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

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:

1. Providing advice to the applicant/agent during the course of the application on potential

- problems and possible solutions
2. Securing revised plans during the course of the application which have overcome initial problems

**Item Number:** 2

<b>Application Reference:</b>	21/0199	<b>Type of Application:</b>	Variation of Condition
<b>Applicant:</b>	Mr H Barnes	<b>Agent :</b>	
<b>Location:</b>	7 JUBILEE WAY, LYTHAM ST ANNES, FY8 3TT		
<b>Proposal:</b>	MINOR MATERIAL AMENDMENT TO PLANNING PERMISSION 20/0525 FOR ALTERATIONS TO APPROVED REPLACEMENT DWELLING INCLUDING: 1) 1 METRE INCREASE IN LENGTH OF TWO STOREY REAR OUTRIGGER; 2) ADDITION OF 0.6 METRE LONG LEAN-TO AT GROUND FLOOR LEVEL TO REAR OF KITCHEN; 3) INCREASE IN WIDTH AND RIDGE HEIGHT OF PROJECTING FACING GABLE TO FRONT ELEVATION; AND 4) INSTALLATION OF OBSCURELY GLAZED FIRST FLOOR STAIRWAY WINDOW TO NORTH FACING SIDE ELEVATION		

### Decision

Variation of Condition :- Granted

### Conditions and Reasons

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

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

2. This permission relates to the following plans:

- Location Plan
- Proposed Elevations - Drawing no. 1216 PL BAR A.5
- Proposed Ground Floor Plan - Drawing no. 1216 PL BAR A.1
- Proposed First Floor Plan - Drawing no. 1216 PL BAR A.2

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

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

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

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with



Policy GD7 of the Fylde Local Plan to 2032.

4. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), before the dwelling hereby approved is first occupied the first floor bathroom window shown on the south facing side elevation and the stairway first floor window shown on the north facing side elevation of the dwellinghouse 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) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed. The duly installed window shall be retained as such thereafter.

Reason: To ensure that appropriate measures are put in place to limit the potential for overlooking between the development and No's 5 & 9 Jubilee Way in order to preserve the privacy of the occupiers of No's 5 & 9 Jubilee Way in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

5. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the dwelling hereby approved shall not be altered or extended.

Reason: In order to prevent overdevelopment of the site, to ensure that satisfactory provision of outdoor amenity space for the dwellinghouse is maintained and to safeguard the amenities of the occupiers of adjacent dwellings in accordance with the requirements of policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework

6. No site preparation, delivery of materials or construction works, other than quiet internal building operations such as plastering and electrical installation, shall take place other than between 08:00 hours and 18:00 hours Monday-Friday and between 08:00 hours and 13:00 hours on Saturdays. No delivery of materials or construction work shall take place on Sundays.

Reason: To safeguard the amenities of occupiers of surrounding properties during the course of construction of the development and to limit the potential for unacceptable noise and disturbance at unsocial hours in accordance with the requirements of Fylde Borough Local Plan policy EP27 and the National Planning Policy Framework.

#### **Informative notes:**

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

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.