

# Planning Committee Agenda

## 27 July 2022

Item No.	Appn No.	Location	Proposal	Recommendation	Page No
1	21/0653	HILL TOP FARM, BACK LANE, WEETON WITH PREESE, PRESTON, PR4 3HS	RETROSPECTIVE APPLICATION FOR CHANGE OF USE OF LAND TO MIXED USE AS A SINGLE GYPSY / TRAVELLER PITCH WITH ONE STATIC CARAVAN AND UP TO THREE RESIDENTIAL TOURING CARAVANS, AND FOR INCIDENTAL USE OF EXISTING STABLE AND STORE BUILDING. DEVELOPMENT INCLUDES LAYING OF HARDSTANDING AND ALTERATIONS TO ACCESS TO BACK LANE WITH INCREASED WIDTH AND NEW WALL	Grant	5
2	22/0281	3 RIBBY ROAD RIBBY WITH WREA PRESTON LANCASHIRE PR4 2NB	EXTENSION AND ALTERATION OF THE DWELLING: 1) ALTERATION OF MAIN ROOF OF THE DWELLING FROM HIP TO GABLE, 2) DORMER EXTENSION TO REAR ROOF SLOPE, 3) SECOND FLOOR WINDOW INSERTION TO SIDE.	Grant	22
3	22/0358	6 POLPERRO DRIVE FRECKLETON PRESTON LANCASHIRE PR4 1YD	EXTENSION AND ALTERATION OF THE DWELLING: 1) HIP TO GABLE ROOF ENLARGEMENT, 2) REAR DORMER.	Grant	30

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### **Background Papers**

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 Local Government Act 1972:

- Fylde Local Plan to 2032 (incorporating Partial Review) – December 2021
- Joint Lancashire Minerals and Waste Local Plan
- Bryning-with-Warton Neighbourhood Plan
- Saint Anne's on The Sea Neighbourhood Development Plan
- National Planning Policy Framework 2021
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- 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 online at [www.fylde.gov.uk/resident/planning](http://www.fylde.gov.uk/resident/planning)

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### Item 1

<b>Application No:</b>	21/0653	<b>Case Officer:</b>	Andrew Stell Area Team 1
<b>Applicant:</b>	Ms Connor	<b>Agent:</b>	Mr Carruthers
<b>Location:</b>	HILL TOP FARM, BACK LANE, WEETON WITH PREESE, PRESTON, PR4 3HS		
<b>Proposal:</b>	RETROSPECTIVE APPLICATION FOR CHANGE OF USE OF LAND TO MIXED USE AS A SINGLE GYPSY / TRAVELLER PITCH WITH ONE STATIC CARAVAN AND UP TO THREE RESIDENTIAL TOURING CARAVANS, AND FOR INCIDENTAL USE OF EXISTING STABLE AND STORE BUILDING. DEVELOPMENT INCLUDES LAYING OF HARDSTANDING AND ALTERATIONS TO ACCESS TO BACK LANE WITH INCREASED WIDTH AND NEW WALL		
<b>Ward:</b>	Singleton and Greenhalgh	<b>Parish:</b>	Singleton
<b>Statutory Expiry:</b>	29 July 2022	<b>Earliest Decision:</b>	3 May 2022
<b>Reason for any delay:</b>	Need to determine at Committee due to Parish / Town Council request	<b>Online application file</b> <a href="#">here</a>	

**Officer Recommendation:** Grant

#### Summary of Officer Recommendation

The application site is a rectangular area of land that forms the western part of a triangular field bounded by the M55 motorway, Weeton Road and Back Lane, and so is between Weeton and Wesham. In this location it is designated as Countryside under Policy GD4 of the Fylde Local Plan to 2032 (incorporating Partial Review). The land has a previous lawful use for equestrian activities, including equestrian related training, but is now occupied as a single gypsy pitch. This application seeks retrospective planning permission for that use, including the siting of a mobile home and up to three touring caravans as well as alterations to the vehicular entrance.

There is no provision in Policy GD4 for development of this nature, and so the application is in conflict with that policy. However, the development plan is to be read as a whole and there is a separate policy that specifically relates to applications for gypsy and traveller sites in Policy H5. There are two elements to this policy: one part allocates specific sites for that use and this site is not one of those allocated, and one which includes a series of criteria to be used to test the acceptability of schemes that are proposed on windfall sites. This latter element is relevant for the consideration of this application.

The proposal satisfies all the 'practical' criteria of this policy in that the development is not visually harmful, it has an approximate access arrangement, its occupation will not detract from residential amenity, it is not located in the green belt, etc. There is a tension with the policy in that it requires that there is a locational 'need' for the pitch to be established under criterion a), and this is less clear given the allocations and the information on need in the latest Fylde Coast Gypsy and Traveller Accommodation Assessment from 2016. However, this is dated research and the fact that the applicant has occupied the land provides some clarification that this single pitch is 'needed' to meet a demand for gypsy accommodation. There is a need for planning decisions to be made positively and in the absence of any conflicts with the practical elements of this policy the question over the need for this additional pitch is not sufficient to warrant a refusal of the application, and it is

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therefore accepted that the proposal accords with Policy H5 and so the relevant development plan policy for assessing the application.

A couple of local residents and the Parish Councils in the area have raised objection to the application relating to concerns over the access to the site which is located close to the junction of Back Lane with Weeton Road and Kirkham Road. However, this is an existing access point that has served a use that is likely to have generated greater trip movements for some years and provides an arrangement that the local highway authority have no objection to subject to the imposition of standard conditions. As such it is not considered that a reason for refusal on highway grounds could be sustained despite the reservations of these locally expressed reservations.

The proposal is therefore recommended for approval subject to a series of conditions to control the scope of the permission, to secure the required improvements to the access arrangements, and to implement landscaping enhancements to the site perimeter.

### **Reason for Decision Level**

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

### **Site Description and Location**

The application site is the western part of a triangular field that is bounded by the M55 motorway, Weeton Road and Back Lane. It is located in the countryside and has been most recently lawfully used for equestrian purposes and associated training. The site was originally accessed from Weeton Road, but a revised access point was provided from Back Lane and that now serves the site and is the access proposed for this development.

The site contains a portal frame agricultural style storage building and an L-shaped block of 5 stables. There is a hardsurfaced area around these buildings and an overgrown sand paddock. More recently the majority of the application site has been hardsurfaced in road planings and hardcore with a fence erected to separate it from the retained grassland to the east. At the time of the officer site visits there have been a static park home on the site and occasionally 1 or 2 touring caravans.

The surrounding land uses are generally in agricultural use, although there is a kennels operation associated with the nearest dwelling which is to the opposite side of Back Lane to the access point, and there is a van hire/sales operation to the rear of the next nearest dwelling at Windmill Farm.

The site is in the countryside as designated by Policy GD4 of the Fylde Local Plan to 2032 (incorporating Partial Review).

### **Details of Proposal**

Planning permission is sought for the following:

1. The change of use of the land to be used for a mixed use of a single gypsy pitch with equestrian use.
2. The gypsy pitch use has involved the importation of material to form additional areas of hardstanding and the use of an existing stable building on the site for ancillary purposes such as providing a laundry and domestic store

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3. The siting of a mobile home and up to 3 touring caravans on the land
4. Alterations to the access including the widening of the access point and the construction of a walled and gated entrance feature.

The scheme has been revised since submission to correct an error on the initial plan, to relocate the caravans within the site and to include the reference to the entrance wall as this was not initially part of the submission.

The application is applied for retrospectively in part as the gypsy pitch use began in July 2021, although the entrance wall remains under construction at the time of writing this report.

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

Reference	Proposal	Decision	Date
20/0265	VARIATION OF CONDITION 6 ON PLANNING PERMISSION 15/0195 TO INCLUDE GENERAL PURPOSE TRAINING WITHIN CLASS D1 USE	Refused	29 June 2020
17/0597	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS ON PLANNING PERMISSION 15/0195 CONDITIONS LANDSCAPE MASTERPLAN (CONDITION 4) SOFTWARES PLAN (CONDITION 4) PROPOSED SURFACING (CONDITION 5) HORSE HEALTH PLAN (CONDITION 8) SITE MANAGEMENT PLAN (CONDITION 7	Issued	13 September 2017
15/0195	PROPOSED ERECTION OF BUILDING AND USE OF LAND AND EXISTING PREMISES FOR THE PROVISION OF AGRICULTURAL AND EQUINE TRAINING AND THE RELOCATION OF EXISTING ACCESS FROM WEETON ROAD TO BACK LANE.	Granted	02 February 2016
12/0397	PROPOSED ERECTION OF BUILDING TO PROVIDE 4 X SMALL ANIMAL PENS, EARTH MOUND WITH ASSOCIATED LANDSCAPING, AND SEPTIC TANK WITH SOAKAWAY. (PART RETROSPECTIVE	Granted	18 October 2012
10/0018	USE OF LAND FOR THE GRAZING OF HORSES, ERECTION OF STABLE BUILDING AND FORMATION OF MANEGE FOR PRIVATE USE (AS AMENDED)	Granted	14 April 2010
07/0776	OUTLINE APPLICATION FOR STABLES AND MENAGE FOR PRIVATE USE	Granted	12 September 2007

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

The application site is entirely within Weeton Parish and so their consultation responses are provided below. Unsolicited comments have also been received from neighbouring parishes which are reported below also.

Parish/Town Council	Observations
Weeton Parish Council	<p><u>Comments received on 14 October 2021</u></p> <p><i>It was resolved to RECOMMEND REFUSAL.</i></p> <ul style="list-style-type: none"> <li><i>Potential bottleneck on the junction where access and egress will be actioned.</i></li> </ul>

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	<ul style="list-style-type: none"> <li>• <i>There have been several RTCs at this junction.</i></li> <li>• <i>No provision for surface, waste water and drainage is evident and this needs resolving.</i></li> <li>• <i>The current access point has been widened without permission.</i></li> <li>• <i>The danger of access / egress is an issue as caravans will be stationery on Back Lane whilst opening gates for access.</i></li> <li>• <i>Access is directly opposite and existing commercial enterprise which may be a danger.</i></li> </ul> <p><u>Comments received on 14 October 2021</u></p> <p><i>It was resolved to RECOMMEND REFUSAL.</i></p> <p><i>PC to maintain the existing stance / comments. In addition, there is an increase in traffic, with backing-up on the main highway / crossroads, in the area with a commercial enterprise opposite. This is an existing bottleneck with heavy goods vehicles regularly using the junction.</i></p>
Singleton Parish Council	<p><u>Comments Received 5 May 2022</u></p> <p><i>The Parish Council objects to this proposal as it feels it is in the wrong location at such a busy junction, which would increase the possibility of accidents with touring caravans coming and going. The Parish Council is also concerned about yet another touring site being considered in the area, which it feels is now saturated, putting impossible burdens on local stretched resources, particularly medical centres.</i></p>
Greenhalgh Parish Council	<p><u>Comments received 27 May 2022</u></p> <p><i>It was resolved to recommend refusal. The site is located at a busy crossroad intersection which will prove dangerous for access of caravans / trailers. It must be noted that this yet a further residential site within the rural community on land earmarked for stabling of horses.</i></p> <p><i>The continued development of the countryside is of concern.</i></p>

### Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
LCC Highways	<p><u>Comments of 8 December 2021</u></p> <p>These comments were made in respect of the original scheme and state as a summary:</p> <p><i>“LCC Highways does not have any objections regarding the proposed retrospective application for change of use of land to mixed use as a single gypsy / traveller pitch with one static caravan and up to three residential touring caravans, and for equestrian purposes in existing stable and store</i></p>

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	<p><i>building. Development includes laying of hardstanding, alterations to access to back lane and erection of fencing and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site."</i></p> <p>They then make further comments about the submission which are summarised as:</p> <ul style="list-style-type: none"> <li>• Whilst the use of the access point was agreed in planning permission 15/0195 (which relates to the equestrian use of the site) the reinstatement of the former junction on Weeton Road has not been completed and so should also form a condition to this application if approved.</li> <li>• At site visit there were some vegetation obstructions to access visibility and so a condition of this permission should relate to the provision of sightlines of 2m x 66m in the east direction and 2m to the cross road junction to the west.</li> <li>• They report that there have been three reported collisions in the past five years in the vicinity of the application site. These collisions do not relate the proposed access on Back Lane.</li> <li>• The proposed widening of the access is acceptable.</li> <li>• The surface of the driveway to the gate should be of bound material such as tarmacadam, concrete, block pavements, or other approved materials to prevent loose surface material from being carried on to the public highway causing a potential source of danger to other road users.</li> </ul> <p><u>Comments of 27 May 2022</u></p> <p>These comments were made in respect of the scheme which included the access gate and relocated the accommodation, and are summarised as:</p> <ul style="list-style-type: none"> <li>• The summarised lack of objection is repeated</li> <li>• The requests regarding conditions for visibility, surfacing and reinstatement of the previous Weeton Road access are repeated</li> </ul>
Highways England (now National Highways)	<p><u>Comments of 17 September 2021</u></p> <p>They refer to the proximity of the site to the M55 motorway which runs in a cutting to the north of the site. They 'strongly advise' that the residential area of this site is separated from the motorway by a suitable boundary from a safety perspective.</p> <p>They request that clarification regarding surface water drainage is sought to ensure that this is separated from the motorway drainage and does not discharge to the motorway.</p> <p>They conclude that there is no objection in principle to this application.</p> <p><u>Comments of 19 April 2022</u></p> <p>They retain their stance as in the previous comments, but as the residential area is slightly extended towards the motorway they reinforce their request for a secure fence to prevent the possibility of pedestrian accessing the site, or horses within the site escaping onto the motorway</p>

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### **Neighbour Observations**

Neighbours notified:	15 September 2021
Amended plans notified:	19 April 2022
Site Notice Date:	21 September 2021
Number of Responses	Total number of comments      2
Summary of Comments	The comments received are in opposition to the application, and can be summarised as:

- Raise no objection to a single family living on site, but express concerns that it could expand into an unregulated arrangement with multiple pitches on site
- That the requirement for additional gypsy pitches in the borough as set out in the local plan is 5 further pitches between 2015 and 2032, but this has been considerably exceeded by new pitches at Willow Stables in Weeton, Thames St in Newton, and Stackyard in Warton. As such the council has already fulfilled its obligations to the local plan.
- The access to the site is located in close proximity to the junction of Back Lane and Weeton Road and Kirkham Road, and is opposite to a property which trades as a dog kennels. This means that there are high traffic volumes in the area and a large number of turning manoeuvres, with some undertaken by agricultural vehicles that are likely to turn slowly. These factors ensure that the access point is in a difficult location where the additional traffic that is involved in the development would be unsafe
- The access has been altered without planning permission and so there are doubts that any requirements relating to its construction will be followed
- The application should not be supported as the applicants have commenced work without obtaining the required planning permission.

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

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

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

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



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GD4 - Development in the Countryside  
GD7 - Achieving Good Design in Development  
H5 - Gypsies, Travellers and Travelling Showpeople's Sites

### **Other Guidance**

National Planning Policy Framework (July 2021)  
Planning Practice Guidance  
Planning policy for traveller sites  
Fylde Coast Authorities Gypsy and Traveller and Travelling Showpeople Accommodation Assessment

### **Environmental Impact Assessment**

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

### **Comment and Analysis**

#### **Policy and Legislation Background**

The planning system in the UK is plan-led (paragraph 15 NPPF). The national policy for travellers is within the Planning Policy for Traveller Sites 2015 (PPTS) which also emphasises in paragraph 2 that *“Planning law requires that applications for planning permission must be determined in accordance with the development plan (Planning and Compulsory Purchase Act 2004 s.38 (6)), unless material considerations indicate otherwise”*. Therefore, the proposed scheme is to be assessed against the development plan, which is the Fylde Local Plan to 2032 (incorporating Partial Review), with the NPPF and the PPTS being important material considerations.

#### **Planning Policy for Traveller Sites**

As stated above the PPTS must be taken into account as a material consideration in planning decisions. Policy H – Determining planning applications for traveller sites of the PPTS includes guidance on the issues that should be taken into consideration.

Paragraph 23 states that: *“applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the National Planning Policy Framework and this planning policy for traveller sites.”*

Paragraph 24 states that the relevant issues (not exhaustive) to be considered include;

- “a) the existing level of local provision and need for sites*
- b) the availability (or lack) of alternative accommodation for the applicants*
- c) other personal circumstances of the applicant*
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites*
- e) that they should determine applications for sites from any travellers and not just those with local connections”*

#### **National Planning Policy Framework (NPPF)**

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The Framework does not contain any specific policies relevant to Gypsy and Traveller Sites However paragraph 4 states; *The Framework should be read in conjunction with the Government's planning policy for traveller sites, and its planning policy for waste. When preparing plans or making decisions on applications for these types of development, regard should also be had to the policies in this Framework, where relevant.*

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

The application site is located in the open countryside and as such policy GD4 applies. This is restrictive of new development unless it meets one of several exceptions. The provision of gypsy pitches does not meet any of these and so the proposal is in conflict with this policy. However, the FLPPR contains a specific policy relating to gypsy sites in Policy H5, and so this must form a key consideration in the assessment of this application.

Policy H5 'Gypsies, Travellers and Travelling Showpeople's sites' defines the extra pitches that the Plan allocates at Thames Street (3 pitches) in Newton and The Stackyard (2 pitches) at Bryning with Warton. These five pitches were allocated using the plan making guidance within PPTS which requires that the Council should identify a supply of deliverable land sufficient to provide five years' worth of pitches, identify a supply of specific developable sites or broad locations for years 6-10, and where possible years 11-15.

The five pitches were provided as this was the need found in the Fylde Coast Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) in 2014 (updated 2016). The GTAA Update 2016 provided an understanding of the likely permanent and transit accommodation needs of Gypsies, Travellers and Travelling Showpeople within the Fylde Coast sub-region as a whole and for each of the three Councils. The study also provides an evidence base to enable the authorities to comply with their requirements towards Gypsies and Travellers and Travelling Showpeople under the Housing Act of 2004. The estimated new pitch provision required for Gypsies and Travellers in the Fylde Coast sub-region to 2031 is 16 pitches to address local needs. For Fylde Borough, a total of 3 extra pitches for Gypsies and Travellers are required up to the year 2031 according to the study.

Notwithstanding the evidence base for allocating the pitches, policy H5 allows for new pitches where there is a demonstrated need for pitches or plots from Gypsies or Travellers in the Borough that is additional to that need outlined above and cannot be accommodated within the allocated sites. This approach is in accordance with the general planning principles in NPPF that planning decisions should look positively at new development. Accordingly Policy H5 allows for 'windfall' pitches to be established and states that:

*"Planning permissions for new Gypsies, Travellers and Travelling Showpeople's Sites will be granted where all of the following criteria can be met:*

- a) There is evidence of need for a new Gypsy, Traveller or Travelling Showpeople's site and the site would provide for the permanent and/or transit accommodation needs in that area or neighbouring authority area;*
- b) The site is not in the Green Belt or in an Area of Separation;*
- c) The site is not in Flood Risk Zones 2 or 3;*
- d) The location and design of the site would protect local amenity and the local environment;*
- e) The site would not be isolated and would be within or proximate to a settlement which can provide education, health, welfare and employment infrastructure. Local environmental quality with respect to noise and air quality should not have a detrimental impact on the health and wellbeing of Gypsies, Travellers and Travelling Showpeople;*

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- f) There should be safe vehicular and pedestrian access to the site and adequate parking for vehicles and other equipment;*
- g) The number of pitches and / or plots should be related to the specific size and location of the site and the size and density of the surrounding population. In a rural or semi-rural location the scale of the site should not dominate the settled community;*
- h) The site should have the potential to allow mixed-use development, such that traditional lifestyles can be accommodated by living and working on the same site. However, the uses proposed should be compatible with adjacent land uses;*
- i) The site should not place unacceptable pressure on existing infrastructure, such as services, schools, transport infrastructure and waste and wastewater capacity.*

These criteria will form the basis for the report on this application and are assessed in the following sections.

### **Assessment against Policy H5**

#### Criterion a) – Need for pitches

As is set out in the policy section above the number of pitches that have been lawfully established throughout the Local Plan period has satisfied the demand for pitches as is identified in the Local Plan, and in the Fylde Coast Gypsy, Traveller and Travelling Showpeople Accommodation Assessment. However, it is the case that this latter document is now slightly dated being last reviewed in 2016 and is based on a relatively small sample size. With the current application being for a single pitch only, and bearing in mind the overarching planning principle to view sustainable development proposals positively, it is unlikely to provide sufficient justification to refuse the application unless there are other matters that would justify that. Regard also needs to be had to the obligation to helping to meet the need of the wider sub region.

#### Criterion b) – Green Belt / Area of Separation

The site is located in land designated as Countryside so does not conflict with this criterion.

#### Criterion c) – Flood Zone

The site is located in Flood Zone 1 so there is no conflict with this criterion.

#### Criterion d) – Protect Local Amenity and Environment

It is considered that this criteria requires an assessment of the visual impact of the development, the possible ecological impacts, and the potential impact on neighbour amenity.

With regards the visual impact, the site is relatively discreetly sited despite its prominent location at the junction of a number of roads. There is a well-established hedge to both the Back Lane and Weeton Road frontages which serve to mask, or at least filter, views into the site from these routes. The motorway is in a tree-lined cutting and so views from this aspect are restricted by that topography. The proposed siting of the mobile homes and caravans is within the centre of the site which will further assist with reducing the prominence of them when viewed from the offsite vantage points that are available which is largely restricted to glimpsed views when passing the access point.

The access point itself will have a visual impact as it is wider than the previous field gate, is to be formed with brick walls to the sides and gates, and has a solid surface. This does establish some harm to the rural character of the area and so is a negative factor in the overall planning balance. One consideration in this is the presence of a similar gate to the opposite side of Back Lane associated with the kennel operation. This has a tarmac driveway that has brick walls to the side leading to gates that are hung off circa 2m high brick posts with lanterns on top. This is a similar, albeit narrower,

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arrangement to that proposed at this site. The application site is more harmful due to the width and in the current 'under construction' state, but once these works are completed and additional planting around the entrance has been undertaken it is accepted that the visual impact will be limited. A condition is suggested to limit the height of the walls in closest proximity to the road.

With regards the ecological concerns, the site had a previous use as equestrian grazing land, and whilst additional areas of hardcore have been laid these are not on areas of land that would have any realistic ecological value. The access works have removed a small section of hedge, but this is an element that can be compensated for by the planting of additional hedges around the access point and to close off the previous access to Weeton Road. As such the ecological impacts on the environment are neutral.

There is a single neighbouring dwelling in proximity to the site. This is the site where the kennels operate and is known as 'Weatheroak' and is situated on the opposite side of Back Lane. That dwelling is set back from the road behind a roadside hedge and an internal garden hedge, with a further roadside hedge to the application site. These hedge features and the circa 80m separation between the properties ensure that there are no visual impact issues. The site is relatively noise for a rural area with the proximity of the M55 running past, and with the inevitable noise from the kennel operation, there will be no realistic potential for the single pitch that is proposed to create any amenity concerns.

Having undertaken this assessment it is officer view that the proposal satisfies the requirements of this criterion.

### Criterion e) – Access to Services

The site is not located within a settlement and does not have safe pedestrian links to one as the surrounding roads are unlit and generally without pavements. However, it is also not situated in a remote location as it is around 700m from Weeton village where there is a village hall and pub, with the village school and church around 1.2km away. The employment opportunities at Bradkirk Business Park are around 2.5km away, with the facilities at Mill Farm and in Wesham district centre around 3.5km. Whilst pedestrian access to these is not readily available, they can be accessed by cycle and short car trips and so it is considered that the site has a suitable access to local services to satisfy the requirements of the criterion.

### Criterion f) – Access and Parking

This is an area where local residents and the Parish Councils raise concerns. The site is located at the junction of several roads that connect rural villages in this part of the borough. As a result the site is passed by reasonable volumes of traffic travelling to those villages and to serve the agricultural and other operations between them.

The site access is directly from Back Lane which is a classified road and so must have the capacity to accommodate the additional traffic movements that are associated with the proposed gypsy pitch use, particularly given the lawful use of the site is for an equestrian educational use that is likely to involve a greater number of trips.

The concerns that are expressed principally relate to the proximity of the access point to the junction. This is 36m back from the Give Way lines at the junction, with the kennel access being slightly closer to that junction on the opposite side of Back Lane at a separation of 25m from the Give Way line. The comments of LCC highways are reported above and they confirm that there have been accidents at this junction, but that none are related to the use of this access for its previous use or the use that has existed over the past 12 months since the use began. They raise no objections to the application subject to a series of standard conditions relating to the construction of the access, the provision of visibility and the closing up of a previous access to Weeton Road.

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Officers have visited the site on several occasions and have not found the area to be congested or that the access is difficult to enter or leave. The separation distance from the junction is sufficient to ensure that good visibility is available of vehicles that have entered Back Lane from Weeton Road when leaving the site, with these likely to be travelling at much less than the 60mph speed limit due to having just negotiated the junction.

As such it is considered that the access arrangements are appropriate for the single gypsy pitch use that is proposed. The parking arrangements are similarly acceptable with the site having ample space to permit the parking of the residential and equestrian vehicles that would be associated with a use of this nature and scale.

### Criterion g) – Pitch numbers are proportionate to location

This criterion is related to the guidance in the PPTS which advises against the establishment of large gypsy/traveller sites within or on the edge of small rural communities on the basis that the site would 'dominate' the settled community. With this being a single pitch that concern is not manifested. There is an existing gypsy site with 6 pitches at Willow Farm stables, which is circa 2.25m away just beyond the entrance to Weeton Camp. This also relates to Weeton village in that respect being in the same parish but even with these two sites considered cumulatively it is not the case that there is a conflict with this criterion or the national guidance that it is based on.

### Criterion h) – Allow for mixed use development

The site is of a considerable size for a single pitch and contains an extensive area of hardstanding / road planings that is available for the parking of small commercial vehicles, and also contains a modest agricultural / equestrian store building. At the time of the officer site visit this was empty having had some initial fit-out for offices in part of the building that were presumably associated with the previous education use, with the majority only available for storage.

These elements create the potential for the mixed-use activity that is sought by policy without the need for new development or the expansion of the site onto adjacent land. The assessment above regarding the amenity of neighbours ensures that this activity could occur without any harmful impact on the amenity of those residents, although a planning condition is appropriate to ensure that the nature of the use of this building is controlled.

### Criterion i) – Avoid pressure on infrastructure

This criterion is aimed at ensuring that the establishment of a new gypsy / traveller site does not create pressure on existing infrastructure. As is set out in earlier parts of this assessment the site here is located on a site that has had previous development on it, it is well located to the main highway network, is not remote from settlements, and is near other dwellings where water and other such service connections are readily available. As such the use will comply with this criterion.

### Summary of Policy H5

Considering these criteria collectively, the only areas of concern is whether there is a need for the pitch given the existence of existing pitches in the borough, including some in the vicinity that have been established relatively recently, and the findings of the GTAA which identified only a very modest need for pitches to meet the needs identified in the preparation of that document.

With the lack of other conflicts, and the application being for a single pitch which is occupied by the applicant it is considered that this 'need' test is passed, and so the proposal as a whole is in accordance with Policy H5.

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### Other Matters

Having reached this conclusion on the principle of development and its compliance with the key policy test it is now necessary to review briefly the other planning considerations that are raised by the development.

#### Existing Buildings

The site includes a single storey block of stables and a taller agricultural / equestrian storage building which are remnants of the previous lawful use. These are both to be retained under this application.

The stable building is to be used for utility purposes that support the residential occupation of the site, such as providing a laundry room. The use of the storage building is unclear, and the applicant was unsure of his intentions at officer site visit, but the building has a modern construction and scale that would make it suited for a range of commercial activities. Whilst this flexibility is helpful in supporting the policy objective of delivering a mixed use of the site, it is also possible that it could create residential amenity or highway safety issues if put to an intensive use. To ensure that is controlled to a condition is considered appropriate to limit the use of both buildings to uses that are incidental to the residential occupation of the site as a single gypsy pitch. This means that the occupier could use the stable building for the residential purposes that it is currently being used for, and the storage building for commercial activities that would be representative of a 'working from home' arrangement although a more intensive use would require planning permission.

As the buildings already lawfully exist and are not to be physically altered in any way then there is no visual impact from the application. The suggested condition would provide appropriate protection from harm to amenity or highways safety and so their use as part of the gypsy pitch is acceptable.

#### Equestrian Use

The application site is the western end of a triangle of land that is bounded by Back Lane, M55 and Weeton Road. The remainder of the land is in use for equestrian grazing and it is intended that use will continue. This land is in the control of the applicant and has its only access from the access point that serves the application site. This is suitable to allow use by horse vehicles and the continued equestrian use of this land through that site is a suitable use of land in a countryside location such as this.

#### Motorway Proximity

As set out above the site is adjacent to the M55 motorway which at this point is in a cutting with a tree lined bank. Highways England (now National Highways) highlight the potential safety implications that arise from this proximity if the site was insecure and pedestrian or horse access was available to the motorway itself. There is no suggestion in the application that any access is intended, but a condition to ensure that a secure fence is in place between the pitch and the motorway is a suitable precaution.

#### Access Arrangements

This has been assessed above as part of the policy compliance section of this report, but for completeness given the references to it in objections received further comments are provided here. The access point is an existing one that has been improved by being widened so that it can more readily accommodate larger vehicles such as the caravans that are part of this application and for bringing on the mobile home that is now on site and provides the dayroom living facilities for the occupier.

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This has improved its safety of use as the visibility is better and the greater width allows these turning manoeuvres to be performed more easily. This change has brought some harm in that the visual impact of the access point is now greater, with the continued construction of the proposed walls exacerbating that. However, in the local context these works are considered to be visually acceptable, with conditions to be imposed to ensure that the matters requested by the local highway authority are all implemented, and that further landscaping works are completed. The access point features gates, but these are set back from the highway by around 20m which will allow vehicles and trailers to be taken off the road before the gates.

With this design and these measures secured by condition it is officer view that the access arrangements accord with the requirements of Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review).

### **Drainage**

The application form refers to the drainage arrangements being satisfied by the use of a septic tank to handle foul water and a soakaway to handle surface water, although no details of each are provided in the submission. Despite this lack of detail the officer view is that there are no concerns over the drainage arrangements.

As the proposal is only for a single pitch the foul water generation will be limited and in the absence of a foul water sewer in the area the use of a septic tank is the drainage arrangement that would be expected of a development in this location, and will be acceptable. The surface water drainage arrangements are also not of concern as the scheme will not be creating any additional buildings or extensive areas of hardstanding so the previously existing arrangements whereby water percolated to ground are likely to be maintained. The issue is raised here given the comments on it by National Highways, but the position of the development is far removed from the motorway so it is highly unlikely that the development could create any drainage issues that could impact its operation.

### **Conclusions**

The application site is a rectangular area of land that forms the western part of a triangular field that is bound by the M55 motorway, Weeton Road and Back Lane, and so is between Weeton and Wesham. In this location it is designated as Countryside under Policy GD4 of the Fylde Local Plan to 2032 (incorporating Partial Review). The land has a previous lawful use for equestrian activities, including equestrian related training, but is now occupied as a single gypsy pitch. This application seeks retrospective planning permission for that use, including the siting of a mobile home and up to three touring caravans as well as alterations to the vehicular entrance.

There is no provision in Policy GD4 for development of this nature, and so the application is in conflict with that policy. However, the development plan is to be read as a whole and there is a separate policy that specifically relates to applications for gypsy and traveller sites in Policy H5. There are two elements to this policy: one part allocates specific sites for that use and this site is not one of those allocated, and one which includes a series of criteria to be used to test the acceptability of schemes that are proposed on windfall sites. This latter element is relevant for the consideration of this application.

The proposal satisfies all the 'practical' criteria of this policy in that the development is not visually harmful, it has an approximate access arrangement, its occupation will not detract from residential amenity, it is not located in the green belt, etc. There is a tension with the policy in that it requires that there is a locational 'need' for the pitch to be established under criterion a), and this is less clear

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given the allocations and the information on need in the latest Fylde Coast Gypsy and Traveller Accommodation Assessment from 2016. However, this is dated research and the fact that the applicant has occupied the land provides some clarification that this single pitch is 'needed' to meet a demand for gypsy accommodation. There is a need for planning decisions to be made positively and in the absence of any conflicts with the practical elements of this policy the question over the need for this additional pitch is not sufficient to warrant a refusal of the application, and it is therefore accepted that the proposal accords with Policy H5 and so the relevant development plan policy for assessing the application.

A couple of local residents and the Parish Councils in the area have raised objection to the application relating to concerns over the access to the site which is located close to the junction of Back Lane with Weeton Road and Kirkham Road. However, this is an existing access point that has been used for a use that is likely to generate greater trip movements for some years and provides an arrangement that the local highway authority have no objection to subject to the imposition of standard conditions. As such it is not considered that a reason for refusal on highway grounds could be sustained despite their reservations.

The proposal is therefore recommended for approval subject to a series of conditions to control the scope of the permission, to secure the required improvements to the access arrangements, and to implement landscaping enhancements to the site perimeter.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

1. This permission relates to the following plans:

- Location Plan - Hill Top Farm Location Plan (A3) received 18/4/22
- Site Plan - Hill Top Farm Block Diagram (A3) received 18/4/22

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 (incorporating Partial Review) and National Planning Policy Framework.

2. The site hereby approved as edged red on the location plan listed in condition 1 shall consist of no more than 1 pitch with that pitch occupied by a single family. The pitch shall contain no more than a single park home or static caravan, and no more than 3 touring caravans which shall be located in general accordance with the arrangement shown on the site plan listed in condition 1.

Reason: To protect the visual amenities of the area, to control the amount of development on the site, and to ensure vehicles can enter and exit the site in forward gear in accordance with policies GD7 and H5 of the Fylde Local Plan to 2032 (incorporating Partial Review).



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3. The site shall not be occupied by any persons other than gypsies and travellers as defined in Planning Policy for Traveller Sites (August 2015), or any subsequent national policy superseding that document.

Reason: The grant of planning permission for a residential caravan park, holiday caravan park or other residential use would not be appropriate and is only permissible due to the identified circumstances of the applicant in accordance with Policy H5 of the Fylde Local Plan to 2032 (incorporating Partial Review).

4. All caravans stationed on the site shall meet the definition of a caravan as stated in the caravan Sites and Control of Development Act 1960.

Reason: To ensure that no buildings or other structures other than those hereby approved are erected or positioned on the site in accordance with policies GD7 and H5 of the Fylde Local Plan to 2032 (incorporating Partial Review).

5. The existing buildings on site identified as a utility block and a storage building on the site plan listed in condition 1 of this planning permission shall only be used for purposes that are incidental to the residential occupation of the site as a single gypsy pitch as hereby approved.

Reason: To ensure that the use of the existing buildings does not generate any additional highway safety or residential amenity implications beyond those considered in the determination of this application and so which could conflict with policies GD7 and H5 of the Fylde Local Plan to 2032 (incorporating Partial Review).

6. Within three months of the grant of this planning permission the following highway works shall be completed:

- a) visibility splays measuring 2m x 66m in both directions shall be provided at the site access to Back Lane with the land within these splays maintained free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures in excess of 1m in height at all times thereafter.
- b) Any entrance gate to be erected at the access shall be relocated so that it is positioned at least 15m back from the edge of the carriageway
- c) The area of land between the entrance gate and the edge of the carriageway shall be appropriately paved in tarmac, concrete, block pavements or other solid material
- d) The previously existing access point from the site to Weeton Road (as indicated on the site plan) shall be closed up and the area of highway verge that provided that access reinstated as grass verge

Reason: To ensure adequate visibility at the site access in the interest of highway safety as required by Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review).

7. No later than the end of the first planting season following the grant of planning permission (i.e. by 28 February 2023) a native species hedge shall be planted in the following locations:

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- a) To either side of the recessed access point
- b) To the west of the access point along the site boundary with Back Lane from that access to its junction with Weeton Road
- c) To the site boundary of the site with Weeton Road to fill any gaps that exist as a consequence of the previous access point or other works.

The areas of hedge shall be subsequently maintained for a period of 10 years from planting.

Reason: To ensure a satisfactory standard of development and in the interest of visual amenity in the locality as required by Policy H5 and Policy GD7 of the Fylde Local Plan to 2032.

8. That any walls, gates or other features installed at the entrance to the site shall be positioned only as shown on the site plan listed in condition 1 of this permission, and the wall element of these shall not exceed 1m in height where it is within 10m of the edge of the carriageway of Back Lane and 1.8m in height elsewhere.

Reason: To ensure a satisfactory standard of development and in the interest of visual amenity in the locality as required by Policy H5 and Policy GD7 of the Fylde Local Plan to 2032.

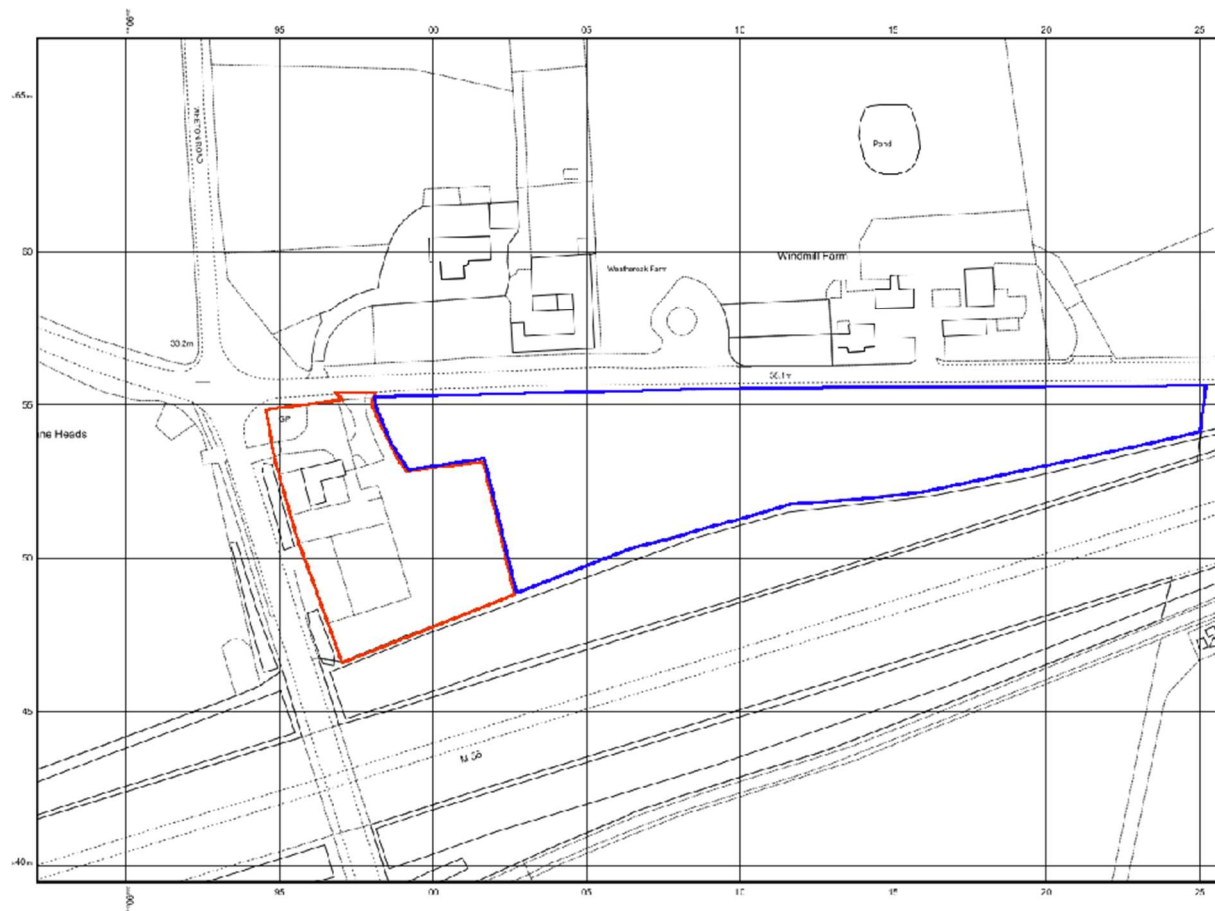
9. Within one month of the date of this planning permission a 1.8m high fence shall be erected to the boundary of the approved pitch area and the M55 motorway, with this fence being of a design that deters opportunities for climbing. In that timescale a 1.2m (or similar) stock proof fence shall be erected along the boundary of the area edged blue on the approved location plan and the M55 motorway.

Both elements of fencing shall be erected along the full extent of the respective areas and shall be retained in that position thereafter.

Reason: To minimise the potential for access to the motorway area from the site by its occupants, visitors, or animals in the interests of safety as required by Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review).

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### Location Plan for 21/0653



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### Item 2

<b>Application No:</b>	22/0281	<b>Case Officer:</b>	Alan Pinder Area Team 1
<b>Applicant:</b>	Mr & Mrs Richardson	<b>Agent:</b>	Mr & Mrs Richardson
<b>Location:</b>	3 RIBBY ROAD RIBBY WITH WREA PRESTON LANCASHIRE PR4 2NB		
<b>Proposal:</b>	EXTENSION AND ALTERATION OF THE DWELLING: 1) ALTERATION OF MAIN ROOF OF THE DWELLING FROM HIP TO GABLE, 2) DORMER EXTENSION TO REAR ROOF SLOPE, 3) SECOND FLOOR WINDOW INSERTION TO SIDE.		
<b>Ward:</b>	Ribby with Wrea	<b>Parish:</b>	Ribby with Wrea
<b>Statutory Expiry:</b>	1 August 2022	<b>Earliest Decision:</b>	18 June 2022
<b>Reason for any delay:</b>	Need to determine at Committee due to Parish / Town Council request	<b>Online application file</b> <a href="#">here</a>	

**Officer Recommendation:** Grant

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

This application relates to a semi-detached two storey dwelling located within Wrea Green settlement and just within the eastern periphery of the village conservation area that is centred around the Green. Planning permission is sought for a hip-to-gable extension of the roof of the property, the addition of a dormer within the extended rear roof slope, and the insertion of a second floor window in the extended side (northeast facing) gable.

Whilst the works will bring a change to the form of the property, they are considered to be appropriately designed and so not unduly harmful to the character and appearance of the property or its contribution to the streetscape or wider conservation area. It is also considered that the position of the windows is such that they will not unduly prejudice the amenity of the occupiers of neighbouring dwellings.

Accordingly the development accords with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review) and the application is recommended for approval.

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

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

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

This application relates to No.3 Ribby Road located within the settlement of Wrea Green. The property is a two storey semi-detached dwelling that features rendered elevations and a hipped roof profile covered with terracotta roof tiles.

The property is within the eastern periphery of Wrea Green conservation area, which is not the subject of an article 4 direction and so the property has retained all its householder permitted development rights.

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### Details of Proposal

Planning permission is sought for the following:

- A hip-to-gable extension. This would be covered in roof tiles to match the existing roof and the gable would be rendered to match the existing render finish of the parent dwelling. Volume calculations carried out by the case officer indicate this extension would add *circa* 16 cubic metres to the original roof space.
- A rear dormer. This would extend across virtually the full width of the extended roof area and have a shallow mono-pitched roof covered in tile to match that of the main roof, with the dormer face and cheeks hung with tile to also match those of the main roof. Volume calculations carried out by the case officer indicate this dormer would add *circa* 10 cubic metres to the original roof space.
- Insertion of 2No. conservation grade roof lights within the extended front roof slope
- Insertion of a second floor window in the east facing side gable that would be created from the hip-to-gable extension.

The purpose of the development is to create an additional (fourth) bedroom within the roof space of the property.

### Relevant Planning History

None

### Parish/Town Council Observations

Parish/Town Council	Observations
Ribby-with-Wrea Parish Council	<u>Comments received on 15 JUNE 2022</u> <i>It was resolved to OBJECT to the dormer due to its imposing presence which will provide a complete loss of privacy to the neighbouring property. The dormer may also create a weak point for water ingress on the party-wall of the neighbouring attached property. The design is not in keeping and the property is located within the Conservation Area. It is suggested the applicant and neighbour liaise with regards design.</i>

### Statutory Consultees and Observations of Other Interested Parties

There are no consultee comments to report.

### Neighbour Observations

Neighbours notified:	9 May 2022	
Site Notice Date:	26 May 2022	
Number of Responses	Total number of comments	2
	Total Number Objecting	2

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### Summary of Comments

The comments received in opposition to the application can be summarised as:

- Concerned about potential impacts of the development on the structural integrity of the adjoining neighbour, No.1 Ribby Road.
- Concerned that the rear facing dormer windows will increase overlooking of No.1 Ribby Road
- The proposed window in the newly formed side gable would allow significant overlooking of No.5 Ribby Road
- The hip-to-gable extension would create an unbalanced appearance to the pair of semi-detached properties that would harm the otherwise visual uniformity of the wider conservation area
- The proposed dormer fails to accord with the design guidance of the council's adopted SPD on householder development in that it would cover more than 35% of the roof area
- The use of hung matching roof tiles to cover the dormer elevations is not technically viable due to the vertical pitch of the elevations
- The dormer would harm the character of the conservation area

### Relevant Planning Policy & Government Guidance

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

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the 'FLPPR' – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

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

GD1 - Settlement Boundaries

GD7 - Achieving Good Design in Development

ENV5 – Historic Environment

SPD1 - Extending Your Home - November 2007

NPPF – National Planning Policy Framework (July 2021)

NPPG – Planning Practice Guidance

### Comment and Analysis

#### **Principle**

The application site is located within one of the settlement boundaries identified on the FLPPR Policies Map. As set out in policy GD1 of the Local Plan, the principle of residential extensions within the identified settlements is acceptable subject to the development's compliance with other relevant policies of the Plan. In this case the criteria contained in policies GD7 and ENV5 of the FLPPR are of

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greatest relevance, having particular regard to the development's effects on the character and appearance of the conservation area arising from its design, its impact on the amenity of surrounding occupiers. Each of these issues is examined further below.

### Design and Appearance in Streetscene & Impact on Conservation Area

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

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

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

The property is located within the Wrea Green conservation area and forms one of a pair of semi-detached two storey dwellings both of which have elevations finished in a mix of red facing brick and pebble dash render, and rosemary tile covered hipped roofs.

The hip to gable extension would result in a visual imbalance to this pair of semi-detached properties however this imbalance is only notably apparent in the relatively direct views to the front of the property. In longer range views along the length of Ribby Road, from both the east and west, the development would be viewed within a backdrop of fully gabled properties that are a predominant characteristic of this locale of the conservation area. Within this wider context the gable extension would not be unduly harmful to the character and appearance of the streetscene or conservation area.

With regard to the rear dormer its roof coverage is in excess of the 35% roof area advised by the council's adopted householder SPD, “Extending your Home”. However this guidance is advisory and predominantly relates to dormers set within highly visible front facing roof slopes. In this instance the dormer would be set within the extended rear roof slope. This ensures that the views are more limited, and whilst the dormer will be visible from the public domain these views are from limited points within the conservation with the built development that surrounds the application property providing significant screening from views from the greater part of the conservation area.

The cladding of the dormer in hung tiles to match those of the main roof will also help soften the visual presence of the dormer to an acceptable level. It is noted that one objector opines it is not technically possible to vertically hang matching roof tiles on the dormer elevations, however the assessment of any technical limitations does not fall within the remit of planning and no evidence is provided to support this assertion.

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Overall the design, scale and appearance of the proposed development are not considered inappropriate or unduly harmful to the character and appearance of the host property, the streetscape, or the wider conservation area. The proposal is therefore considered to accord with the requirements of criteria d), h) and i) of Policy GD7 and policy ENV5 of the FLPPR.

### Relationship to Neighbours

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

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

Neighbouring dwellings potentially affected by the application are those neighbouring to either side (No’s 1 and 5 Ribby Road) and No.1 Church View Fold, which neighbours directly to the rear.

#### No.1 Ribby Road

This property adjoins the application property to form this pair of semis. The occupier of No.1 has objected to the application on the grounds that the rear facing window in the proposed dormer would result in the loss of privacy to the rear of their property. The dormer window would be aligned with an existing rear facing first floor window of the application property, which already provides angled views to the far end of No.1’s rear garden. Whilst the dormer window would be set higher than this existing window the resulting views would have no greater impact on privacy than already exists. Furthermore similar spatial relationships occur for all semi-detached dwellings that are two storeys or greater in height. In this instance the impact of this relationship is lessened slightly due to the rear elevation of the application property being angled away from the shared boundary with No.1

#### No.5 Ribby Road

This property neighbours to the east with a separation distance of *circa* 7.5 metres between their respective side elevations. The occupier of this property has objected to the application on the grounds that the new second floor window in the side gable of the extended roof would allow overlooking of, and loss of privacy to, their property.

No.5 is set slightly forward of the application property and so this window could potentially provide views into the private areas of No.5’s rear garden. However this window would serve an internal stairwell and thus a condition requiring it to be obscurely glazed and non-opening would provide adequate mitigation against any potential loss of privacy.

#### No.1 Church View Fold

This is a two storey dwelling that neighbours directly to the rear of the application property and whose upper floor windows are all obscurely glazed. The separation distance between the face of the proposed dormer and the rear elevation of No.1 would be *circa* 19 metres. This is below the recommended 21 metre separation distance set out in the council’s adopted householder SPD. However the existing back-to-back distance between these two dwellings is *circa* 17.5 metres, and so the provision of the dormer is unlikely to result in any appreciable increase in overlooking than already exists between the two properties.

Overall the proposal would have an acceptable relationship to its neighbours in all regards and accord with criteria c) and h) of Policy GD7.



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### Parking and Access Arrangements

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

### Conclusions

The application relates to extensions of a dwelling in the settlement of Wrea Green. Having viewed the proposal and assessed the issues raised, it is considered that the development accords with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review), the NPPF and the objectives of the 'Extending Your Home' SPD. Accordingly the application is recommended for approval.

### Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission relates to the following plans:

- Location Plan - RS Design Job 21-549 Drawing EX-01
- Proposed Plans & Elevations - RS Design Job 21-549 Drawing PR-01 Rev D

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

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

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

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

4. Before the approved extended roof space is first occupied the new second floor window in the north east facing side gable of the dwelling 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

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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 adjacent properties in order to preserve the privacy of adjoining occupiers in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

### **Informative(s)**

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

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

Location Plan for 22/0281



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### Item 3

<b>Application No:</b>	22/0358	<b>Case Officer:</b>	Jennifer Simpson Area Team 1
<b>Applicant:</b>	MR & MRS MULHOLLAND	<b>Agent:</b>	MR MARTIN SMITH
<b>Location:</b>	6 POLPERRO DRIVE FRECKLETON PRESTON LANCASHIRE PR4 1YD		
<b>Proposal:</b>	EXTENSION AND ALTERATION OF THE DWELLING: 1) HIP TO GABLE ROOF ENLARGEMENT, 2) REAR DORMER.		
<b>Ward:</b>	Freckleton West	<b>Parish:</b>	Freckleton
<b>Statutory Expiry:</b>	24 June 2022	<b>Earliest Decision:</b>	25 May 2022
<b>Reason for any delay:</b>	Awaiting consultation reply from key consultee		<b>Online application file</b> <a href="#">here</a>

**Officer Recommendation:** Granted

#### Summary of Officer Recommendation

The proposal relates to extension of a dwelling located within the settlement boundary of Freckleton, namely a hip to gable enlargement and rear dormer that will be clad in tile or composite cladding to match the main roof of the property.

The principle of residential extensions within the settlement boundary is acceptable, subject to matters relating to design, amenity, and highway safety.

The extensions are located to the side and rear of the property and are not prominent in the street scene. The extensions are of appropriate design and appearance, harmonising with the host property and would not therefore undermine the visual quality of the locality.

The Parish Council has objected to the proposal on grounds that it would undermine the amenity of a neighbouring property located to the rear of the application site – 116 Lytham Road. This neighbouring property was constructed under planning approval 17/0393 (7 dwellings) and assessment of 17/0393 determined rear first floor windows within no. 116 would not undermine the amenity of its neighbours, including the current application site, in terms of privacy, dominance and light loss. That assessment and subsequent approval forms a precedence with regards to the relationship between dwellings and it would be unreasonable to now penalise the applicant on grounds of amenity, when an identical relationship that impacts on the host property has previously been determined acceptable.

In addition, separation distance between windows within the proposed dormer and nearest bedroom window of this neighbour is approximately 19.5m, 17.5m to a ground floor extension. Whilst this separation is below required standards (21m between facing habitable room windows) it should be recognised that this neighbour has an off-set relationship to the host property. Furthermore, Members should note that a rear dormer, albeit smaller in size, could be constructed under permitted development and would have a similar impact with regards to privacy to no. 116.

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Whilst the Parish Council concern for amenity is recognised, it is considered that the proposal would have an acceptable relationship to this neighbour and would not undermine amenity to an extent that refusal is justified.

Having viewed the proposal and assessed the issues raised, it is considered that the development would not significantly impact upon visual or residential amenity and therefore accords with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review), the NPPF and the objectives of the 'Extending Your Home' SPD. Accordingly, Officer recommendation is that Members support the application.

### **Reason for Decision Level**

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

### **Site Description and Location**

The application relates to a semi-detached true bungalow located on the east side of Polperro Drive, Freckleton. The dwelling is constructed of red brick with a hipped tiled roof.

Neighbouring properties along Polperro Drive are of similar bungalow type, though constructed from a variance of materials including red brick and render. Dwellings to the rear are of 2 storey appearance, and whilst are rear facing do not have a back to back relationship with the host dwelling, having an aspect that is angled away from the application site.

The site falls within a settlement boundary of Freckleton, as shown on the Fylde Local Plan to 2032 (incorporating Partial Review) Policies Map.

### **Details of Proposal**

Planning permission is sought for the following:

- Alterations to the main roof of the dwelling from a hip to a gable using materials to match the existing dwelling.
- Rear dormer - the dormer would have a flat roofed design, similar in height to the main dwelling, being set in from the side and rear elevations of the property and clad in tile or composite cladding, colour to match the main dwelling.

### **Relevant Planning History**

There is no relevant planning history to report.

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

Parish/Town Council	Observations
Freckleton Parish Council	<u>Comments considered at 18 July 2022 Parish Council meeting</u> The Parish Council's comments had not been received at the time that the agenda was compiled, but they are expected to be with the council by the date of Committee and so will be reported in full as part of the late observations report.

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	However, it is understood that they are to raise objection to the application on the basis of the potential overlooking and loss of privacy that is suffered by the property to the rear.
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### **Statutory Consultees and Observations of Other Interested Parties**

There are no consultee comments to report.

### **Neighbour Observations**

<b>Neighbours notified:</b>	4 May 2022	
<b>Number of Responses</b>	Total number of comments	0

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

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

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

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

GD1 - Settlement Boundaries  
GD7 - Achieving Good Design in Development  
SPD1 - Extending Your Home - November 2007

NPPF – National Planning Policy Framework (July 2021)  
NPPG – Planning Practice Guidance

### **Comment and Analysis**

#### **Principle of Development**

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

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

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

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

The application relates to a semi-detached bungalow in the settlement of Freckleton. Whilst there is a mix of house types in the immediate area, including two storey properties, Polperro Drive predominantly consists of similar type semi-detached bungalows. It was noted during the case officer's site visit that no. 5 Polperro Drive, which sits to the north-west of the site, has been extensively extended and includes a relatively large side dormer upon the southern roof slope which makes this a prominent feature within the street scene.

The proposal relates to conversion of the main hipped roof form to a gable, and a dormer that would be constructed to the rear roof slope of the property.

The hip to gable enlargement would be a noticeable alteration to the property given exposure of the side elevation of the property to the street. This element of the scheme would unbalance the symmetry of the pair of semi-detached properties, but the property is not situated within a designated conservation area, and it is acknowledged that the hip to gable element of the proposal, if constructed in isolation, would constitute permitted development.

As such, it is considered that the development would not give rise to any substantial harm to the appearance of the property or harm visual amenity within the street scene.

The dormer is located to the rear roof slope of the main dwelling, and would not therefore appear prominent within the street scene, being viewed only in glimpses from the gaps between the application property and no. 8 Polperro Drive. The dormer is to be clad in tile to match the existing roof or composite cladding. Such materials, subject to clarification of final colour, are appropriate and due to its discreet location to the rear, it is considered that the dormer would not adversely impact upon the appearance of the property or harm visual amenity within the street scene in general.

Taken together the design and scale of the development accord with the requirements of criteria d), h) and i) of Policy GD7.

### **Relationship to Neighbours**

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

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### 4 Polperro Drive

This is the adjoining semi-detached property. The size and scale of the dormer is relatively large, however, the neighbour's roof form remains as originally constructed devoid of any window or dormer insertion. The dormer includes provision of 2 windows that serve bedroom accommodation which face the host dwellings rear garden. Views of this neighbour's garden would also be obtained, though any associated overlooking would not be prolonged and the nature of this relationship is an accepted form for the majority of housing layouts and is not considered to be unduly harmful. The proposed dormer would be constructed in close proximity to the party wall with no. 4 and as such a party wall informative will be attached to the permission for the applicant's attention.

### 8 Polperro Drive

This is the other adjacent property that sits detached and to the north of the site. The application property is distanced approximately 2m from the shared boundary and 4.5m from no. 8 itself. It was noted during the case officers site visit that no. 8 has windows within the side elevation of the property, as well as a roof light in the side roof plane, that oppose the hip to gable alteration. The proposal will increase the height of built form to the side elevation of the host dwelling and this will be exposed to the neighbouring windows.

There is a double driveway width of approximately 4.5m between the dwellings which provides a degree of separation to affected windows. The extension would maintain the single storey nature of the existing dwelling and given the separation between dwellings, it is considered that the proposal has an acceptable relationship to this neighbour with regards to dominance, light loss and overshadowing.

### 10 Cambourne Place

This property sits indirectly to the rear (north east) of the site, though is positioned on its plot to face toward the rear elevation of the application dwelling. The juxtaposition between properties ensures that there is no direct overlooking of this neighbour, though an acceptable separation distance of 23m+ exists in any event.

### 116 Lytham Road

This property sits directly to the rear of the site and is a recently constructed detached property with single storey rear extension. This neighbour is positioned on its plot so that its rear elevation is angled away from the rear of the application property, toward 8 Polperro Drive, and does not therefore have a true back-to-back relationship with the application property. Notwithstanding, views of habitable room windows within the rear of this neighbour, including those within the extension and a first floor bedroom, would be encouraged by the dormer extension.

No. 116 was recently constructed under planning permission 17/0393 which granted consent for 7 dwellings. The assessment of that application determined rear first floor windows within no. 116 would not undermine the amenity of its neighbours, including the current application site, in terms of privacy, dominance and light loss. This planning permission therefore forms a precedence with regards to the relationship between the dwellings and it would be unreasonable to now penalise the applicant on grounds of amenity, when an identical relationship that impacts on the host property has been determined to be recently acceptable through the council's approval of planning permission 17/0393.

The separation distance between windows within the proposed dormer and nearest bedroom window of this neighbour is approximately 19.5m, with 17.5m to the ground floor extension. Whilst this separation is below the usual minimum standards it should be recognised that this neighbour has an off-set relationship to the dormer. In addition to the above, it is noted that a dormer in this location,



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albeit on a smaller scale, could be constructed under permitted development with rear facing windows which does not account for neighbouring amenity.

Having considered carefully the relationships of the various neighbours to the proposed development it is considered that there is an acceptable relationship in all regards and so the application complies with criteria c) and h) of Policy GD7.

### **Parking and Access Arrangements**

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

### **Conclusions**

The application relates to 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 development accords with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review), the NPPF and the objectives of the 'Extending Your Home' SPD. Accordingly, the application is recommended for approval.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission relates to the following plans:

- Location plan - Clover Job 21-083 Drawing 1001 Rev A
- Proposed elevations and floor plans - Clover Job 21-083 Drawing 1100 Rev A

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

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

3. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, prior to commencement of the development hereby approved, representative samples or full details of all materials to be used on the external surfaces of the extensions shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved details.

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

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requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

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Location Plan for 22/0358

