



MINUTES

Planning Committee

Date:	Wednesday, 18 December 2019
Venue:	Town Hall, St Annes.
Committee Members Present:	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman) Councillors Frank Andrews, Chris Dixon, Brian Gill, Jayne Nixon, Liz Oades, Michael Sayward, Heather Speak, Ray Thomas
Other Members:	Councillor Cheryl Little, Councillor Paul Hayhurst
Officers Present:	Ian Curtis, Mark Evans, Andrew Stell, Matthew Taylor, Lyndsey Lacey- Simone.
Members of the Public:	Approx. 20 members of the public were in attendance during the course of the day.

Public Speaking at the Planning Committee

The Vice-Chairman, Councillor Richard Redcliffe invited those members of the public who had registered to speak on individual planning applications (listed on the schedule) to address the committee at the relevant part of the meeting.

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.

During the course of discussion on the matter, Councillor Brian Gill declared a personal interest in planning application no: 19/0642 relating to Valentines Kennels, Wildings Lane, Lytham St Annes in so far as he is a member of the Patient Participation 'Friends' Group.

2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee held on 13 November 2019 as a correct record for signature by the Chairman.

3. Substitute Members

The following substitutions were reported under Council Procedure Rule 24:

Councillor Frank Andrews for Councillor Stan Trudgill.

Councillor Brian Gill for Councillor Linda Nulty.

Decision Items

4. Request for Section 106 Contributions for Health Facilities

The Chairman invited Mark Evans (Head of Planning and Housing) to introduce the report. In doing so, he reported that on 5 November 2019, the Joint Governing Bodies of the Fylde and Wyre NHS Clinical Commissioning Group (CCG) had approved a policy entitled “Section 106 Monies & Community Infrastructure Levy Funding Policy for Health Facilities”.

The paper (as circulated) provided an overview of Section 106 (S106) planning obligations and the Community Infrastructure Levy. It highlighted the importance of the CCG engaging with Councils (as the Local Planning Authorities (LPA)) to ensure health infrastructure needs are taken into account by fulfilling its responsibilities as a named body to be consulted in local plans, and recommended criteria for the allocation of health infrastructure monies that come through both S106 and Community Infrastructure Levy (CIL) funding routes. It was reported that through the paper, the CCG is seeking to work with LPAs to secure and receive monies and ensure their expenditure in accordance with S106 agreements as set out in their policy. Members were advised that as the CCG is a statutory consultee their views, which are reflected in the paper, would be a material consideration in the determination of planning applications. Mr Evans advised that the paper provided a basis against which the demands placed on health care facilities can be assessed when considering planning applications against the policies of the development plan.

Mr Evans further advised that in producing the paper, the CCG had engaged with the local community, development industry and key stakeholders.

A copy of the Section 106 Monies & Community Infrastructure Levy Funding Policy for Health Facilities - Fylde and Wyre NHS Clinical Commissioning Group – October 2019 paper was included as an appendix to the report.

The Chairman invited questions from members of the committee. Clarification was sought on various matters including: Impact on the viability of future planning applications; impact on health and education services; matters associated with variance to planning policy together with details with regard to capital builds detailed in the document. These were addressed in turn by Mr Evans.

Following consideration of the above it was RESOLVED: That the Fylde and Wyre NHS Clinical Commissioning Group’s “Section 106 Monies & Community Infrastructure Levy Funding Policy for Health Facilities” be regarded as a material consideration in the determination of planning applications and that the policy be used to assist in the determination of developer contributions in line with Policies HW1 and INF2 of the Fylde Local Plan to 2032.

5. 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 at the meeting.

(Councilor Liz Oades requested that her name be recorded as having voted against approval of planning application no 19/0334 relating to 3-5 Blackpool Road, Kirkham).

(Councilor Liz Oades requested that her name be recorded as having voted against approval of planning application no 19/0803 Bryning Fern Nurseries, Bryning Fern Lane, Kirkham)

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

Information Items

6. List of Appeals Decided

This Information Report provided details of appeal decision letters received between 25 October and 6 December 2019.

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Planning Committee Minutes

18 December 2019

Item Number: 1

Application Reference:	19/0248	Type of Application:	Full Planning Permission
Applicant:	Fairhaven Homes	Agent :	Sunderland Peacock and Associates
Location:	259 INNER PROMENADE, LYTHAM ST ANNES, FY8 1AZ		
Proposal:	DEMOLITION OF EXISTING DWELLING AND ERECTION OF A FIVE STOREY BUILDING TO PROVIDE 18 APARTMENTS INCLUDING ASSOCIATED LANDSCAPING AND CAR PARKING		

Decision

The Committee resolved to defer a decision on the application to enable:

- a committee site visit to be undertaken to allow Committee members to gain a better appreciation of the scale and design of the building in its local context and its contribution to the local area
- officers to progress discussion with the applicant and secure clarity on a number of the matters which remain outstanding and are cited as such in the report on the agenda

Item Number: 2

Application Reference:	19/0334	Type of Application:	Full Planning Permission
Applicant:	Mr Edworthy	Agent :	Bailey developments ltd
Location:	3-5 BLACKPOOL ROAD, KIRKHAM, PRESTON, PR4 2RE		
Proposal:	RETROSPECTIVE CONSTRUCTION OF DETACHED SINGLE STOREY DWELLING WITH INDEPENDENT ACCESS FROM BLACKPOOL ROAD.		

Decision

Full Planning Permission:- Granted

Conditions and Reasons

1. This consent relates to the following details:

Approved plans:

- Site Location Plan 0 supplied by Digimap, scale 1:2500
- Proposed Site Layout - Drawing no. A018/153/BR/06 Rev 01
- Elevations - Drawing no. A018/153/BR/02 Rev A
- Floor Plan - Drawing no. A018/026/BR/51 Rev A

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

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

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

3. The access and parking area shall be constructed and completed in accordance with the approved details shown on the approved site plan listed in condition 1 of this permission. The parking area indicated on that plan shall be made available prior to the first occupation of the dwelling hereby approved, with those areas thereafter retained available for the parking of motor vehicles.

Reason: In the interests of highway safety and to ensure the provision of adequate off-street car parking in accordance with the requirements of Policy GD7 of the Fylde Local Plan to 2032..

4. Notwithstanding the provision of Article 3, Schedule 2, Part 1, Classes A-G and Part 2 Class A, of the Town and Country Planning General Permitted Development Order 2015 [or any Order revoking or re-enacting that Order], no further development of the dwelling or its curtilage relevant to those classes shall be carried out without Planning Permission.

Part 1 - Development within the Curtilage of a Dwellinghouse

CLASS VARIABLES

A	House Extensions.
B&C	Roof Extensions/alterations
D	Porches
E	Curtilage buildings
F	Hardstanding
G	Flues and Chimneys

Part 2 - Minor Operations

CLASS VARIABLES

A	Gates, Fences, Walls etc
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Reason: To ensure that the Local Planning Authority has control over any future development of the dwelling which may adversely affect the character and appearance of the dwelling and the surrounding area in accordance with the requirements of Policy GD4 and Policy H7 of the Fylde Local Plan to 2032.

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.

Item Number: 3

Application Reference:	19/0640	Type of Application:	Full Planning Permission
Applicant:	Mr Michael Davies	Agent :	De Pol Associates Ltd
Location:	HOLE IN ONE, FOREST DRIVE, LYTHAM ST ANNES, FY8 4QF		
Proposal:	ERECTION OF 27 No. 2 BEDROOM APARTMENTS IN TWO X THREE STOREY BLOCKS FOLLOWING DEMOLITION OF EXISTING PUB BUILDING, AND CONVERSION OF EXISTING GROUND FLOOR NURSERY INTO 3 No. APARTMENTS. REVISION TO SITE ACCESS ARRANGEMENTS, PARKING AND LANDSCAPING		

Decision

Full Planning Permission: The decision to GRANT Planning Permission is delegated to the Head of Planning and Housing, with that decision being subject to the following matters being resolved to his satisfaction:

- 1) The receipt of revised plans to address current minor queries raised by the local highway authority (some internal layout issues, the provision of pedestrian connections to the highway network and to increase parking spaces), and to improve the quality of the materials of construction and their appropriateness for the area;
- 2) The completion of a S106 Agreement is to secure:
 - a) provision, retention and operational details for 30% (or an agreed alternative percentage) of the proposed dwellings to be affordable properties in accordance with the requirements of Policies H4 and INF2 of the Fylde Local Plan to 2032
 - b) a financial contribution of £1,000 per dwelling (and the phasing of the payment of this contribution) to Fylde Council towards securing off site public open space in accordance with the requirements of Policies ENV4 and INF2 of the Fylde Local Plan to 2032
 - c) a financial contribution of £23,101.08 (and the phasing of the payment of this contribution) to Lancashire County Council towards the provision of increased secondary education capacity in the area
 - d) an appropriate financial contribution (and the phasing of the payment of this contribution) to support the operation / enhanced services of the 78 bus service for a reasonable period so that it continues to offer a viable alternative form of transport to residents of the site in accordance with the requirements of Policy INF2 of the Fylde Local Plan to 2032
 - e) an appropriate contribution (and the phasing of the payment of this contribution) to cover the council's proportionate costs in relation to the monitoring of the obligations of this agreement in accordance with the requirements of Regulation 122 (2A) of the Community Infrastructure Regulations 2010

The agreement will be expected to meet the full amounts quoted above in all cases, unless a viability appraisal has been agreed with the Local Planning Authority;

- 3) The finalisation of a series of Planning Conditions that the Head of Planning and Housing considers are necessary to control the development. These are expected to cover the following matters, and potentially others as discussions on the above matters are concluded:
 1. Time limit for development to commence
 2. The approved plans
 3. Agree phasing of development and operational arrangements to ensure access is retained to commercial units, flats above and public right of way at all times

4. Confirm that at least 20% of the units meet the requirements of Policy H2 as being specifically designed to meet the needs of the elderly (which units and what methods are used to achieve this)
5. Agree materials for building Block A
6. Agree materials for building Block B
7. Agree materials for conversion of nursery building
8. Agree materials for hard surfaced areas around the site
9. Agree landscaping
10. Maintain landscaping
11. Provision of the access arrangements on site including remodelling of western access, formation of new access, closing of existing access, provision of pedestrian connections, provision of appropriate radii and turning areas
12. Provision of any access improvements off-site none currently suggested by LHA)
13. Provision of accessibility facilities on site (mobility spaces, electric changing points, secure cycle storage)
14. Phasing of provision of parking areas to ensure that the enhancement of parking to commercial units is implemented prior to first occupation of any flat on site, and that parking for converted units / new blocks are available prior to occupation of units on those sites.
15. Provision of a suitable sized and located refuse store
16. Agree design of boundary treatments and gates
17. Agree building and site levels
18. Agree surface water and foul water drainage details with surface water to sewer at rate specified in UU comments
19. Implement scheme of biodiversity enhancement with bat and bird nesting opportunities
20. Secure Reasonable Avoidance Measures for bats if found during demolition
21. Implement Archaeological watching brief
22. Implement any requirements of ground contamination validation
23. Confirm details of Construction Management Plan and its operation

Item Number: 4

Application Reference:	19/0642	Type of Application:	Full Planning Permission
Applicant:	Mr Wylie	Agent :	NJSR Chartered Architects LLP
Location:	VALENTINES KENNELS, WILDINGS LANE, LYTHAM ST ANNES		
Proposal:	ERECTION OF A TWO STOREY C2 CARE VILLAGE WITH 205 BEDROOMS, COMMUNAL LOUNGE AND DINING AREAS, RESIDENTS LIBRARY, CINEMA ROOM AND SALON. PROVISION OF 58 CAR PARKING SPACES WITH NEW VEHICULAR AND PEDESTRIAN ACCESS. ASSOCIATED LANDSCAPING AND OUTDOOR RECREATIONAL AREAS.		

Decision

The decision on the application was deferred to enable officers to secure further details of the improvements that are proposed to be undertaken to Wildings Lane to facilitate its safe use by vehicle and pedestrian traffic from the proposed development

Item Number: 5

Application Reference:	19/0783	Type of Application:	Variation of Condition
Applicant:	Newhall Downey Ltd	Agent :	HPA Chartered Architects
Location:	FOUNDRY YARD, KIRKHAM ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SD		
Proposal:	APPLICATION TO VARY CONDITIONS 2 AND 8 OF PLANNING PERMISSION 17/0471 TO ALLOW: 1) THE SUBSTITUTION OF HOUSE TYPES ON PLOTS 9, 10 AND 11; AND 2) THE USE OF FORMER GARAGE FLOORSPEACE FOR PLOTS 9, 10 AND 11 AS LIVING ACCOMMODATION		

Decision

Variation of Condition:- Granted

Conditions and Reasons

1. This permission relates to the following plans:

- Proposed Site Plan - Drawing no.2116-05 REV. B
- Proposed floor & elevation plan Plot 9 - Drawing no. 2116-20 REV. A
- Proposed floor & elevation plan Plot 10 - Drawing no. 2116-21 REV. A
- Proposed floor & elevation plan Plot 11 - Drawing no. 2116-22 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

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

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

3. The drainage of the site shall be carried out in accordance with that indicated on drawing no. C-50 REV. A and approved under Discharge of Conditions application no. 18/0035, in order to ensure adequate surface water drainage of the development approved under application no. 17/0471.

Reason: To ensure a satisfactory means of drainage is provided and that there is no increase in the volumes of surface water discharged from the site. In accordance with Policies GD7, CL1 and CL2 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

4. The drainage of the site shall be carried out in accordance with that indicated on drawing no. C-50 REV. A and approved under Discharge of Conditions application no. 18/0035, in order to ensure adequate foul water drainage of the development approved under application no. 17/0471.

Reason: To ensure a satisfactory means of drainage is provided and that there is no increase in the volumes of surface water discharged from the site. In accordance with Policies GD7, CL1 and CL2 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

5. The development hereby approved shall be carried out in accordance with the Construction Management Plan approved under application no. 18/0035 (Discharge of Conditions application).

Reason: To ensure that the development is implemented whilst minimising the opportunities for safety and nuisance issues to be caused to neighbouring dwellings and the wider highway network in accordance with Policy GD7 of the Fylde Local Plan to 2032.

6. Prior to first occupation of the dwellings hereby approved details of the proposed arrangements for future management and maintenance of the streets and other communal areas within the development have been submitted to and approved in writing by the local planning authority. These areas shall thereafter be maintained in accordance with the approved management and maintenance details.

Reason: To ensure a safe and satisfactory on-going appearance of the development in accordance with Policies T5 and GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

7. Prior to first occupation of the dwellings hereby approved full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies T5 and GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

8. The development hereby approved shall be carried out in accordance with the information contained within drawing no. 51(g) master plan and drawing H16 elevational detail indicating the proposed fencing for use in the development as approved under application no. 18/0035 (Discharge of conditions application).

Reason: To protect the visual amenities of the area in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

9. The development hereby approved shall be carried out in accordance with the information contained within drawing no.ADS001 (dated 19.03.18) indicating the proposed landscaping and incorporating ecological habitat creation as approved under application no. 18/0035 (Discharge of conditions application).

Reason: To enhance the quality of the development in the interests of the amenities of the locality and in the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981, Policies ENV1 and ENV2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

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

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981, Policy ENV2 of the Fylde Local Plan to 2032 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.

Item Number: 6

Application Reference:	19/0803	Type of Application:	Householder Planning Application
Applicant:	Fieldfisher Solicitors	Agent :	Cubic Architectural Services limited
Location:	BRYNING FERN NURSERIES, BRYNING FERN LANE, KIRKHAM, PRESTON, PR4 2BQ		
Proposal:	SINGLE STOREY SIDE EXTENSION TO FORM CARPORT, ALTERATIONS TO GROUND FLOOR WINDOW ARRANGEMENT, FORMATION OF RAMPS TO FRONT AND REAR, AND ERECTION OF 900MM HIGH BRICK WALL AND 1.4M HIGH GATES TO FRONT BOUNDARY		

Decision

Householder Planning Application:- 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 - Drawing no. 0619/100
 - Proposed Site Plan - Drawing no. 0619/200 Rev D
 - Proposed Ground Floor Plans - Drawing no. 0619/210

- Proposed First and Second Floor Plans - Drawing no. 0619/211
- Proposed Elevations - Drawing no. 0619/220 Rev D

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

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

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the materials used in the construction of the approved development shall match those of the existing dwellinghouse in terms of type, colour, texture and scale.

Reason: In order to ensure a satisfactory relationship with the character of the host dwelling and the street scene in the interests of visual amenity in accordance with Policy GD7 of the Fylde Local Plan to 2032.

4. Details of the species and specimen size of the replacement tree proposed shown on the proposed site plan 0619/200 Rev D shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the commencement of the construction of any part of the development hereby approved. The tree which is hereby approved shall then be planted during the first available planting season of between November and March.

For avoidance of doubt the replacement tree size should, at least, be extra heavy standard 14-16cm girth, and approximately 3.5 metres tall, with the replacement tree must be of a similar species to the removed and must be replanted in as close proximity to the original tree as is possible.

Reason: To safeguard the continued provision of appropriate tree cover to this property to maintain its positive contribution to the wider streetscene as required by Policy GD7 of the Fylde Local Plan to 2032.

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.

Item Number: 7

Application Reference:	19/0807	Type of Application:	Outline Planning Permission
Applicant:	Mr S Wilson-Mills	Agent :	
Location:	LAND ADJACENT TO WHITE HALL, KIRKHAM ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SD		
Proposal:	OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR THE ERECTION OF ONE DWELLINGHOUSE		

Decision

Outline Planning Permission:- Granted

Conditions and Reasons

1. The approval of the local planning authority shall be sought in respect of the following matters (hereinafter referred to as the “reserved matters”) before any development takes place:- the access, layout, scale, appearance and landscaping of the development.

Reason: The application is granted in outline only under the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

2. Application for approval of reserved matters shall be made to the local planning authority not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. This permission relates to the following plans:

- Scale 1:1250 Location Plan.
- Drawing no. SWM/2016/01 – Location plan and indicative site plan, floor plans and elevations.

Any application for approval of reserved matters submitted pursuant to condition 1 of this permission shall accord with the details shown on the approved plans insofar as it relates to the site area, the area or areas where access points to the development will be situated and shall not exceed the maximum number of dwellings applied for.

Reason: The application is granted in outline only in accordance with the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters

established as part of this permission.

5. No above ground works shall take place until full details of the finished levels, above ordnance datum, for the proposed buildings and external areas of the site in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the dwellinghouse and surrounding buildings before any ground works take place to establish site levels in the interests of residential and visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

6. No development shall take place until a scheme for tree protection measures (both above and below ground) to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of those trees to be retained.
- (ii) Details of any excavation to take place within the root protection areas of those trees to be retained.
- (iii) Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees to be retained.

The protective fencing required by (i) shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority. The details in (ii) and (iii) shall be implemented in accordance with the duly approved scheme.

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

7. Any application which seeks approval for the reserved matter of landscaping pursuant to condition 1 of this permission shall include a landscaping scheme that provides details of:

- (i) any trees, hedgerows and any other vegetation on the site to be retained;
- (ii) compensatory planting to replace any trees or hedgerows to be removed (which shall include at least one extra heavy standard specimen of 14-16cm girth of an appropriate species to replace those trees which may be removed);
- (iii) the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i) or (ii); and
- (iv) the type, size, species, siting, planting distances and the programme of planting of hedges, trees and shrubs.

The duly approved landscaping scheme shall be carried out during the first planting season following the first occupation of the dwelling or the completion of the development, whichever is the sooner; and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and

species to those originally required to be planted.

Reason: To ensure suitable retention and strengthening of existing landscaping on the site in the interests of visual amenity and to secure appropriate biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV1, and the National Planning Policy Framework.

8. Any application which seeks approval for the reserved matter of access pursuant to condition 1 of this permission shall include details of:
- (i) The layout, design and construction of the site access which shall make provision for 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 at its junction with Kirkham Road.
 - (ii) The layout, design and construction of a turning area to be provided within the site which will allow vehicles to enter and exit the site in forward gear.
 - (iii) Provisions for 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.
 - (iv) Provisions for 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.

The site access, turning area and any associated gates shall be constructed in accordance with the duly approved details and made available for use before the dwelling hereby approved 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 (i) 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 accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

9. Site preparation, delivery of materials and construction works shall only take place between 08:00 hours and 18:00 hours Monday to Friday and between 08:00 hours and 13:00 hours on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

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 Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

10. No clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1st March and 31st August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation to be cleared does not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

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

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

The duly approved scheme shall be implemented before the dwelling is first occupied and shall be managed and maintained as such thereafter.

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

Informative notes:

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

2. **Highways:**

With respect to the requirements of condition 8 of this permission, the applicant is advised that any new vehicular access proposed within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (Vehicle crossings over footways and verges). The Highway Authority reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact LCC Highways before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for vehicle crossings and then fill in the information at "Get a vehicle crossing quotation".