



MINUTES

Planning Committee

Date:	Wednesday, 17 April 2019
Venue:	Town Hall, St Annes
Committee Members Present:	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman) Councillors Michael Cornah, Neil Harvey, Kiran Mulholland, Jayne Nixon, Linda Nulty, Liz Oades, Sandra Pitman, Heather Speak, Viv Willder.
Officers Present:	Mark Evans, Andrew Stell, Clare Lord.
Other Councillors Present:	None
Members of the Public:	7 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. No interests were declared on this occasion.

2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee held on 20 March 2019 as a correct record for signature by the Chairman.

3. Substitute Members

The following substitution was reported under Council Procedure Rule 24:

Councillor Viv Willder substituting for Councillor Ray Thomas.

Decision Items

4. Planning Matters

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

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

(Councillor Speak left the meeting after the conclusion of Item 4 – Planning Matters)

5. Scheme of Delegation

Andrew Stell introduced a report that set out proposed changes to the scheme of delegated powers under which decisions on certain planning and other applications are made by or under the authority of the Director of Development Services. The changes would clarify that prior determination applications, applications for certificates of lawfulness, applications for non-material amendments to planning permissions and applications to discharge planning conditions fall within the delegations to the Director.

The report also requested that the authority to issue community protection notices be delegated to the Director of Development Services where such notices are in the scope of the council's activities as local planning authority.

The committee RESOLVED to:-

1. Make the changes to the delegated powers of the Director of Development Services as set out in paragraph 3 of the report.
2. Delegate authority to the Director of Development Services to issue community protection notices under the Anti-Social Behaviour, Crime and Policing Act 2014, where the conduct concerned falls within the council's remit as local planning authority.

Information Items

6. List of Appeals Decided

The Information Report provided details on appeal decisions received between 8/3/19 and 5/4/19.

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Planning Committee Minutes

17 April 2019

Item Number: 1

Application Reference:	18/0461	Type of Application:	Outline Planning Permission
Applicant:	Mr Coxon	Agent :	Smith & Love Planning Consultants
Location:	LAND OPPOSITE FARNAH AND WYNWOOD, BEECH ROAD, ELSWICK		
Proposal:	OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF UP TO 6 DWELLINGS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)		

Decision

Outline Planning Permission: - Application Deferred

Reason for Deferral:

1. The decision on the application was deferred to allow consideration of the revised scheme by Elswick Parish Council, and then the officer consideration of any further comments that are made by the Parish Council.

Item Number: 2

Application Reference:	19/0179	Type of Application:	Full Planning Permission
Applicant:	Mr Furnell	Agent :	
Location:	THE DEACON, 84 CLIFTON STREET, LYTHAM ST ANNES, FY8 5EJ		
Proposal:	INSTALLATION OF REVISED FULL HEIGHT GLAZING TO FRONT AND SIDES OF EXTENSION TO REPLACE EXISTING GLAZED SCREENS, BALUSTRADE AND ASSOCIATED SUPPORTS		

Decision

Full Planning Permission: - Refused

Reasons

1. The enclosed nature of the canopy has a design and appearance that is harmful to the building and to its contribution to its neighbouring buildings, the broader streetscene and conservation area setting. This is particularly due to:
 - The character and form of an enclosed structure would present a visual and continuous

extension of the private internal space of the restaurant into the streetscene. This streetscene character is one with a generally open and accessible character and so any canopy should be viewed as an integral part of the open nature of the adjoining public realm, which is a major contributing factor to the character of this part of the Conservation Area.

- The entirely enclosed nature of the proposed extension is uncharacteristic of traditional and more recent forms of forward extension in the area that are designed to be open fronted and sided which, unlike this proposal, have created an appropriate and accessible transition between the premises they serve and the wider public spaces
- The form of construction, with entirely enclosed front and sides, would result in an unrefined and unsympathetically bulky appearance that is in contrast to the fine detailing of the host building, its neighbours and the Conservation Area
- The dominating impact that the enclosed canopy has on the adjacent pedestrianised area of Clifton Square

Accordingly the proposal fails to preserve or enhance the character of the conservation area and is detrimental to the character of the existing building contrary to Policies GD7 and ENV5 of the Fylde Local Plan to 2032, to the supporting Design Guide on Canopies and Glazed Extension to Commercial Forecourts of August 2018, and to paragraphs 193 and 196 of the National Planning Policy Framework.

Informative notes:

1. Where appropriate the council will seek to engage with applicants to resolve concerns over development proposals either before the application is submitted as promoted by para 39 of NPPF, or during the consideration of the application as promoted by para 38 of the NPPF. However, in some circumstances it will not be possible to resolve these concerns and so a refusal of the application is necessary due to the environmental / social / economic harm that will be caused by the development as identified in the reasons for refusal. In these circumstances an application is refused to enable the overall speed and quality of the council's decisions to be maintained.

Item Number: 3

Application Reference:	19/0184	Type of Application:	Variation of Condition
Applicant:	Mr Wareing	Agent :	Firth Associates Ltd
Location:	PENNARD, 4 ISLAY ROAD, LYTHAM ST ANNES, FY8 4AD		
Proposal:	MINOR MATERIAL AMENDMENT TO VARY THE APPROVED PLANS UNDER CONDITION 2 OF PLANNING PERMISSION 18/0200 TO AMEND THE DESIGN OF THE APPROVED DWELLING. AMENDMENTS INCLUDE REVISION TO WINDOW DETAILS, INTRODUCTION OF CANTILEVERED DETAIL TO SIDE, REVISION TO EXTERNAL CLADDING, AND ADDITIONAL SERVICING DETAIL.		

Decision

Variation of Condition :- Granted

Conditions and Reasons

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

- Proposed site plan - drawing no. PEN/1/010 REV. D
- Proposed ground floor plan - drawing no. PEN/1/110 REV. B
- Proposed first floor plan - drawing no. PEN/1/111 REV. D
- Proposed loft/service plan - drawing no. PEN/1/112 REV. F
- Proposed front/rear elevation plans - drawing no. PEN/3/313 REV. C
- Proposed side elevation plan - drawing no. PEN/3/314 REV. B
- Proposed roof elevation plan - drawing no. PEN/3/316 REV. E
- Proposed site plan (materials) - drawing no. PEN/1/011 REV. C
- Topographical survey (levels) drawing no. PEN/1/002 REV. A

Reason: To provide clarity to the permission.

2. Materials of construction shall be as indicated on drawing no.s PEN/3/313 REV. C, PEN/3/314 REV. B and PEN/1/011 REV. C listed in condition no. 1 of this approval, the dwelling shall be constructed in accordance with the approved schedule of materials unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to secure a satisfactory appearance to the development as required by Policy GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

3. Within 2 months of the date of this decision a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. Specific details shall include any hard surfacing materials (other than as agreed by drawing no. PEN/1/011 REV. C, and any soft landscape works which shall include plans and written specifications noting species, plant size, number and densities and an implementation programme. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season following the first occupation of the dwelling.

Reason: To enhance the quality of the development in the interests of the amenities of the locality in accordance with Policies GD7 and ENV1 of the Fylde Local Plan to 2032 and the aims of the NPPF.

4. The whole of the landscape works, as approved shall be implemented no later than the first planting season following first occupation of the new dwelling and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current sylvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

Reason: To ensure a satisfactory standard of development and in the interest of visual amenity in the locality in accordance with Policies GD7 and ENV1 of the Fylde Local plan to 2032 and the aims of the National Planning Policy Framework.

5. With the exception of the details shown on drawing no. PEN/1/011 REV. C any new boundary treatments proposed shall first be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be retained / implemented in accordance with the details shown on drawing no. PEN/1/011 REV. C unless alternative details have been agreed and shall be retained as such thereafter.

Reason: In the interests of visual amenity and to protect the character of the area and the relationship with neighbouring land uses in accordance with Policies GD7 and ENV1 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

6. Drainage of the site shall be as indicated on drawing no. PEN/1/011 REV. C listed in condition no. 1 of this approval and shall be installed as approved prior to first occupation of the dwelling hereby approved.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with Policies CL1 and CL2 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

7. The finished floor level for the proposed dwelling shall be as indicated on drawing no. PEN/1/002 REV. A as listed in condition 1 of this approval unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development has an appropriate scale and relationship to the neighbouring dwellings as required by Policy GD7 of the Fylde Borough Local Plan to 2032.

8. The roof area of the dwelling hereby approved shall not be used for any form of domestic enjoyment or recreational use as part of the occupation of the dwelling, with access to this roof area to only be undertaken for the purposes of its maintenance. Notwithstanding the rights available under Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 the access to the roof area shall only be available via a single service hatch of size and dimensions indicated on plan PEN/1/112 Rev F and PEN/3/316

Rev E as listed in condition 1 of this planning permission.

Reason: In the interests of protecting the amenity of occupiers of nearby residential properties from undue overlooking and loss of privacy as required by Policy GD7 of the Fylde Local Plan to 2032.

9. Notwithstanding the indication on the site plan hereby approved in condition 1 of this permission the existing highway access between the property and the carriageway of Islay Road shall be closed up and the resultant area reinstated as highway verge to match the existing verges elsewhere on Islay Road prior to the first occupation of the dwelling.

Reason: In the interests of visual amenity in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

10. That should any windows be inserted into the west facing elevation of the dwelling at first floor level they shall be fitted with obscured glazing, and that this style of glazing shall be retained at all times thereafter.

Reason: To prevent undue overlooking and loss of privacy between this dwelling and the neighbouring property to that side in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

11. Should any protected species be found during construction works all site works shall cease and ecological advice shall be sought from a suitably qualified person and a detailed method statement and programme of mitigation measures submitted to and agreed in writing with the Local Planning Authority. Thereafter those agreed measures shall be implemented.

Reason: In accordance with Policy ENV2 of the Fylde Local Plan to 2032, the aims of the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended).

12. The development hereby approved shall be carried out in accordance with the 'Construction Phase Plan' by Wareing and the accompanying 'contractors & visitors parking plan' provided by Firth Architects and drawing no. PEN/1/001 submitted with application no. 18/0200, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is implemented without compromising residential amenity or highway / pedestrian safety in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

13. The retained trees to the southern and eastern boundaries and the Blue Cedar tree located within the site shall be protected by erecting HERAS fencing at their Root Protection Area.

Within, or at the perimeter of, these root protection areas, all of the following activities are prohibited:

- Lighting of fires;
- Storage of site equipment, vehicles, or materials of any kind;
- The disposal of arisings or any site waste;
- Any excavation;
- The washing out of any containers used on site.

HERAS fencing must not be removed or relocated to shorter distances from the tree without the prior agreement of the Local Planning Authority. Any work to retained trees to facilitate development or site activity must (a) be agreed in advance with the Local Planning Authority

and (b) must meet the requirements of BS3998:2010 Tree Work - recommendations.

Reason: To ensure that tree root damage and damage to the aerial parts of retained trees is avoided so that the trees' health and visual amenity is not diminished by development activity in accordance with the aims of Policies GD7 and ENV1 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

Informative notes:

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