

Development Management Committee

Wednesday 29 June 2016

Late Observations Schedule

Schedule Items

<u>Item</u>	<u>App No</u>	<u>Observations</u>
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1	16/0065	<u>Consultation responses</u>
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With regard to the revised plans Medlar-with-Wesham Town Council have made the following comments;

“It was unclear to the Council what the revisions to the plans are and there was difficulty accessing the plans. The Council requires clarification regarding pedestrian access particularly around the main entrance to the development.”

Officer comments

The difference in the originally submitted and revised plans was that the drive thru building has been moved slightly further north and at a different angle. The buildings appearance has changed from a largely red flat roof building to one with a sloped roof and a mix of timber cladding, glazing, beige cladding and grey textured wall panels. An outdoor seating area is also proposed to the east of the building.

With regard to pedestrian access this will be taken by walking on the pavement adjacent to the access road and through into the site. Pedestrians can also access the site from the north off the combined footpath and cycle route which joins the pedestrian access located adjacent to Aldi.

One of Officers concerns was that members of the public that were not driving to the petrol station or drive thru restaurant would cut across and take the shortest possible route. However there will be a number of landscaping features along the sites southern perimeter, including a hedge, shrubs and native tree planting. These combined with the entrance wall to the south east of the site will act as a physical barrier which will deter pedestrians from entering the site from the south (off the sites main entrance).

Additional Condition

Officers propose that an additional condition is appropriate to secure the details and implementation of appropriate materials for the surfacing of the site.

The council has received a further representations from one of the neighbours which refers to issues raised by the proposed conditions, and is reproduced here:

"I take issue with the outside use being until 9pm. The Market Hall has always been used, since the 1850s as a daytime trading establishment. It is situated in a peaceful, calm, tranquil and reflective part of Lytham, albeit only 100-200 yards from the centre of the town in a residential area. It is where the people of Lytham chose to erect the War Memorial and establish the Memorial gardens. It is not an area where outside drinking at the time proposed is reasonable, fitting, respectful or appropriate. On the busier nights of the week (Friday/Saturday) at present there is a fully liveried Doorman/Bouncer sitting against the park benches with his walkie talkie. His presence is firstly, singularly misplaced in such an area. Secondly, why is he necessary? What do the owners of Barriquer think might happen in or about their establishment? There are, for instance no such Doormen at the Taps. It is obvious, his presence is there to either deter trouble or deal with trouble when it arises.....not really what one might expect in the Memorial Gardens and in a residential area. I have never had any objection to the Bar/Cafe per se. I do, however object to the external use being 9pm. It should be 6pm to reflect the original purpose of the Market Hall, the residential nature of the area and to maintain the dignity and respect for a particularly hallowed area of Lytham. Finally, any argument re precedent in respect of other premises external use is misplaced. The Market Hall is a unique building in a unique location. There is and can be no precedent.

You know my views about the waste storage. The owners made no attempt to deal with this save in an unsightly, unhygienic, and unseemly way. They only made some inappropriate attempts at camouflage when firstly you warned them and secondly I started moving the bin bags and barrels. I will leave that in your hands.

I would be grateful if you would bring these written views to the attention of the Committee."

Officer Comment

The representations raises two issues, which are covered in the report, but for clarity:

Hours of operation – The council as local planning authority has consistently sought to control the outdoor consumption of food and drink to 9pm at restaurants and other such establishments that have become established in Lytham in recent years. This is considered to be an appropriate limit between the needs of the business to take advantage of the surrounding and the proximity to residential properties. This condition is proposed here as those circumstances apply and so is consistent with other premises.

Refuse storage – Officers believe that it will be possible to design a workable screened area for the refuse storage needs of the premises and so the condition on the agenda papers is appropriate in achieving that.

9 16/0239 16/0239 Land East of Sefton Road late observations sheet

Amended condition

Due to the nature of the occupancy of the proposed apartments condition 2 on the published agenda is inappropriate as the development as a whole will provide affordable housing which will be managed by the YMCA. As such it is proposed that this condition is replaced with the following;

The apartments hereby approved shall be occupied and operated as affordable housing (as defined in Annex 2 of the NPPF or any future guidance that replaces it) or some other form of non-general market accommodation that has been agreed in writing with the Local Planning Authority.

Reason: To ensure affordable housing is retained in order to meet local need, and to ensure that any affordable housing remains affordable in perpetuity in accordance with the requirements of policy H4 of the Fylde Local Plan to 2032 (Revised Preferred Option) and the National Planning Policy Framework.

11 16/0250 Applicant's Comments

"I note from Fylde Borough Council's website that this application is on the Agenda for the Development Management Committee meeting to be held on 29th June 2016. I have perused the item and would like to draw your attention to the following:-

- 1. On page 83 the first named applicant should refer to Mrs J P Carter, not Mr J P Carter.*
- 2. As regards the reference to a 40mph speed limit (pages 85 and 86), the field lies within the 30mph zone on Kirkham Road. The change to 40mph is on a stretch of Kirkham Road beyond the 30mph zone and which currently has a 60mph speed limit."*

Officer Comments

1. Noted
2. Whilst the site lies within the 30mph zone and the speed limit in this area would remain at 30mph, LCC Highways have confirmed that the application is acceptable on highway safety grounds in view of both the current arrangements and the proposed change to the speed limits on Kirkham Road.

12 16/0345 One neighbour has reiterated their initial objections to the proposal outlining the issues previously raised.