

Development Management Committee

Wednesday 07 December 2016

Late Observations Schedule

Schedule Items

<u>Item</u>	<u>App No</u>	<u>Observations</u>
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1	16/0156	
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Additional Plans

A further plan has been received which confirms the access details and indicates 2.4m x 40m visibility splays, with these correctly drawn. This has been sent to the Highway Authority for their comments and added to the list of plans in condition 2.

Consultation Response - LCC Education Authority

Whilst LCC had provided comments on the application officers had a concern that these may not have been based on the latest position with regard to decisions made around the site that could impact on school capacity. On checking that it was found that the Willow Drive appeal scheme for 100 dwellings had not been factored into their assessment (14/0302 refers). Accordingly they have provided an updated response which incorporates this decision.

The impact of that decision is to increase the number of primary school aged children that would be likely to attend the schools around this application site beyond the capacity that is available to accommodate them in those schools. Accordingly they request a financial contribution from this development equivalent to the 11 primary school places it is expected to yield which amounts to 11 x £13,474.53 which is £148,129.83. They suggest that the appropriate location for that funding to be spent is The Willows Primary School in Kirkham which has no existing contributions assigned to it and so will ensure that this contribution complies with the pooling obligations of the CIL Regulations.

Officer Comments on LCC Education Authority Comments

The position reported in the Committee report is that there is an adequate capacity in the local primary schools to accommodate the children that are expected to be yielded by this development. Based on this latest estimation of the position that is no longer the case, and this development will actually worsen an existing shortfall of primary education provision in the area.

In such circumstances Policy CF2 of the Fylde Borough Local Plan enables the council to secure financial contributions from developments that will contribute to that shortfall, with that funding to be used by LCC to help improve educational capacity. This is a saved policy of the development plan that is consistent with the NPPF and supported by the evidence provided by LCC and is carried forward into the FLP32. As such the officer view is that this request should be supported and so the recommendation revised to incorporate an additional s106 clause as follows:

- *The payment (and phasing of payment) of £148,129.83 to be used to increase primary education capacity at The Willows Primary School in Kirkham*

Consultation Response - LCC Highway Authority

The comments of LCC County Highways have been received. Their comments are summarised as follows:

- Access Strategy – They refer to the simple priority junction being an appropriate design for the access to the site with the partial demolition of 54 Bryning Lane needed to facilitate that, and that this arrangement is acceptable. They refer to the visibility splays being provided for a 30mph roads and as this road is set at 20mph they allude to these being acceptable. Reference is made to the inconsistency in the plans regarding footways and request that these are made consistent with a footway provided on both sides of the access.
- Trip Rates / Traffic Generation – They highlight that the developer has estimated 24 vehicle movements in each of the peak periods, and confirm that these are the appropriate figures from the TRICS database.
- Distribution / Junction Capacity – They comment that *“Bryning Lane carries around 650 vehicles in the peak hour, with traffic flowing relatively freely. Junction capacity is not considered to be an issue here and the relatively small number of vehicles that the development would generate in the peak hours is unlikely to impact on the free flow of traffic.”*
- Site Accessibility – They refer to the reference in the application to the accessibility of the services available in the village to the site, and the need to provide a footway to access them.
- Public Transport – Recent changes to public transport funding across the County are raised. A local consequence of this and the development in Warton is that Bryning Lane is to become a bus route. Accordingly they request that the development provides northbound and southbound bus stops to support that new route. The location of these stops (and the associated raised bus boarding surface) is to be identified. LCC request that *“the location of these stops be agreed prior to the grant of planning permission in order to avoid objections during the s278 process.”*
- Road Safety – The lack of accidents in the area is highlighted. However, the comments refer to the observed traffic speeds being generally above the 20mph speed limit, and that this will discourage walking and cycling. To address this the comments refer to the development introducing traffic calming measures on Bryning Lane between the change in speed limit to the south of the site and The Green. (Note: Officers have sought clarification on the nature of these measures and will report any further information verbally to Committee should it be received.)
- Layout – A number of issues are identified (Note: but not explained) that will prevent the roads being adopted. The need to provide garages to 6m x 3m sizes is also raised.
- S278 / conditions – The need for a s278 agreement to secure the proper construction of the site access, bus stops and traffic calming is confirmed, and a series of standard conditions are suggested associated with the construction of the development.

Officer Comments on LCC Highway Authority Comments

The comments confirm a lack of objection to the application but request that further details are provided to ensure consistency of the submitted plans, to ensure provision of bus stops, and to ensure appropriate traffic calming measures are introduced.

The officer view is that these are reasonable requests to ensure that the development is implemented in a way that ensures appropriate connectivity from the site to services available in the village and elsewhere and so should be incorporated into the decision. The pedestrian footway and bus stops are already covered by items a) and d) of condition 4 on the agenda papers. It is recommended that condition be revised to include an item e) relating to the traffic calming. The revised condition would therefore read:

That prior to the commencement of any development on the site full details of the following highway works shall have been submitted to and approved in writing by the Local Planning Authority, with the submitted detail including a phasing for the implementation of the approved works, which shall be complied with in full:

- a) The provision of a 1.8m footway into the site on both sides of the access road to provide a continuous pedestrian route to all dwellings from that internal access road (or other suitable extent as is subsequently agreed) and its connection to the existing footpath network on Bryning Lane.*
- b) Any works required to the site frontage to Bryning Lane to ensure that 2.4m x 40m visibility can be achieved in both directions whilst retaining an appropriate rural appearance to the site frontage*
- c) The provision of parking arrangements to serve 54 Bryning Lane that are located off the internal access road to the rear of that property*
- d) The provision of two bus stops and shelters (one on each side of Bryning Lane) in close proximity to the site access to Quality Bus Standard, along with maintenance arrangements for these facilities.*
- e) The submission of a scheme to confirm traffic calming works between the existing 20mph speed gateway on Bryning Lane to the south of the site entrance and The Green.*

Reason: To ensure the provision of a safe vehicular access to the site, and a safe pedestrian access for the occupiers of the dwellings to access the shops and other services available in Wrea Green, and to ensure the existing dwelling has appropriately sited parking arrangements as required by Policy HL2 of the Fylde Borough Local Plan.

Further clarity on the extent of the changes to the layout needed for the road layout to be adopted has been sought and will be addressed where necessary prior to any decision being issued, with the existing recommendation providing the opportunity for the Head of Planning and Regeneration to revise the plans listed in condition 2 to address these issues.

- 3 16/0554 Consultation Response - LCC Education
Confirm that the primary education contribution explained in the agenda papers should be allocated to facilitate the expansion of school place capacity at Newton Bluecoat CE Primary School. They also confirm that this would comply with the CIL pooling requirements as there are two other contributors to that project, which are the Brook Farm schemes under reference 15/0547 and 15/0827.

Confirm that the secondary education contribution explained in the agenda papers should be allocated to facilitate the expansion of school place capacity at Kirkham Carr Hill High School. They also confirm that this would comply with the CIL pooling requirements as there are two other contributors to that project, which are the Brook Farm schemes under reference 15/0547 and 15/0827.

Officer Comment

The CIL regulations require that any infrastructure expenditure of this nature which is delivered through the planning system should be for identified projects and so these expenditure projects should be referenced in any subsequent S106 Legal Agreement.

- 5 16/0639 Additional Neighbour Representations
Since the report was finalised and additional 8 responses have been received. These

object to the revised plans on the following grounds:

1. Revised plans not in keeping with the character and overall look of the street
2. Previous submitted plans were more appropriate
3. Loss of light
4. Loss of privacy
5. No public notice has been put at the site advertising the revised plans
6. Shortness of time to make comments on the revised plans

Officer Comment on Neighbour Representation

The matters raised are addressed in the agenda report

Town Council Comments

St Annes Town Council have provided a response to the re-consultation outlining their objection to the short amount of time provided to make additional comments. This has meant that the consideration of this item by the Development Management Committee in advance of their next scheduled meeting which is on 15 December.

They have also provided the following comments:

"The changes to 'The Gables' building design, window layout, and replacing the pitched gable ended roof with a flat roof constitute major design changes.

The Town Council have not had an opportunity to consider these major changes in the correct forum of a planning and environment committee meeting, and councillors have only been made aware on Monday 5th December 2016.

These changes clearly substantially affect the visual impact of the proposed building to the other contiguous Gable Ended/Pitched roof buildings and the Overall Street Scene on Richmond Road and Orchard Road, and from the Town Centre.

A number of residents of Orchard Road are Very concerned and Shocked by the 'last minute' change of design, and how completely 'out of place' the visual style of this planned building would be."

Officer Comment on Town Council Representation

An initial response has been provided to the Town Council on this to explain that the application will remain on the agenda for consideration at the 7 December Development Management Committee meeting.

The reason for this is that: firstly the Town Council were notified of the application on receipt and raised no objection to it at that time, and secondly the amendments that have been introduced have led to a significant reduction in the scale of the building and a reversion to a design concept that reflects the existing planning permission on the site. The need for the council to manage the caseload of applications has also been explained.

The Town Council's comments, as reported above, are reproduced so Committee members are aware of their views on the revised design. The officer advice is that the revised design and consequential reduction in scale of the building is an improvement over the original submission.

The recommendation remains to grant planning permission.