

Agenda



DEVELOPMENT MANAGEMENT COMMITTEE

| | |
|--------------------|---|
| Date: | Wednesday, 8 February 2017 at 10:00am |
| Venue: | Town Hall, St Annes, FY8 1LW |
| Committee members: | <p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Christine Akeroyd, Jan Barker, Michael Cornah, Neil Harvey, Kiran Mulholland, Barbara Nash, Linda Nulty, Liz Oades, Albert Pounder, Heather Speak.</p> |

Public Speaking at the Development Management Committee

Members of the public may register to speak on individual planning applications, listed on the schedule at item 4, at [Public Speaking at Council Meetings](#).

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| 1 | Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided. | 1 |
| 2 | Confirmation of Minutes: To confirm the minutes, to be circulated, of the meeting held on 18 January 2017 as a correct record. | 1 |
| 3 | Substitute Members: Details of any substitute members notified in accordance with council procedure rule 25. | 1 |
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Contact: Lyndsey Lacey-Simone - Telephone: (01253) 658504 – Email: democracy@fylde.gov.uk

The code of conduct for members can be found in the council's constitution at
<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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08 February 2017

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Background Papers

In accordance with Section 100D of the Local Government Act 1972, 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 Act.

- Fylde Borough Local Plan (As Altered) October 2005 (Saved Policies)
- Joint Lancashire Minerals and Waste Local Plan
- Fylde Local Plan to 2032 (Publication Version) August 2016
- National Planning Policy Framework
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- Strategic Housing Market Assessment (SHMA) 2014 and Addendum I and II November 2014 and May 2015 and Housing Market Requirement Paper 2016
- Five Year Housing Land Supply Statement at 31 March 2016
- Strategic Housing Land Availability Schedule (SHLAA)
- 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 either at www.fylde.gov.uk/resident/planning or for inspection by request, at the One Stop Shop Offices, Clifton Drive South, St Annes.

Development Management Committee Schedule

08 February 2017

Item Number: 1

Committee Date: 08 February 2017

| | | | |
|-------------------------------|--|-----------------------------|-----------------------------|
| Application Reference: | 16/0112 | Type of Application: | Outline Planning Permission |
| Applicant: | Mr G Campbell | Agent : | Mr Peter Gilkes |
| Location: | CAMPBELLS CARAVANS, BLACKPOOL ROAD, KIRKHAM, PRESTON, PR4 2RE | | |
| Proposal: | OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 30 DWELLINGS (ACCESS APPLIED FOR WITH OTHER MATTERS RESERVED) | | |
| Parish: | KIRKHAM NORTH | Area Team: | Area Team 1 |
| Weeks on Hand: | 22 | Case Officer: | Kieran Birch |
| Reason for Delay: | Need to determine at Committee | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7838254,-2.9076984,575m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

This application is for an outline planning permission for the erection of up to 30 residential units on a 1 hectare site located on the south side of Blackpool Road, Kirkham on a brownfield site located on land allocated as Countryside in the Fylde Borough Local Plan. The site is directly adjacent existing and approved development.

The residential development of Countryside land in contrary to Policy SP2 of the Fylde Borough Local Plan. However, a key material consideration in the determination of residential planning applications is the need for the council to deliver a supply of housing land equivalent to 5 years of its agreed annual target. The council's latest published information is that it is unable to deliver the necessary housing supply and so, in accordance with the National Planning Policy Framework (NPPF), a proposal that delivers sustainable development must be supported unless it will cause significant and demonstrable harm.

Having assessed the relevant considerations that are raised by this proposal it is officer opinion that the development is of acceptable scale and is in an acceptable location to form sustainable development. The visual impact is also considered to be acceptable and the development would not have a detrimental impact on the amenities of the area to an extent that would justify refusal of planning permission. The ecological issues have been considered and found to be acceptable. The highways impact of the development are acceptable, LCC have confirmed they have no objections and that the site will have a safe access and an acceptable impact on network capacity. As such it is considered that the proposal delivers a sustainable form of development and it is recommended that the application be supported by Committee and so assist in delivering the housing supply requirements of para 17 of NPPF.

Reason for Reporting to Committee

The application is for a major development and therefore needs to be determined by Committee.

Site Description and Location

The application relates to a brownfield rectangular site which was formerly Campbell's Caravans and is now in use as a car wash and for car sales / storage.

The application site comprises approximately 1 hectare of previously developed (brownfield) land on the south side of Blackpool Road (A583) in Kirkham. The site is flat, rectangular, laid out in hard standing and there is an existing flat roof two storey building on the site. This building was originally a swimming pool and most recently has been used for the sale and display of caravans. At the front of the site either side there is linear residential development with glass houses, farm and commercial buildings to the east and west. To the south is a hard surfaced area and a building in employment use. To the north of the site are two housing sites which are currently being constructed. The settlement of Kirkham and the Ribby Hall complex are both approximately half a mile away.

Details of Proposal

The application proposed is an outline application for a mixed residential development of up to 30 dwellings. Access is a detailed matter which has been applied for with all other matters reserved for future consideration. The access proposed is a single point of access in the centre of the sites frontage to Blackpool Road. The illustrative layout plan shows how the 30 dwellings could be arranged around this access point and proposes a mix of semi-detached and detached market housing and 10 semi-detached and terraced affordable housing. Their appearance is anticipated to be traditional with walls faced in brick to match neighbouring dwellings and pitched roofs with concrete tiles.

Relevant Planning History

| Application No. | Development | Decision | Date |
|------------------------|--|-----------------|-------------|
| 90/0785 | CREATION OF CAR PARK TO FORM 19 ADDITIONAL CAR PARKING SPACES | Granted | 24/04/1991 |
| 88/1010 | CHANGE OF USE;UNUSED GRAZING LAND TO PROVIDE EXTENSION TO TOURING CARAVAN STORAGE AREA | Refused | 22/02/1989 |
| 75/0721 | CHANGE OF USE STORAGE OF CARAVANS TO DISPLAY AND SALES OF CARAVANS. | Granted | 26/11/1975 |

Relevant Planning Appeals History

None

Parish/Town Council Observations

Kirkham Town Council notified on 12 September 2016 and comment:

“Kirkham Town Council comment that this development may encroach on the boundary between the settlements of Wrea Green and Kirkham and a sizeable buffer should remain.

Council feels that should this application be approved the Town of Kirkham should benefit from Public Realm Section 106 contributions.”

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

The proposal is to create 30 dwellings (despite submitted plans showing 33 plots) all accessed via a single amended access point off the A583 (Blackpool Rd). The plans show that the access is of suitable dimensions and can provide sufficient visibility to allow safe egress from the site. There are currently other access points along the frontage of the site which would need to be removed to improve highway safety.

Given the relatively high speeds on this section of Blackpool Rd, there is a need for a traffic island/pedestrian refuge to provide protection for vehicles turning right into the proposed development and pedestrian facilities to provide safe access to the new bus stops (see below). I would expect this to be delivered through an appropriate legal agreement with the Highways Authority, alongside the provision of the site access works. Also, as part of these works we would need to see quality bus stops installed for both eastbound and westbound journeys. This will improve the sustainability of the site by encouraging more journeys by public transport.

If outline permission is granted, I would expect that any reserved matters application would take into consideration the following recommendations:

- *All private drives fronting garages must be a minimum of 6m long and this must not include any of the required 2m wide service verge.*
- *All garages (including internal garages) must have minimum internal dimensions of 6m x 3m. This will allow the parking of one car and the storage of two bicycles. None of the garages shown on the plans provided meet these minimum dimensions.*
- *Cycle storage should be available for all properties, as highlighted in the “Code for Sustainable Homes 2007”.*

I can confirm that based on the available information, subject to suitable amendments as described above and the inclusion of the following conditions, notes and recommendations in any associated planning consent, I would have no highway objection to the applicant's proposal.

United Utilities Group Plc

No objections to the application subject to conditions in relation to drainage.

Greater Manchester Ecology Unit

I have the following comments to make on the proposal;

- *The application is supported by a Survey & Assessment for bats and birds (The Report). This appears to show that reasonable effort has been used to assess the structures on the site for the presence of bats and their suitability to support roosting at other times. Bats are protected at all times even when roosts are unoccupied (Habitats Regulations 2010 and Wildlife & Countryside Act 1981) and birds are*

protected during the breeding season whilst nesting (Wildlife & Countryside Act 1981)

- *The Report shows that a detailed internal and external assessment was undertaken along with one activity survey. This survey is in line with current recommendations*
- *The Report indicates that no evidence of bat roosting was found and that the likelihood of bats using the structures is very low.*
- *The Report indicates that the survey results are time constrained and that is a Reserved Matters application is not received by spring 2018 (1.3.2018) then the structures should be reassessed as their quality and suitability to support bats may have changed in the intervening period. I would suggest that a condition be used to ensure that this is implemented.*
- *The Report indicates that the building is not currently used by nesting birds but that hedgerows on the boundary of the site, which it appears will be retained, offer suitable nesting features. It is recommended that conditions be used to ensure;*
 - *all hedgerows are suitably protected with temporary measures during construction*
 - *no vegetation clearance including trees, shrub, hedgerows or undergrowth occurs during the nesting season (March – August inclusive) unless it can be shown from a suitably qualified individual that no nesting birds are present*
- *The Report also indicates that as guided by the NPPF (National Planning Policy Framework 2012) applications should seek to provide biodiversity enhancements. It is recommended that any Reserved Matters application shows in the landscaping detail how 2x bat boxes and 2x bird boxes will be incorporated into the proposal and that an artificial hibernacula is created on the southern edges of the site to provide enhancements for hibernating amphibians (see below). This should be implemented via a condition attached to any permission if granted.*
- *I concur with the Report's assessment and currently know of no other reasons that would contradict these findings. The application can be forwarded for determination in regard to biodiversity*

Additional biodiversity matters of relevance to the application have come to light in my consideration of the proposal;

- *The site is covered by Natural England's Impact Risk Zone GIS tool. I have confirmed that the current proposal does not require consultation with Natural England.*
- *The site is within 150m of a pond and several occur within 50mm. A confirmed record of a great crested newt pond is within 260m of the application boundary. However, I confirm that the current condition of the site – hard standing and appears to be used for storage of cars/vehicles does not provide suitable habitat for amphibians in their terrestrial stages. Therefore no further consideration is required of this issue at determination. However it is recommended that an informative/note is placed on any permission if granted to alert the developer to the proximity of great crested newt breeding ponds and their protected status at all times. If amphibians are found or suspected during clearance work or at any other stage all work should cease and the advice sought and implemented from a licenced ecologist.*

In summary and conclusion;

- *The application is supported by sufficient information to enable it to be forwarded for determination in relation to ecology*
- *A number of conditions and informatives are recommended (see bold above) to ensure that any permission or Reserved Matters application can be implemented in a manner to avoid infringement of the relevant wildlife legislation and to provide*

biodiversity enhancements as indicated in the NPPF.

Environment Agency

No observations.

Lead Local Flood Authority

No objections to the development subject to surface water and SUDS drainage conditions.

LCC Education

Request of contribution of £148,219.83 towards 11 primary school places calculated to be generated by the development and £101, 517.95 towards 5 Secondary school places. This is based on all dwellings being 4 bedrooms and will be re-calculated when the exact bedroom information is known.

Housing Services (FBC)

Housing will at the outset be looking to secure the 30% requirement for affordable housing on this site. On the draft site plan all the affordable units are together to the side of the site. We would prefer the units to be spread throughout the site in a pepper potting approach. It appears that 4 of the affordable units are terrace and 5 semi detached which will help guide tenure on the scheme. The site is directly opposite Little Tarnbrick Farm a site being built by Barratts therefore there will be sufficient interest from RPs to take the affordable units on the scheme.

Neighbour Observations

Neighbours notified: 12 September 2016

Number of Responses None received.

Relevant Planning Policy

Fylde Borough Local Plan:

| | |
|--------|--|
| SP02 | Development in countryside areas |
| HL02 | Development control criteria for new housing proposals |
| HL06 | Design of residential estates |
| EMP5 | Hazardous installations |
| TR05 | Public transport provision for large developments |
| TR01 | Improving pedestrian facilities |
| TREC17 | Public Open Space within New Housing Developments |
| EP10 | Protection of important landscape and habitat features |
| EP11 | Building design & landscape character |
| EP12 | Conservation trees & woodland |
| EP14 | Landscaping of new developments |
| EP18 | Natural features |
| EP21 | Archaeology |
| EP19 | Protected species |
| EP22 | Protection of agricultural land |
| EP27 | Noise pollution |
| EP26 | Air pollution |
| EP29 | Contaminated land |
| EP30 | Development within floodplains |

Fylde Local Plan to 2032:

| | |
|------|--|
| NP1 | Presumption in favour of Sustainable Development |
| S1 | Proposed Settlement Hierarchy |
| DLF1 | Development Locations for Fylde |
| SL5 | Development Sites outside Strategic Locations for Devt |
| GD3 | Areas of Separation |
| GD1 | Settlement Boundaries |
| GD4 | Development in the Countryside |
| GD7 | Achieving Good Design in Development |
| GD9 | Contaminated Land |
| H1 | Housing Delivery and the Allocation of Housing Land |
| H2 | Density and Mix of New Residential Development |
| H4 | Affordable Housing |
| HW1 | Health and Wellbeing |
| INF1 | Service Accessibility and Infrastructure |
| INF2 | Developer Contributions |
| T4 | Enhancing Sustainable Transport Choice |
| T5 | Parking Standards |
| CL1 | Flood Alleviation, Water Quality and Water Efficiency |
| CL2 | Surface Water Run-Off and Sustainable Drainage |

Other Relevant Policy:

| | |
|-------|-------------------------------------|
| NPPF: | National Planning Policy Framework |
| NPPG: | National Planning Practice Guidance |

Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis**Principle of the development****Policy background**

When considering the proposal regard must be had to the Development Plan with determination in accordance with this plan unless material consideration dictate otherwise. The statutory development plan and material considerations in this case comprises the saved policies of the Fylde Borough Local Plan (2005) and the National Planning Policy Framework. In accordance with the NPPF 'due weight' should be given to the relevant saved policies within the Local Plan and the weight given to these policies depending upon the degree of consistency with the NPPF. The starting point for determining this applications therefore remains the saved polices of the Local Plan. If there is a conflict between these saved policies and the NPPF, the NPPF takes precedence, however it should be read as a whole and in context. The Local Plan identifies the site as being in the open countryside and as such policy SP2 – Development in countryside areas applies, this policy restricts

development in the countryside asides for certain types of development of which the development proposed by this application is not one. Therefore on the face of it the application is contrary to Local Plan policy and so it has to be assessed whether or not the NPPF and other material considerations would justify overruling this policy.

In section 6 'Delivering a wide choice of high quality homes' of the NPPF it requires the significant boosting of housing and local authorities should use their evidence base to meet the full objectively assessed needs for market and affordable housing in the housing market area. For market and affordable housing a five year supply should be maintained. Housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 44). Applying this policy context to the development requires considering the NPPF as a whole and assessing the weight which should be applied to SP2 and also considering the sustainability of the development and the balance of any positive or adverse impacts, within the NPPF context of seeking to boost housing supply and economic growth;

In the submission version the Local Plan to 2032 the site is also allocated as being within the open countryside, directly opposite housing allocation HSS9 – the Kirkham triangle site and north of the area of separation between this area of development and Wrea Green to the south. The National Planning Policy Framework requires developments to be sustainable. Proposals are to be considered against an economic, social and environmental role in this regard. Economically to ensure sufficient land of the right type is available in the right place to support growth and innovation. Socially by providing the supply of housing required with access to local services and environmentally by protecting and enhancing natural, built and the historic environment and improving biodiversity.

Accessibility of the site

The application site is located on the south side of the A583 Blackpool Road which is the main road that runs between the M55 junction 4, runs south of Kirkham and then through to Preston and is located approximately 700m from the settlement boundary of Kirkham and directly opposite housing allocation site HSS9 which was found to be sustainable in the formation of the Local Plan to 2032. The site is less than a mile away from primary schools with 7 within 2 miles and 1.5 miles from the Carr Hill Secondary school, bus services run along the main road. The site is directly opposite the two application sites at Little Tarnbrick Farm references 12/0419 and 12/0635. These two sites were allowed at appeal by the Planning Inspector and subsequently the Secretary of State who recovered the appeals for his determination in accordance with the regulations. The S of S agreed with the Inspector that the appeals should be allowed as the schemes comprised sustainable development that would accord with national policy. Therefore it can be considered that this site is also considered accessible in the context of sustainable development.

Housing supply

The NPPF requires LPA's to 'identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.'. The latest five year housing supply for Fylde Council is that as of the 31 March 2016 when Fylde has a 4.8 year supply. Therefore planning policies for the supply of housing for the purposes of determining applications are considered out of date and this is significant as the NPPF states that where relevant policies are out-of-date, permission should be granted unless any adverse impacts outweigh the benefits, or other policies indicate otherwise, when assessed against the NPPF. This is a material consideration when determining the planning application. If a scheme is considered to deliver sustainable development and not have any adverse

impacts that would significantly and demonstrably outweigh the benefit in housing supply, the guidance is clear that planning permission should be granted.

Impact on the character of the area

The application site as existing comprises previously development land and therefore is classified as brownfield. The site is laid over in hardstanding and has a large two storey flat roof building at the front of the site and has been historically used for caravan sales with them parked over the site, and more recently for car storage and sales, again these cars parked over the extent of the application site. The development of the frontage of the site would fit in with the existing street scene fronting Blackpool Road with views of the site to the rear limited and previously compromised by the storage of white caravans. The proposal is for a residential development which is the same as the adjacent land uses to the north, east and west, and whilst the design of the dwellings is unknown at this stage, an acceptable design can be achieved at the site that would have an acceptable appearance in the street scene and not have a harmful impact on the character of the area.

The indicative plans submitted show that the development would retain the building line that exists along Blackpool Road meaning the six dwellings fronting it would fit in with the street scene. The dwellings set within the site would be behind these dwellings accessed via a central access road and would not be widely visibly from Blackpool Road. When viewed from the east and west the site is well contained by existing developments including, residential, caravans, agricultural and commercial. The most visible part of the site will be from the south on Ribby Road and whilst the existing layout does not show it the dwellings here will be required to front the countryside to the south and landscaping in the form of a tree belt will need to be provided along the southern boundary, which will assist in retaining the semi-rural feel of the area. It is considered that development of this area specifically will have limited harm to the character of the area.

This area around Blackpool Road consisted of predominately historic linear or ribbon development which has occurred around this key vehicular route. Ribbon development can lead to urban sprawl and the planning system and the introduction of housing allocations and greenbelts sought to prevent this. This development affectively fills in a gap within ribbon development, and whilst it extends to the rear of the site for the reasons outlined above it will not have a significant visual impact, it will be well contained and surrounded by existing development. Furthermore when considering the sites to the north allowed at appeal the S of S and PINS acknowledged that whilst the sites were in the countryside that they were opposite a ribbon of housing and other developments and would not be isolated or away from other development, nor would they harm the character and appearance of the area. Whilst this site is on the south side of the road it now is located opposite a large housing site and again would not be isolated or away from other development and would not unacceptable impact on the character or appearance of the countryside. Therefore it is considered that the proposal would be of similar character as the adjoining area and would not create an unacceptable visual impact or impact upon character that would warrant refusal of the application.

Does the proposal deliver sustainable development?

The site is located in close proximity to the settlement of Kirkham, but is located in an area classified as open countryside in the Fylde Borough Local Plan. It is adjacent to the approved housing to the north and existing development to the east and west and is considered to be sustainably located in relation to the settlement and would not represent an unacceptable growth in terms of scale and would therefore comply with the NPPF requirement that housing applications should be considered in the context of the presumption in favour of sustainable development. Furthermore when

considering the housing objective of the NPPF Fylde does not have a five year housing supply for which there is an identified need. The proposal would therefore contribute to meeting this identified need for dwellings in the emerging Local Plan and the housing supply for the Borough as a whole. Policy HL2 of the Fylde Borough Local Plan lists a series of criteria that a development needs to comply with to be acceptable, with many of these consistent with the core planning principles in para 17 of NPPF and with other sections of that guidance. Criteria 2 requires that development should be of a scale that is in keeping with the character of the locality. It is considered that the scale of development proposed in this scheme and location is acceptable and would not be of a scale that would warrant refusal of the application. It is considered that the proposal would create no visual harm to the area and overall in principle is acceptable.

Highways

The application has been made in outline with access a detailed matter for consideration. The access to the site is proposed to be located centrally along the site's frontage with Blackpool Road. LCC Highways have commented that they have no objections to this, and that the proposed access is of suitable dimensions and can provide sufficient visibility to allow safe egress from the site. To support this the other access points along the frontage of the site that currently exist would need to be closed, and due to the speed of Blackpool Road at this point there is a need for a traffic island/pedestrian refuge to provide protection for vehicles turning right into the proposed development. They state this can be delivered through a section 278 agreement along with two quality bus stops installed east and westbound. They raise no objections with regard to highway safety or capacity and provide some advice that future applications should take into consideration and request various standard conditions. With such conditions in place there are no highways issues with the application.

The development is not contrary to any highways or transport policies within the Adopted Local Plan or Fylde Local Plan to 2032 and also complies with the NPPF paragraph 32 requirement that states that development should only be prevented or refused on transport grounds when the residual cumulative impacts of developments are severe.

Ecology

The application site is brownfield developed land with existing buildings on it, and as such the application is supported with a survey and assessment in respect of bat species and nesting birds (Mike Fisher, 26th April 2016) which along with the proposed sketch layout (dwg no 14/096/SK04, LMP Architectural Consultants, 11 April 2016) has been considered by the Council's Ecological Consultees GMEU whose comments are reported in full.

They state that the survey submitted is appropriate in terms of effort and detail. The survey found no evidence of bats but were time constrained and as such GMEU state that if no Reserved Matters application is received by spring 2018 then the structures should be reassessed and that this should be secured by condition. They state that no birds use the buildings but the hedgerows around the site which are indicated to be retained support nesting birds and therefore a condition should be used to protect the hedges during construction and that vegetation clearance is done outside of the nesting season. They recommend that in line with the NPPF biodiversity enhancement should be sought and that and RM application shows bird and bat nesting in the landscaping details. The site is within 150m of a pond with a GC Newt found 260m away but the current condition of the site is such that it does not provide suitable habitat for amphibians. Therefore subject to conditions there are no ecological issues with the development of the site and the site can be developed in accordance with section 11 of the NPPF, Adopted Local Plan policy EP19 – protected species and

policy ENV2 of the plan to 2032

Flooding and drainage

The application has been submitted with a Flood Risk Assessment by PSA Design. The site is located within Flood Zone 1 which is an appropriate location for residential development. The FRA outlines that the existing site has an impermeable area of 9450 square metres and that the development will result in a reduction of 4380 square metres of hardstanding so that the impermeable area is 5,170. (45% reduction). This reduction will result in reduced run off rates for all types of storm events. It is proposed to that this surface water will be drained to the existing surface water outfall to the northeast of the site. Foul water will be drained into the public and it is estimated based on the outline indicative layout that this would generate 21,750l a day. The Environment Agency have confirmed that they have no objections to the development in relation to flooding and drainage and request a condition in relation to contaminated land risks. United Utilities have commented that they have no objections subject to conditions in relation to the drainage of foul and surface water. The Lead Local Flood Authority (LLFA) similarly have no objections and request similar conditions to those requested by UU. The proposal will reduce surface water run-off and the site can be acceptably drained, there are therefore no flooding or drainage issues.

Impact on residential amenity

The application is an outline application with all matters reserved asides access which is discussed above and is to be located centrally along the sites frontage with Blackpool Road, LCC have confirmed that this acceptable. The illustrative layout shows that a layout can be designed which would meet the council's spacing guidance and would not harm the residential amenity of existing dwellings. Appearance, layout and scale are matters reserved for future consideration however the indicative layout submitted shows the collector road entering the application site from Blackpool Road to the north, with four dwelling access roads leading off this road and dwellings grouped around these. The layout shows dwellings within the site appropriately orientated and spaced from existing dwellings and as such would not have an unacceptable impact on their amenity through loss of light or overlooking. The relationship on the indicative plans between the dwellings in the site and the adjacent one is acceptable and if a layout similar to the one submitted was developed the occupants would enjoy an acceptable level of amenity. There are therefore no issues with this proposal in terms of impact on residential amenity.

Other issues

Public open space

Policy TREC17 of the Local plan refers to public open space within new housing developments with calculation of area based on the number of bedrooms in each of the dwellings provided. As this is an outline application the exact amount will need to be calculated at Reserved Matters stage. The indicative layout does not include any public open space and therefore will need to be amended at RM or TREC17 allows for an offsite contribution towards public open space to be made.

Education

LCC Education have been consulted on the application and confirm that the development will be within 2 miles of 7 primary schools and that this development will generate a need for 11 primary school places for which there will be a shortfall and as such they request a contribution for all 11 places totalling £148,219.83 which will go towards The Willows RC Primary School. They state that

Carr Hill is within three miles of the development site and that the development will generate a need for 5 secondary school places for which there is a shortfall and therefore they request a contribution for all 5 spaces totalling £101,517.95. These amounts are based on the dwellings all being four bedrooms and so the legal agreement that will be required to secure their payment will also need to cater for differences in bedroom numbers within the reserved matters approval.

Affordable housing

The Council's housing team have confirmed that they would require 30% affordable as per Policy H4 of the FLP32. They comment that the indicative plan places all the affordable housing is located together and that they would prefer the units to be spread throughout the site in a pepper potting approach, which is a matter that would need to be addressed at the reserved matters application stage. They state that the type of dwellings will guide tenure on the scheme and that due to the location of housing development opposite the site there will be sufficient interest from Registered Providers to take on the affordable housing units at the site. The provision of affordable housing will need to be included in a legal agreement.

Public realm/sustainable contributions

Residential developments in this area have been asked to contribution towards public realm and sustainable transport initiatives in Kirkham for which there is a scheme to regenerate and improve the main town centre. An accepted approach has been to secure £1000 per dwelling approved towards these schemes so that occupiers of the dwellings approved on the outskirts of the town are encouraged to use the town centre sustainably, this is an approach which the Planning Inspectorate have agreed with at appeal. Therefore if members are minded to approve this application it will be a requirement of the legal agreement that this is provided.

Conclusions

The application site is a brownfield site which is considered to be in a sustainable location and given the lack of a five year housing supply will assist in the delivery of housing. The development will have an acceptable impact on the highways network and the access proposed is safe. The biodiversity of the site has been considered and it has been concluded that there will be not be any unacceptable impact on ecology. The impact on residents has been considered and it is not considered the development will have an unacceptable impact on their amenity. Therefore the Committee are recommended to support the development and delegate officers to grant permission following the completion of the necessary s106 agreement.

Recommendation

That, Subject to the completion of a Section 106 agreement in order to secure:

- provision, retention and operational details for 30% of the proposed dwellings to be affordable properties
- a financial contribution of £1,000 per dwellings towards the improvement of public realm and/or sustainable transport initiatives in the vicinity of the site,
- a financial contribution towards 11 primary school places totalling £148,219.83 towards The Willows RC Primary School, and five secondary school places totalling £101,517.95 towards Carr Hill

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.

Planning permission be granted subject to the following conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning & Regeneration believes is necessary to make otherwise unacceptable development acceptable):

1. A subsequent application for the approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

[a] The expiration of five years from the date of this permission;

or

[b] The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter approved.

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. Before any development is commenced (a) reserved matters application(s) must be submitted to and approved by the Local Planning Authority in respect of the following reserved matters:

Nos. (1, 2, 3, and 5)

(Reserved matters are:-

1. Layout
2. Scale
3. Appearance
4. Access
5. Landscaping

This permission is an outline planning permission and details of these matters still remain to be submitted.

3. Notwithstanding the details indicated on the submitted illustrative layout, the details submitted in accordance with condition 2 above shall provide for:
 - a set back of the development from the Blackpool Road frontage that respects the existing building line of properties on this frontage;
 - a mix of dwelling types and sizes that reflects the local demographic requirements as set out in the Strategic Housing Market Assessment (2014) or any subsequent housing needs assessment
 - the provision of onsite public open space in accordance with Policy TREC7 of the Fylde Borough Local Plan (2005) and
 - a layout of the development and its landscaping which avoids presenting a harsh urban edge to the southern boundary

Reason: In order to define the parameters of the planning permission and to ensure that the layout of the proposed development provides appropriate open space and is of a layout that respects the character of the locality in accordance with Policy HL2 of the Fylde Borough Local Plan and Policy H2 of the Fylde Local Plan to 2032.

4. As part of any reserved matters application and prior to the commencement of any development the following details shall be submitted to, and approved in writing by, the local planning authority.

Surface water drainage scheme which as a minimum shall include:

1. Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change – see EA advice [Flood risk assessments: climate change allowances](#)), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
2. The drainage scheme should demonstrate that the surface water run-off must not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
3. Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
4. Flood water exceedance routes, both on and off site;
5. A timetable for implementation, including phasing where applicable;
6. Site investigation and test results to confirm infiltrations rates;
7. Details of water quality controls, where applicable.
8. Watercourse that will be used for discharge of SW to be inspected to ensure adequate capacity for flow and results submitted to the LLFA.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure that satisfactory surface water drainage arrangements are in place throughout the lifetime of the development in accordance with Policy EP25 of the Fylde Borough Local Plan.

5. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the drainage for the proposed development can be adequately maintained, and so there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

6. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:
 - a. The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
 - b. Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - a. on-going inspections relating to performance and asset condition assessments
 - b. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
 - c. Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, and so to reduce the flood risk to the development as a result of inadequate maintenance

7. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

8. No part of the development hereby approved shall commence until a scheme for the construction, and phasing of construction, of all highway improvement works has been submitted to, and approved by, the Local Planning Authority. These works are to be:

- the provision of the new access,
- the reinstating of full height kerbs where appropriate along the whole site frontage other than for the single site access,
- the provision of a traffic island/pedestrian refuge, and
- the provision of two new quality bus stops (one eastbound and one westbound) on Blackpool Road to serve the site.

These works shall be fully implemented in accordance with the approved details and the approved phasing scheme

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site, and to implement those works to ensure a safe access to the site for all users is provided in accordance with Policy HL:2 of the Fylde Borough Local Plan.

9. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential financial security and highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

10. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses

- potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure the development does not pose a risk of pollution to controlled waters

11. Prior to the commencement of any development details of the design, location, access arrangements, phasing of provision, and on-going maintenance arrangements of the public open space for the development shall be submitted to and approved in writing by the local planning authority. This provision shall include a formal area for play, and shall in area terms comply fully with the requirements of Policy TREC17 of the Fylde Borough Local Plan. The open space scheme and play area shall be implemented and maintained in accordance with the approved scheme.

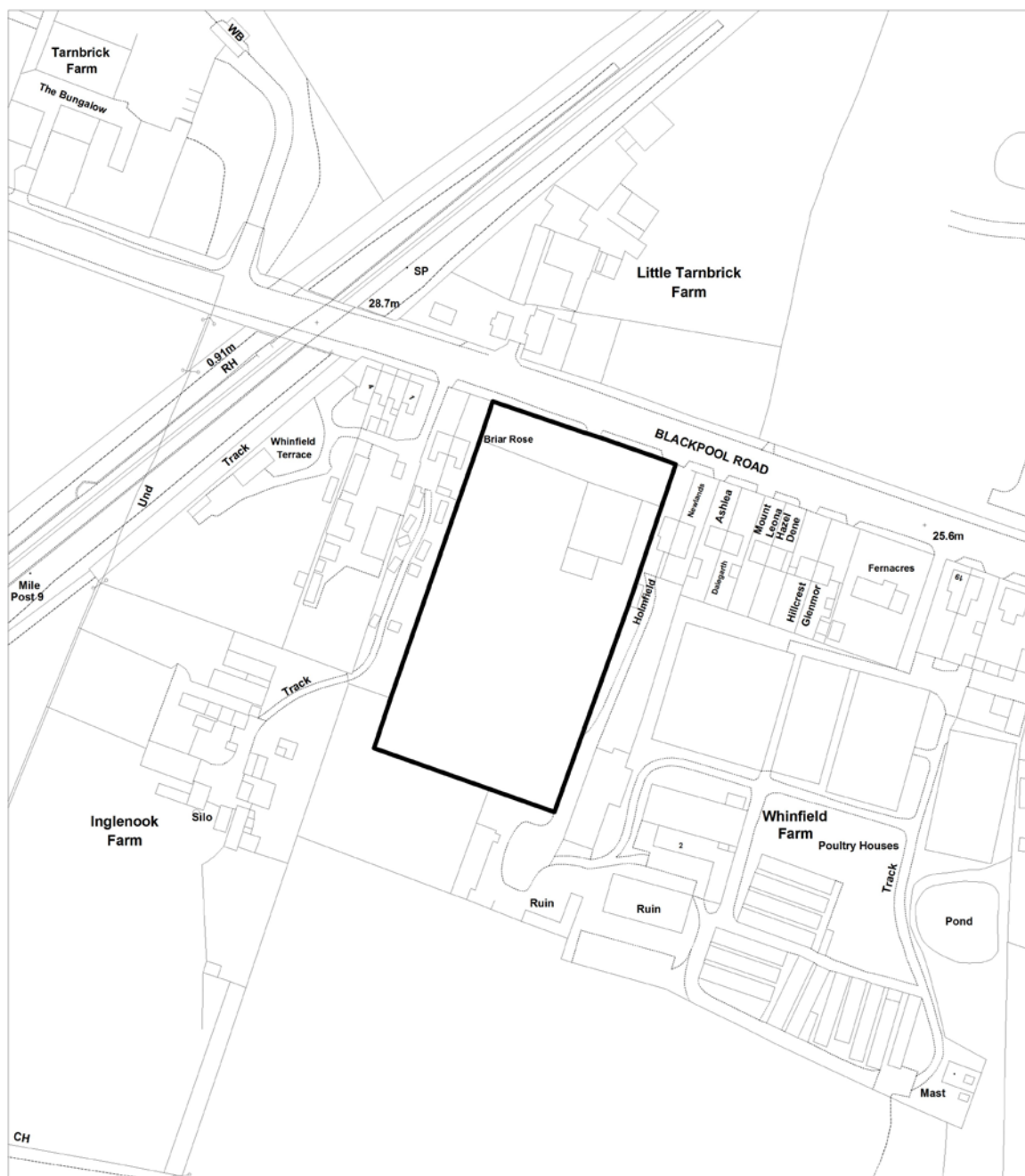
To ensure the provision and retention of appropriate levels of public open space to serve the development as required by Policy TREC17 of the Fylde Borough Local Plan.

12. Prior to commencement of the development hereby permitted, details of the incorporation of bat roosting and bird nesting opportunities that shall be incorporated into the design of the development (i.e. into new buildings) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the phasing of the works and shall thereafter be implemented in accordance with that phasing.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

13. If a reserved matters application is not received prior to the 1/3/18 then there shall be further assessment of the building on sites quality and suitability to support bats. The survey shall be submitted with the application together with proposals for mitigation/compensation, if required) for approval in consultation with specialist advisors.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.



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|---------------------------------------|---|--|------------------------------|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2017). Ordnance Survey (100006084). | |
| Application No. 5/16/0112 | Address Campbells Caravans, Blackpool Road, Kirkham | Grid Ref. E.3404 : N.4323 | Scale 0 10 20 30 40 m |

Item Number: 2

Committee Date: 08 February 2017

| | | | |
|-------------------------------|--|-----------------------------|-----------------------------|
| Application Reference: | 16/0180 | Type of Application: | Outline Planning Permission |
| Applicant: | Story Homes Limited | Agent : | Barton Willmore |
| Location: | LAND NORTH OF MILL LANE, ELSWICK | | |
| Proposal: | OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 50 DWELLINGS AND ASSOCIATED INFRASTRUCTURE (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED) | | |
| Parish: | | Area Team: | Area Team 2 |
| Weeks on Hand: | 46 | Case Officer: | Rob Buffham |
| Reason for Delay: | Need to determine at Committee | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.8400128,-2.8765539,574m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Approve Subj 106

Introduction

Members of the Development Management Committee will recall this application being deferred on 11 January 2017 in line with the guidance contained in paragraph 10.7 of the Member/Officer Protocol for Planning. The Protocol advises that, where a decision is contrary to the officer recommendation and there is concern about validity of the reasons, considerations should be given to deferring a decision to allow the reasons to be tested and discussed.

In particular it was considered that clarification regarding future bus service provision within Elswick, the capacity of the Medical Centre at Great Eccleston and the reasoning behind the education authority's request for contributions to support development at Kirkham Carr Hill High School needed further exploration.

Taking each matter in turn:

Bus Service Provision

Objectors making representation to the Planning Committee referred to both the 78 and 80 Services to/ from Elswick being discontinued. This contradicted advice from the Highway Authority who, within the consultation response to the planning application, confirmed that only the 78 service was to be discontinued during 2017.

The Highway Authority have clarified this matter as follows:

Service 78

From 20 February 2017 Coastal Coaches will revise the route and timetable, adjusting all journeys to

terminate at Wesham and withdrawing all journeys operating through Elswick and Great Eccleston to Poulton.

Lancashire County Council is assessing if an alternative public transport service can be provided for the areas affected. As this section of route was previously tendered prior to April 2016, there is a proposal for LCC to provide a replacement two hourly Monday to Saturday daytime link on this section, however this is yet to be approved.

Service 80

With regards to Service 80, this has operated as a two hourly Monday to Saturday service in excess of two years.

All LCC tendered bus services across the county have confirmed funding until 31 March 2018 but LCC are unable to advise what will happen after this date, but in the current financial climate there is a possibility funding could be withdrawn. This would result in Elswick, as well as many other places, no longer being served by any public transport service.

Due to the above comments regarding existing and future bus service provision within Elswick, it is considered necessary to secure financial contributions from the development toward continued and enhanced bus service provision.

The Highway Authority has confirmed that service improvements to restore the 80 service to an hourly service will cost £100,000 per annum and £50,000 per annum to retain service 78. This equates to £750,000 spread over 5 years.

The Highway Authority has requested a £250,000 contribution spread over 5 years (£50,000 per annum) from this development. This would allow a significant improvement to public transport to take place, when compared to the existing situation, and whilst it would not provide a full range of services it establishes the need for improvements which any other developments would be expected to follow.

Given the scale of the proposal £250,000, which equates to £5,000 per dwelling and is considered to be reasonable and proportionate.

It is noted that that this contribution amount does not provide the full contribution of £750,000 necessary to retain/ enhance the existing services, a shortfall of £500,000. A request for £750,000 contribution is considered onerous and a proportional amount is therefore sought. Members should note that if the full £750,000 is not secured by contributions from other development it is extremely unlikely that LCC would be able to find the shortfall. As such a review of what could be provided would need to be made by the Highway Authority. The Highway Authority comment that this review may impact on the number of services provided (it is always the aim to maximise peak hours services), as well as what days services run on and finally over how long would services be provided (i.e. 5 years may need to be reduced to 4 years).

Education

Members have questioned reasoning behind LCC Education's request for secondary education contributions toward provision at Kirkham Carr Hill High School, suggesting Baines and Hodgson as more appropriate alternatives.

In relation to this development the infrastructure project was named at Carr Hill because this is the closest school to the development that has a site large enough to accommodate a school expansion. LCC Education has confirmed that Baines and Hodgson High Schools do not have a site large enough to accommodate an expansion. This is based on Section 77 Playing Field legislation, which dictates that a specific area of playing field appropriate to a specific number of pupils must be provided. If a school expansion resulted in a shortfall of playing field space this would be in breach of that legislation.

The Policy of LCC Education is to name the closest school to the development that has the space to expand unless there is evidence to demonstrate why this is not the most appropriate school. Other schools may be considered for expansion, however it is for the Local Authority to evidence why they think other infrastructure projects should be considered.

Medical Facilities

At the time of writing this report, no further information has been provided by the Clinical Commissioning Group and any information will be presented at the Committee meeting..

Additional Comment & Analysis

During discussion of this item by Members of the Committee in January, reference was made to a consultation response provided by the Council's Planning Policy Team dated 8 April 2016. This response considered that as (at that time) the plan was almost at Publication Stage, the policies in the plan should carry moderate weight and that, due to its size and existing amenities, it was considered that Elswick could not sustain 100 new homes. As such the Policy Team considered that the proposal would represent inappropriate development and be contrary to policy GD4 of the emerging Local Plan and its housing figure of 50 homes.

However, Members should note that, following revision of the application to reduce the number of dwellings to 50, a further consultation response was received from the Planning Policy Team dated 15 November 2016 which concluded that *"As 50 new homes have been allocated in the emerging Local Plan in Elswick, the Planning Policy Team have no objections to the application as it now follows the Vision and Development Strategy for Fylde providing it adheres to other policies within the adopted Local Plan and the emerging Plan including, but not limited to landscape, biodiversity and density etc."*

Determining whether a development is sustainable will, in part, require the decision maker to have regard to the accessibility of future residents of a development to local services. The greater provision of services available, the more sustainable a development is likely to be. However, whilst the lack of ready access to a particular facility would reduce the sustainable credentials of a particular development it would not necessarily render a development unsustainable.

For example, with regard to access to transport, paragraph 29 of the Framework advises that: *"Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas."* i.e. it would not be reasonable to expect a development in a rural area to have the same level of access to public transport as a similar development in an urban setting.

Paragraph 55 of the Framework advises that *"To promote sustainable development in rural areas,*

housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.” In the case of the current application, there are a range of facilities available in Elswick with others being available in neighbouring towns and villages. The settlement strategy set out in the Submission Version of the Local Plan seeks to allow development of a reasonable scale in rural areas partly to maintain the viability of rural settlements such as Elswick.

It must be recognised that any development in a rural area is unlikely to have access to a full range of local services. As the Submission Version of the Local Plan allows for limited expansion of Elswick, suggesting allocations for a further 50 dwellings, it has been accepted by the planning authority that there is capacity, all be it limited, for further development in the village. As the housing policies of the plan are subject to objections which are still to be heard at Examination, including the level of housing development that might be acceptable at Elswick, it is considered that the refusal of planning permission on grounds of sustainability could not be defended at appeal and members are strongly advised not to refuse planning permission in these grounds.

The following is the report that was on the previous agenda without any alterations other than the incorporation of the comments received from the Local Education Authority, the officer assessment of those comments, and a revision to the recommendation to specify the amounts for education contributions.

Summary of Officer Recommendation

The proposal for consideration by Members is an outline application for up to 50 dwellings, seeking matters relating to access only, on land north of Mill Lane, Elswick. The site is allocated as a Countryside Area in the adopted Fylde Borough Council Local Plan and Submission Version of the Fylde Local Plan 2032.

The development falls outside the settlement boundary of Elswick, representing encroachment into the countryside and is therefore contrary to Policy SP2 which acts to restrict residential development within such areas. Notwithstanding this, the Council cannot demonstrate a five year supply of housing land and Policy SP2 is in conflict with the NPPF. Consequently Policy SP2 is out-of-date and the principle of residential development cannot be resisted on this basis.

The proposed development, would result in an expansion of the village in the order of approximately 11% in a location on the edge of the settlement boundary which relates well to the existing built-up edge of Elswick and existing shops, services, and public transport facilities available both within and outside the village. Nor would it have any significant adverse effects on landscape character and quality and appropriate mitigation can be introduced as part of the scheme in order to minimise impact. The development would not result in any significant loss of the Borough’s best and most versatile agricultural land and there are no other landscape designations to restrict its development for housing.

Numerous appeals have demonstrated that the principle of housing development cannot be resisted in the Countryside Area providing that it is sustainable in all other respects and that no other demonstrable harm would arise as a result. Whilst the development would result in encroachment into the countryside, it would not result in the introduction of isolated homes

in the countryside and would make a valuable contribution to the delivery of private and affordable housing in the Borough in the absence of a five year supply.

The scheme would result in an acceptable relationship with surrounding uses and appropriate mitigation can be provided to ensure that the development would have no adverse impacts in terms of ecology, flooding and drainage. The proposal would not affect the significance of any heritage assets in the locality and appropriate contributions would be secured to make the development acceptable in planning terms. The proposed development is therefore in accordance with the requirements of the relevant policies of the National Planning Policy Framework and the Development Plan.

Therefore, on balance, it is considered that the benefits arising as a result of the development would outweigh the restrictive countryside designation and the principle of development is supported.

The officer recommendation is that members support the application and delegate the authority to grant planning permission to officers subject to further discussion concerning contributions to improve public transport and a legal agreement to secure affordable housing and contributions to secondary education provision.

Reason for Reporting to Committee

The application is a major development which is recommended for approval by Officers. In accordance with the Councils adopted Scheme of Delegation the application must therefore be referred to the Development Management Committee for determination.

Site Description and Location

The application site is adjacent to the eastern boundary of Elswick, being bound by housing to the west on Linden Fold/ Ash Close, two dwellings to the south on Lodge Lane/ Mill Lane, and farm holdings to the north on Bond Lane and east. The site is 4.7 hectares in size and is almost rectangular in form, comprising of a relatively flat, grassed parcel of land with centrally located pond. Trees, hedgerow and residential fencing define the current site boundaries.

The site is designated as Countryside in the adopted Fylde Borough Local Plan (FBLP) and Submission Version of the Fylde Local Plan 2032 (SVFLP).

Details of Proposal

Outline planning consent is sought for up to 50 dwellings on the site, seeking approval of vehicular access arrangements only. Detail relating to appearance, landscaping, layout and scale are to be assessed through subsequent reserved matters application(s).

Members should note that amendment to the original submission has been received which has reduced the number of dwellings from 100 to 50.

The submission indicates that the sole vehicular access to the development will be via a new access road to the north of Mill Lane. This proposed arrangement will result in a change of priority with vehicles using the access road having priority over those vehicles using the existing Mill Lane carriageway.

The revised indicative layout does not provide a detailed plot layout, instead highlights development

blocks of housing which are sited adjacent to the eastern edge of the village envelope. The road layout encourages housing to be generally outward facing where opposing the countryside boundaries of the site. The Planning Statement refers to scale of buildings being 2 storey, though the Design and Access Statement refers to housing being predominantly 2 – 2.5 storeys in height, designed with an ethos of a modern version of traditional suburban architecture similar to that in the locality.

Relevant Planning History

There have been no previous applications on this site, but members should note that there are two other residential planning applications in Elswick which are currently being assessed by the Planning Authority.

- 16/0645 – land north of Beech Road, Elswick – Full application for construction of 50 dwellings.
- 16/0846 – land east of Copp Lane, Elswick – Outline (access) application for construction of up to 36 dwellings.

Relevant Planning Appeals History

None

Parish/Town Council Observations

Elswick Parish Council notified on 22 March 2016 and were re-consulted on the revised proposal on 28 November 2016. The following comments are applicable to the revised proposal:

Raise a strong objection to the proposal, on the following grounds:

Size and Scale

There is a risk that if approved, a further application could be submitted to increase the numbers of housing on the same site.

Due to its size and existing amenities, the Parish Council considers that this proposal is inappropriate development. Following a resolution at the Parish Council meeting held on the 24th November 2016, the Parish Council requests that if the Development Management Committee is minded to approve this amended outline proposal from 100 houses to 50 – that part of the scheme is designated as public open space.

Sustainable Development

Elswick scored low in sustainability assessments taken at the beginning of the Local Plan process. The Development Control Committee in March decided that Elswick should be defined in the emerging Local Plan as a Tier 2 Smaller Rural Settlement with an allocation of 50 houses.

Planning permission has already been granted for 18 houses and further small applications are awaiting approval which will account for half the number of houses allocated. Two other large applications are also awaiting determination, one for 50 and one for 36 houses. If these are also approved, the village could be faced with more than 3 times the number allocated in the emerging Local Plan - increasing the size of Elswick by 36%.

Elswick has no school, no health centre and one newsagents. Nearest health centre is 1.5 miles and supermarket 6 miles away. Similar distances must be travelled for shopping or recreational

purposes. Very little employment opportunity. Since designation as a Tier 2 settlement, sustainability has further deteriorated with the loss of the bus service to Blackpool and the announcement that the largest employer in the village (Bonds) will close. The proposal will place additional burden on the local health service(s) which has a 3-4 week waiting list and no space to expand. A senior partner at the Centre has confirmed the need for an additional GP but with no space to accommodate. 160 houses have been approved and applications for a further 330, it is essential therefore that a new Health Centre is built before any further housing applications are approved.

Whilst many people are attempting to find affordable housing, by moving into a rural location such as Elswick will result in higher transport costs resulting in a negative effect on any savings made on affordable house costs. For affordable housing to be sustainable it must be closer to employment and offer multiple transport options.

Fylde Borough Local Plan/ Emerging Local Plan

The site is allocated as open countryside and residential development is therefore contrary to Policy Sp2 and GD4, since it is not one of the five identified categories of acceptable development,

Undermining the Developing Neighbourhood Plan

Bringing about changes proposed in this scheme will undermine the spirit of Localism that governs the neighbourhood planning process introduced in the Localism Act 2011. If an application of this scale is approved by the Planning Authority, it runs the risk of causing considerable damage to the Neighbourhood Planning Process.

The overwhelming message from the questionnaire is that villagers wish to see the housing allocation in the emerging Local Plan distributed uniformly throughout around the village with several small developments rather than one or more large housing estates, enabling the village to grow whilst retaining its character.

Transport and Traffic

Concerns for impact of the development on the Thistleton junction with the A585. People describe crossing the A585 at the northerly Thistleton junction a 'nightmare' and turning left at the southerly junction 'highly dangerous'. Excessive waiting times at both junctions encourage frustrated drivers to take chances by pulling out in front of fast moving traffic. With poor and diminishing public transport services, cars are a necessity in Elswick and virtually all traffic movements involve accessing the A585.

The Parish Council understands that the Agency has imposed restrictions on Wyre Borough Councils development plans due to the over capacity on the road and considers that no further development should be approved in Elswick until the capacity of the road is resolved and improvements undertaken at the Thistleton junctions.

Site History

The proposed site has severe drainage problems spending most the year under water. Mill Lane also has severe flooding issues. Furthermore, there is a culvert from Mill Lane lying below Lodge Lane which creates flooding at the Elswick United Reformed Church. Any development which includes draining into the culvert will compound these flooding issues.

Summary

Elswick Parish Council strongly objects to this planning application by its size and scale and feels it is inappropriate for the location of the site and would therefore have a significant adverse impact on

the character and appearance of the area. The Parish Council believes this proposal:

- *undermines the development of the Neighbourhood Plan*
- *places a further burden on existing stretched facilities*
- *fails to be of an appropriate scale for the village of Elswick*
- *does not meet standards for sustainable development*
- *will compound the traffic issues already experienced at the junctions of the A585*
- *planning for health care considerations have not been addressed causing extra demand pressures on the local health centre.*

The Parish Council therefore asks the Development Management Committee to reject this application outright.

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

No objection to the proposal, subject to condition.

Access

The developer is proposing a simple priority junction from the development site onto Mill Lane, the effect of which would change priorities so that the development site has priority over the cul-de-sac part of Mill Lane. These arrangements meet with design standards and are acceptable.

Where Mill Lane meets Lodge Lane the junction will undergo alterations to ensure that sightlines appropriate for the measured speed are met. The alterations will entail a slight narrowing of the carriageway of Lodge Lane. The principle of this has been agreed with the developer.

On the revised Framework Master Plan for the site pedestrian / cycle access to Bonds Lane is indicated although no details have been provided.

Trip Rates / Traffic Generation.

The trip rates used by the developer show that in the AM peak 29 vehicle movements would occur (7 in and 22 out) and 33 vehicle movements (22 in and 11 out) in the PM peak. The trip rates used by the developer are extracted from the TRICS database and can be assumed to be representative for a development of this scale at this location.

Distribution / Junction Capacity.

The distribution of trips on to the highway network has been examined and I can confirm that the distribution used is acceptable to LCC.

The TA considers the impact at the following junctions:-

- a) Site access with Mill Lane
- b) B5269 Lodge Lane / Mill Lane
- c) B5269 Lodge Lane / Roseacre Road / Ash Road
- d) A585 Fleetwood Road / B5269 Thistleton Road

Traffic growth and committed developments have been considered and no future operational issues for 2021 are predicted for a) to c) above.

The assessment does not take into account any traffic that may be generated as a result of the Fracking site at Roseacre Wood (still at appeal). However, the assessment was undertaken on the basis of the quantum of development being 100 dwellings and not 50 dwellings. Junctions a) to c) have ample reserve capacity and as such it is not considered necessary for further analysis to be carried out.

Junction d) is on the trunk road network and the views of the HE should be sought here.

Site Accessibility.

The National Planning Policy Framework (NPPF) states in paragraph 17 that development should “make the fullest possible use of public transport, walking and cycling and focus significant developments in locations which can be made sustainable”.

When the development was for up to 100 dwelling the developer offered a Travel Plan (TP), however, the development is now below the threshold for which a TP is required.

A number of improvements to encourage walking and use of public transport have been agreed.

Pedestrian / Cycling Considerations.

In addition to the pedestrian / cycle link to Bonds Lane a number of improvements have been agreed with the developer.

There are sections of Lodge Lane between the development site and the village centre where pedestrian provision is poor. This was highlighted to the developer and an in principle scheme of improvements has been agreed. The final details of which would be subject to a detailed design and would be carried out under an s278 agreement.

The junction of Lodge Lane and Roseacre Road is overly wide to encourage pedestrian movements and with alterations to kerblines and footway modifications a more attractive pedestrian route could be established. An in principle scheme has been agreed with the developer. The final details of which would be subject to a detailed design and would be carried out under an s278 agreement.

Public Transport.

Recent cuts to the funding of subsidised bus services throughout Lancashire has led to the removal or reduction of public transport services. Service 78 is fully commercial whilst services 75A & 80 are LCC tendered (subsidised). Service 80 (to Preston) only runs every two hours compared with an hourly service prior to cuts. It is recommended that the hourly service be reinstated in order to provide alternative modes of travel to the car.

The projected cost of restoring an hourly service (Mon – Sat) for Service 80 would be in the region of £100k per annum. LCC would normally ask that funding for 5 years be secured. In addition to this the developer should upgrade local bus stops to have raised boarding areas to improve accessibility for a wider range of users. The locations of which would need to be agreed.

Road Safety.

There are no recorded injury accidents within the last 5 years at or close to the site access.

The road safety record for the village as a whole is relatively good with only 4 injury accidents, all resulting in slight injuries. Examining the causation factors for the accidents, no common cause is identified and as such it can be concluded that the additional traffic that this proposal puts on the highway network will not be adversely severe.

Layout.

Layout is a reserved matter with no indicative layout being provided. I would advise that prior to the submission of any reserved matters application (should outline permission be granted) that the developer consult with LCC to ensure that the internal layout meets with adoptable standards.

Construction.

LCC have raised concerns over the effect of HGV's in the area through the Fracking applications.

The TA includes a section of construction traffic and that a Construction Traffic Management Plan (CTMP) will be produced and will include the following:-

- The parking of vehicles by operatives.
- Site visitors.
- The loading, unloading and storage of plant and materials.
- Wheel-washing facilities.
- The routing of delivery vehicles.
- A programme of works (including traffic management measures).

LCC would also recommend that the CTMP also include road condition surveys.

Highways England (HE)

No objection, subject to condition for provision and implementation of a Travel Plan.

There are known issues with the Thistleton junction near to the application site, with congestion arising due to vehicles, particularly those turning right, finding it difficult to enter onto; or to cross over the A585(T) mainline at peak times. This also results in safety concerns as drivers seek to enter the A585(T) due to insufficient gaps in mainline traffic. An increased number of vehicles using this junction in the future would therefore be likely to exacerbate these issues.

Calculations presented in the Technical Note demonstrate that the development would generate between 15 and 16 trips that would use the Thistleton junction in the AM or PM peak hours. This equates to an additional vehicle every 3 to 4 minutes.

Accident analysis presented within the TN found that between from 2011 to October 2016 that 11 accidents have occurred at the junction, six accidents have occurred at the junction alone in 2016. 9 involved vehicles using the junction and making turning manoeuvres at the junction. 8 of the incidents occurred outside of peak times. HE

conclude that this is due to inadequate gap acceptance by drivers at the junction to enter onto the A585 mainline or cross it and this occurs throughout the daytime periods, which is a reflection of how heavy the A585 route flows can be throughout the day.

The submission refers to *forecast increases being minimal, 6 right-turners from Thistleton Road in Weekday AM peak and 9 right-turners from Mile Road in Weekday PM peak, equating to an additional right-turning vehicle every 10 and 15 minutes. Concluding that this will not result in any material changes to the operation or highway safety of the junction.* Notwithstanding, HE comment that however small these increases in traffic are, the risk of incidents happening at the junction will undoubtedly increase incrementally as development comes forward that is served by Thistleton junction in areas such as Elswick.

HE conclude A single development of 50 dwellings will possibly raise the risk only marginally. In this case, HE gives weight to the fact that this development of 50 dwellings is within the agreed housing allocation for Elswick within the Submission Version Fylde Local Plan. As a result, HE view is that they do not raise any objection to this application subject to a condition requiring a Travel Plan.

HE have raised concern that the incremental development coming forward in this area is cumulatively and significantly increasing the number of turning movements at the Thistleton junction, with a corresponding significant increase in risk to safety.

HE is of the view that, should this development be granted consent, further speculative development within Elswick would not be in accordance with the Fylde Local Plan, or the emerging Local Plan that is clearly cogent of the safety issues that affect Thistleton junction as described above. In view of the findings of this review, there is now a need for both applicants and the relevant Local Planning Authorities to seriously consider the need for a safety improvement scheme at Thistleton junction to accommodate further development.

In the absence of such an approach (and when viewed against the current situation of there not being an up to date Local Plan for Fylde), as the highway authority for the trunk road, we can only consider development on a case by case basis. We have no option other than to accept that, in isolation, each small development may not have a significant / severe impact. We would however urge Fylde Council to consider the cumulative and negative impact on safety of all of these new developments with a view to resisting further development until a coordinated approach to infrastructure mitigation can be achieved.

United Utilities - Water

No objection to the proposal subject to conditions requiring implementation of drainage for the development in accordance with the Flood Risk Assessment & Outline Drainage Strategy Report – unless otherwise agreed in writing by the Planning Authority, and, submission and approval of a scheme for the management and maintenance of SUDS.

Natural England

No comments to make on the application. This does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

Greater Manchester Ecology Unit

No objections subject to conditions.

An ecological assessment has been provided for the site, additional information relating to great crested newts and bat survey work has been provided by the applicant.

Great Crested Newts – The Survey work and additional information do appear to show that the population detected historically on the site is now no longer breeding on the site.

This does not necessarily preclude GCN from terrestrial habitat. However of the ponds not surveyed only one is close to the development site, the remainder sufficiently distant, combined with partial barriers to reduce the risk to a level that is acceptable.

On balance therefore the risks are very low if the pond no longer exists and low should the pond still exist for a very small area in the northern part of the development site. It is accepted that no further survey work is required and that with reasonable avoidance measures (RAMS) any residual risk can be removed. RAMS are suggested by condition. Bats - bat activity was primarily associated with the hedgerows and pond which are to be retained, the main species present being common pipistrelle. There are therefore no significant impacts on bat activity as a result of the development proposal. Pre-cautionary recommendations as identified in the Bat Activity Appendix should be conditioned for implementation.

Other Protected Species

It is accepted that the site has been assessed as low risk for all other likely protected species.

Nesting Birds

Some impacts on boundary hedges will occur in order to create access to the site, potential bird nesting habitat. The field also could provide nesting habitat for ground nesting birds such as lapwing and skylark. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. A condition is suggested restricting works to trees, shrubs, hedgerows etc... outside of the bird nesting season (1 March – 31 August), unless further survey work demonstrates no active bird nests are present on the site.

Ecological Impact of the Development (excluding the above)

The site will result in the loss of a significant area of semi-improved grassland a low value ecological feature. The majority of the high value habitats: the pond, hedgerows and mature trees are to be retained and ecological linkage created across the site to ensure the pond does not become isolated. The NPPF states that the planning system should contribute to and enhance the natural environment through a range of actions.

Adequate land is being retained to enable mitigation to occur, as long as adequately enhanced. Mitigation for the loss of semi-improved grassland, short sections of hedgerow, potentially trees and associated bird nesting habitat can be provided on site, subject to a condition requiring submission and agreement of an ecological management plan for:

- mitigation for loss of semi-improved grassland;
- mitigation for Loss of trees and hedgerows and associated loss of bird nesting habitat;

- enhancement of the retained hedgerows;
- protection and buffering habitat for the pond;
- a five year implementation and management plan.

It is noted that the pond, whilst being retained, is proposed to be used for surface water attenuation. It is expected that works will be required to increase holding capacity and provision of an overflow. In the absence of GCN, no objections are raised subject to mitigation for any habitat lost.

LCC Education Contribution Assessment

Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 8 secondary school places. However LCC will not be seeking a contribution for primary school places since there is sufficient capacity within existing schools to cater for the demand created. The contribution relates to £20,303.59 x 8 places = £162,428.72

Following an initial scoping exercise of the local schools it has been determined that Lancashire County Council intend to use the Secondary education contribution to provide additional Secondary places at Kirkham Carr Hill High School, subject to confirmation over the deliverability of this and the range of other projects that are assigned to this school.

Regeneration Team (Heritage)

No comments received.

Regeneration Team (Trees)

"The illustrative masterplan indicates existing trees to the site boundaries for retention and the contents of the tree survey suggest this is feasible. Having looked at all trees from within the site yesterday I'm left in an unusual position because I feel that the tree survey rates them, in the main, as better trees than they are.

Site photographs accompanying the survey show that it was done in the early Summer and I feel that seen in full leaf these trees do possess high levels of beauty and amenity, but focused inspection during Winter reveals a different picture.

Several of the visually dominant ash trees to the northern boundary are declining and not suitable for the long-term. It's therefore best to regard the site as substantially unscreened on this boundary.

Trees to the south on Mill Lane are mostly self-sown sycamores and many have been damaged, presumably by managing the drainage ditch. They've all grown in competition with one another and have that leggy, attenuated form as a consequence. Ivy has added to their suppression. They work as a collective, scoring low as individuals. Some would be lost to the proposed access but I see no strong defence for them on amenity grounds at any rate it's difficult to see these trees as ideal long-term screening for the site. Among these trees is a veteran ash tree (T38 in the survey): it's the best tree on this boundary and is a landmark specimen, but it has signs of internal decay such as nesting holes in primary branches that indicate the wood is not as it should be. Since these overhang the lane, which would post-development become a busy thoroughfare, I feel it probably isn't

realistic to suggest the tree will be a long –term feature of the site.

Of those few trees internal to the field, only T2, a mature sycamore on a boundary with a private property, has wider amenity value. One other boundary tree has been rated as a 'B' in the survey but it's lost one of its two primary stems and is in effect only a part of a previously twin -stemmed sycamore.

The overall picture then is one of trees that have amenity but which would not be suitable for retention within a development.

Drainage infrastructure is also bound to impact trees and tree roots since it must be routed through the site to the existing mains, and the pond appears to have formed a natural "sluice" where it runs overland to Bonds Lane. This would have to be culverted to a drain, or otherwise remedied, and I imagine difficulties there viz-a-viz construction, pipework and tree retentions.

The proposal to culvert the existing ditch on Mill lane will also cost trees, but these are low-value and are growing so tightly to property boundaries that they're not ideal for retention, and again, many are already damaged at their stems.

In all, this seems to turn on appropriate landscaping rather than integrating existing trees into a large development. What seems clear is that the current screen of trees can't be relied upon to remain for an indefinite period. If the Council were minded to consent to this proposal, I feel it should include the provision for a substantial buffer plantation around the site so that successor trees are growing in readiness for when the existing ones have to be removed."

Regeneration Team (Landscape and Urban Design)

No comments received.

Environmental Protection (Pollution)

No objections subject to the following conditions relating to hours of construction being controlled and a construction management plan, including dust controls, being secured by condition.

National Air Traffic Services

No objection to the proposal. The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria.

Strategic Housing

No objection to the proposal, subject to the provision of 30% affordable housing within the development. Concerns raised to whether apartments could be let in this location.

Electricity North West

No objection to the proposal. ENWL have considered the proposal and find it has no impact on Electricity Distribution System infrastructure or other ENW assets. Any requirements for a supply of electricity will be considered as and when a formal application is received.

Lancashire County Archaeology Service

No objection to the proposal, it is not considered that any formal archaeological investigation is justified.

The site appears to lie to the east of the medieval settlement of Elswick and aerial photography suggests that the plot has been ploughed or drained heavily in the early to mid-20th century and that it was originally more than one field. It also contains a large pond, which probably originated as a marl pit in the 18th or early 19th century. The Historic Environment Record does not list any sites within or immediately adjacent to the proposed development site, beyond the site of Elswick Windmill, which is shown on William Yates' map of 1786 but not on Greenwood's 1812 map or the first edition OS 1:10,560 sheet. The mill, which probably gave its name to Mill Lane, seems to have been located to the east of the development site, perhaps in the vicinity of Mill House Farm.

Wyre Borough Council

No comments received.

Environment Agency

No comment to make.

Lancashire CC Flood Risk Management Team

No objection to the proposal, subject to conditions requiring surface water drainage scheme and confirmation of finished floor levels to be submitted as part of any subsequent reserved matters application.

Lancashire Constabulary

No objections raised, but do make recommendations in order to prevent the opportunity for criminal and anti social activity in and around the site including physical security, natural surveillance, car parking, rear gardens.

Neighbour Observations

| | |
|--------------------------------|---|
| Neighbours notified: | 22 March 2016 |
| Amended plans notified: | 18 May 2016 & 8 November 2016 |
| Site Notice Date: | 30 March 2016 & 11 November 2016 (amendment) |
| Press Notice Date: | 31 March 2016 |
| Number of Responses | 143 |
| Summary of Comments: | The main concerns raised by residents are summarised below: |

- Need for the development.
- Contrary to the NPPF and represents a huge intrusion into open countryside.
- Urbanise and destroy the character of the Village with no mitigating benefit.
- Other more appropriate sites that are available and have been submitted as part of the call for 'Non Strategic Development Sites'.
- Lack of local services and amenities in Elswick – no post office, school or health centre.
- Lack of health services. The nearest health centre at Gt Eccleston Health is at capacity with waiting times of up to 4 weeks to see a Doctor or Nurse
- Lack of employment opportunities.
- Lack of local school and added pressure to existing schools, the nearest Primary School being

in Gt Eccleston and Secondary School at Carr Hill, Kirkham.

- Validity of the Transport Assessment and Travel Plan.
- Highway safety. Speeding occurs on Lodge Lane with various accidents being reported. Poor access to Lodge Lane from Mill Lane and capacity to deal with traffic generated by the proposal. Exacerbation of existing congestion and highway safety problems on the A585.
- Congestion on the roads from this and other residential development recently approved in Elswick.
- Highway safety during 4 year construction period.
- Limited Bus Service – hourly bus service, with no service after 19:00 and on Sundays.
- Possible closure of Mill Lane during construction of the site access and impact this will have for existing residents/ businesses which use this access road.
- Unwillingness of the applicant to provide affordable housing within the scheme.
- Validity of the Flood Risk Assessment
- Exacerbate existing drainage and surface water problems. Photos illustrating flood problems at the junction of Mill Lane/ Lodge Lane, water logged ground conditions on the site, including over topping of the pond have been received.
- Ecology – use of the field and pond by wildlife such as ducks and swans, as a breeding ground for frogs and newts, trees and hedgerows are prime nesting sites and refuge for bats and woodpeckers.
- Lack of available countryside for the emergency landing of hot air balloons.
- Damage the local housing market.
- Upgrade of electricity and substation will be required

Relevant Planning Policy

Fylde Borough Local Plan:

| | |
|--------|--|
| SP02 | Development in countryside areas |
| HL02 | Development control criteria for new housing proposals |
| HL06 | Design of residential estates |
| TR01 | Improving pedestrian facilities |
| TR05 | Public transport provision for large developments |
| TREC17 | Public Open Space within New Housing Developments |
| EP10 | Protection of important landscape and habitat features |
| EP11 | Building design & landscape character |
| EP12 | Conservation trees & woodland |
| EP14 | Landscaping of new developments |
| EP18 | Natural features |
| EP21 | Archaeology |
| EP19 | Protected species |
| EP22 | Protection of agricultural land |
| EP26 | Air pollution |
| EP27 | Noise pollution |
| EP29 | Contaminated land |
| EP30 | Development within floodplains |

Fylde Local Plan to 2032:

| | |
|------|--|
| NP1 | Presumption in favour of Sustainable Development |
| S1 | Proposed Settlement Hierarchy |
| DLF1 | Development Locations for Fylde |
| SL5 | Development Sites outside Strategic Locations for Devt |
| GD1 | Settlement Boundaries |

| | |
|------|---|
| GD4 | Development in the Countryside |
| GD7 | Achieving Good Design in Development |
| GD9 | Contaminated Land |
| H1 | Housing Delivery and the Allocation of Housing Land |
| H2 | Density and Mix of New Residential Development |
| H4 | Affordable Housing |
| HW1 | Health and Wellbeing |
| INF1 | Service Accessibility and Infrastructure |
| INF2 | Developer Contributions |
| T4 | Enhancing Sustainable Transport Choice |
| T5 | Parking Standards |
| CL1 | Flood Alleviation, Water Quality and Water Efficiency |
| CL2 | Surface Water Run-Off and Sustainable Drainage |
| ENV1 | Landscape |
| ENV2 | Biodiversity |
| ENV4 | Provision of New Open Space |
| ENV5 | Historic Environment |

Other Relevant Policy:

| | |
|-------|-------------------------------------|
| NPPF: | National Planning Policy Framework |
| NPPG: | National Planning Practice Guidance |

Site Constraints

Within countryside area

Environmental Impact Assessment

A screening request was submitted to the Planning Authority where, on 3rd August 2015, it was determined that residential development of the application site of up to 120 dwellings did not constitute EIA development for the purposes of the definition contained within the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).

Comment and Analysis

The main issues pertinent in the assessment of this proposal are:

- Principle of development.
- Relationship with Surrounding Development.
- Highways.
- Flood risk and drainage.
- Ecology.
- Trees.
- Heritage.

Principle of Development

Policy Context and Site Allocation

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 indicates that development proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF advocates a presumption in favour of sustainable development. In terms of decision taking, this means approving development proposals that accord with the development plan without delay. Where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in

Framework. It advises that decision takers at every level should seek to approve applications for sustainable development where possible.

The site is located within the Countryside Area as defined on the Proposals Map of the FBLP and SVFLP. Policies SP2 and GD4 are of relevance and seek to safeguard the natural quality of the countryside area by supporting development related to agriculture, horticulture, forestry or other uses appropriate to a rural area only. The development proposed cannot be categorised as such and is therefore contrary to Policies SP2 and GD4. Elswick Parish Council have raised objection to the proposal on such grounds.

Notwithstanding this, assessment of principle against the NPPF and other material considerations must be made to determine whether there is sufficient justification to outweigh this position.

Housing Need

The NPPF emphasises the importance of housing delivery. Indeed, a five year supply for market and affordable housing, with an additional 5% buffer (20% for those local authorities consistently under providing), should be maintained. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing are not considered up to date if a 5 year supply of deliverable sites cannot be demonstrated.

The Councils most recent five year housing land supply position statement, as of 31st March 2016, indicates a supply equivalent to 4.8 years. In the absence of a five year supply, policies of the development plan which relate to housing supply, including FBLP Policy SP2, cannot be considered up to date and in conflict with the NPPF. Therefore, the release of housing sites in the countryside area is acceptable in accordance with paragraphs 47 and 49 of the NPPF, provided that there are no overriding policy or other material considerations to indicate that development should be refused.

Policy DLF1 of the SVFLP sets out a targeted strategy for new residential development within Fylde, identifying Elswick as a Tier 2: Smaller Rural Settlement location. Justification text to Policy SL5 confirms that Tier 2 locations can accommodate up to 50 homes over the plan period with delivery being reliant upon windfall development as opposed to allocated sites. Members should note that there are two other housing applications currently being assessed by the Planning Authority, 50 dwellings on land north of Beech Road (16/0645) and 36 dwellings on land to the east of Copp Lane (16/0846). There is also committed development within the village on Bonds Ice Cream (8 units), Elswick Trading Park (9 units) and Chapel Farm (5 units). Collectively these developments will exceed the 50 unit provision within Policy SL5, though it is considered that the proposal will make a significant contribution to meeting this overall target.

Paragraph 216 of the NPPF indicates that *“from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:*

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”*

Whilst the SVFLP is a material consideration, it is yet to be examined in public. Representation has been received to Policies DLF1 and SL5 with specific regard to Elswick and its classification as a Tier 2

Smaller Rural Settlement, this includes specific objection to any housing provision for Elswick, and conversely request for Elswick to be upgraded to a Tier 1 Settlement capable of accommodating between 100-150 new homes over the plan period. Since the SVFLP has unresolved objections with specific reference to housing provision in Elswick, relevant policies can only have limited weight in the decision making process. This position has been emphasised in a number of recent appeal decisions and on this basis the figure of 50 dwellings referenced in policy SL5 cannot be relied upon to restrict or support housing development in Elswick.

The Council approved an application made by Elswick Parish Council to designate an 'Elswick Parish Neighbourhood Area' on 1 August 2016. This will allow the Parish to formulate policies within a Neighbourhood Plan including location housing which, if adopted, will become material in the determination of planning applications within the approved Area. Since the Neighbourhood Plan for Elswick is only an emerging document, no weight can be attached to it in the determination of this current application.

Does the proposal deliver sustainable development?

The National Planning Policy Framework requires developments to be sustainable. There are many aspects to be considered in that assessment, with the key issues for a residential scheme in this location being availability and accessibility of services, scale of development and visual impact.

Accessibility and Availability of Services

Objectors have suggested that there is a lack of services which are capable of supporting a development of the size proposed. It should be noted that Elswick Parish Council have raised concern to the sustainability of the development, based on the settlement scoring low in the sustainability assessments used to inform the emerging Local Plan. This is based upon a lack of health centre, education facilities, post office, supermarket and further eroded by reduced employment opportunities from loss of Bonds Ice Cream and reduced bus services.

Elswick is an identified settlement within Policy SP1(4) of the FBLP. Elswick is also defined as a Tier 2 settlement in the SVFLP. This is an acknowledgement that Elswick is capable of accommodating sustainable growth, albeit that it may have a dependency on other settlements for some services.

The application site is located to the east of the village on the edge of the settlement boundary of Elswick. Elswick has a number of local services within its envelope, including two public houses, Church, Village Hall/ Community Centre, nursery, children's equipped play area, tennis courts, bowling green and post box. Great Eccleston Copp C of E Primary School is located within walking distance to the north on Copp Lane, the closest secondary school being Car Hill in Kirkham. It is noted that there are few employment opportunities in Elswick, indeed Bonds Ice Cream is due to close and that residents rely on connections to other villages, including Gt Eccleston, for some services including Post Office and Health Centre.

According to the Lancashire County Council web site, closest bus stops are located immediately adjacent to the site entrance to both sides of Lodge Lane, accessible on foot by the existing footpath network. This provides the number 80 service between Myerscough and Preston every 2 hours (not on Sunday). There are five other stops within Elswick which operate the 75a (Myerscough to Preston, one stop at 06:27) and 78 (Poulton to Lytham and St Annes, hourly) services. It is reported by LCC Highways that the 78 service provider has indicated that they will be withdrawing its route through Elswick in the New Year, though this has not been confirmed.

Concern has been raised by residents with regards to pressure on existing health with waiting times of up to 4 weeks, education facilities, lack of employment opportunity and reduced bus service

affecting the sites sustainability. It is acknowledged that this matter does impinge on the sustainability of the site, however it is considered that such matters alone are not sufficient to refuse the development on sustainability grounds. LCC Education comment that there is currently a shortfall of primary and secondary school places and that the development will add to this. On this basis, a financial contribution is requested from the development which will be used to increase provision, in this circumstance £275,959.20 for 15 secondary places is sought.

As identified in paragraphs 34 and 38 of the NPPF, it is inevitable that sites within the countryside will not benefit from the same accessibility to services as those within the urban area. It does not, however, follow that all development within the rural area is always unsustainable and, as acknowledged at paragraph 55 of the NPPF, the introduction of housing in rural areas is capable of enhancing the vitality of rural communities by supporting local shops and services. Indeed, the test in paragraph 55 of the NPPF is to avoid new isolated homes in the countryside.

The proposed development, by virtue of its location on the edge of the settlement, would be well connected to existing facilities and would not be isolated from them in comparison to existing dwellings within the village envelope. Moreover, the addition of up to 50 dwellings would help sustain and could act as a catalyst for the development of local facilities and services. The site is accessible by 3 bus services, providing sustainable connectivity to larger settlements of Poulton, Kirkham, Preston and Lytham St Annes. Gt Eccleston Copp C of E Primary School is within walking distance and there are other facilities including shops, primary school and health care opportunities at Gt Eccleston Village, as well other settlements accessible via the bus services offered. On this basis, the site is considered to be in a sustainable location, would not result in the introduction of isolated homes in the countryside and will enhance or maintain the vitality of the rural area (paragraph 55). Therefore whilst the application would be contrary to Policy SP2 of the FBLP in this instance there is greater weight to be given to the NPPF due to the sites sustainable location, housing objectives and presumption in favour of sustainable development.

Scale of Development

The scale of development proposed is intrinsic to the scheme design, the NPPF states that design is a key aspect of sustainable development and that permission should be refused for development of poor design. Policy HL2 of FBLP supports residential development subject to a number of set criteria, with reference to scale of development this criteria includes development to be in-keeping with the character of the locality and a density of between 30-50 units per hectare. Elswick Parish Council comment the proposal will increase the size of Elswick by 36% when added to approved developments and current housing applications. Residents have raised concern to the scale of development and how this would alter the village character.

The indicative layout provide for a density of 11 dwellings per hectare (DPH), based on a site area of 4.7 hectares referred to in the submitted application form. This DPH figure is low in comparison to policy requirements, though it is recognised that a significant amount of open space is provided indicatively within the scheme. Furthermore, density requirements of Policy HL2 are not representative of a village setting or location of the development within countryside, being akin to a higher density urban area. The application site represents a transition between the village boundary and countryside beyond and on this basis a lower density scheme providing a sense of openness is more appropriate and could be supported.

The nature of the outline application has not provided detailed layout or elevation drawings of dwellings proposed. There is contradiction between the Planning Statement and Design and Access Statement which refers to scale being either 2 storey, or 2-2.5 storeys dependent on which document is read. Notwithstanding this, the scale referred to in both documents would be

in-keeping with that in the locality and wider village envelope. It is recommended that appropriate conditions to restrict the size of dwellings are attached to any subsequent approval notice

There are approximately 463 dwellings in the village of Elswick. Based on this total, the proposal of 50 units will therefore result in an 11% increase in the village size. Cumulatively, with approved development at Bonds Ice Cream (8 units), Elswick Trading Park (9 units) and Chapel Farm (5 units) the village has the planning permissions that would involve a 16% growth, which would increase to 26% if considering the current residential scheme on Beech Rd (50 units) and to 34% with the Copp Lane residential proposal (36 units). It is not considered that this proposal would be an unacceptable scale of growth to the settlement and that there are sufficient services within the settlement to meet the needs of existing and prospective occupants. These figures are, however, intended only to give a quantitative context to the level of expansion which would arise as a result of the development. There is, in policy terms, no set percentage restricting the degree to which an existing settlement can expand. Instead, the consideration is whether any impacts arising as a result of the development's size, scale and relationship to the settlement would give rise to significant and demonstrable harm which would outweigh the benefits that it would otherwise deliver. The development's impact on the character and appearance of the area in visual and landscape terms are considered to be of principal significance in this regard.

Visual and Landscape Impact

Policy HL2 supports new residential development which is compatible with adjacent land uses and would be in-keeping with the character of the locality. Policy EP10 indicates that the distinct character and important habitats of Fylde will be protected. The policy identifies that particular priority will be given to the protection of important landscape and habitat features, including broadleaved woodland, scrub meadows, hedgerows, wetlands, ponds and watercourses. Policy EP11 states that new development in rural areas should be sited so that it is in keeping with landscape character, development should be of a high standard of design and matters of scale, features and building materials should reflect the local vernacular style. Policy EP12 states that trees and hedgerows which make a significant contribution to townscape or landscape character, quality and visual amenity will be protected. Policy EP14 requires new housing developments to make suitable provision for landscape planting. This reflects guidance contained within the SVFLP and NPPF.

The applicant has submitted a Landscape and Visual Appraisal of the development which concludes that there will be a moderate effect on the local landscape during the initial construction phase, which will reduce to slight-moderate following establishment of landscaping. The application site lies between 2 Lanes which contains the effect on the wider character area, being assessed to have a low change which corresponds to a slight moderate effect on wider landscape character. A high visual change is reported for housing adjacent to the application site and a low change to public footpaths once landscaping is established.

The applicant has submitted Arboricultural Impact Assessment (AIA) which includes a survey of trees within and overhanging the site in respect of their condition, retention category and root protection area. The assessment concludes that a few trees must be removed to facilitate the proposed access, however it would be possible to develop the site whilst retaining all or majority of higher value trees and that majority of existing hedgerow could also be retained. Accordingly, the most valuable landscape features on the site would be retained. Conditions are suggested requiring the implementation of tree protection measures and the submission of a landscape strategy which provides for the retention of these features.

The site is situated on the eastern edge of the settlement boundary of Elswick and forms part of an area of open countryside which extends to the north and east of the village. The sites eastern and

southern boundary abuts the built up area of the village adjacent to dwellings on Lodge Lane, Linden Fold and Ash Close. Existing dwellings have a rear facing aspect to the countryside with rear gardens and associated boundary treatment adjoining countryside. A mix of trees and hedgerow form a natural boundary to other elevations of the site. The site is not considered to be in a particularly prominent location, with only glimpsed views through open fields, trees and individual housing being afforded when entering the village by road on Lodge Lane; as demonstrated in the Landscape and Visual Impact Assessment. There is a Bridleway located approximately 160m to the east though affords limited views of the application site being hampered by landscaping, housing and farm buildings. There are of course more prominent views of the site when seen at close quarters from adjacent housing, Bonds Lane and Mill Lane, these roads however are not heavily trafficked.

The Illustrative Framework Plan splits the application site in two, with housing to the village side of a deep landscape buffer which incorporates the retained pond. This is considered to be a natural expansion of Elswick which relates well to the defined Village boundary designated in the adopted FBLP. The proposal provides opportunity for an outward facing development, with significant landscaping buffer and retained natural features that will act as a soft barrier to assimilate the proposal into the countryside setting, enhancing the appearance of the village edge. Such features are intrinsic to the proposal making a successful transition between urban and rural, forming appropriate mitigation against the countryside encroachment.

It must be accepted that the proposal will result in the urbanisation of a countryside location with resultant harm to landscape character. Notwithstanding, this is the case for the majority of sites in the Countryside Area and it follows that site-specific considerations will be important in determining the degree of harm arising. The development would diminish openness and would interrupt existing external views of the site where available, though the site is not considered to be in a prominent location. Any harm would be minimised by virtue of the development's relationship with existing buildings on the edge of the settlement, retention of existing features and provision of new landscaping within the proposal. It is not considered that the limited visual harm to landscape character would be sufficient to outweigh the benefits of the scheme to a degree which would warrant refusal of the application. Moreover, substantial mitigation would be introduced in order to ensure that any adverse impact in this regard is minimised.

It is important that the parameters of the Illustrative Framework Plan are provided within any subsequent reserved matters planning application, this can be controlled by condition.

Loss of agricultural land

Paragraph 112 of the NPPF stipulates that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. In addition, Policy EP22 states that development will not be permitted which would involve the permanent loss of the best and most versatile agricultural land (grades 1, 2 and 3a) where it could reasonably take place on previously developed sites, on land within the boundaries of existing developed areas or on poorer quality agricultural land. Policy EP22 identifies that there is no Grade 1 agricultural land within the borough, with Grades 2 and 3a considered the best and most versatile.

The Agricultural Land Classification Map is based on the Ministry of Agriculture, Fisheries and Food Soil Survey of England and Wales 1969 which is intended for strategic purposes. The map indicates the site to be Grade 2, though is only accurate to about 80ha. The application is supported by an Agricultural Land Classification (ALC) assessment which concludes that land quality on the whole site is limited by soil wetness and topsoil texture, mainly to subgrade 3b (75%), with a smaller area of

subgrade 3a (25%). Development of majority of the site therefore accords with NPPF and FBLP policy for use of poorer quality land in preference to that of a higher quality. With regards to the 3a classification on site, the loss of the Borough's best and most versatile agricultural land for residential development has been allowed at a number of recent appeals and should not be seen as an overriding factor in the planning balance. Use of the 3a portion of the site is further constrained by its small size relative to the application site and detachment from other higher grades of land by field boundaries, roads and housing.

Given the above, it is not considered that the development would result in a significant loss of the Borough's best and most versatile agricultural land.

Principle of Development – Conclusion.

The site lies within the Countryside Area and outside the settlement boundary of Elswick as identified on the FBLP and SVFLP Proposals Maps. The proposed residential development does not fall within any of the categories of appropriate development outlined in FBLP policy SP2 and SVFLP Policy GD4 and is therefore in conflict with this policy. However, given the absence of a five year supply, housing supply policies including those restrictive policies such as SP2 and GD4, are considered out-of-date and in conflict with the NPPF. As a result, little weight can be attached to Policy SP2 in the decision making process. For the same reasons, the settlement boundary cannot be relied upon as a tool to limit the expansion of the village.

The SVFLP is yet to be examined in public. Representation has been received to Policies DLF1 and SL5 with specific regard to Elswick and its classification as a Tier 2 Smaller Rural Settlement, this includes specific objection to any housing provision for Elswick, and conversely request for Elswick to be upgraded to a Tier 1 Settlement capable of accommodating between 100-150 new homes over the plan period. Since the SVFLP has unresolved objections with specific reference to housing provision in Elswick, relevant policies can only have very limited weight in the decision making process and should not be relied upon to either restrict or support housing development in Elswick.

The application site is considered to be in a sustainable location and would not result in the introduction of isolated homes in the countryside. The scale of development is considered appropriate and would not unacceptably undermine the character of Elswick. The development represents a rounding off of the defined Village Boundary in this locality, a deep landscaping buffer to open countryside and outward facing development will provide a transitional buffer between urban and rural and act to enhance the village setting. The site is not considered to be in a highly prominent location, retention of natural features and strengthening of landscaping to the site boundaries would ensure that any harm to landscape character and visual amenity is minimised.

As has been demonstrated through numerous appeals, the principle of housing development cannot be resisted in the Countryside Area providing that it is sustainable in all other respects and that no other demonstrable harm would arise as a result. Whilst the development would result in encroachment into the open countryside, it would make a valuable contribution to the delivery of housing in the Borough, in the absence of a five year supply. Additional benefits occur in this case as the development would deliver up to 30% affordable housing on the site. On balance, it is considered that the benefits arising as a result of the development would outweigh the limited harm which has been identified in visual and landscape terms and that principle of development is acceptable, having particular regard to the requirements of the Development Plan and NPPF.

Relationship with surrounding development:

Policy HL2 of the FBLP and GD7 of the SVFLP supports new residential development that would have no adverse effect on the amenity and privacy of neighbouring properties. This amenity impact

includes privacy, dominance, loss of light, over shadowing or disturbance resultant from the development itself on neighbours, or during the construction period. The SPD provides additional guidance with particular reference to separation distances between dwellings to ensure the amenity of residents is safeguarded.

The Illustrative Framework Plan sites development pockets adjacent to the eastern boundary of Elswick and there are a number of dwellings adjacent which could be affected by the proposals. Indeed concerns have been raised with particular reference to noise and vibration disturbance during the construction period.

The planning application is made in outline form with detailed siting of dwellings being reserved for subsequent application, the relationship between dwellings proposed and neighbours cannot therefore be assessed at this time. Notwithstanding this, Policy HL2 and GD7 are clear in that amenity of existing residents must be safeguarded and it is expected that any subsequent reserved matters application is compliant with these Policies.

The proposal will intensify use of the site and increase the number of vehicles on access roads, including Lodge Lane and Mill Lane. The level of vehicle activity associated with the development is not considered to have a significant noise impact on adjacent residents and is therefore unlikely to cause an unacceptable disturbance. It is inevitable that there will be some disruption for residents during the construction period. This disruption however is temporary, for duration of the build and is therefore acceptable. Conditions can be imposed to reduce this disruption for neighbours and construction hour's restriction, wheel wash facility and dust controls are recommended.

Highways:

Paragraph 32 of the NPPF states that decision makers should take account of whether safe and suitable access to the site can be achieved for all people, and, improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy HL2 supports new residential development provided satisfactory access and parking arrangements are provided, and do not adversely affect the safe and efficient operation of the highway network, either individually or cumulatively with other permitted developments. Policy TR1 also encourages the improvement of facilities for pedestrians to encourage walking as an alternative means of travel. Policy GD7 and T5 of the SVFLP reiterate the above highway policy position.

Objection has been raised by Elswick Parish Council and local residents in relation to highway safety implications resultant from additional vehicle movements on the surrounding road network, this includes exacerbation of existing problems at the Thistleton junction with the A585. Criticism is also made of the submitted Transport Assessment and accuracy of the data provided.

The submission indicates that the sole vehicular access to the development will be via a new access road to the north of Mill Lane. This arrangement will result in a change of priority with vehicles using the access road having priority over those vehicles using the existing Mill Lane carriageway. The junction of Mill Lane/ Lodge Lane will be adapted to improve visibility and will entail a slight narrowing of the Mill Lane/ Lodge Lane junction to provide a junction build out. The existing footpath network will be continued from Lodge Lane into the application site and pedestrian linkage to Bonds Lane is also provided.

The applicant has submitted a Transport Assessment (TA) in support of the original application for 100 units. In addition, a Technical Note (TN) has been provided to support the revised proposal of 50

dwelling, though elements of the submitted TA are still of relevance.

The TA confirms that Traffic Surveys were undertaken at AM and PM peak times at 4 junctions which included two on Lodge Lane and two on the A585. It is reported that the development is forecast to generate a 2 way total of approximately 59 trips in the AM peak and 67 trips in the PM peak hours being spread on to the network. In summary the TA concludes that the development proposals would have a minimal impact on the local highway network, acknowledging that the site access junction off Mill Lane is designed to accord with highway safety design standards and will have sufficient capacity to accommodate additional traffic. Furthermore, the TA also considers that the junction of Mill Lane/ Lodge Lane and that of Lodge Lane/ Roseacre Road/ Ash Road are forecast to operate within capacity, and the proposal would have a minimal impact on the operation of the A585 Fleetwood Road/ B5269 Thistleton Road junction. The TA also considers the site to be highly accessible with linkages to the existing footpath network, close proximity to cycle routes and Bus Stops promoting alternative transport modes.

The TN provides additional information relating to the Thistleton junction of the A585. Traffic generated by the approved development of 90 dwellings at Copp Lane, Great Eccleston is referred to in the TN. It is expected that the development is forecast to generate a two way total of approximately 29 trips in the AM peak hour and 33 trips in the PM peak hour, resulting in approximately 16 two way trips during weekday peak times at the Thistleton junction, equivalent to an additional vehicle every 3 to 4 minutes. The junction has been forecast to operate within its theoretical capacity and in excess of its theoretical capacity by 2021. The development itself will result in minimal increase and on this basis the TN concludes that the proposed development will have minimal impact on the operation of the junction. The TN reports 10 accidents at the Thistleton junction between September 2011 and May 2016, 3 of which were classified as serious injury and the remaining 7 of slight injury. All accidents are considered attributable to driver error and not vehicle speed or deficiency in the layout of the junction. The proposal will result in an increase in right turn movements at the Thistleton junction, however these are equitable to an additional right turning vehicle every 10-15 minutes during the peak period and are not considered to result in any material changes to the operation or highway safety of the junction. Visibility at the junction is also reported to have no deficiencies and that a bid is currently with Highways England for improvements to the junction, including signage and road marking improvements.

With regards to the highway assessment of the proposal, Highways England (HE) consider impact of the proposal on the A585 trunk road, LCC Highways are responsible for all other roads.

LCC Highways comment that the proposed site access to Mill Lane meets with design standards and is acceptable. The junction of Mill Lane/ Lodge Lane will require alteration to ensure visibility sight lines and will involve a slight reduction in width of Lodge Lane to enable a junction build out. Agreement to the principle of this junction design has been agreed between the applicant and LCC Highways. The trip rates referred to in the TN are representative of the development, traffic growth and committed development have been considered and the main affected junctions (site access/ Mill Lane, Mill Lane/ Lodge Lane and Lodge Lane/ Roseacre Road/ Ash Road) are considered to have ample capacity with no future operational issues for 2021.

LCC Highways comment that there has been no recorded injury accidents in the last 5 years at or close to the site and road safety for the village is relatively good, with only 4 injury accidents all resulting in slight injury. No common cause of accident is apparent and LCC Highways conclude that the additional traffic that the proposal puts on the highway network would not be adversely severe.

There are known issues with the Thistleton junction with the A585, with congestion arising due to

vehicles, particularly those turning right, finding it difficult to enter onto; or to cross over the A585(T) at peak times. This also results in safety concerns as drivers seek to enter the A585(T) due to insufficient gaps in moving traffic. An increased number of vehicles using this junction in the future would therefore be likely to exacerbate these issues.

Calculations presented in the Technical Note demonstrate that the development could generate between 15 and 16 trips that would use the Thistleton junction in the AM or PM peak hours, equating to an additional vehicle every 3 to 4 minutes. Accident analysis presented within the TN found that 11 accidents occurred at the junction between 2011 to October 2016, 6 of which were in 2016. 9 of the incidents involved vehicles using and making turning manoeuvres at the junction and 8 occurred outside of peak times. HE conclude that this is due to inadequate gap acceptance by drivers at the junction to enter onto the A585 mainline or cross it and this occurs throughout the daytime periods, which is a reflection of how heavy the A585 route flows can be throughout the day.

This impact is reported in the TN to not result in any material change to the operation or safety of the junction. This is disputed by the HE who comment, the risk of incidents happening at the junction will undoubtedly increase incrementally as development comes forward. Notwithstanding this, HE raise no objection to the proposal on the basis that it would possibly raise the risk only marginally. In making this judgement, HE gives weight to the fact that the proposal of 50 dwellings is within the agreed housing allocation for Elswick within the Submission Version Fylde Local Plan. As a result, HE do not raise objection to this application subject to a condition requiring a Travel Plan.

HE have raised concern that the incremental development (over 300 dwellings) coming forward in this area is cumulatively and significantly increasing the number of turning movements at the Thistleton junction, with a corresponding significant increase in risk to safety. Reference is made to 90 dwellings approved by Wyre BC on Copp Lane, 86 dwellings split between two current applications in Elswick (16/0645 50 units on Beech Road, 16/0846 36 units on Copp Lane) and a further 93 properties at Gt Eccleston (16/0650) being considered by Wyre BC. On this basis HE urge Fylde Council to consider the cumulative and negative impact on safety of all of these new developments with a view to resisting further development until a coordinated approach to infrastructure mitigation can be achieved.

The development proposes pedestrian improvements through provision of footpath connectivity from the development to the existing network on Lodge Lane, a pedestrian link to Bonds Lane is also indicated on the Framework Plan. Measures to improve pedestrian linkages to the village centre have also been agreed with the applicant, this includes reduction in width of the Lodge Lane/ Roseacre Road junction by alterations to kerb lines and footways. This will improve access for existing and prospective occupants to facilities and services within Elswick, enhancing sustainability of the site. LCC Highways have requested that adjacent bus stops be upgraded to provide raised boarding areas to improve accessibility for a wider range of users, this can be controlled by condition.

Elswick currently has a regular bus service by 75A, 78 and 80. The 80 service now runs every two hours compared to an hourly service prior to recent cut backs and comment from LCC Highways states that 78 service is likely to be withdrawn from Elswick in the New Year. LCC Highways recommend that contributions are provided to retain the 78 service and reinstate the hourly frequency of the 80 service, £50k per annum for 5 years is sought. LCC highways report that costs of these service improvements would be approximately £750k, though only a contribution of £50k a year for 5 years has been requested. Justification for this contribution amount has been requested. Furthermore, requested contributions do not cover total costs for providing the enhanced services; there is a significant funding shortfall, and understanding of how this shortfall will be provided has

also been requested. In the event that an LCC Highway response is not received, it is requested that authority to grant planning permission be delegated subject to further discussion with LCC Highways regarding this matter.

The TA makes reference to submission of a Construction Traffic Management Plan (CTMP) in order to manage the impact of the construction traffic on the highway network. The CTMP will consider elements such as parking for operatives and visitors, loading and unloading and storage of materials, vehicular routes to the site and wheel wash facilities. LCC Highways have raised concern to the effect of HGV's in the area associated to the Fracking proposals, and whilst not objecting to construction of this proposal, do consider that a CTMP would be beneficial. A condition requiring approval of a CTMP is suggested.

Whilst the highway concerns of residents is noted, in light of the LCC Highways and Highways England assessment of the proposal it is considered that the development provides for a safe and suitable access and that impact on the network would not be severe, in accordance with the development plan and NPPF.

Parking:

The planning application is made in outline form with detailed assessment of parking provision being reserved for subsequent application. The submission does not provide a detailed layout of plots and proposed parking arrangements cannot be assessed at this time. Notwithstanding this, Policy HL2 and TL5 are require that residential development provides for appropriate car parking and it is expected that any subsequent reserved matters application is compliant with this Policy.

Flood Risk and Drainage

The site falls entirely within flood zone 1, as defined on the Environment Agency's Flood Map. Since the site is over 1 hectare in area, a Flood Risk Assessment (FRA) has been submitted with the application, this also incorporates an Outline Drainage Strategy Report and a Permeability Assessment.

Paragraph 100 of the NPPF states that *"inappropriate development in Flood Zones 2 and 3 should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere"*. Policy EP30 states that development will not be permitted which would be subject to an unacceptable risk of flooding or create an unacceptable increase in the risk of flooding within the development site, or elsewhere. Policy EP25 stipulates that development will only be permitted where foul sewers and sewerage treatment facilities of adequate design and capacity are available to meet additional demand or their provision can be secured as part of the development. Policies CL1 and CL2 of the SVFLP reflect EP25 and EP30, and encourage use of sustainable urban drainage systems.

Residents have raised concern with regards to reported flooding at the junction of Mill Lane/ Lodge Lane providing photos to demonstrate, reference is also made to flooding on site from overtopping of the pond, water retention on site including standing water and boggy ground. Concern is also raised to the accuracy of the submitted Flood Risk Assessment.

The FRA indicates that closest surface water features is the pond located centrally on the site, United Utilities have a combined sewer on Lodge Lane and Ash Lane and sewers within Ash Close and Linden Fold. It confirms the site to be in Flood Zone 1 'Low Probability', is not at risk from flooding and that surface water flooding does not pose a significant risk to the development. The FRA concludes that ground investigation and percolation testing has confirmed that the site is not suitable for an infiltration based sustainable urban drainage system (SUDS). Surface water drainage

will therefore be stored and attenuated using a range of SUDS storage techniques including detention basins, attenuation ponds, geocellular crates and flow control chambers.

Members should note that the detailed drainage design cannot be determined until reserved matters stage, though an indicative drainage strategy has been outlined in the FRA. This includes use of and improvements to the existing pond which will act as an attenuation pond. Housing and highway surface water run off for development located to the south of the site are to drain into a detention basin which will be used to restrict flows to 5 litres per second into an open drainage ditch that serves Mill Lane. Highways to the north of the site will drain into the re-engineered pond on site that will restrict flow to 8 litres per second before discharging into Thistleton Brook/ River Wyre. Revisions to the pond will ensure capacity for required additional storage and overflow mechanism to mitigate flood risk within the development site. Housing to the north of the site will use geocellular attenuation crates located beneath driveways, before discharging into the drainage ditch on Bonds Lane also. With regards to foul water, it is proposed to use existing foul sewerage infrastructure in the locality. This will require provision of a pumping station for dwellings in the northern area of the development.

The proposal has been considered by the Lead Local Flood Authority, Environment Agency and United Utilities who have not raised objection to the proposal, but do require specific conditions to be attached to any subsequent approval notice. Such conditions include submission of a detailed drainage strategy to ensure that the rate of surface water discharge from the site does not exceed the pre-development (greenfield) run off rate, that separate systems are installed for the discharge of foul and surface water, detail of finished floor levels, provision of pond/ detention basin prior to main construction phase, and that appropriate management and maintenance plans are put in place in respect of any sustainable drainage system. On this basis, whilst the concerns of residents is noted, it is considered that adequate measures can be put in place in order to ensure that the development poses no unacceptable risk in terms of flooding in accordance with the development plan and NPPF.

Ecology

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 states that local planning authorities should aim to conserve and enhance biodiversity, if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused, opportunities to incorporate biodiversity in and around developments should be encouraged.

The site has no specific nature conservation designation in the Local Plan, though is within a Site of Special Scientific Interest (SSSI) impact risk zone associated with the Wyre Estuary SSSI. Policy EP15 indicates that development affecting the integrity of a designated European Site will not be permitted. Policy EP16 states that development proposals within or likely to prejudicially affect SSSIs will not be permitted unless damaging impacts on the nature conservation interest of the site can be appropriately avoided or mitigated. Policy EP18 encourages the retention/replacement of existing natural features and the introduction of additional features as part of the development in order to provide biodiversity enhancements. Policy EP19 identifies that development which would have an adverse impact upon species specifically protected under schedules 1, 5 or 8 of the wildlife and countryside act 1981, (as amended) or their habitats will not be permitted. Policies ENV1 and ENV2 of SVFLP reflect this current policy position.

Residents have raised concern to the development impinging on the current ecological value of the

site, including use of the field and pond by wildlife such as ducks and swans, as a breeding ground for frogs and newts, with trees and hedgerows being prime nesting sites and refuge for bats and woodpeckers.

An ecology survey has been submitted in support of the application. The survey indicates desktop bird records obtained from LERN and Fylde Bird Club show no SPA, Ramsar or SSSI wintering bird species have been recorded within the 1km grid square where the site is located. The survey concludes that development will not impact upon the populations of wintering birds at Wyre Estuary SSSI and Morecambe Bay SPA/Ramsar. Given the location of the development in relation to the SSSI and SPA/Ramsar it is considered that development proposals will not have any direct impact as works will have no direct effect on the SSSI and it is not considered that any indirect impacts will occur (through increased visitor pressure, etc.) given that the SSSI is 3.5km away from the site. Natural England concur with the report findings, commenting that the application is not likely to result in impacts on statutory designated nature conservation sites or landscapes. GMEU also accept these findings and no further measures are required.

The dominant grassland habitat within the site was noted to be of moderate ecological value at the time of survey. The pond, hedgerows and trees around the boundaries are also of value as they provide good foraging, nesting, commuting and sheltering opportunities for a range of common and widespread fauna. Retention of important habitats including pond, trees and hedgerows is suggested and has been provided in the indicative layout. New landscaping of the site should provide for the native replacement of trees, scrub, wild flower area and hedgerow, retained trees and hedgerow should be protected during the construction phase.

Trees on site have been surveyed for bats and additional survey work has been undertaken. GMEU comment that bat activity is primarily associated with foraging along the hedgerows and pond which are to be retained, the main species present being common pipistrelle. Given the retention of most of these features there is unlikely to be significant impacts on bat activity as a result of the proposal. Precautionary measures, nesting opportunities for birds and bats have been recommended and should be conditioned.

The site provides suitable nesting habitat for a range of bird species that use hedges, scrub and trees. The grassland also provides habitat for ground nesting birds. Any works that affect these features during the nesting season has the potential to disturb nesting birds. All birds in the UK are protected while undertaking nesting activities under the *Wildlife and Countryside Act 1981 (as amended)*, site clearance/ set up should therefore be avoided during this period unless further survey demonstrates otherwise. This can be controlled by condition. The site provides suboptimal habitat for wintering birds. Wintering birds would not be interested in the pond on site and prefer more open fields away from sources of disturbance. There is much more optimal habitat of this nature for wintering birds in the surrounding area. Adjacent residential development and road noise is likely to cause disturbance to these bird species. Taking into account the nature of the habitats on site and the desktop results from Fylde Bird Club there are no implications for development with regards to wintering birds. GMEU accept these findings and no further measures are required.

Ponds on and adjacent to the site have been sampled for great crested newt eDNA. All samples were found to be negative confirming that none of the ponds had been used for breeding by great crested newts during the 2015 breeding season. GMEU comment that it appears that the historic population of great crested newts is no longer breeding on the site. This does not preclude GCN from terrestrial habitat, but of the ponds not surveyed only one is close to the application site, the remainder sufficiently distant, combined with partial barriers to reduce the risk to an acceptable level. There is a road acting as a barrier between the closer pond and the application site. Given this barrier,

associated risk to GCN from the development is categorised low and the Ecology Statutory Consultation response advises that no further survey work is necessary, subject to use of reasonable avoidance measures.

There are no records of badgers, water vole or otters within 1km of the site and there was no evidence of such during the extended Phase 1 habitat survey. The site has some foraging value for reptiles, however, there is limited sheltering and hibernation habitat and there are no reptile records. GMEU accept these findings.

The ecology survey demonstrates that the development is capable of being carried out without adversely affecting important habitats and species on/adjacent to the site. Features of ecological significance are capable of being retained, replaced or introduced as part of the scheme in order to provide appropriate mitigation, biodiversity enhancements, and to ensure that the development does not affect the favourable conservation status of protected species. This can be achieved through the imposition of appropriate conditions, as recommended above. Indeed GMEU have no objection to the proposal subject to condition, and Natural England has no comment to make. The proposal is therefore in accordance with the objectives of the development plan and the NPPF.

Trees

There are a number of trees on the site which afford amenity value to the locality, though are not protected by Tree Preservation Order. Policy EP12 states that trees and hedgerows which individually or in groups make a significant contribution to townscape or landscape character will be protected. Policy GD7 of the SVFLP seeks to protect existing landscape features.

The majority of trees and hedgerow to the site periphery are indicated to be retained within the development. Notwithstanding this, a number must be felled to facilitate provision of the new vehicular access from Mill Lane. The application is supported by an Arboricultural Impact Assessment (AIA) which states that the site can be developed without significant tree loss and majority of hedgerow can be retained, it is not considered that the trees to be removed will detract significantly from the character of the area. The AIA recommends that root protection areas (RPA) inform the detailed site layout with inbuilt stand-off distances to ensure trees can grow without conflict to housing, services should also avoid RPA's. A detailed AIA should also be submitted with the reserved matters application, as well as replacement planting within the scheme.

The Tree Officer disagrees with the AIA, and considers trees are of lower value due to their health. Comments state that 'the current screen of trees cannot be relied upon to remain for an indefinite period and suggests a substantial buffer plantation around the site so that the successor trees are growing in readiness for when the existing ones have to be removed. On this basis the proposal is considered to accord with Policies EP12 and GD7, subject to protection of retained trees and hedgerows, and provision of additional tree planting within the development which can be controlled by condition.

Heritage

Elswick Memorial United Reformed Church is located approximately 60m to the south of the application site on Lodge Lane. According to the Historic England web site, the Robert Moss Gravestone and the Old Congregational Chapel located within the grounds of the church are Grade II Listed. Paragraphs 132 and 133 of the NPPF make clear that any development causing substantial harm or total loss to the significance of a designated heritage asset (including its setting) should be refused, other than in exceptional circumstances. This approach is supported by FBLP Policy EP4 and ENV5 of SVFLP which states that development which would harm the setting of a listed building will not be permitted.

The Grade II heritage assets are located approximately 60m to the south, on a similar land level to the application site. There are two dwellings with associated garden curtilage located opposite the Assets on Lodge Lane, which act to obscure a direct line of site between the Assets and the application site. Glimpsed views may be obtained, but are interrupted by the presence of this housing and tree planting to the southern boundary of the application site on Mill Lane. The County Archaeologist has not raised any objection to the proposal.

On this basis it is not considered that the development would have any harmful impact, nor would it diminish significance on the setting of the listed heritage assets, in accordance with the development plan and NPPF.

Other issues

Open space:

Policy TREC 17 of the FBLP and ENV4 of the SVFLP supports new residential development subject to the provision of amenity open space (including facilities for children's play where appropriate) in accordance with standards relevant to the number of bedrooms within each dwelling provided. The outline nature of the application means that there can be no clarity on this matter, however the illustrative layout shows areas of open space within the development.

Affordable housing

Paragraph 50 of the NPPF requires affordable housing to be provided where needs have been identified. Policy H4 of the SVFLP requires a 30% provision of affordable housing in new development, being based on The Fylde Coast SHMA 2014 which sets out the need for affordable housing in the Borough.

The Council's Strategic Housing team have commented on the application and support the development subject to provision of 30% affordable housing on the site. If members are minded to approve the scheme, the Applicant will have to enter into a Section 106 Legal Agreement to ensure provision of 30% affordable dwellings within the development. The Legal Agreement will secure the contribution amount and any required phasing of the payment. Given the outline nature of development, the contribution will be reassessed once accurate bedroom information becomes available.

Education

It is expected that development provides for any identified shortfall in local education provision. Policy CF2 of the FBLP and INF2 are of relevance and place such a requirement on development.

The response from LCC Education confirms that there is a shortfall of secondary school capacity and that the development will be required to provide a financial contribution equivalent to 8 secondary school places of £162,482.72. This amount is based on the revised scheme of 50 dwellings. The contribution will be used to provide additional Secondary places at Kirkham Carr Hill High School and will be required by Section 106 Legal Agreement.

It should be noted that there is no requirement for contribution toward primary school provision since there is sufficient capacity within existing schools to cater for the demand created.

Conclusions

The development falls outside the settlement boundary of Elswick, representing encroachment into

the countryside and is therefore contrary to Policy SP2 and GD4, which act to restrict residential development within such areas. Notwithstanding this, the Council cannot demonstrate a five year supply of housing land and Policies SP2 and GD4 are in conflict with the NPPF. Consequently these policies are out-of-date and the principle of residential development cannot be resisted.

The SVFLP has not been submitted for examination and there is specific objection relating to Elswick being a Tier 2 Rural Settlement and the amount of housing provision in Elswick. Relevant emerging policies therefore carry limited weight. On this basis the figure of 50 dwellings referenced in policy SL5 cannot, at this time, be relied upon to restrict or support housing development in Elswick.

The proposed development, would result in an expansion of the village in the order of approximately 11% in a location on the edge of the settlement boundary which relates well to the existing built-up edge of Elswick and existing shops, services, and public transport facilities available within the village. Accordingly, the scheme is considered sustainable and would not result in the introduction of isolated homes in the countryside. Nor would it have any significant adverse effects on landscape character or quality and appropriate mitigation can be introduced as part of the scheme in order to minimise impact. The development would not result in any significant loss of the Borough's best and most versatile agricultural land and there are no other landscape designations to restrict its development for housing.

Recent appeals have demonstrated that the principle of housing development cannot be resisted in the Countryside Area providing that it is sustainable in all other respects and that no other demonstrable harm would arise as a result. Whilst the development would result in encroachment into the countryside, it would make a valuable contribution to the delivery of new housing in the Borough in the absence of a five year supply with the added benefit of 30% affordable housing on the site. Therefore, on balance, it is considered that the benefits arising as a result of the development outweigh the limited harm which has been identified in visual and landscape terms and, accordingly, that the principle of development is acceptable.

The development provides for satisfactory access to the site and there is sufficient capacity to ensure that the level of traffic generated by the development would not have a severe impact on the safe and efficient operation of the surrounding highway network. The scheme would result in an acceptable relationship with surrounding uses and appropriate mitigation can be provided to ensure that the development would have no adverse impacts in terms of ecology, flooding and drainage. The proposal would not affect the significance of any heritage assets in the locality and appropriate contributions would be secured to make the development acceptable in planning terms. The proposed development is therefore in accordance with the requirements of the relevant policies of the National Planning Policy Framework and the Development Plan.

Recommendation

That the authority to GRANT planning permission be delegated to the Head of Planning and Regeneration on completion of a Section 106 agreement that will secure:

- provision, retention and operational details for 30% of the proposed dwellings to be affordable properties
- a contribution and phasing of its payment towards addressing the shortfall of secondary education capacity to serve the occupants of the development. This is expected to be £162,478.72, to provide 8 secondary places at Kirkham Carr Hill High School, with the agreement also clarifying the phasing of its payment.
- a contribution of £50,000 per annum for a 5 year period towards enhancements of the local bus

services to serve the village and provide connections to neighbouring settlements

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 that demonstrates that the payment of some, or all, of these would render the development to be unviable.

And that the planning permission be granted subject to the following conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning & Regeneration believes is necessary to make otherwise unacceptable development acceptable):

1. Application for approval of reserved matters must be made not later than the expiration of three years from the date of this permission and the development must be begun not later than:
 - the expiration of three years from the date of this permission; or,
 - two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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.

2. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development is commenced:
 5. Layout.
 6. Scale.
 1. External appearance.
 2. Landscaping.

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.

3. This permission relates to the following plans:
 3. Drawing number 15-063 LP01 (Site Location Plan).
 4. Amended drawing number 15-063 FP02 revision H (Framework Plan).
 1. Drawing number 0826-F02 revision B (Proposed Access Arrangement).

Except as provided for by other conditions to this permission, any application for approval of reserved matters submitted pursuant to condition 2 of this permission shall accord with the outline permission insofar as it relates to the means of access to the site and the maximum number of dwellings.

Reason: The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015. Access has been applied for and any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission.

4. Any application which seeks approval for the reserved matter of layout pursuant to condition 2 of this permission shall accord with the parameters shown on amended drawing number 15-063 FP02 revision H:
 - the developable areas of the site.

- the areas to be laid out as open space and landscape buffer.
- the scale of development being no greater than 2 - 2.5 storeys in height.

Reason: To ensure that any application for the approval of reserved matters accords with the parameters shown on the masterplan with respect to the developable and non-developable areas of the site in the interests of ensuring a pattern and layout of development which is sympathetic to the character and setting of the site and to minimise the development's visual impact on the surrounding landscape, in accordance with Policies HL2 and EP11 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

5. Any application which seeks approval for the reserved matter of landscaping pursuant to condition 2 of this permission shall provide for a development which demonstrates compliance with the principles of the landscape strategy indicated on drawing number 15-063 FP02 revision H. The scheme shall include, but not be limited to, the following details:

- retention of existing trees, hedgerows and other vegetation on/overhanging the site.
- a compensatory planting scheme to replace any trees or hedgerows to be removed as part of the development.
- the introduction of a landscape buffer and public open space to the east of the built form proposed.
- the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (1) to (3).
- the type, size, species, siting, planting distances and the programme of planting of hedgerows, trees and shrubs.

The approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed 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 that a suitable landscaped buffer is introduced between the site and adjoining land in order to soften the development's visual impact on the open countryside, and to ensure the introduction of appropriate compensatory landscaping and habitat replacement as part of the development, in accordance with Policies HL2, EP10, EP12, EP14, EP18, EP19 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

6. Prior to commencement of the development hereby approved, details of finished floor levels and external ground levels for each plot shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In order to ensure a satisfactory relationship between the new dwellings and between the development and surrounding buildings in the interests of residential and visual amenity and to minimise flood risk, in accordance with Policies HL2 and EP30 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

7. As part of any reserved matters application and prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless

otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

Those details shall include, as a minimum:

- Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD.
- The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate.
- Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- Flood water exceedance routes, both on and off site.
- A timetable for implementation, including phasing as applicable.
- Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates.
- Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner.

Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

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 Policies EP25 and EP30 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

8. None of the dwellings hereby approved shall be first occupied until details of a management and maintenance scheme for the surface water drainage system to be installed pursuant to condition 6 of this permission has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover the full lifetime of the drainage system and, as a minimum, shall include:

- arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Residents' Management Company.
- arrangements concerning funding mechanisms for the ongoing maintenance of all elements of any sustainable drainage system (including mechanical components) to include details such as:
 - on-going inspections relating to performance and asset condition assessments;
 - operation costs for regular maintenance, remedial works and irregular maintenance of limited life assets; and
 - any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
- means of access and easements for maintenance purposes;
- A timetable for implementation.

The drainage system shall thereafter be installed in accordance with the details and timetable contained within the approved scheme, and shall be managed and maintained as such thereafter.

Reason: To ensure that satisfactory measures are put in place for the management and maintenance of any surface water drainage system throughout the lifetime of the development, to

minimise the risk of flooding and to limit the potential for surcharging of the sewer network, in accordance with Policies EP25 and EP30 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

9. All detention basins and flow control devices/ structures are to be constructed and operational prior to the commencement of any other development and prior to any development phase.

Reason: To ensure site drainage during the construction process does not enter the watercourse at un-attenuated rate and to prevent the risk of flooding during the construction period, in accordance with Policies EP25 and EP30 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

10. There shall be no on site works, including site set up and the removal of any trees or shrubs until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- construction vehicle routes to and from the site.
- arrangements for the parking of vehicles for site operatives and visitors.
- details of areas designated for the loading, unloading and storage of plant and materials.
- details of the siting, height and maintenance of any security hoarding.

Reason: In the interests of highway safety and general amenity of the area, in accordance with Policy HL2 of the adopted Fylde Borough Council Local Plan as altered (October 2005).

11. Prior to commencement of the development hereby approved, a detailed design of the site access, including the junction of the application site with Mill Lane and junction of Mill Lane with Lodge Lane, shall be submitted to and approved in writing by the Local Planning Authority. The approved access design shall be implemented prior to commencement of the the development and retained thereafter.

Reason: To enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users, in accordance with Policy HL2 of the adopted Fylde Borough Council Local Plan (October 2005).

12. Prior to commencement of any works on the site, wheel wash facilities shall be provided within the site which will be used to clean the wheels of vehicles before leaving the site. The wheel wash facilities shall be available for use throughout the construction period.

Reason: To avoid the spread of mud and debris from the application site on to the road network, in the interests of highway safety and general amenity of the area, in accordance with Policy HL2 of the adopted Fylde Borough Council Local Plan (October 2005).

13. Prior to commencement of the development hereby approved, a scheme for the construction of off site highways shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include, but is not limited to, the following:

- continuation of existing footpath network on Lodge Lane to Mill Lane.
- pedestrian environment improvements to Lodge Lane, including kerb realignment at the junction of Lodge Lane and Roseacre Road.
- provision of raised boarding areas to local bus stops in vicinity of the site.

The approved scheme of off site highway works shall be implemented prior to first occupation of the development and retained thereafter.

Reason: To safeguard highway safety and ensure the efficient and convenient movement of all highway users, in accordance with Policy HL2 of the adopted Fylde Borough Council Local Plan

(October 2015).

14. Prior to occupation of the development hereby approved, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include measures to encourage alternative sustainable modes of transport by prospective occupants of the development. The approved Travel Plan must be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied for a minimum of 5 years.

Reason: To encourage the use of sustainable modes of transport by prospective occupants of the development, in accordance with Section 4 (Promoting Sustainable Transport) of the National Planning Policy Framework.

15. Prior to commencement of the development hereby approved, a scheme to protect retained trees and hedgerow during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall indicate trees and hedgerow for retention and provide for a Construction Exclusion Zone around the Root Protection Areas of those trees/hedgerows identified as being retained. The Construction Exclusion Zone shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012 and shall be maintained as such during the entirety of the construction period.

Reason: To protect existing trees and hedgerows on or overhanging the which are to be retained as part of the development, in accordance with Policy EP12 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

16. No clearance of trees and shrubs in preparation for or during the course of development shall take place during the bird nesting season (1st March - 31st August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of trees and shrubs shall take place until a methodology 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 methodology.

Reason: In order to prevent any habitat disturbance to nesting birds, in accordance with Policy EP19 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

17. On site works shall only take place between the hours of:

08:00 - 18:00 Monday to Friday.

09:00 - 13:00 Saturday.

No on site works on Sundays or Bank Holidays.

Reason: To safeguard the amenity of neighbouring residents, in accordance with Policy HL2 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

18. Prior to commencement of the development hereby approved, a scheme for the control of noise, vibration and dust during the period of construction shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be used throughout the construction process.

Reason: To protect the amenity of neighbours of the development, in accordance with Policies HL2

and EP26 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

19. Prior to commencement of the development hereby approved, an Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The content of the plan must include:

- on site mitigation for loss of semi improved grassland.
- on site mitigation for any changes to the open water habitat on site, to include full design details for any alterations to the pond.
- replacement trees and hedgerows on the site.
- enhancement of retained hedgerows on or overhanging the site.
- provision of bat and bird boxes within the development.
- lighting scheme to avoid lighting to the pond and immediate surrounding vegetation.
- a five year implementation and management plan.

The approved planting will be implemented in accordance with the approved details during the first planting season after the development is substantially completed. Any trees or hedgerow 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. The approved bat/ bird boxes and lighting shall be implemented prior to last occupation of the development and be retained on the site in perpetuity.

Reason: To ensure adequate mitigation for the loss of habitat resultant from the development, in accordance with Policies HL2, EP18 and EP19 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

20. There shall be no on site works, including site set up and the removal of any trees or shrubs, until a Reasonable Avoidance Measures (RAM) method statement for amphibians has been submitted to and approved in writing by the Local Planning Authority. The method statement shall outline the RAM measures to safeguard amphibians during any on site works associated to the development. The approved statement shall be implemented for duration of the construction period.

Reason: To safeguard features of ecological interest on the site during the construction period, in accordance with Policies EP18 and EP19 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

Item Number: 3

Committee Date: 08 February 2017

| | | | |
|-------------------------------|---|-----------------------------|------------------------|
| Application Reference: | 16/0488 | Type of Application: | Reserved Matters |
| Applicant: | Wainhomes (North West) Limited | Agent : | MCK Associates Limited |
| Location: | LAND NORTH OF PRESTON OLD ROAD, CLIFTON | | |
| Proposal: | APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 15/0763 FOR THE APPEARANCE, LANDSCAPING, LAYOUT & SCALE OF A DEVELOPMENT OF UP TO 74 DWELLINGS | | |
| Parish: | | Area Team: | Area Team 2 |
| Weeks on Hand: | 30 | Case Officer: | Rob Buffham |
| Reason for Delay: | Design Improvements | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7688551,-2.8174259,575m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application relates to a parcel of land to the western edge of Clifton, immediately north of Preston Old Road and wrapping around the village edge to Clifton Green. The site has the benefit of outline planning permission (15/0763) for up to 74 dwellings. The access arrangements were approved at the outline stage with a single point of vehicular and pedestrian access to the site from Preston Old Road.

This proposal is for the remaining reserved matters of layout, scale, appearance and landscaping associated with that outline permission.

The reserved matters submission provides for the construction of 74 dwellings, predominantly 2 storey properties (10 are 2 ½ storey) of an appropriate housing mix. The proposal is considered to respect the scale and appearance of the general vernacular in the locality. Landscaping provides for the retention of trees/ hedgerow, open space buffer to the northern boundary, additional tree/ hedgerow planting particularly to the western edge and internally within the street scene. The proposal is reflective of the Illustrative Masterplan and is therefore considered to have limited visual harm to landscape character.

On this basis the proposal is considered to be acceptable, according with the requirements of the adopted Fylde Borough Local Plan (FBLP) and Submission Version of the Fylde Local Plan to 2032 (SV). Accordingly Committee are recommended to grant the approval of these reserved matters.

Reason for Reporting to Committee

The application is a Major application and as such needs to be determined by the Development

Management Committee.

Site Description and Location

The application relates to an irregularly-shaped parcel of land, approximately 2.85 hectares in area, to the north side of Preston Old Road wrapping around the village envelope to the west side of Clifton Green. The site is located to the western edge of the village in proximity to the junction of Preston Old Road and the A583. The site is set approximately 0.5m below Preston Old Road, with its southern boundary characterised by a combination of hedgerow and fencing atop a shallow banking, with a low retaining wall towards its western end. The site follows an undulating topography, with ground level falling gently away from the southern boundary towards a central low point before rising towards the northern end.

The western boundary of the site is bound by a watercourse and tree planting. The site narrows to its southwest corner where the watercourse meanders along the western boundary, before merging with a large expanse of open farmland to the north. A row of tall pylons and overhead lines are located within the adjoining agricultural field to the north, with smaller columns supporting other overhead line running diagonally towards Clifton Green. The eastern site boundary runs alongside the village boundary adjoining dwellings on Preston Old Road and Clifton Green. A vehicle sale showroom lies to the south of the site on the opposite side of Preston Old Road. Dobbies Garden Centre is located to the southwest to the opposite side of the main road junction.

The land falls within the Countryside Area as defined in both the FBLP and SV. The site presently forms pastureland for grazing livestock and is designated as Grade 3 (good to moderate quality) agricultural land on the Agricultural Land Classification Map. A *circa* 0.9 hectare parcel off Clifton Green to the northeast corner of the site is allocated for a residential development of approximately 20 houses in the SV.

Details of Proposal

The application seeks approval of the remaining reserved matters to outline planning permission 15/0763 which granted outline consent for up to 74 dwellings with the access arrangements approved at that time. The matters sought from this current proposal are appearance, landscaping, layout and scale.

The proposal provides for a predominantly 2 storey scheme (10 units are 2 ½ storey) of detached, semi detached, mews style properties and two apartments blocks. The dwellings are in a mix of types within the accommodation schedule:

- 41 x 4 bedroom dwellings.
 - 17 x 3 bedroom dwellings.
 - 6 x 2 bedroom dwellings.
 - 4 x 2 bedroom apartments.
 - 6 x 1 bedroom apartments.
-
- 22 of the 1-3 bedroom properties are identified for affordable provision.

Vehicular access to the site will be as approved by the outline application from Preston Old Road and is the single point of entry to the site. Dwellings proposed have been sited to provide an outward facing aspect to Preston Old Road, the northern countryside edge and Clifton Green. The main access road is tree lined with dwellings fronting on to the carriageway and active gables provided where side elevations are prominent in the street. No formal play area is provided, although plans

indicate provision of public open space to the north of the site, adjoining open fields.

The dwellings proposed are of traditional form, with a mix of dual pitch and hipped roofs, some have front gable detail and/ or front porches and red brick/ tile construction.

Relevant Planning History

| Application No. | Development | Decision | Date |
|------------------------|--|-----------------------------|-------------|
| 15/0763 | OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 74 DWELLINGS AND ASSOCIATED INFRASTRUCTURE (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED) | Approved with 106 Agreement | 12/07/2016 |
| 09/0765 | ERECTION OF 8NO. SEMI-DETACHED DWELLINGS FOR SOCIAL HOUSING. | Withdrawn by Applicant | 06/07/2010 |
| 06/0191 | RESUBMISSION OF APPLICATION 04/1012 FOR 8 NO. DWELLING HOUSES AND ASSOCIATED ACCESS, PARKING AND LANDSCAPING, ALL FOR USE AS SOCIAL HOUSING. | Finally Disposed Of | 08/08/2013 |
| 04/1012 | ERECTION OF 8 DWELLINGS FOR USE AS SOCIAL HOUSING | Refused | 08/03/2005 |

Relevant Planning Appeals History

None

Parish/Town Council Observations

Newton with Clifton Parish Council notified on 29 July 2016 and comment:

"Council determined that the proposed development should be refused planning permission, by the DMC for the following reasons.

- a) *The proposed development is of a density that is considered excessive given the size of the site.*
- b) *Council determined that the transport assessment provides insufficient information to determine whether the likelihood of significant adverse highway safety effects can be ruled out. The proposed road access/egress to/from the proposed development is Preston Old Road, Clifton. Council therefore still considers it reasonable to conclude that the significantly increased traffic generation and related new access/egress is detrimental to highway safety in the locality generally and particularly the A583 Kirkham Bypass. The revised highway proposals remain insufficient and will not ensure traffic speed does not exceed prevailing levels.*
- c) *The proposed development still fails to demonstrate satisfactory access/egress with no adverse impact on the safe and efficient operation of the highway network as required to comply with Policy HL2/GD7 Point i and paragraph 32 of NPPF.*
- d) *Council acknowledge that Fylde is served by seven railway stations and the following two railway lines; Preston to Blackpool North line with a station at Kirkham and Wesham; and Preston to Blackpool South line, with stations at Salwick, Kirkham and Wesham, Moss Side, Lytham, Ansdell and Fairhaven, St Annes and Squires Gate. However the service for passengers seeking to use Salwick station is infrequent and therefore reference to the station as an available transport link*

is unrealistic.

- e) *The design, layout and maintenance of the larger and more expensive dwellings are considered inconsistent with energy efficiency and consequently will unnecessarily increase the carbon footprint of the site and therefore do not comply with paragraph 97 of NPPF. Reducing energy use and improving insulation helps address the climate change impact on health and wellbeing. Moreover, Council reaffirms its representations submitted in respect of the outline planning application*
- f) *The proposed development does not conform to the Local Planning Authority's (LPA) Local Plan revised Preferred Option/emerging Local Plan to 2032 in that it is contrary to several planning policies relating to agricultural land protection, housing, rural areas and sustainable development e.g. Policies SP1/GD1 which only permits development within defined limits and SP2/GD4 relating to development in Countryside Areas which recognises safeguarding the countryside for its own sake is consistent with sustainable development and PPS3 relating to previously developed "Brownfield" sites to be used before "Greenfield" and, consequently, agricultural land and NPPF paragraphs 7, 17.*
- g) *Council determined that the transport assessment provides insufficient information to determine whether the likelihood of significant adverse highway safety effects can be ruled out. The proposed road access/egress to/from the proposed development is Preston Old Road, Clifton. Council therefore considers it reasonable to conclude that the increased traffic generation and related new access/egress is detrimental to highway safety in the locality generally and particularly the A583 Kirkham Bypass. The revised highway proposals remain insufficient and will not ensure traffic speed does not exceed prevailing levels.*
- h) *The proposed development still fails to demonstrate satisfactory access/egress with no adverse impact on the safe and efficient operation of the highway network as required to comply with Policy HL2/GD7 Point 9 and paragraph 32 of NPPF.*
- i) *Drainage is a key issue highlighted in Policy HL2/GD7. It is considered that the proposed development does not therefore fully address the capacity issues related to the sewer network. The current proposal will increase the number of dwellings in the parish by between c. 21% and 45%, dependant on three possible development scenarios, and is therefore considered to have an adverse impact on the sustainability of existing infrastructure.*
- j) *The NPPF confirms that decisions on future strategic land use in the Borough, including any changes to the limits of development in the adopted Fylde Local Plan, should be plan-led via the Local Plan process.*
- k) *The site is not now needed to fulfil the LPA's achievable and realistic housing supply. Alternative sites include the Kirkham Triangle and Whyndyke Farm schemes.*
- l) *Policy SP2/GD4 presumes against development in the open countryside and limits such development to certain categories including for the purposes of agriculture, horticulture, forestry or other appropriate uses in rural areas. The proposal does not fall within these exceptions.*
- m) *The development as proposed fails to meet the objectives of Policies EP10/ENV2 and EP11/ENV1 with regard to the distinct landscape character of the Borough in the context of the Lancashire Landscape Strategy.*
- n) *The development as proposed is considered detrimental to the visual amenity and landscape of the area and therefore conflicts with NPPF paragraph 17.*
- o) *The proposed development is to the detriment of the biodiversity, ecology and wildlife as it impacts on field pond(s) in the area.*
- p) *Concerns prevail with regard to amenities, infrastructure and services and specifically concerns exist in respect of road network capacity, medical facilities, schools and utilities in the parish and the surrounding area which are considered insufficient to accommodate the cumulative expansion in conflict with NPPF paragraphs 17, 21, 157, 162 and 177.*
- q) *Decisions on allocation and release of new development sites must be done through the new Spatial Planning Process defined by PPS12, include public consultation, independent inspection*

and until a Fylde Borough Council Local Development Scheme Core Strategy is adopted together with its Strategic Locations for Development and its emerging Local Plan to 2032 this application must be considered premature.

- r) *The development site should be assessed against The Site Allocations and Development Management Policies criteria. Policy M2, in the Development Plan Document which defines areas within the plan for mineral safeguarding. The Policy states that planning permission will not be supported for any form of development unless the proposal is assessed against six criteria listed in the Policy to the satisfaction of the planning authority. It is considered that the application does not adequately demonstrate such an assessment.*
- s) *The proposed development, if permitted, will further increase the number of dwellings, extend the settlement boundary, adversely impact on the countryside to an unacceptable degree and therefore is contrary to the local parish plan. Verification from the plan process shows that the location of the parish of Newton-with-Clifton in open countryside is strongly valued by the local community and the perception prevails that there has been too much development in the recent past to the detriment of parish amenity, character and tranquillity."*

Statutory Consultees and Observations of Other Interested Parties

Regeneration Team (Landscape and Urban Design)

The existing hedgerow to Preston Old Road must be retained and kept to its existing height. Proposed plant species are acceptable.

Lancashire County Council - Highway Authority

No comment at the time of writing.

Strategic Housing

Requirement for 30% affordable housing provision, pepper potted throughout the site.
No need for affordable apartment provision due to the village location.

Environment Agency

No comment – not on the list of 'when to consult the Environment Agency'.

Lancashire CC Flood Risk Management Team

No objection subject to inclusion of conditions requiring surface water drainage scheme to be submitted and agreed prior to works commencing on the site.

United Utilities - Water

Previous comments to outline consent still applicable.

Site to be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

2 public sewers cross the site and consent will not be granted to build over or within 3 metres of them, requiring modification of the site layout or diversion of the sewer.

Condition is suggested requiring management and maintenance of any SUDS system on the site.

Lancashire Constabulary

No objection, and makes comment on how the scheme could improve security including

reference to Secured by Design standards, doors/ windows, garage security lighting, perimeter fencing.

Archaeological Advisory Service

No comment, it is noted that the outline consent includes a condition relating to archaeological works.

Neighbour Observations

Neighbours notified: 29 July 2016
Amended plans notified: 16 January 2017
Site Notice Date: 01 August 2016 & 19/01/2017
Press Notice Date: 04 August 2016
Number of Responses 14

Summary of Comments:

- Desire to keep Clifton a Village.
- Change to the culture and environment of the Village.
- Does not encourage re-use of brownfield land, or promote rural housing in the right place.
- Lack of sustainability – greenfield site, no major employment, lack of access to public transport.
- Pylons close to the site.
- Back gardens backing on to properties on Stanagate.
- Unsympathetic to the village character, 20% increase of village size.
- Loss of tranquillity.
- 30% affordable housing is not met.
- Development does not front out on to Clifton Green.
- Loss of privacy.
- Additional landscaping/ screening to existing dwellings.
- Location of public open space adjacent to countryside.
- Poor site access, dangerous with frequent road accidents.
- Poor house designs which do not complement the traditional character of the village. Use of red brick is ugly and intrusive.
- No need to fell trees or remove hedges.
- Proximity of housing to existing drainage.
- No need for housing, Council can demonstrate 5 year housing supply.

Summary of re-consultation responses:

- concerns relating to relocation of apartment block adjacent to Clifton Gate which is not in-keeping.
- Single person occupancy makes residents feel uneasy and vulnerable.
- Amount of cars and associated disturbance.
- Fencing adjacent to Clifton Green is too small and would not prohibit access to Clifton Green.
- Light intrusion from car headlights to properties on Clifton Green.

Relevant Planning Policy

Fylde Borough Local Plan:

SP02

Development in countryside areas

| | |
|--------|--|
| HL02 | Development control criteria for new housing proposals |
| HL06 | Design of residential estates |
| TR01 | Improving pedestrian facilities |
| TR05 | Public transport provision for large developments |
| TREC17 | Public Open Space within New Housing Developments |
| EP10 | Protection of important landscape and habitat features |
| EP11 | Building design & landscape character |
| EP12 | Conservation trees & woodland |
| EP14 | Landscaping of new developments |
| EP18 | Natural features |
| EP21 | Archaeology |
| EP19 | Protected species |
| EP22 | Protection of agricultural land |
| EP26 | Air pollution |
| EP27 | Noise pollution |
| EP29 | Contaminated land |
| EP30 | Development within floodplains |

Fylde Local Plan to 2032:

| | |
|------|--|
| NP1 | Presumption in favour of Sustainable Development |
| S1 | Proposed Settlement Hierarchy |
| DLF1 | Development Locations for Fylde |
| SL5 | Development Sites outside Strategic Locations for Devt |
| GD1 | Settlement Boundaries |
| GD4 | Development in the Countryside |
| GD7 | Achieving Good Design in Development |
| GD9 | Contaminated Land |
| H1 | Housing Delivery and the Allocation of Housing Land |
| H2 | Density and Mix of New Residential Development |
| H4 | Affordable Housing |
| HW1 | Health and Wellbeing |
| INF1 | Service Accessibility and Infrastructure |
| INF2 | Developer Contributions |
| T4 | Enhancing Sustainable Transport Choice |
| T5 | Parking Standards |
| CL1 | Flood Alleviation, Water Quality and Water Efficiency |
| CL2 | Surface Water Run-Off and Sustainable Drainage |
| ENV1 | Landscape |
| ENV2 | Biodiversity |
| ENV4 | Provision of New Open Space |
| ENV5 | Historic Environment |

Other Relevant Policy:

| | |
|---------------------------------|-------------------------------------|
| NPPF: | National Planning Policy Framework |
| NPPG: | National Planning Practice Guidance |
| Supplementary Planning Document | Extending Your Home |

Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The main issues pertinent to the assessment of this proposal are:

- Principle of development.
- Design and layout.
- Highways issues.
- Impact on residential amenity.
- Affordable housing.
- Flood risk and drainage.
- Ecology.
- Heritage Assets.
- S106 Contributions.

Principle of Development

The principle of residential development on the site has been established through planning approval 15/0763 which granted consent for up to 74 dwellings. Accordingly, whilst the concerns for the principle of development from the Parish Council and residents are noted, such matters are not to be revisited for assessment as part of this current application.

Design and Layout

Policy HL2 of the FBLP supports new housing development which would be in-keeping with the character of the locality in terms of scale, space around dwellings, materials and design, and retains features such as trees and hedges. Policy HL6 requires new housing schemes to respect the character of the area and provide an attractive, safe and crime free environment for residents. This reflects criteria contained within Policy GD7 of the SV, Policy H2 also requires the mix of dwellings to provide at least 50% 1, 2 or 3 bedroom properties, in rural villages 33% should also be 1-2 bedroom dwellings.

The outline planning permission includes a condition that requires the reserved matters application to accord with the developable areas and open space areas shown on the Illustrative Masterplan, as well as landscaping to provide for the retention of existing trees/ hedgerow, replacement trees/ hedgerows and landscaping buffers to the north and western boundaries of the site.

The layout reflects that in the immediate locality, providing for a central access road with housing having a front or side facing aspect to the carriageway. Similarly, a traditional form of layout is provided through provision of a back to back relationship with existing housing neighbouring the site. Development is outward facing where possible, including to Preston Old Road, Clifton Green and the northern countryside edge through provision of front facing and dual aspect properties. Dwellings are set back from Preston Old Road and the countryside edge enabling retention of the majority of existing hedgerow and trees to the site boundary. Revision to the layout adjacent to Clifton Green has been received and has removed unsightly rear elevations of plots through relocation of an apartment block to this street scene. This will provide an open, landscaped aspect to the street and ensure that the development is inclusive to the existing community. It is noted that residents have raised concern to this design approach, though given the on site constraints it is

considered that this is the most practical solution.

An open space buffer is provided to the northern edge of the development. Trees to the western edge adjacent to the watercourse are to be retained and enhanced with additional tree planting. Several dwellings have a rear facing aspect to the western edge of the development and any boundary treatments and garden paraphernalia will be exposed when viewed externally. Visual impact of such will be mitigated by retained/ additional trees to this boundary as indicated on the Layout drawing, which act to soften the appearance of the built form when viewed externally. Additional tree planting to this western edge and controls to ensure low level fencing would further dilute visual appearance of rear elevations, and can be controlled by condition. Boundary treatments are confirmed to be a mix of railings, post and rail fence, timber fence and brick pier/ fence infill, which are all acceptable though detail with regards to siting should be conditioned for approval.

The proposal is considered to reflect the Illustrative Masterplan where it was accepted that residential development would encroach into the countryside but concluded that the development itself would have limited visual harm to landscape character. The proposed layout is therefore considered to be acceptable.

With regard to house design, the dwellings are standard house types within the applicant's portfolio and so are not specifically designed to accord with the local vernacular. However, the properties immediately adjacent to the application site also present a standardised design through use of red/ brown brick and mix of dual/ hipped roof design and have little architectural distinctness so ensuring that this is not a particular concern. The dwellings proposed are to be constructed of brick and tile, with a mix of hipped/ pitched roofs, front gable detail and porches incorporated in some designs and their appearance would be consistent with existing dwellings in the locality. The design and layout are considered to be appropriate and comply with the requirements of Policy HL2, HL6 and H2.

The development provides 74 dwellings, 33 (45%) of which are either 1, 2 or 3 bedroom properties, 16 units (22%) have 1-2 bedrooms. Whilst not in strict accordance with the percentage mix requirements of Policy H2, it is recognised that there must some flexibility to this policy so as not to prohibit residential development particularly as it has yet to gain full development plan status. On balance the mix of dwellings is supported, and would contribute toward meeting the demographic needs of the borough.

Landscaping within the site includes open plan garden fronted dwellings, the main access roads are tree planted. The Public Open Space (POS) provides for a planted and attractive buffer to the countryside edge, and provides occupants with an informal space for activities such as dog walking. Members should note that there is no equipped play area proposed with reliance on the existing facilities available within easy walk of the site in the village considered to be acceptable. The POS space that is provided acts to soften the edge of the built form to the countryside. Dwellings in this locality have either a front facing or dual aspect and provides for a degree of natural surveillance of the POS. The proposed landscaping is considered acceptable.

Highways

Policy HL2 of the FBLP supports new residential development provided satisfactory access and parking arrangements are provided, and do not adversely affect the safe and efficient operation of the highway network, either individually or cumulatively with other permitted developments. Policy TR1 also encourages the improvement of facilities for pedestrians to encourage walking as an alternative means of travel. Policy GD7 and T5 of the SV reiterate the above highway policy position.

The approved vehicular access to the site is via a new entrance from Preston Old Road and includes

footpath linkages to the existing network as well as off site highway works including traffic calming on Preston Old Road. The outline planning consent considered the acceptability of this access arrangement, as well as the impact that additional vehicles resultant from the development would have on the road network. Such matters do not therefore require consideration during assessment of this current application, which must be relative to the layout of the site only.

The proposed road layout within the application site is of standard design, providing for a 5.5m carriageway width and 2m wide footpaths, turning heads are indicated the end of each secondary road. It is considered that the layout is acceptable and would not prejudice the free flow of traffic on the site or compromise or highway safety. Parking for each dwelling is a mix of garaging, driveway or parking court (apartments) provision and accords with adopted standards of 2 spaces for 2-3 bedroom dwellings and 3 spaces for 4+ bedroom properties. This will ensure that parking is provided within curtilage and not displaced to the road. On this basis it is considered that proposal provides for a safe form of development, in accordance with policies of the development plan.

Unfortunately comments from LCC Highways have not been received at the time of writing this report although informal dialogue has confirmed no significant issues with regards to the internal layout. It is expected that their comments will be received prior to the Committee meeting however it is not considered necessary to defer determination of the application in their absence.

Residential Amenity

Policy HL2 of the FBLP and GD7 of the SV supports new residential development that would have no adverse effect on the amenity and privacy of neighbouring properties. This amenity impact includes privacy, dominance, loss of light, over shadowing or disturbance resultant from the development itself on neighbours, or during the construction period. The SPD provides additional guidance with particular reference to separation distances between dwellings to ensure the amenity of residents is safeguarded. Importantly 21m should be provided where habitable room windows are to oppose each other, and 13.5m where habitable room windows are to oppose blank gables or gables with non habitable room windows.

Existing neighbours which could be affected by the proposal adjoin the application site to the east, located on Preston Old Road and Clifton Green. The submitted layout drawing indicates that separation distances from proposed dwellings to adjacent neighbouring properties comply with required separation distances. Separation distances within the development also accord with required space standards. Each dwelling proposed has an appropriate amount of external amenity space and off street parking, the amenity needs of prospective residents is catered for within the development.

Concern has been raised with regards to car headlights and light disturbance of properties on Clifton Green. However it must also be acknowledged that impact from headlights would be restricted to certain parts of the day, further to this the relocated apartment block will act to obscure some light trespass. The frequency of impact is therefore considered to be low and in itself not sufficient to warrant refusal of the development.

It is inevitable that there will be some disruption for residents during the construction period. This disruption however is temporary, for duration of the build and is therefore acceptable. Conditions were attached to the outline consent to minimise amenity impact including agreement of hours of site works, wheel wash facilities, measures to control dust/ dirt and a strategy to inform neighbours of timing and duration of any required piling operations.

On this basis it is considered that the development would not unacceptably impinge on the amenity

of existing or prospective residents.

Affordable Housing

Paragraph 50 of the NPPF requires affordable housing to be provided where needs have been identified. Policy H4 of the SV requires a 30% provision of affordable housing in new development.

The Legal Agreement relating to the outline consent requires 30% affordable housing be provided. The submitted Layout drawing indicates 22 of the 74 dwellings (30%) are to be affordable houses. These are to be 10 apartments at 1 and 2 bedrooms and 12 3 bedroomed houses so are an appropriate mix for the affordable needs in the area.

The Strategic Housing Manager has raised some concern over the provision of affordable apartments, questioning whether this type of unit would be occupied. Notwithstanding this, the applicant has provided assurance of provision by entering into the outline Legal Agreement, which requires provision as well as occupation by those from within the Parish. Further to this, the applicant has confirmed that a Registered Provider is interested in taking on the apartment blocks and it is considered that this element is appropriate.

Concern has also been raised to the location of affordable housing not being sufficiently dispersed on the site. Ideally, affordable housing should be pepper potted throughout the development. The initial scheme proposed the majority of the housing in a single location, with this being revised to provide it in two pockets which is considered to be adequately integrated within the scheme overall and would not obviously appear as affordable units within the street scene.

Other Matters

Matters relating to flood risk, drainage, ecology, heritage and human safety due to proximity of the application site to hazardous installations (Springfields BNFL site and a Major Accident Hazard Pipeline) were considered at the outline stage. This reserved matters application raises no further concerns with regards to these issues.

Developer Contributions

The following contributions are requisite for the outline approval by Legal Agreement:

- Provision of 30% affordable housing on the application site.
- Financial contribution towards primary education of £336,829.36 (Newton Bluecoat Church of England Primary School) and £199,390.18 towards secondary education (Ashton Community High School). The Legal Agreement requires the applicant to notify and request that the Council recalculates both amounts within 20 days following the grant of a reserved matters consent.
- Travel Plan contributions of £6000 to enable LCC's Travel Planning Team to provide continued services.

No additional contributions are required as a result of the reserved matters application.

Conclusions

The application site is a rectangular area of land to the west of the settlement of Clifton that has the benefit of outline planning permission for the erection of up to 74 dwellings. The site is outside of the settlement boundary but adjacent to it on the western and northern boundaries.

This proposal is for the remaining reserved matters of layout, scale, appearance and landscaping associated with that outline permission. The access arrangements were approved at the outline

stage for a single point of entry off Preston Old Road.

Layout, scale, appearance and landscaping are considered acceptable, visual impact on the area is not considered sufficient to warrant refusal of the proposal and there are no other material considerations of note.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This consent relates to the following details:

Approved plans:

- Site Location Plan
- Amended Proposed Site Layout Drawing Number 14-131 0001 rev: H received on 11th January 2017.
- Amended house type 'Chinley1B2P Apartments' Drawing Number 1.345(6)/P/BU/L10 received on 11th January 2017.
- 'Oakmere 2B3P Apartments' Elevation Drawing Number 2.346/P/BU/L10/1 rev #
- 'Oakmere 2B3P Apartments' Floor Plan Drawing Number 2.346/P/BU/L10/2 rev #
- 'Bell' Drawing Number 2.213/P/BU/L10/300 rev#
- '2 bed Churchill' Drawing Number 2.214/P/BU/L10/300 Rev#
- 'Claydon SA' Drawing Number 3.118C/SA/P/BU/L10 Rev#
- 'Baird' Drawing Number 3.217/P(EG)/BU/L10/300 Rev #
- 'Newton' Drawing Number 4.201/P/BU/L10/300 Rev A
- 'Nightingale' Drawing Number 4.204CB/P/BU/L10 300 Rev#
- 'Jenner' Drawing Number 4.209CB/P/BU/L10/300 Rev#
- 'Oxford' Drawing Number 4.309/P/BU/L10/300 Rev#
- 'Shakespeare' Drawing Number 4.341/P/BU/L10/300 Rev#
- 'Haversham' Drawing Number 4.342/P/BU/L10/300 Rev#
- 'Haversham SA' Drawing Number 4.342SA/P/BU/L10/300 Rev#
- 'Wren' Drawing Number 4.404CB/P/B/L10 300 Rev#
- 'Scott' Drawing Number 4.406/P/BU/L10/300 Rev#
- 'Paired/ Double Garage' Drawing Number PGL/1.0/1/B Rev A
- 'Single Garage' Drawing Number PGL/2.0/1/B Rev A
- 'Double Garage' Drawing Number PGL/5.0/2/B Rev A

Supporting Reports:

- Supporting Statement.

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

2. Notwithstanding the details listed in condition 1 of this approval relating to construction materials, prior to commencement of the development hereby approved, representative samples of the external construction materials shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be used in construction of the development.

Reason: To provide sufficient clarity over the construction materials and in the interests of visual amenity for the dwellings, in accordance with Policy HL2 of the Fylde Borough Local Plan and GD7 of the Submission Version of the Fylde Local Plan 2032.

3. Notwithstanding the submitted details listed in condition 1 of this approval for boundary treatments, prior to commencement of the development hereby approved, a scheme detailing the precise location, size and appearance of all boundary treatments, including the planting schedule for any hedge planting shall be submitted to and approved in writing by the Local Planning Authority. The approved details site shall be implemented prior to last occupation of the development and retained thereafter.

Reason: To provide sufficient clarity over the boundary treatments and in the interests of visual amenity, in accordance with Policy HL2 of the Fylde Borough Local Plan and GD7 of the Submission Version of the Fylde Local Plan 2032.

4. The open space area located to the north of the application site as identified on amended drawing number 14-131 0001 rev: H received on 11th January 2017 shall remain free of development and available for communal public open space use at all times thereafter.

Prior to commencement of the development hereby approved, a phasing plan for delivery of housing, public open space and landscaping shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall ensure proportional provision of public open space throughout the construction period.

Reason: To provide clarity over the extent of the built development to minimise its impact on the surrounding landscape and to ensure provision of areas of open space within it in accordance with condition 4 of outline planning permission 15/0763, Policy HL2 of the Fylde Borough Local Plan and Policy TREC17 of the adopted Fylde Borough Local Plan and ENV4 of the Submission Version of the Fylde Local Plan 2032.

5. Notwithstanding any details shown on the approved plans, prior to commencement of the development hereby approved, a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the landscaping scheme shall include additional tree planting to the western boundary of plots 4 and 5 and include details of the type, species, siting and planting distances for all trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out during the agreed phasing period, or, first planting season after the development is substantially completed which ever is the sooner, and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with Policies HL2, EP14 and EP18 of the adopted Fylde Borough Local Plan and GD7, ENV1 and ENV2 of the Submission Version of the Fylde Local Plan 2032.

6. Notwithstanding the submitted details listed in condition 1 relative to approved house types, any first floor windows within the side facing elevations of dwellings shall be obscure 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 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 safeguard the privacy of occupiers of neighbouring dwellings and to ensure satisfactory levels of amenity for adjoining residents in accordance with Policy HL2 of the adopted Fylde

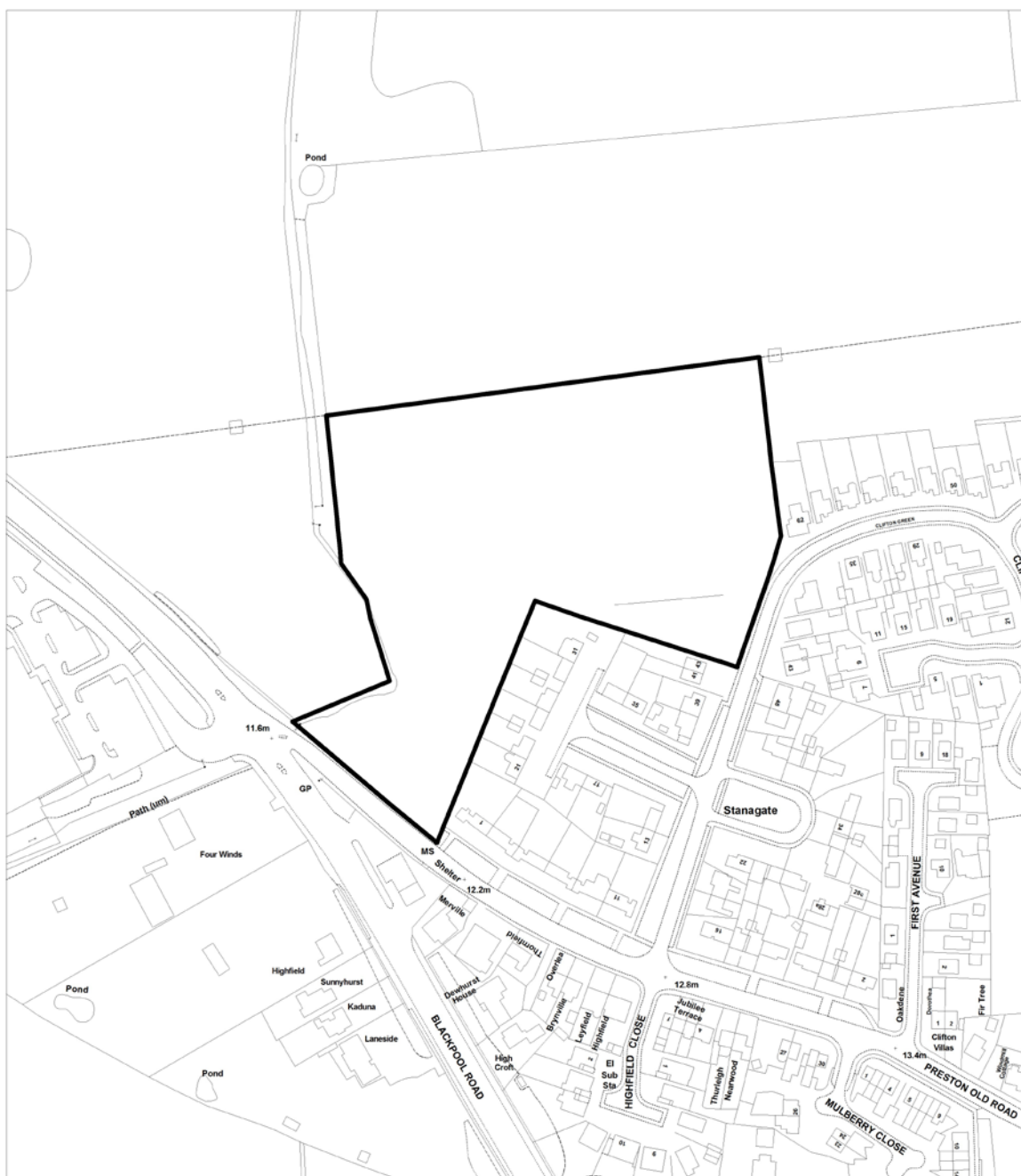
Borough Local Plan and GD7 of the Submission Version of the Fylde Local Plan 2032.

7. All garages within the development hereby approved shall be made available for use prior to the occupation of each associated dwelling and be retained for use as a garage thereafter.

Reason: To ensure provision and retention of required parking within the development, in accordance with adopted Parking Standards and Policy T5 of the Submission Version of the Fylde Local Plan 2032.

8. There shall be no lopping, topping or felling of any trees or hedgerow on or overhanging the site unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the existing trees on the site and to ensure satisfactory landscaping of the site in the interests of visual amenity, in accordance with Policy EP12 and EP14 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.



| | | | |
|---------------------------------------|--|--|------------------------------|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2017). Ordnance Survey (100006084). | |
| Application No. 5/16/0488 | Address Land north of Preston Old Road, Clifton | Grid Ref. E.3462 : N.4305 | Scale 0 10 20 30 40 m |

Item Number: 4

Committee Date: 08 February 2017

| | | | |
|-------------------------------|--|-----------------------------|---------------|
| Application Reference: | 16/0683 | Type of Application: | Change of Use |
| Applicant: | Mr Cartmell | Agent : | |
| Location: | 7 THE CHIMES, KIRKHAM, PRESTON, PR4 2XQ | | |
| Proposal: | RETROSPECTIVE APPLICATION FOR CHANGE OF USE OF LAND TO REAR TO FORM EXTENSION OF RESIDENTIAL CURTILAGE WITH THE ERECTION OF 2m HIGH FENCE AROUND | | |
| Parish: | KIRKHAM SOUTH | Area Team: | Area Team 1 |
| Weeks on Hand: | 12 | Case Officer: | Claire Booth |
| Reason for Delay: | Need to determine at Committee | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7786453,-2.8786999,144m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to an area of land that is around 2m x 5.4m and runs to the rear of the original rear garden area of the application property which is located within the settlement area of Kirkham. The land is adjacent to a footpath that runs from Blackpool Road through this residential estate to the town centre. The application seeks retrospective planning permission for the use of the land as enlargement of the residential curtilage of 7 The Chimes, and the erection of a 2m high fence around this area.

The land used to carry out the enlargement is not designated as Public Open Space under the Fylde Borough Local Plan, nor is it subject any planning condition requiring its use for that purpose when the original development was given consent. As such the change if use does not involve the loss of any protected public open space, although it would previously have provided amenity value to the users of the footpath.

The incorporation of this area into the garden and the erection of the fence do not create a detrimental impact to the visual amenity of the area as it is not in an exposed area and the additional fencing therefore does not appear incongruous in the wider area.

Taking the above into account it is considered that the development complies with Policies HL5 and TREC13 of the Fylde Borough Local Plan and is recommended for approval.

Reason for Reporting to Committee

This application has been brought before the Development Management Committee as the officer recommendation for approval conflicts with the objection received from Kirkham Town Council.

Site Description and Location

The Chimes is a residential development consisting of 29 units which is surrounded by a landscaped area.

The application site is a small section of land to the rear of No.7 The Chimes measuring approximately 2m x 5.4m. The land has been surrounded by 2m fencing and incorporated into the rear garden area of the application property. To the rear running behind the fencing a Public Footpath, no.9 in the Parish of Kirkham, which leads from the junction of St Thomas Road with Orders Lane to the Kirkham By-pass.

Details of Proposal

The application is seeking retrospective permission for the erection of a 2m high fence and extension of the domestic curtilage to the rear garden area of No. 7 The Chimes. The work was undertaken between the 23/03/2015 - 24/03/2015. The area of land measures extends approximately 2m x 5.4m. A solid timber fence surrounds the extension of curtilage.

Relevant Planning History

None

Relevant Planning Appeals History

None

Parish/Town Council Observations

Kirkham Town Council notified on 21 November 2016 and comment:

"Objection on the grounds that this is public open space as agreed when the development was built and should not be eroded."

Statutory Consultees and Observations of Other Interested Parties

National Grid

No comments or observations received.

HM Inspector of Health & Safety

The proposed development site does not currently lie within the consultation distance of a major hazard site or a major hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site.

Neighbour Observations

| | |
|-----------------------------|------------------|
| Neighbours notified: | 21 November 2016 |
| Site Notice Date: | 13 December 2016 |
| Number of Responses | None |
| Summary of Comments | Not applicable |

Relevant Planning Policy

Fylde Borough Local Plan:

| | |
|--------|-----------------------------------|
| SP01 | Development within settlements |
| HL05 | House extensions |
| TREC13 | Safeguarding of Public Open Space |

Fylde Local Plan to 2032:

| | |
|------|--------------------------------|
| GD1 | Development within settlements |
| GD7 | Good Design |
| ENV3 | Protecting Existing Open Space |

Other Relevant Policy:

| | |
|-------|-------------------------------------|
| NPPF: | National Planning Policy Framework |
| NPPG: | National Planning Practice Guidance |

Site Constraints

Pipelines

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The main issues regarding this application are:

- Impact to the visual amenity of the area; and,
- Loss of Public Open Space (POS)

Effect on the visual amenity of the area

The rear boundary of the garden is immediately adjacent a footpath which runs behind The Chimes from this development of houses to the Kirkham By-pass. The erection of the fencing and extension to the rear garden area of the application site does create an impact with regards to the appearance of the area by reason of the increased curtilage and resulting boundary treatment. However, this extension of curtilage extends the same distance as the extension of curtilage approved at the rear of Nos. 1 and 2 The Chimes, located to the north of the application site. The enclosure of this Footpath is considered acceptable as the difference in appearance from the relocation of the fence outwards towards the footpath by around 2m is minimal and an area of the grass verge is still visible.

Immediately adjacent to the footpath which runs behind The Chimes to the Kirkham By-pass is the boundary fencing of neighbouring properties. The fencing therefore does not appear isolated and is not located in an open area visible from afar. In addition, the fencing erected matches the adjacent boundaries. The extension of curtilage and its resultant fencing therefore has limited impact to the street scene or visual amenity of the wider area and accords with Policy HL5 of the adopted Local Plan and Policy GD7 of the emerging Local Plan.

Loss of Public Open Space (POS)

The Town Council's comments are related to the view that the land is public open space as agreed

when the development was built and consequently should not be eroded. The landscaped area surrounding The Chimes development is well maintained, however it is not an area of designated Public Open Space (POS) given any protection by policies in the Fylde Borough Local Plan or within the emerging Fylde Local Plan to 2032. Furthermore, when the residential development was originally given permission in 1989 under application ref: 89/0968, no planning condition was imposed on the land to require this area to be retained and safeguarded as Public Open Space. Therefore whilst the land surrounding The Chimes is used by the public, it is not formal functional POS and therefore the development has not resulted in the loss of any POS. The proposal therefore does not conflict with the Public Open Space policies within adopted and emerging Local Plans. Moreover, the area involved is of minimal size and in a location where it has minimal value as visual open space and no value as usable open space/

Conclusions

The application seeks retrospective consent for the enlargement of residential curtilage and the erection of a 2m high fence around the enlarged piece of land to the rear of No.7 The Chimes.

The land used to carry out the enlargement is not classed as adopted Public Open Space (POS) as defined by the Councils adopted plan nor was it conditioned as such when the original development was given permission. No Public Open Space is therefore lost as a result of the works.

The works do not create a detrimental impact to the visual amenity of the area as they are not in an exposed area and the additional fencing therefore does not appear incongruous in the wider area.

Taking the above into account, it is considered that the development complies with Policies HL5 and TREC13 of the Fylde Borough Local Plan and Policies GD7 of the Fylde Local Plan (Submission Version). Accordingly, the application is recommended for approval.

Recommendation

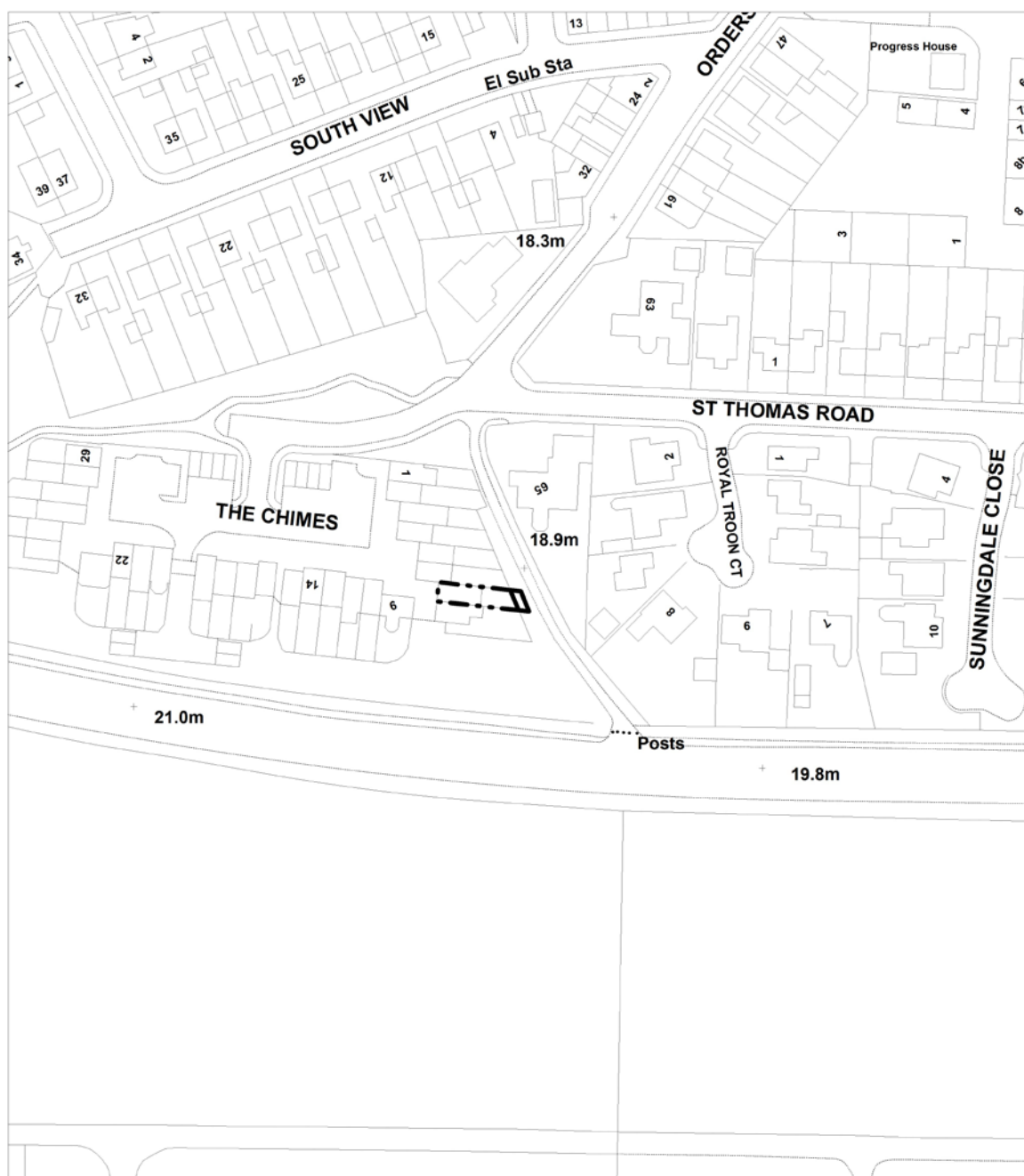
That Planning Permission be GRANTED subject to the following conditions:

1. This retrospective permission relates to the following details:

Approved plan:

- 'getmapping.com' - Location Plan

Reason: For the avoidance of any doubt.



| | | | |
|---------------------------------------|----------------------------------|--|-----------------------------|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2017). Ordnance Survey (100006084). | |
| Application No. 5/16/0683 | Address 7 The Chimes, Kirkham | Grid Ref. E.3421 : N.4317 | Scale 0 6 12 18 24 m |

Item Number: 5

Committee Date: 08 February 2017

| | | | |
|-------------------------------|---|-----------------------------|-----------------------------|
| Application Reference: | 16/0811 | Type of Application: | Outline Planning Permission |
| Applicant: | Metacre Ltd | Agent : | De Pol Associates |
| Location: | LAND WEST OF, CHURCH ROAD, WEETON WITH PREESE | | |
| Proposal: | OUTLINE APPLICATION FOR THE ERECTION OF 25 DWELLINGS TOGETHER WITH THE PROVISION OF A PUBLIC CAR PARK AND PUBLIC OPEN SPACE/RECREATION AREA. ALL MATTERS RESERVED | | |
| Parish: | STAINING AND WEETON | Area Team: | Area Team 1 |
| Weeks on Hand: | 17 | Case Officer: | Rob Buffham |
| Reason for Delay: | Delays in consultation replies | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.802841,-2.935355,575m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

The proposal for consideration by Members is an outline application (all matters reserved) for the erection of 25 dwellings, together with the provision of a public car park and open space/ recreation area, on land west of Church Road, Weeton. The site is allocated as a Countryside Area in both the adopted Fylde Borough Council Local Plan (FBLP) and Submission Version of the Fylde Local Plan 2032 (SV).

The development falls outside the settlement boundary of Weeton, representing encroachment into the countryside and is therefore contrary to Policy SP2 which acts to restrict residential development within such areas. Notwithstanding this, the Council cannot demonstrate a five year supply of housing land and Policy SP2 is therefore in conflict with the NPPF. Consequently Policy SP2 is out-of-date and the principle of residential development cannot be resisted on this basis.

Cumulatively, with other approved development in Weeton, the proposal will result in the provision of 48 dwellings, according with Weeton's designation as a Tier 2 rural settlement which recognises the settlement's sustainability to accommodate 50 homes over the plan period. This SV policy is material in the assessment of the proposal, with the Public Examination scheduled for 27 March 2017 and there has been no specific objection to Weeton being designated as a Tier 2 Rural Settlement. On this basis it is considered that weight is attributable to the Weeton being a Tier 2 settlement.

The proposed development, would result in an expansion of the village in the order of approximately 20%, in a location on the edge of the settlement boundary which relates well to the existing built-up edge of Weeton and existing services within the village, and those in adjacent settlements accessible by public transport facilities. Nor would it have any significant adverse effects on landscape character and quality with appropriate mitigation to

be introduced as part of the scheme in order to minimise impact. The development would however result in the loss of 3.9ha of the Borough's best and most versatile agricultural land, subgrade 3a, this should not however be seen as an overriding factor in the planning balance.

Numerous appeals have demonstrated that the principle of housing development cannot be resisted in the Countryside Area providing that it is sustainable in all other respects and that no other demonstrable harm would arise as a result. Whilst the development would result in encroachment into the countryside, it would not result in the introduction of isolated homes in and would make a valuable contribution to the delivery of market and affordable housing in the Borough in the absence of a five year supply.

The scheme demonstrates safe vehicular access, would result in an acceptable relationship with surrounding uses and appropriate mitigation can be provided to ensure that the development would have no adverse impacts in terms of ecology, flooding and drainage. The proposal would not affect the significance of any heritage assets in the locality and appropriate contributions would be secured to make the development acceptable in planning terms. The proposed development is therefore in accordance with the requirements of the relevant policies of the National Planning Policy Framework and the Development Plan.

The officer recommendation is that members support the application and delegate the authority to grant planning permission to officers subject to conditions and a legal agreement securing 30% affordable housing on the site and contributions toward primary and secondary education provision.

Reason for Reporting to Committee

The application is a major development which is recommended for approval by Officers. In accordance with the Council's adopted Scheme of Delegation the application must therefore be referred to the Development Management Committee for determination.

Site Description and Location

The application site is adjacent to the southern boundary of Weeton, being bound by rear facing housing to the north on Knowsley Close, Church Road and open fields beyond to the west, open fields to the east and the M55 motorway corridor to the south. The site is 3.9 hectares in size, is a square grazing field with land levels sloping in an upwardly fashion toward the west and southern boundaries from Church Road. Trees, hedgerow and village edge define the current site boundaries.

The site is designated as Countryside in the FBLP and SV.

Details of Proposal

Outline planning consent is sought for 25 dwellings on the site including provision of a public car park and open space/ recreation area, with all matters reserved. Detail relating to access, appearance, landscaping, layout and scale are to be assessed through subsequent reserved matters application(s).

An indicative layout has been provided which splits the site in two, with a developable area located to the north adjacent to existing housing within the village, and an open space to the south. Dwellings are stated to be predominantly 2 storey. The open space provision equates to approximately 2.61ha. Dwellings are sited to provide a back to back relationship with those existing

and outward facing housing to the countryside and internal road. A landscape buffer is provided between housing and the western edge, a buffer and fence line is also provided to the motorway boundary which will be designed to inhibit access to the motorway. Vehicular access is shown from Church Road, approximately 35m from the village boundary, providing access to housing and the public car park and will necessitate partial removal of hedgerow. It is envisaged that this car park will be available for use by the public. A separate pedestrian access is provided from the car park to Church Road, enabling direct access to the public footpath network thereby avoiding use of footpaths within the housing estate.

Relevant Planning History

None

Relevant Planning Appeals History

None

Parish/Town Council Observations

Weeton with Preese Parish Council notified on 19 October 2016 and comment:

“Recommend refusal of the application for the following reasons:

- *No local housing needs in Weeton – the previous development within the parish could not support requirements for local housing needs and occupants needed to be sourced from further afield.*
- *The proposed development is not supported by any retail outlets – there are no retail outlets and the nearest are located in Kirkham and Wesham where there is massive development of residential sites already on-going.*
- *Local policy concerning reduced travel demands would not be possible as no permanent bus service exists.*

If approved, the Parish would like the following to be considered for use on the open space area:

- *Car parking for village hall, residents of Knowsley Crescent and Church Road*
- *MUGA all weather pitch*
- *Dog walking path*
- *Fitness path with equipment*
- *Allotments”*

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

No objection subject to condition requiring off site highway works for the improvement of bus stops to DDA compliancy.

The site has good pedestrian and cycle links and is within 200m of bus stops. The closest bus stops (n/b on Church Road and both directions on Singleton Road) are currently not DDA compliant and I would request that the developer upgrades these stops under the section 278 agreement. This will be as part of the sustainable transport commitment of the development.

The site is currently served by a 2 hourly bus service, however with the current state of local government finance this service, along with others, cannot be guaranteed in the future.

The proposed 40 car parking spaces will not generate any additional traffic as its use is expected to be local and it will provide a suitable school drop off point for Weeton St Michael's primary school, reducing congestion at the school gate and the associated road safety issues.

The volume of traffic expected to be generated by this development will not have an adverse effect upon the local highway network and adequate visibility splays can be achieved from the proposed single access (as shown on drawing W/SL/01 Rev A).

Lancashire CC Flood Risk Management Team

No objection subject to provision of surface water drainage scheme with any subsequent reserved matters application and management/ maintenance of the sustainable urban drainage systems.

Greater Manchester Ecology Unit

No significant ecological constraints were identified by the developer's ecological consultant. Minor issues relating to nesting birds and ecological mitigation were identified which can be resolved via condition.

There is a very low risk to great crested newts (GCN) due to the presence of a pond 150m away. This pond was assessed to be low risk, distance from the application site and intervening terrestrial habitat indicates risk to be low. Informative is recommended advising of developer responsibilities to GCN.

Hedgerow needs to be removed to facilitate the development, which provides bird nesting habitat. Conditions are suggested to ensure removal outside of the bird nesting season.

Mitigation for loss of ecological value of the site is suggested to be provided by condition.

United Utilities - Water

No objection subject to drainage for the development being carried out in accordance with the principles of the submitted Flood Risk Assessment, and a condition requiring management/ maintenance of the sustainable urban drainage systems.

There is a formal easement through the eastern side of the application site and a large diameter trunk main crosses the site. The final layout should take account of this matter or diversion will be necessary.

Strategic Housing

No objections, expectation of 30% affordable housing to be delivered on site. Would also expect to see a number of affordable rented units on site as opposed to tenure solely being for intermediate provision. The reference in the application to 'starter homes' being included as part of the affordable provision is not acceptable as these are

not an affordable tenure.

Natural England

No objection, the proposal is unlikely to affect any statutorily protected sites or landscapes.

LCC Education

No objection subject to the contributions toward a shortfall of 10 primary school places (134,745.30) and 4 secondary school places (£81,214.36).

Primary school expenditure toward additional places at Whyndyke Primary School, and Secondary toward Kirkham Car Hill High School.

The above contributions are to be re-calculated once the exact bedroom number of dwellings is known.

Highways England

No objection subject to condition requiring landscaping and fencing to the motorway boundary to inhibit pedestrian access to the motorway, no drainage to the motorway, no construction works to result in temporary closure of the motorway, potential noise mitigation if considered necessary by the Local Authority.

The site is located some distance by road from the nearest access points to the SRN at the A585 trunk road. This fact, together with the scale of the development is not expected to result in there being a severe traffic impact upon the SRN.

Concern that the current proposals do not provide a robust physical barrier between the recreation area and the motorway, which may make it easy for people (and in particular children) to gain unauthorised access to the motorway. Given the intended recreational use of the site, there is an added risk that dogs without leads or items such as footballs could stray onto the motorway. This is likely to pose a safety risk, especially to road users.

Environmental Protection

No formal objection, subject to condition restricting construction hours, construction management plan for dust suppression and noise, details of noise mitigation to safeguard amenity of prospective occupants from road noise from M55 – properties should be constructed to achieve:

- Bedrooms (night-time) - 30dB LAeq, 8 hours / 45 dB LAmax
- Living rooms (daytime) - 35dB LAeq, 16hours
- External amenity space (daytime) – 55dB LAeq, 16 hours

Cllr John Singleton

Recommends refusal of the application:

- There is no local housing needs in Weeton. The previous Jones Homes development within the parish could not support requirements for local housing needs and occupants needed to be sourced from further afield.
- Visual impact to character of rural area.
- Lack of retail outlets. The nearest shops are located in Kirkham and Wesham.

- Local policy concerning reduced travel demands would not be possible as no permanent bus service exists. The Lancashire County Council reduced bus service has only be given an extension, and this ends mid 2017
- The village suffers from various traffic issues in general and this proposed application would merely compound the problem – there is a danger of the main thoroughfare becoming a rat-run.
- As with most places now drainage and flooding is a definite and existing issue within the village with the present system in place. The construction of yet more housing tying in to this existing system is a disaster waiting to happen.
- The properties planned are family targeted, but the local primary school has no current provision to accommodate any further pupils. There is no high school in the immediate vicinity and no long term bus service providing access to places of education on a regular basis.

Neighbour Observations

Neighbours notified: 19 October 2016

Site Notice Date: 25 October 2016

Press Notice Date: 27 October 2016

Number of Responses 2

Summary of Comments: Object due to:

- Increased traffic on the roads.
- Add to flood problems in the area – hard to enter/ leave the village after heavy rain.
- No drawings to demonstrate height of proposed dwellings and how this will impact on current views, or how the dwellings will be segregated from the boundary of existing houses.
- No explanation for use of proposed car park. Existing parking problems, will parking be available for residents of Church Road?
- Increased cars visiting the play area will spill over onto the highway.
- Safety provision for pedestrians/ children crossing the new access point.
- No information about Construction management – wheel cleaning to eliminate debris on the roads?
- What foundation solution is proposed? And will be vibration monitoring be stipulated during construction?
- What measures will be put in place to prevent damage to property during construction?

Relevant Planning Policy

Fylde Borough Local Plan:

| | |
|--------|--|
| SP02 | Development in countryside areas |
| HL02 | Development control criteria for new housing proposals |
| HL06 | Design of residential estates |
| TR05 | Public transport provision for large developments |
| TREC17 | Public Open Space within New Housing Developments |
| EP10 | Protection of important landscape and habitat features |
| EP11 | Building design & landscape character |
| EP12 | Conservation trees & woodland |
| EP14 | Landscaping of new developments |
| EP18 | Natural features |
| EP04 | Alteration and adaptation of listed buildings |

| | |
|------|---------------------------------|
| EP19 | Protected species |
| EP22 | Protection of agricultural land |
| EP27 | Noise pollution |
| EP30 | Development within floodplains |

Fylde Local Plan to 2032:

| | |
|------|--|
| NP1 | Presumption in favour of Sustainable Development |
| S1 | Proposed Settlement Hierarchy |
| DLF1 | Development Locations for Fylde |
| SL5 | Development Sites outside Strategic Locations for Devt |
| GD1 | Settlement Boundaries |
| GD4 | Development in the Countryside |
| GD7 | Achieving Good Design in Development |
| H1 | Housing Delivery and the Allocation of Housing Land |
| H2 | Density and Mix of New Residential Development |
| H4 | Affordable Housing |
| HW1 | Health and Wellbeing |
| INF1 | Service Accessibility and Infrastructure |
| INF2 | Developer Contributions |
| T4 | Enhancing Sustainable Transport Choice |
| T5 | Parking Standards |
| CL1 | Flood Alleviation, Water Quality and Water Efficiency |
| CL2 | Surface Water Run-Off and Sustainable Drainage |
| ENV1 | Landscape |
| ENV2 | Biodiversity |
| ENV4 | Provision of New Open Space |
| ENV5 | Historic Environment |

Other Relevant Policy:

| | |
|-------|-------------------------------------|
| NPPF: | National Planning Policy Framework |
| NPPG: | National Planning Practice Guidance |

Supplementary Planning Document Extending Your Home.

Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The main issues pertinent in the assessment of this proposal are:

- Principle of development.
- Relationship with Surrounding Development.
- Highways.
- Flood risk and drainage.
- Ecology.
- Trees.
- Heritage.

Principle of Development

Policy Context

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 indicates that development proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF advocates a presumption in favour of sustainable development and in terms of decision taking this means approving development proposals that accord with the development plan. Where the development plan policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in Framework. It advises that decision takers at every level should seek to approve applications for sustainable development where possible.

Site Allocation

The site is located within the Countryside Area as defined on the Proposals Map of the FBLP and SV. Policies SP2 and GD4 are of relevance and seek to safeguard the natural quality of the countryside area by supporting development related to agriculture, horticulture, forestry or other uses appropriate to a rural area only. The development proposed cannot be categorised as such and is therefore contrary to Policies SP2 and GD4.

Notwithstanding this, an assessment of principle against the NPPF and other material considerations must be made to determine whether there is sufficient justification to outweigh this position.

Housing Need

Paragraph 47 of the NPPF emphasises the importance of housing delivery through requirement of a five year supply for market and affordable housing. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing are not considered up to date if a 5 year supply of deliverable sites cannot be demonstrated.

The Council's most recent housing land supply position statement, as of 31 March 2016, indicates a supply of 4.8 years. In the absence of a five year supply policies of the development plan which relate to housing supply, including FBLP Policy SP2, cannot be considered up to date and are in conflict with the NPPF. Therefore, the release of housing sites in the countryside area is acceptable in accordance with paragraphs 47 and 49 of the NPPF provided that there are no overriding policy or other material considerations to indicate that development should be refused.

Policy DLF1 of the SV sets out a targeted strategy for new residential development within Fylde, identifying Weeton as a Tier 2: Smaller Rural Settlement. Justification text to Policy SL5 confirms that Tier 2 locations can accommodate up to 50 homes over the plan period (2011-2032) with delivery being reliant upon windfall development as opposed to allocated sites. This Policy is an acknowledgement that Weeton is capable of accepting a certain amount of growth, being based upon a sustainable assessment of the village's location, services and accessibility through the Local Plan review process. This SV policy is material in the assessment of the proposal, with the Public Examination scheduled for 27 March 2017, there has been no specific objection to Weeton being designated as a Tier 2 Rural Settlement. On this basis it is considered that weight is attributable to the policy.

Taking that further, 23 units have been approved within Weeton over the plan period (2011 – 2032) namely development at Birkett House (09/0770 – 1 unit approved on 29 May 2013), The Laurels (12/0772 – 16 units), St Michael's Close (12/0772 – 4 units), Moons Cottage (15/0456 – 1 unit),

Knowsley Farm (16/0493 – 1 units). A further 8 units were approved on St Michaels Close in 2005 (05/1033) but are outside of the plan period. Collectively these commitments over the plan period including that of the current proposal, will result in an additional 48 units at Weeton, the proposal is therefore in accordance with the scale suggested in the Tier 2 target of the emerging Fylde Local Plan to 2032.

Does the proposal deliver sustainable development?

The National Planning Policy Framework requires developments to be sustainable. There are many aspects to be considered in that assessment, with the key issues for a residential scheme in this location being availability and accessibility of services, scale of development, visual impact and loss of agricultural land.

Concern has been raised to sustainability of the site in relation to the lack of shops in Weeton, with those closest being in Kirkham and Wesham, combined with a reduced bus service which is reported to end mid 2017. The implications of this are assessed in the following sections of this report.

Accessibility and Availability of Services

The application site is located immediately south of the village envelope of Weeton. With regards to available services, within the village there is a Community hall, public house, post box, equipped play area and public open space. Weeton St Michael's CE Primary School and Church are located outside the village, within walking distance some 250m to the south of the application site accessible by the footpath network. There is a second primary school located at Weeton Barracks.

Whilst there is capacity at both Weeton Schools up to 2021, LCC Education report a shortfall of primary school places due to the inclusion of Ribby with Wrea Primary School in their assessment, and a shortfall of secondary places. On this basis, a financial contribution is requested from the development which will be used to increase provision, in this instance £134,745.30 for 10 primary school places at Whyndyke Primary and £81,214.36 for 4 places at Kirkham Carr Hill High School.

There are two bus stops within the Village, located on Church Road and Mythop Lane, which are within walking distance of the application site. These stops provide the number 75 service between Fleetwood and Preston, calling at Thornton, Poulton and Kirkham and is a 2 hourly service. An objector refers to this service being discontinued, however advice from LCC Highways confirms this service is not identified for any changes at this time, though this cannot be guaranteed long-term due to issues surrounding local government finance.

It is inevitable that sites within the countryside will not benefit from the same accessibility to services as those within the urban area and reliance on other settlements may be needed for services such as health and education. It does not, however, follow that all development within the rural area is always unsustainable and, as acknowledged at paragraph 55 of the NPPF, the introduction of housing in rural areas is capable of maintaining or enhancing the vitality of rural communities by supporting and/ or adding to local shops and services. Indeed, the test in paragraph 55 of the NPPF is to avoid new isolated homes in the countryside.

The proposed development, by virtue of its location on the edge of the settlement, would be well connected to existing facilities and would not be isolated from them in comparison to existing dwellings within the village envelope. Moreover, the addition of 25 dwellings would help sustain existing services such as the public house and could act as a catalyst for the development of facilities and services. The site is accessible by a bus services, which provides a 2 hourly 6 day service to larger settlements. There is a school and church within walking distance of the application site and there are other facilities including shops, secondary education and health care opportunities at nearby

settlements. On this basis, the site is not considered to be isolated or in an unsustainable location.

Therefore whilst the application would be contrary to Policy SP2 of the FBLP in this instance there is greater weight to be given to the NPPF due to the sites sustainable location, housing objectives and presumption in favour of sustainable development.

Scale of Development

The scale of development proposed is intrinsic to the scheme design, the NPPF states that design is a key aspect of sustainable development and that permission should be refused for development of poor design. Policy HL2 of FBLP supports residential development subject to a number of set criteria, with reference to scale of development this criteria includes development to be in-keeping with the character of the locality and a density of between 30-50 units per hectare.

The indicative layout provides for a density of 7 dwellings per hectare (DPH), based on a site area of 3.9 hectares referred to in the submitted application form. This DPH figure is low in comparison to policy requirements, though it is recognised that 2.61ha (63%) of the site is indicatively proposed as open space within the scheme, and so discounting the POS the density of the developable area is 20 dph. The density requirements of Policy HL2 are not representative of a village setting or location of the development within countryside, being akin to a higher density urban area. The application site represents a transition between the village boundary and countryside beyond and on this basis a lower density scheme providing a sense of openness is more appropriate and should be supported over achieving the higher density development in the Plan.

The outline nature of the application means that there are no elevation drawings of dwellings proposed, although the Design and Access Statement has confirmed that properties are to be predominantly 2 storey in appearance. Dwellings within the village are 2 storey or bungalow in appearance and so this character should be provided within the development. On this basis it is recommended that an appropriate condition restricting the size of dwellings to 2 storey is attached to any subsequent approval notice

There are approximately 122 dwellings in the village of Weeton. Based on this total, the proposal of 25 units would result in a 20% increase in the village size. This is considered to be an acceptable scale of growth bearing in mind that anticipated by the Tier 2 designation in the SV, and would not place significant pressure on existing services within Weeton or adjacent settlements. These figures only give a quantitative context to the level of expansion and there is no set percentage in policy terms to restrict settlement expansion. Instead, the consideration is whether any impacts arising as a result of the development's size, scale and relationship to the settlement would give rise to significant and demonstrable harm which would outweigh the benefits that it would otherwise deliver. The development's impact on the character and appearance of the area in visual and landscape terms are considered to be of principal significance in this regard.

Visual and Landscape Impact

Policy HL2 supports new residential development which is compatible with adjacent land uses and would be in-keeping with the character of the locality. Policy EP11 states that new development in rural areas should be sited so that it is in keeping with landscape character, development should be of a high standard of design and matters of scale, features and building materials should reflect the local vernacular style. Policies EP10 and EP12 seek to protect the distinct character and important habitats of Fylde will be protected, including protection of important landscape and habitat features, such as hedgerows. Policy EP14 requires new housing developments to make suitable provision for landscape planting. This reflects policies of the SV.

The applicant has submitted an Arboricultural Impact Assessment (AIA) which includes a survey of trees within and overhanging the site in respect of their condition, retention category and root protection area. The assessment concludes that trees are generally in a good to fair condition and that a section of hedgerow must be removed to facilitate the development. It is advised that retained trees be protected during development. The indicative layout illustrates retention of all trees and the majority of perimeter hedgerow with sufficient stand off distances to minimise disturbance from development within root protection areas. Accordingly, the most valuable landscape features on the site would be retained. Conditions are suggested requiring the reserved matters application to be based on the landscape strategy depicted in the outline submission and tree protection measures during construction.

The site is situated on the southern edge of the settlement boundary of Weeton and forms part of a larger expanse of open countryside which envelopes the village. The site's northern boundary abuts the built up area adjacent to dwellings on Knowsley Close. Existing dwellings have a rear facing aspect over the application site with rear gardens and associated boundary treatment exposed through intermittent hedgerow. A mix of trees and hedgerow form a natural boundary to other elevations of the site. The site is not considered to be in a particularly prominent location with its main vantage point being from Church Road. Distant views over adjacent fields are obtained from Kirkham Road to the east, but are interrupted by hedge planting. Hedging and existing dwellings act to obscure the development on western approach to the Village and the site is obscured from any vantage point to the south on the M55 by the landscape and motorway embankment.

The Illustrative Framework Plan splits the application site in two, with housing to the village side of a landscape buffer and expanse of public open space. This is considered to be a natural expansion of Weeton which relates well to the defined village boundary. The proposal provides opportunity for an outward facing development, with significant landscaping buffer and retained/ improved natural features that will act as a soft barrier to assimilate the proposal into the countryside setting, enhancing the appearance of the village edge. Such features are intrinsic to the proposal making a successful transition between urban and rural, forming appropriate mitigation against the countryside encroachment. Detail with regards to the car park surface is not yet known and it must be acknowledged that a black tarmac surface would not be appropriate in this countryside setting, a more sensitive surface is required, for example grasscrete and can be secured through condition at reserved matters stage.

It must be accepted that the proposal will result in the urbanisation of a countryside location with resultant harm to landscape character. Notwithstanding, this is the case for the majority of sites in the Countryside Area and it follows that site-specific considerations will be important in determining the degree of harm arising. The development would diminish openness and would interrupt existing external views of the site where available, though the site is not considered to be in a prominent location. Any harm would be minimised by virtue of the development's relationship with existing buildings on the edge of the settlement, retention of existing features and provision of new landscaping within the proposal. It is not considered that the limited visual harm to landscape character would be sufficient to outweigh the housing supply benefits of the scheme to a degree which would warrant refusal of the application. Moreover, mitigation would be introduced in order to ensure that any adverse impact in this regard is minimised.

It is important that the parameters of the Illustrative Framework Plan are provided within any subsequent reserved matters planning application, this can be controlled by condition.

Loss of agricultural land

Policy EP22 states that development will not be permitted if it would involve the permanent loss of

the best and most versatile agricultural land (grades 1, 2 and 3a) where it could reasonably take place on previously developed sites, on land within the boundaries of existing developed areas or on poorer quality agricultural land. Policy EP22 identifies that there is no Grade 1 agricultural land within the borough, with Grades 2 and 3a considered the best and most versatile.

The application is supported by an Agricultural Land Classification (ALC) assessment which concludes that land quality on the whole site is limited by soil wetness and workability, mainly to subgrade 3a. On this basis it should be concluded that the development would result in the permanent loss of the best and most versatile agricultural land within the Borough.

Notwithstanding this, the majority of land surrounding Weeton is likely to be classified similar and there is insufficient land available within the Village envelope to accommodate the provision of the 50 units advocated by the SV. On this basis it is considered that loss of some best and most versatile agricultural land is necessary to meet the housing demands of the Tier 2 classification. Furthermore, the loss of the Borough's best and most versatile agricultural land for residential development has been allowed at a number of recent appeal on the basis that the test in the NPPF is to avoid the loss of 'significant areas' of BMV land. On balance, whilst the loss of subgrade 3a agricultural land is noted, this should not be seen as an overriding factor in the planning balance.

Principle of Development – Conclusion

The site lies within the Countryside Area and outside the settlement boundary of Weeton, as identified on the FBLP and SV Proposals Maps. The proposal does not fall within any of the categories of appropriate development outlined in policies SP2 or GD4 and is therefore contrary to these policies. However, given the absence of a five year supply, housing supply policies including those restrictive policies such as SP2 and GD4, are considered out-of-date and in conflict with the NPPF. As a result, little weight can be attached to them in the decision making process.

Policies DLF1 and SL5 of the SV designates Weeton as a Tier 2 Rural Settlement, capable of sustaining residential development up to 50 units. This proposal, combined with those approved during the plan period to date (2011-2032) is equivalent to 47 units, according with the housing supply policies of the SV. The SV is due to be examined in public in March 2017 and there has been no objection to Weeton's Tier 2 designation in the plan. On this basis weight can be afforded to DLF1.

The application site is considered to be in a sustainable location and would not result in the introduction of isolated homes in the countryside. The scale of development is considered appropriate and would not unacceptably undermine the character of Weeton. The development is well related to the defined Village Boundary, a deep landscaping buffer to open countryside and outward facing development will provide a transitional buffer between urban and rural enhancing the village setting. The site is not considered to be in a highly prominent location, retention of natural features and strengthening of landscaping to the site boundaries would ensure that any harm to landscape character and visual amenity is minimised. Development of the site would result in the loss of subgrade 3a agricultural land but this matter alone is not considered sufficient grounds for refusal.

As has been demonstrated through numerous appeals, the principle of housing development cannot be resisted in the Countryside Area providing that it is sustainable in all other respects and that no other demonstrable harm would arise as a result. Whilst the development would result in encroachment into the open countryside, it would make a valuable contribution to the delivery of housing in the Borough, in the absence of a five year supply. Additional benefits occur in this case as the development would deliver up to 30% affordable housing on the site. On balance, it is

considered that the benefits of housing supply arising as a result of the development would outweigh the limited harm which has been identified in visual and landscape terms and that principle of development is acceptable, having particular regard to the requirements of the Development Plan and NPPF.

Relationship with surrounding development

Policy HL2 of the FBLP and GD7 of the SV support new residential development that would have no adverse effect on the amenity and privacy of neighbouring properties. This amenity impact includes privacy, dominance, loss of light, over shadowing or disturbance resultant from the development itself on neighbours, or during the construction period. The SPD Extending Your Home, provides additional guidance with particular reference to separation distances between dwellings to ensure the amenity of residents is safeguarded. Concern from an adjacent neighbour has been raised on such grounds, as well as wheel cleaning and vibration controls during the construction period.

The planning application is made in outline form with detailed siting of dwellings being reserved for subsequent application, the relationship between dwellings proposed and neighbours cannot therefore be assessed at this time. Notwithstanding this, the Illustrative Layout introduces a back to back relationship with existing dwellings on Knowsley Close and provides for appropriate separation distances to the proposal. Policy HL2 and GD7 are clear in that amenity of existing residents must be safeguarded and it is expected that any subsequent reserved matters application is similarly compliant with these Policies.

The application site is located adjacent to the M55 corridor, which has the potential to affect the amenity of prospective residents by virtue of road noise. It is considered that any impact can be mitigated through the design/ layout of the development and mitigation is suggested to ensure properties are constructed to achieve specific noise levels within bedrooms, living rooms and external amenity spaces. This can be controlled by condition.

The proposal will intensify use of the site and increase the number of vehicles on access roads in the locality. The level of vehicle activity associated with the development is not considered to have a significant noise impact on adjacent residents and is therefore unlikely to cause an unacceptable disturbance. It is inevitable that there will be some disruption for residents during the construction period. This disruption however is temporary, for duration of the build and is therefore acceptable. Conditions can be imposed to reduce this disruption for neighbours and construction hour's restriction, wheel wash facility, vibration and dust controls are recommended.

Highways

Paragraph 32 of the NPPF states that decision makers should take account of whether safe and suitable access to the site can be achieved for all people, and, improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy HL2 supports new residential development provided satisfactory access and parking arrangements are provided, and do not adversely affect the safe and efficient operation of the highway network, either individually or cumulatively with other permitted developments. Policy TR1 also encourages the improvement of facilities for pedestrians to encourage walking as an alternative means of travel. Policy GD7 and T5 of the SVFLP reiterate the above highway policy position.

Objection has been raised regarding increased traffic on the roads, existing rat running, displacement of parking to the street and use of the car park and discontinuation of the bus service.

Access arrangements do not form part of the outline submission, though the Illustrative Layout does indicatively show entrances and internal road layout. Vehicular access will be made by punching through the existing field hedge boundary, located approximately 35m from the village boundary. A 40 space car park is also proposed and whilst use is not referred to in the submission, response from the Parish Council expresses a desire for use by the village hall, residents of Knowsley Crescent and Church Road. The adjacent school also has restricted staff parking arrangements and highway safety concerns at drop off/ pick up times from parents parking on Church Road. A separate pedestrian entrance is provided to the car park.

Whilst shown indicatively, the access provides for satisfactory visibility for oncoming traffic and a safe means of entry/ exit to the site. The additional traffic that the proposal puts on the highway network is not considered to be severe. Provision of a car park within the scheme will ease existing highway pressures in the locality felt by the Village Hall, residents and the school and should form part of any subsequent reserved matters application on this basis.

LCC Highways and Highways England raise no objection to the proposal.

There are three bus stops within the Village, located on Church Road (1) and Singleton Road (2), which are within walking distance of the application site. These stops provide the number 75 service between Fleetwood and Preston, calling at Thornton, Poulton and Kirkham and is a 2 hourly service. An objector refers to this service being discontinued, however advice from LCC Highways confirms this service is not identified for any changes, though they do acknowledge that with issues surrounding local government finance its continued existence cannot be guaranteed. Off site works to upgrade these bus stops to be DDA compliant is requested to improve sustainability of the site, this will be required by condition.

Whilst the highway concerns of residents is noted, in light of the LCC Highways and Highways England assessment of the proposal it is considered that the development provides for a safe and suitable access and that impact on the network would not be severe, in accordance with the development plan and NPPF.

Parking

The planning application is made in outline form with detailed assessment of parking provision being reserved for subsequent application. In the absence of floor plans, it is impossible to assess compliancy with adopted parking standards. Notwithstanding this, Policy HL2 and TL5 require that residential development provides for appropriate car parking and it is expected that any subsequent reserved matters application will be capable of compliance with this Policy.

Flood Risk and Drainage

The site falls entirely within flood zone 1, as defined on the Environment Agency's Flood Map. Since the site is over 1 hectare in area, a Flood Risk Assessment (FRA) has been submitted with the application, this also incorporates an Outline Drainage Strategy Report.

Paragraph 100 of the NPPF states that *"inappropriate development in Flood Zones 2 and 3 should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere"*. Policy EP30 states that development will not be permitted which would be subject to an unacceptable risk of flooding or create an unacceptable increase in the risk of flooding within the development site, or elsewhere. Policy EP25 stipulates that development will only be permitted where foul sewers and sewerage treatment facilities of adequate design and capacity are available to meet additional demand or their provision can be secured as part of the development. Policies CL1 and CL2 of the SV reflect

EP25 and EP30, and encourage use of sustainable urban drainage systems.

Residents have raised concern with regards to existing flood problems at times of heavy rainfall.

The FRA concludes that there is not a material flood risk attributable to the proposed development. Members should note that the detailed drainage design cannot be determined until reserved matters stage, though an indicative drainage strategy has been outlined in the FRA and demonstrates that a viable sustainable drainage solution is achievable within the constraints of the site.

The proposal has been considered by the Lead Local Flood Authority, Environment Agency and United Utilities who have not raised objection to the proposal, but do require specific conditions to be attached to any subsequent approval notice. Such conditions include submission of a detailed drainage strategy to ensure that the rate of surface water discharge from the site does not exceed the pre-development (greenfield) run off rate, that separate systems are installed for the discharge of foul and surface water, and that appropriate management and maintenance plans are put in place in respect of any sustainable drainage system. On this basis, whilst the concerns of residents is noted, it is considered that adequate measures can be put in place in order to ensure that the development poses no unacceptable risk in terms of flooding in accordance with the development plan and NPPF.

Ecology

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 states that local planning authorities should aim to conserve and enhance biodiversity, if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused, opportunities to incorporate biodiversity in and around developments should be encouraged.

The site has no specific nature conservation designation in the Local Plan, though is within a Site of Special Scientific Interest (SSSI) impact risk zone associated with the Wyre Estuary SSSI. Policy EP15 indicates that development affecting the integrity of a designated European Site will not be permitted. Policy EP16 states that development proposals within or likely to prejudicially affect SSSIs will not be permitted unless damaging impacts on the nature conservation interest of the site can be appropriately avoided or mitigated. Policy EP18 encourages the retention/replacement of existing natural features and the introduction of additional features as part of the development in order to provide biodiversity enhancements. Policy EP19 identifies that development which would have an adverse impact upon species specifically protected under schedules 1, 5 or 8 of the wildlife and countryside act 1981, (as amended) or their habitats will not be permitted. Policies ENV1 and ENV2 of SVFLP reflect this current policy position.

An ecology survey has been submitted in support of the application. The survey indicates that protected species such as badger, bats and GCN are not considered to be a constraint to the development. It is unlikely that GCN are present on the site however due to the presence of a pond within 250m reasonable avoidance measures during construction are recommended. Existing bat foraging features to field boundaries can be retained within the development. Hedgerow to be removed does afford bird nesting opportunity and works should be undertaken outside of the bird nesting season.

The ecology survey demonstrates that the development is capable of being carried out without

adversely affecting important habitats and species on/adjacent to the site. Features of ecological significance are capable of being retained, replaced or introduced as part of the scheme in order to provide appropriate mitigation, biodiversity enhancements, and to ensure that the development does not affect the favourable conservation status of protected species. Indeed Natural England comment that the proposal is unlikely to affect statutorily protected species or landscapes. GMEU raise no objection to the report findings, subject to condition relating to nesting birds and ecological enhancement measures to compensate for lost habitat. The proposal is therefore in accordance with the objectives of the development plan and the NPPF.

Trees

There are a number of trees and hedgerow on the site which afford amenity value to the locality, though are not protected by Tree Preservation Order. Policy EP12 states that trees and hedgerows which individually or in groups make a significant contribution to townscape or landscape character will be protected. Policy GD7 of the SVFLP seeks to protect existing landscape features.

The majority of trees and hedgerow to the site periphery are indicated to be retained within the development. Notwithstanding this, a small portion of hedgerow is to be removed to facilitate the access arrangement. Additional tree and hedgerow planting is provided on the Illustrative Layout and there is no objection to loss on this basis. The proposal indicates good stand off distances to retained trees/ hedgerow to ensure longevity of this habitat. Such features should be provided within the reserved matters application and construction should also be restricted within the root protection areas by appropriate exclusion zones. This can be controlled by condition.

On this basis the proposal is considered to accord with Policies EP12 and GD7, subject to protection of retained trees and hedgerows, and provision of additional tree planting within the development which can be controlled by condition.

Heritage

Weeton Church of St Michael, is located approximately 300m to the south of the application site on Church Road. According to the Historic England web site, the church is Grade II Listed. Paragraphs 132 and 133 of the NPPF make clear that any development causing substantial harm or total loss to the significance of a designated heritage asset (including its setting) should be refused, other than in exceptional circumstances. This approach is supported by FBLP Policy EP4 and ENV5 of SVFLP which states that development which would harm the setting of a listed building will not be permitted.

The Grade II heritage assets are located approximately 300m to the south, located to the brow of a hill. The motorway corridor and trees to the motorway embankment, a primary school and dwelling are all located to the north of Listed Building, acting to obscure a direct line of sight between the Asset and the application site. Glimpsed views may be obtained, but are interrupted by the presence of these buildings and tree planting.

There are two other Grade II Listed Buildings within Weeton (Cruck Barn, Singleton Road and Bradkirk Hall Farmhouse, Weeton Road), both of which are located within the village obscured from the application site by housing.

On this basis it is not considered that the development would have any harmful impact, nor would it diminish significance on the setting of the listed heritage assets, in accordance with the development plan and NPPF.

Other issues

Open space:

Policy TREC 17 of the FBLP and ENV4 of the SVFLP supports new residential development subject to the provision of amenity public open space (POS), including facilities for children's play where appropriate, in accordance with standards relevant to the number of bedrooms within each dwelling provided. The outline nature of the application means that there can be no clarity on this matter, however the illustrative layout shows a large area of open space within the development.

The Parish Council has suggested a number of different uses for the POS including a Multi Use Games Area, dog walking path, fitness path with equipment and allotments. The school has also stated a desire for a grassed area to compensate for a lack of such facilities at their site. Given the Outline nature of the proposal, specific use of the POS has not been identified though majority of the uses proposed could be incorporated without harming the intended openness of this area of the site. Concerns would be raised to the visual intrusion of a MUGA and structures associated with an allotment use and it should be noted that there is already a centrally located equipped play area and POS within the village.

To inform use of the POS which should be demonstrated within the reserved matters submission, it is advised that further discussion is held between the applicant, Parish Council and School about use.

Affordable housing

Paragraph 50 of the NPPF requires affordable housing to be provided where needs have been identified. Policy H4 of the SVFLP requires a 30% provision of affordable housing in new development, being based on The Fylde Coast SHMA 2014 which sets out the need for affordable housing in the Borough.

If members are minded to approve the scheme, the applicant will have to enter into a Section 106 Legal Agreement to ensure provision of 30% affordable dwellings within the development. The Legal Agreement will secure the contribution amount and any required phasing of the payment. Given the outline nature of development, the contribution will be reassessed once accurate bedroom information becomes available.

Education

It is expected that development provides for any identified shortfall in local education provision. Policy CF2 of the FBLP and INF2 are of relevance and place such a requirement on development. The response from LCC Education confirms that there is a shortfall of primary (10 places) and secondary (4 places) school capacity and that the development will be required to provide a financial contribution equivalent to:

- Primary School Contribution of £134,745.30 to provide 10 additional places at Whyndyke Primary School.
- Secondary School Contribution of £81,214.36 to provide 4 places at Kirkham Carr Hill High School.

Conclusions

The development falls outside the settlement boundary of Weeton, representing encroachment into the countryside and is therefore contrary to Policy SP2 and GD4, which act to restrict residential development within such areas. Notwithstanding this, the Council cannot demonstrate a five year supply of housing land and Policies SP2 and GD4 are in conflict with the NPPF. Consequently these

policies are out-of-date and the principle of residential development cannot be resisted.

Cumulatively, with other approved development in Weeton, the proposal will result in the provision of 48 dwellings, according with Weeton's designation as a Tier 2 rural settlement, capable of accommodating up to 50 homes over the plan period. This SV policy is material in the assessment of the proposal, with the Public Examination scheduled for 27 March 2017, there has been no specific objection to Weeton being designated as a Tier 2 Rural Settlement. On this basis it is considered that weight is attributable to the policy.

The proposed development, would result in an expansion of the village in the order of approximately 20% in a location on the edge of the settlement boundary which relates well to the existing built-up edge of Weeton, and existing services, and public transport facilities available within the village. Accordingly, the scheme is considered sustainable and would not result in the introduction of isolated homes in the countryside. Nor would it have any significant adverse effects on landscape character or quality and appropriate mitigation can be introduced as part of the scheme in order to minimise impact. It is recognised that there will be loss of subgrade 3a agricultural, though this matter alone is not considered sufficient to warrant refusal of the proposal.

Recent appeals have demonstrated that the principle of housing development cannot be resisted in the Countryside Area providing that it is sustainable in all other respects and that no other demonstrable harm would arise as a result. Whilst the development would result in encroachment into the countryside, it would make a valuable contribution to the delivery of new housing in the Borough in the absence of a five year supply with the added benefit of 30% affordable housing on the site. Therefore, on balance, it is considered that the benefits arising as a result of the development outweigh the limited harm which has been identified in visual and landscape terms and, accordingly, that the principle of development is acceptable.

It is considered that the development can provide for satisfactory access to the site and there is sufficient capacity to ensure that the level of traffic generated by the development would not have a severe impact on the safe and efficient operation of the surrounding highway network. The scheme can provide for an acceptable relationship with surrounding uses and appropriate mitigation can be provided to ensure that the development would have no adverse impacts in terms of ecology, flooding and drainage. The proposal would not affect the significance of any heritage assets in the locality and appropriate contributions would be secured to make the development acceptable in planning terms. The proposed development is therefore in accordance with the requirements of the relevant policies of the National Planning Policy Framework and the Development Plan.

Recommendation

That the authority to GRANT planning permission be delegated to the Head of Planning and Regeneration, subject to further discussion with the Highway Authority regarding contributions towards bus service enhancements, and, on completion of a Section 106 agreement that will secure:

- provision, retention and operational details for 30% of the proposed dwellings to be affordable properties
- a contribution towards addressing the shortfall of primary and secondary education capacity to serve the occupants of the development, as follows:
 - Primary School Contribution of £134,745.30 to provide 10 additional places at Whyndyke Primary School.
 - Secondary School Contribution of £81,214.36 to provide 4 places at Kirkham Carr Hill High School.

with the agreement also clarifying the phasing of its payment.

And that the planning permission be granted subject to the following conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning & Regeneration believes is necessary to make otherwise unacceptable development acceptable):

1. Application for approval of all reserved matters must be made not later than the expiration of three years from the date of this permission and the development must be begun not later than:

- the expiration of three years from the date of this permission; or,
- two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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.

2. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development is commenced:

- Access.
- Layout.
- Scale.
- External appearance.
- Landscaping.

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.

3. This permission relates to the following plans:

- Drawing number W/LP/01 (Location Plan).
- Amended drawing number W/SL/01 revision A (Illustrative Only Weeton - Sketch Layout) received on 4th January 2017.
- Amended drawing number W/PP/01(Weeton - Parameters Plan) received on 10th January 2017.

Supporting Documents:

- Transport Statement (October 2016).
- Planning Statement (October 2016).
- FRA & Drainage Statement (October 2016).
- Extended Phase 1 Habitat Survey ((2016).
- Design and Access Statement.
- Agricultural Land Classification (August 2016).
- Arboricultural Impact Assessment (Godwins Arboriculture Ltd)

Except as provided for by other conditions to this permission, any application for approval of reserved matters submitted pursuant to condition 2 of this permission shall accord with the outline permission insofar as it relates to the maximum number of dwellings.

Reason: The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015. Access has

been applied for and any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission.

4. Any application which seeks approval for the reserved matter of Layout pursuant to condition 2 of this permission shall accord with the parameters shown on amended drawing numbers W/SL/01 rev A received on 4th January 2017 and , namely:

- the net developable area of the site as per drawing number W/PP/01.
- Vehicular and pedestrian access points as per drawing number W/SL/01 rev A.
- the areas to be laid out as 'public open space/ recreational area' as per drawing number W/PP/01.
- the provision of proposed buffer and proposed fence line as per drawing number W/SL/01 rev A.
- the provision of the car park and pedestrian entrance as detailed on amended drawing number W/SL/01 rev A, for use by the Village Hall, residents, Staff of Weeton St Michael's CE Primary School, drop off/ pick up of children attending Weeton St Michael's CE Primary School and users of the public open space W/SL/01 rev A received on 4th January 2017.

Any application which seeks approval for the reserved matter of Scale pursuant to condition 2 of this permission shall ensure the dwellings are no greater than 2 storeys in height.

The public open space elements of the scheme shall be provided prior to first occupation of the development and retained thereafter, unless an alternative timeframe for delivery is agreed with the Planning Authority.

Reason: To ensure that any application for the approval of reserved matters accords with the parameters shown on the masterplan with respect to the developable and non-developable areas of the site in the interests of ensuring a Scale and Layout of development which is sympathetic to the character and setting of the site and to minimise the development's visual impact on the surrounding landscape, in accordance with Policies HL2 and EP11 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

5. Any application which seeks approval for the reserved matter of landscaping pursuant to condition 2 of this permission shall provide for a development which demonstrates compliance with the principles of the landscape strategy indicated on amended drawing number W/SL/01 revision A received on 4th January 2017. The scheme shall include, but not be limited to, the following details:

- retention of existing trees, hedgerows and other vegetation on/overhanging the site.
- a compensatory planting scheme to replace any trees or hedgerows to be removed as part of the development.
- the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (1) to (3).
- the type, size, species, siting, planting distances and the programme of planting of hedgerows, trees and shrubs.

The approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed 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 that a suitable landscaped buffer is introduced between the site and adjoining land in order to soften the development's visual impact on the open countryside, and to ensure

the introduction of appropriate compensatory landscaping and habitat replacement as part of the development, in accordance with Policies HL2, EP10, EP12, EP14, EP18, EP19 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

6. Prior to commencement of the development hereby approved, details of finished floor levels and external ground levels for each plot shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In order to ensure a satisfactory relationship between the new dwellings and between the development and surrounding buildings in the interests of residential and visual amenity and to minimise flood risk, in accordance with Policies HL2 and EP30 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

7. As part of any reserved matters application and prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

Those details shall include, as a minimum:

- Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change – see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- The drainage scheme should demonstrate that the surface water run-off must not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- The drainage scheme must demonstrate that the discharge of surface water has followed the hierarchy in the Planning Practice Guidance (PPG) as reasonably practicable.
- Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- Flood water exceedance routes, both on and off site;
- A timetable for implementation, including phasing where applicable;
- Site investigation and test results to confirm infiltrations rates;
- details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation

of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

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 Policies EP25 and EP30 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

8. None of the dwellings hereby approved shall be first occupied until details of a management and maintenance scheme for the surface water drainage system to be installed pursuant to condition 6 of this permission has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover the full lifetime of the drainage system and, as a minimum, shall include:

- arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Residents' Management Company.
- arrangements concerning funding mechanisms for the ongoing maintenance of all elements of any sustainable drainage system (including mechanical components) to include details such as:
 - on-going inspections relating to performance and asset condition assessments;
 - operation costs for regular maintenance, remedial works and irregular maintenance of limited life assets; and
 - any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
- means of access and easements for maintenance purposes;
- A timetable for implementation.

The drainage system shall thereafter be installed in accordance with the details and timetable contained within the approved scheme, and shall be managed and maintained as such thereafter.

Reason: To ensure that satisfactory measures are put in place for the management and maintenance of any surface water drainage system throughout the lifetime of the development, to minimise the risk of flooding and to limit the potential for surcharging of the sewer network, in accordance with Policies EP25 and EP30 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

9. There shall be no on site works, including site set up and the removal of any trees or shrubs until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- construction vehicle routes to and from the site, and the timing of their arrival at the site
- location and size of any portacabins.
- arrangements for the parking of vehicles for site operatives and visitors.
- details of areas designated for the loading, unloading and storage of plant and materials.
- details of the siting, height and maintenance of any security hoarding.

Reason: In the interests of highway safety and general amenity of the area, in accordance with Policy HL2 of the adopted Fylde Borough Council Local Plan as altered (October 2005).

10. Prior to commencement of any works on the site, wheel wash facilities shall be provided within the site which will be used to clean the wheels of vehicles before leaving the site. The wheel wash facilities shall be available for use throughout the construction period.

Reason: To avoid the spread of mud and debris from the application site on to the road network, in the interests of highway safety and general amenity of the area, in accordance with Policy HL2 of the adopted Fylde Borough Council Local Plan (October 2005).

11. Prior to commencement of the development hereby approved, a scheme to protect retained trees and hedgerow during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall indicate trees and hedgerow for retention and provide for a Construction Exclusion Zone around the Root Protection Areas of those trees/hedgerows identified as being retained. The Construction Exclusion Zone shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012 and shall be maintained as such during the entirety of the construction period.

Reason: To protect existing trees and hedgerows on or overhanging the which are to be retained as part of the development, in accordance with Policy EP12 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

12. No clearance of trees and shrubs in preparation for or during the course of development shall take place during the bird nesting season (1st March - 31st August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of trees and shrubs shall take place until a methodology 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 methodology.

Reason: In order to prevent any habitat disturbance to nesting birds, in accordance with Policy EP19 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

13. There shall be no on site works between the hours of:

08:00 - 18:00 Monday to Friday.

09:00 - 13:00 Saturday.

No on site works on Sundays or Bank Holidays.

Reason: To safeguard the amenity of neighbouring residents, in accordance with Policy HL2 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

14. Prior to commencement of the development hereby approved, a scheme for the control of noise, vibration and dust during the period of construction shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be used throughout the construction process.

Reason: To protect the amenity of neighbours of the development, in accordance with Policies HL2 and EP26 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

15. Prior to commencement of the development hereby approved, an Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The content of the plan must include:

- on site mitigation for loss of farmland.
- replacement trees and hedgerows on the site.
- enhancement of retained hedgerows on or overhanging the site.
- provision of bat and bird boxes within the development.
- lighting scheme to avoid lighting the immediate surrounding vegetation.
- a five year implementation and management plan.

The approved planting will be implemented in accordance with the approved details during the first planting season after the development is substantially completed. Any trees or hedgerow 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. The approved bat/ bird boxes and lighting shall be implemented prior to last occupation of the development and be retained on the site in perpetuity.

Reason: To ensure adequate mitigation for the loss of habitat resultant from the development, in accordance with Policies HL2, EP18 and EP19 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

16. Prior to commencement of the development hereby approved, a scheme for the construction of off site highways shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include, but is not limited to, the following:

- provision of raised boarding areas to three bus stops within Weeton Village, namely one on Church Road and two on Singleton Road.

The approved scheme of off site highway works shall be implemented prior to first occupation of the development and retained thereafter.

Reason: To safeguard highway safety and ensure the efficient and convenient movement of all highway users, in accordance with Policy HL2 of the adopted Fylde Borough Council Local Plan (October 2015).

17. Prior to commencement of the development hereby approved, a scheme of noise mitigation to safeguard the amenity of prospective occupants of the development from road noise associated to the adjacent M55 motorway corridor, shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the scheme of mitigation shall achieve the following noise levels:

- Bedrooms (night-time) - 30dB LAeq, 8 hours / 45 dB LAmx.
- Living rooms (daytime) - 35dB LAeq, 16hours.
- External amenity space (daytime) – 55dB LAeq, 16 hours.

The development shall be constructed in accordance with the approved noise mitigation scheme and implemented measures retained thereafter.

Reason: To safeguard the amenity of prospective occupants from road noise associated with the adjacent M55 motorway corridor, in accordance with Policy HL2 of the adopted Fylde Local Plan (October 2005) and GD7 of the Submission Version of the Fylde Local Plan (2032).

18. The development shall be constructed in accordance with the Reasonable Avoidance Measure identified in paragraph 5.2 of the submitted Extended Phase 1 Habitat Survey (Rachel Hacking Ecology - 2016).

Reason: To safeguard great crested newts during the construction period, in accordance with Policy EP19 of the adopted Fylde Borough Local Plan (October 2005) and Submission Version of the Fylde Local Plan (2032).

19. Prior to commencement of the development hereby approved, a scheme providing for a fence line adjacent to the M55 motorway corridor boundary shall be submitted to and approved in writing by the Local Planning Authority. Any fence or barrier shall be erected a minimum of one metre behind the existing

motorway boundary fences on the developer's land and be independent of the existing motorway fence. The approved scheme shall be implemented prior to first occupation of the development and retained thereafter.

Reason: To restrict pedestrian access to the motorway and highway safety, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (2005) and National Planning Policy Framework.

20. No development shall take place until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

- a survey of the extent, scale and nature of contamination
- an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments.
- where unacceptable risks are identified, an appraisal of remedial options and proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the apartments hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers, in accordance with Policy EP29 of the adopted Fylde Borough Local Plan (October 2005).

21. Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority of the on-going maintenance of the communal areas of public open space / amenity landscaping. The development shall thereafter be maintained in accordance with the approved schedule of maintenance.

Reason: To ensure that the development is implemented and maintained to a satisfactory degree into the future, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005).

| | | | |
|-------------------------------|--|-----------------------------|------------------|
| Application Reference: | 16/0812 | Type of Application: | Reserved Matters |
| Applicant: | Mr G Mellings | Agent : | |
| Location: | LAND TO EAST OF PRIMROSE FARM, KIRKHAM ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SD | | |
| Proposal: | RESERVED MATTERS APPLICATION PURSUANT TO PLANNING APPROVAL 10/15/0367 FOR THE ERECTION OF 1 DETACHED DWELLING AND DOUBLE GARAGE ON PLOT 2. | | |
| Parish: | | Area Team: | Area Team 2 |
| Weeks on Hand: | 15 | Case Officer: | Rob Clewes |
| Reason for Delay: | Design Improvements | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7895587,-2.8542824,288m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to the reserved matters associated with the erection of a detached dwelling on this site which is on Kirkham Road in Treales. The principle of the development has already been established via outline planning permission 15/0367.

The proposed development is set back from Kirkham Road, and whilst it will be a large dwelling that will be visible from the road, it is considered acceptable in terms of layout, scale, design and appearance and would not have an unacceptable impact in terms of its impact to visual amenity and street scene. The development would have satisfactory access arrangements and would not adversely impact highway safety. Overall the development would not be out of keeping with the character of the area and does not have an unacceptable impact in terms of neighbour amenity.

The development therefore accords with Policy HL2, EP11, EP14 and EP18 of the Fylde Borough Council Local Plan and Policies GD7, ENV1 and H6 of the submission version of the Fylde Borough Local Plan to 2032. The application is recommended for approval.

Reason for Reporting to Committee

The Parish Council have objected to the application and the Scheme of Delegation therefore requires that it go before the Planning Committee as the officer recommendation is for approval.

Site Description and Location

The application site is a parcel of land to the east of Primrose Farm, Kirkham Road, Treales. It is

located within the countryside area as defined by the Fylde Borough Local Plan Policy SP2 and carried forward in Policy GD4 of the emerging Fylde Local Plan to 2032. The site is Plot 2 under outline permission 15/0367.

The plot lies immediately to the east of Primrose Farm and is an area of grassland. Whilst set at a slightly lower level to Kirkham Road, the site is flat and is enclosed by a combination of fencing and hedging to Kirkham Road.

Surrounding uses include open farmland on the opposite side of Kirkham Road to the north, a collection of farm buildings at Smithy Farm to the east (including the grade II listed 'Smithy Farmhouse'), a large expanse of agricultural land to the south and several residential properties to the west on both sides of Kirkham Road.

Details of Proposal

The application is for the approval of all reserved matters (appearance, scale, landscaping, layout, and access) associated with the erection of one of the three dwelling houses granted outline permission under application 15/0367.

As a result of the assessment of the initially submitted plans revised plans were submitted in response to several issues identified. The description below is of the revised plans.

The application proposes a two storey three bedroom detached dwelling with an attached double garage and car port. The property would be centrally located within the plot with a foot print of 12.3m by 12.75m. The roof is dual pitched with front and rear gable ends and the eaves are 3.9m high and the ridge is 7.5m high from ground level. The proposed house would be set back from Kirkham Road by a distance of approximately 14m and is set 3.2m in from the western side boundary shared with Primrose Farm.

The attached double garage projects off the east facing side elevation by 6.5m and is 6.8m deep. It has an asymmetrical dual pitched roof with an eaves height of 2.1m and a ridge height of 4.9m. It is set 4.2m back from the front elevation of the dwelling. The car port sits in front of the garage and has a foot print of 5.5m by 6.5m and has a dual pitched front gable ended roof with an eaves height of 2.1m and a ridge height of 4m.

The proposed materials are red tile to the roof slopes with facing brick and render for the elevations. No details are provided of the proposed window and door materials.

Relevant Planning History

| Application No. | Development | Decision | Date |
|------------------------|--|-----------------|-------------|
| 16/0320 | APPLICATION FOR APPROVAL OF ALL RESERVED MATTERS ASSOCIATED WITH ERECTION OF 1 DETACHED DWELLING AND DOUBLE GARAGE PURSUANT TO OUTLINE PLANNING PERMISSION 15/0367 | Granted | 09/08/2016 |
| 15/0367 | OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR THE ERECTION OF UP TO THREE DWELLINGS | Granted | 04/09/2015 |

Relevant Planning Appeals History

None

Parish/Town Council Observations

Treales, Roseacre & Wharles Parish Council notified on 26 October 2016 and comment:

Response to the initial plans - *"Councillors resolved to OBJECT to the proposal in its current format which is considered to be over development of the site and contrary to Policy HL6 of the Fylde Local Plan in terms of design.*

Concerns were raised over the overall style and design which is neither in keeping with the rural location nor the vernacular of nearby properties. (Councillors cite in particular roof angles and the proposed use of red roof tiles). Councillors consider that the proposals are detrimental to the existing street scene and request clarity regarding landscaping and access arrangements due to the discrepancies between the proposed site plans".

Response to the revised plans - *"Councillors note that the previous concerns regarding landscaping and highway access appear to have been addressed and recognise that the applicant has sought to change some aspects of concern relating to design.*

However, it is still considered that the overall design is not in keeping with the vernacular of the local street scene. Councillors resolved to maintain their objection to the proposal which is considered to be contrary to Policy HL6 of the Fylde Local Plan in terms of design".

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

Comments - *"No highway objections to the reserved matters application.*

The site layout plan (Rev B 2016-11-21) shows that visibility splays of 2.4m x 43m can be provided as per LCC's requirement set out at outline stage.

The access arrangements are satisfactory and there is sufficient space within the site to enable vehicles to enter and leave the site in forward gear".

Regeneration Team (Trees)

Comments - (in respect of initial plans) *"New hedges should be to a specification, for example a double staggered row of %/%/% species planted at 450mm intervals and protected by a rabbit spiral upheld by a bamboo cane. There's no indication of what herbaceous planting is intended or stocking densities for the ornamental front garden area.*

The scheme lacks any trees. I would want to see some in the frontage to make an offer to outward amenity. These needn't be forest-sized trees but those of medium size at maturity, however I'd prefer not to see the usual run of cherries and silver birch but something with more originality. The over-reliance on common species produces a hackneyed, predictable tree stock with lower resilience to disease and climate change".

Comments - (in respect of revised plans) A verbal discussion with the Tree Officer on

receipt of revised site plan confirms that the proposed mix of planting of trees and hedges is considered acceptable.

Electricity North West

Comments - No objections

Neighbour Observations

| | |
|--------------------------------|---|
| Neighbours notified: | 26 October 2016 |
| Amended plans notified: | 01 December 2016 |
| Site Notice Date: | 08 November 2016 |
| Number of Responses | 1 response received |
| Summary of Comments | The style of the building does not reflect the character of the adjacent buildings or the village as a whole and is contrary to Policy HL6. |

Relevant Planning Policy

Fylde Borough Local Plan:

| | |
|------|--|
| SP02 | Development in countryside areas |
| HL02 | Development control criteria for new housing proposals |
| EP11 | Building design & landscape character |
| EP14 | Landscaping of new developments |
| EP18 | Natural features |
| EP25 | Development and waste water |

Fylde Local Plan to 2032:

| | |
|------|--|
| GD4 | Development in the Countryside |
| GD7 | Achieving Good Design in Development |
| CL2 | Surface Water Run-Off and Sustainable Drainage |
| ENV1 | Landscape |
| H2 | Density and Mix of New Residential Development |
| H6 | Isolated New Homes in the Countryside |

Other Relevant Policy:

| | |
|-------|-------------------------------------|
| NPPF: | National Planning Policy Framework |
| NPPG: | National Planning Practice Guidance |

Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Principle of development

The principle of the development has already been established through application 15/0367 which granted planning permission for up to three dwelling houses on two parcels of land, either side of

Primrose Farm. This proposal is for the reserved matters associated with a single detached house on Plot 2 of land to the east of Primrose Farm. As the outline permission has already established the principle of the development, the assessment is simply one of whether the submitted details are acceptable.

Layout

The proposal is for a single detached dwelling located centrally within the plot, meaning that the house is set back from Kirkham Road by approximately 14m, which is a comparable distance to that at the neighbouring house at Primrose Farm, and an orientation that is found throughout the village where the character is generally one of properties set back from the highway. The detached double garage is located to the east of the main house, and set further back towards the rear elevation. The property would have a good sized rear garden and there is an adequate space between the shared side boundary with Primrose Farm.

The layout respects the character of the area and is acceptable in terms of its relationship to neighbouring properties. It retains the natural features of the site such as the frontage hedge where possible and therefore accords with the requirements of Policy EP18 and HL2. The development is therefore considered acceptable in terms of layout.

Scale and Appearance

Objections from the Parish Council and a local resident raise concern that the appearance of the proposal is not in keeping with the vernacular of the local street scene and therefore contrary to Policy H6 of the Fylde Borough Local Plan.

The proposed dwelling is large in its footprint as a 3-4 bedroom house. However, it sits comfortably on the plot with greater space retained to the side with Primrose Farm than that property has, and the reduced single storey development of the car port and 1.5 storey garage building retaining the apparent spaciousness to the other side. A reasonable depth of rear garden is provided for private amenity space in addition to the significant setback from Kirkham Road as previously described. It is not considered to represent an over development of the plot.

In terms of height it is comparable with Primrose Farm and the recently approved dwelling on the western side of Primrose Farm, with the gable fronted design resulting in a reduced overall apparent scale compared to the ridge of those dwellings which run along the width of their plots. The initially submitted plan meant that the dwelling appeared large when viewed on the street facing elevation. The revised plan seeks to address this concern with the addition of an external canopy between the ground and first floors, and a change in the materials of the front and part of the side elevations of the ground floor being in facing brick rather than render. It is considered that these additions and changes have improved the appearance of the proposed dwelling, and have added an element of horizontal emphasis to the property to counter the perceived height of the apex of the roof. The canopy and facing brick also provide more traditional appearance bringing it more in-line with the general appearance of the area.

There are also numerous other examples of large detached properties in both the immediate and wider locality, including White Hall and Birch House. In addition the proposed materials match those found on other properties in the area. Whilst the property would certainly be visible from the roadside, it is not considered that it would be overly dominant or overbearing in the street scene or adversely impact the character of the area by way of its scale and appearance. Properties in the surrounding area are of a range of designs, including properties with front facing gable ended roofs and it is considered that the proposed design would not look out of place in this rural setting and is not out of keeping with the surrounding area. The development would therefore accord with

Policies HL2 and EP11 of the Local Plan. In terms of scale and appearance the proposed development is therefore considered acceptable.

The Parish Council have maintained their objection to the development on the basis of the design conflicting with the requirements of Policy HL6. That policy relates to the design of residential estates in particular but does require that housing is designed to respect the character of the area. Whilst the Parish Council argue that this scheme fails to comply with that requirement, your officers disagree and feel that the revised proposals are acceptable as explained in this section of the report.

Access

The proposal includes a single vehicle width (3m) access point to Kirkham Road, which would be located to the west of the centre of the frontage. A single tree would be removed to facilitate the access, and it would benefit from 43m sightlines in both directions. LCC Highways have raised no objection to the application confirming that it meets their requirements in relation to access, parking and turning areas. Conditions have been requested on any planning permission to secure appropriate surfacing, the layout and retention of visibility splays. The proposed access is considered acceptable and in accordance with the requirements of Policy HL2.

Landscaping

The revised site plan outlines further detail of the proposed landscaping both hard and soft. After discussions with the Council's Tree Officer it is considered that the proposed landscaping scheme is appropriate for the development. The type and density of the species to be planted within the site will help soften the development. The proposed landscaping is therefore considered to comply with Policies EP11, EP14 of the Fylde Borough Local Plan.

Neighbouring amenity

The proposal is to the east of Primrose Farm and the west facing side elevation of proposed dwelling faces the east facing side elevation of Primrose Farm and its rear garden. There are no first floor side elevation windows that could create overlooking onto Primrose Farm. There are three ground floor side elevation windows in the west facing elevation, however these windows will not create an unacceptable loss of privacy to Primrose Farm due to their small size and the existing vegetation (hedges and trees) on the boundary and within the grounds of Primrose Farm which will act as a sufficient screen.

The proposed dwelling is situated 6.5m from the facing side elevation of Primrose Farm and 3.2m from the shared side boundary. This separation distance is considered sufficient to mitigate any impact in terms of overbearing and loss of light. In addition the rear of Primrose Farm faces directly south and therefore benefits from unrestricted sunlight throughout large parts of the day.

Conclusions

The principle of the development has already been established via outline planning permission 15/0367. The proposed development is set back from Kirkham Road, and whilst it will be a large dwelling that will be visible from the road, it is considered acceptable in terms of layout, scale, design and appearance and would not have an unacceptable impact in terms of its impact to visual amenity and street scene. The development would have satisfactory access arrangements and would not adversely impact highway safety. Overall the development would not be out of keeping with the character of the area and does not have an unacceptable impact in terms of neighbour amenity. The development therefore accords with Policy HL2, EP11, EP14 and EP18 of the Fylde Borough Council Local Plan and Policies GD7, ENV1 and H6 of the submission version of the Fylde Borough Local Plan to 2032. The application is therefore recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This consent relates to the following details:

Approved plans:

- Location Plan
- Proposed Site Plan - Rev B 2016-11-21
- Proposed Plans, Section and Elevations - 16/0812 Rev A

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

2. Notwithstanding any denotation on the approved plans samples of all the external materials to be used in the construction of the development (including windows, sills, lintels and doors), hereby approved, shall be submitted to and approved by the Local Planning Authority prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

Reason: Such details are not shown on the application and must be agreed to ensure a satisfactory standard of development.

3. The access, turning and parking areas shall be carried out in accordance with the approved details shown on submitted plan ref: Rev B 2016-11-21 prior to the first occupation of any of the dwelling, with those areas thereafter retained available for the parking and turning of motor vehicles.

Reason: In order to ensure the provision of adequate off street car parking and the safe entry and egress onto the highway in the interests of highway safety.

4. The site access shall be laid out as shown on the approved Site Plan ref: Rev B 2016-11-21 and before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

Reason: To ensure adequate access to the site for all users and to prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

5. Prior to the commencement of construction works on the dwelling hereby approved the site access shall be provided with the 2.9m width and 2.4m x 4.3m visibility splays as shown on the site plan approved under condition 1 of this approval. Thereafter the access shall be maintained at that width and with these visibility splays free of any obstruction at all times.

Reason: To ensure adequate visibility at the street junction or site access.

6. Prior to the commencement of development details of all fencing, gates (including access gates) or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority, with any gate adjacent the public highway designed to only open away from the highway. Any gateposts erected at the access shall be positioned 5m behind the nearside edge of the carriageway. The development shall be implemented in accordance with these approved

details.

Reason: To ensure an appropriate standard of design is achieved and prevent a potential source of danger to other road users.

7. Prior to the commencement of works samples of all hard landscape works (including the driveway of the site) shall be submitted to and confirmed in writing by the Local Planning Authority. The works shall be carried out using the agreed materials.

Reason: To ensure a satisfactory appearance of the development in this rural area in accordance with Policy HL2 of the Fylde Borough Local Plan

8. The whole of the landscape works, as approved under condition 1 of this reserved matters approval shall be implemented in the earliest planting season following first occupation of the dwelling and subsequently maintained thereafter as outlined on the Site Plan (ref: Rev B 2016-11-21)

Reason: To ensure a satisfactory standard of development and in the interest of visual amenity in the locality.

9. Notwithstanding the provision of Article 3, Schedule 2, Part 1 (Classes A, B, C, D, E and F) and Part 14 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 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 |

Part 14 - Renewable Energy

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.

10. No works shall be undertaken until a walkover survey of the site has taken place in order to establish the presence of protected species and the results submitted in writing to the local planning authority. Should the presence of any protected species be identified, a mitigation and phasing scheme for construction work in the vicinity of their nesting sites shall be submitted to and approved in writing by the local planning authority and implemented throughout the construction of the dwelling.

Reason: To ensure adequate protection to protected species.

11. Prior to any development activity commencing, retained trees and hedgerows (in particular the front boundary hedge fronting Kirkham Road), either individually or, where appropriate, as groups, will be protected by erecting HERAS fencing at the Root Protection Areas (RPAs) identified on a

plan to be submitted to and agreed in writing by the Local Planning Authority.

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;
 - a. The disposal of arisings or any site waste;
 - b. Any excavation;
 - c. 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.



| | | | |
|---------------------------------------|--|--|-----------------------------|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2017). Ordnance Survey (100006084). | |
| Application No. 5/16/0812 | Address Land to east of Primrose Farm, Kirkham Road, Treales | Grid Ref. E.3438 : N.4328 | Scale 0 6 12 18 24 m |

Item Number: 7

Committee Date: 08 February 2017

| | | | |
|-------------------------------|---|-----------------------------|--------------------------|
| Application Reference: | 16/0817 | Type of Application: | Full Planning Permission |
| Applicant: | Wainhomes (North West) | Agent : | NJL Consulting |
| Location: | SUNNYDALE NURSERIES, GARSTANG ROAD, LITTLE ECCLESTON WITH LARBECK, PRESTON, PR3 0XA | | |
| Proposal: | ERECTION OF 41 NO. DWELLINGS FOLLOWING DEMOLITION OF EXISTING BUILDINGS | | |
| Parish: | ELSWICK AND LITTLE ECCLESTON | Area Team: | Area Team 2 |
| Weeks on Hand: | 16 | Case Officer: | Rob Buffham |
| Reason for Delay: | Design Improvements | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.85643,-2.8858618,287m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

The proposal for consideration is a full application for the demolition of existing buildings and construction of 41 dwellings at Sunnydale Nurseries, Garstang Road, Little Eccleston. The site is allocated as a Countryside area in the adopted Fylde Borough Council Local Plan but is allocated for housing in the Submission Version of the Fylde Local Plan 2032. That allocation follows the granting of outline planning permission for 25 dwellings under 15/0124.

The development falls outside the settlement boundary of Little Eccleston, representing encroachment into the countryside and is therefore contrary to Policy SP2 which acts to restrict residential development within such areas. Despite this position, the Council is presently unable to demonstrate a five year supply of housing land and, accordingly, the principle of residential development within the Countryside area cannot be resisted where the development is sustainable in all other respects.

The proposal is considered to represent a proportionate extension to the village on a previously developed site located to the edge of Little Eccleston. The scheme would follow the pattern of the existing built form and would be contained within the established boundaries of Sunnydale Nurseries without encroaching into the open countryside. It would remove unsightly buildings and improve the visual appearance of the site and settlement edge.

The proposal, by virtue of the size, scale, density and number of dwellings proposed, and its relationship to the urban fringe of the village, would not have any significant adverse effects on landscape character or quality. Satisfactory arrangements (including infrastructure improvements) are proposed for vehicular access, parking and manoeuvring to ensure that the development would not have a detrimental impact on the safe and efficient operation of the surrounding highway network. The existing footpath network will be improved through provision of 2 pedestrian refuges on Garstang Road, acting to improve pedestrian access and

connectivity between the settlements of Little Ecclestone and Great Ecclestone.

The proposal would result in an acceptable relationship with surrounding uses and appropriate mitigation can be provided to ensure that the development would have no adverse impacts in terms of ecology, flooding, drainage and contamination and appropriate contributions would be secured to make the development acceptable in planning terms. The proposal is therefore considered to represent sustainable development in accordance with the requirements of the relevant policies of the National Planning Policy Framework and the Fylde Borough Local Plan.

The extant consent is material in assessment of the proposal, and accepts the principle of the residential development of the site for 25 houses. This scheme increases the number of properties, but does not involve any greater site area and does not compromise sustainability.

The officer recommendation is that members support the application and delegate the authority to grant planning permission to officers subject to a legal agreement to secure affordable housing and contributions toward primary and/ or secondary education provision.

Reason for Reporting to Committee

The application is a major development which is recommended for approval by Officers. In accordance with the Councils adopted Scheme of Delegation the application must therefore be referred to the Development Management Committee for determination. There is also an objection to the development from the Parish Council.

Site Description and Location

The application relates to a parcel of land measuring approximately 1.9 hectares, known as Sunnydale Nursery, in area to the north side of the A586 (Garstang Road), Little Ecclestone. The site is located to the south-western tip of the village, outside the settlement boundary and is designated within the Countryside Area as defined on the Fylde Borough Local Plan (FBLP) and Submission Version of the Fylde Local Plan 2032 (SV) Proposals Map.

The site is presently dominated by a collection of industrial style units, glasshouses and polytunnels associated with an outlet for the storage and distribution of plants. With the exception of the polytunnels, buildings are dual-pitched and predominantly single storey in height. Building eaves and ridge levels do vary across the site, with the tallest building to the eastern end forming a prominent feature visible from Garstang Road. A large proportion of these buildings are not used and have fallen into a state of dis-repair. A car park and service yard wraps around the front, side and rear of the building to the eastern end. A man-made pond is located to the northeast corner of the site. Whilst the site is slightly elevated to Garstang Road the land is generally flat. Boundary treatments include hedgerow/ trees adjacent to Garstang Road, and a combination of fencing, hedging, trees and shrubs to the remaining boundaries.

The site is accessed via a single opening onto Garstang Road which occupies a central position to the southern boundary. The carriageway is flanked by grass verges and footways to both sides, with rows of mature trees along the verges outside the site.

The site is bound to the east by housing located on Blackpool Old Road within the settlement

boundary, open farmland to the north and Queensgate Caravan Park to the west which includes a collection of static chalet-style caravans. A pair of semi-detached houses (Sunnydale Cottages) fall within the site boundaries to the southwest corner fronting onto Garstang Road and a row of five detached dwellings are located to the opposing side of Garstang Road.

Details of Proposal

Full planning consent is sought for demolition of existing buildings and the construction of 41 dwellings on the site. Dwellings proposed are 2 storey in scale with a mix of detached, mews and apartment typed provision, with a mix as follows:

- 6 x 5 bedroom dwellings.
- 12 x 4 bedroom dwellings.
- 12 x 3 bedroom dwellings.
- 5 x 2 bedroom dwellings.
- 6 x 2 bedroom apartments.

Dwellings are designed to have a mix of dual and pitched roofs, some having front gable and porch detail, constructed of brick and tile. The proposed layout provides for a front facing aspect to Garstang Road and internally within the site, with use of active gables where necessary. Access to the proposal will be via upgrade to that existing from Garstang Road, dwellings are arranged about a single access road, which branches left and right to the rear of the site and culminating in turning heads. Existing trees and hedgerow to the site periphery are shown for retention, and the pond retained and enhanced through provision of public open space about its perimeter. No formal equipped play area is provided.

Off site, a ghost right hand turn and pedestrian refuge island is proposed adjacent to the main access to the development, a second refuge is proposed adjacent to the Great Eccleston junction.

The plans under consideration are a revision to the original scheme which features an increased number of dwellings at 41 to that original proposed when 37 were proposed. The change is a consequence of officers seeking an increased proportion of the development providing smaller dwellings in line with the emerging Local Plan obligations. A re=consultation exercise has been undertaken on this scheme.

Relevant Planning History

| Application No. | Development | Decision | Date |
|-----------------|--|-----------------------------|------------|
| 15/0124 | OUTLINE APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF UP TO 25 DWELLINGS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED) | Approved with 106 Agreement | 19/01/2016 |

Relevant Planning Appeals History

None to report.

Parish/Town Council Observations

Little Eccleston with Larbreck Parish Council notified on 13 January 2017 with regards to the

submitted amendment and confirm that they strongly object to the proposal. The reasons for that objection are lengthy and so have been summarised here:

- Little Eccleston is not a Tier 2 Settlement as reported by Fylde Borough Council's letter dated 14 November 2016. This reference is misleading Members in their decision making. (Note: this refers to comments made by the council's Local Plans team and has been acknowledged as an error: Little Eccleston is not a Tier 2 settlement)
- The proposed development threatens an approximate 41% increase to the main settlement hamlet.
- Density increase to 21.57 dph, which is an increase of 65.9% compared to the rest of the village.
- Reference is made to recent refusal in Wrea Green for an outline development of 50 units, "this would result in the expansion of the village far in excess of the scale of growth that was envisaged for this Tier 1 allocation". Little Eccleston is designated as a "countryside" area with little or no expected growth.
- Brownfield status is questioned, low level metal clad building covers no more than 20% of the site, majority of existing buildings are green houses, buildings are set back from the boundary, new dwellings are 2 storey and closer to the road and therefore in conflict with Policies SL5 and GD1 the emerging plan.
- The proposal is not sustainable due to Little Eccleston having no services and connectivity is via a limited public transport system, would increase the main settlement by more than 41%.
- Policy GD1 makes reference to the sustainability of the site. How well it relates to the settlement, how easy it is to access the settlement centre... on foot or by sustainable modes of transport - The proposed development meets none of the criteria required by Policy GD1.
- Policy GD7 New Public Open Space should be provided....' The proposed development appears to provide little in the way of this. The density of the site is such that it leaves only little and inappropriate amenity space for the residents.

Little Eccleston with Larbreck Parish Council were notified on the original proposal on 19 October 2016 and their comments are again summarised as follows:

Strongly object to the proposal, for the following reasons:

- Little Eccleston with Larbreck Parish Council again strongly objects to this planning application by virtue of its size and scale and considers the proposed development to be both unsustainable and inappropriate. The Parish Council asks that this proposal is determined by the Development Management Committee and request that this application is refused.
- Fylde Borough Council's own assessment deems development unsustainable in the hamlet of Little Eccleston.
- The proposed development is outside the former settlement boundary for Little Eccleston and such an extension to the boundaries was not considered as part of the SHLAA exercise.
- The SHLAA document indicates potential for additional housing within the main settlement only.
- The emerging plan states that development in Little Eccleston "will only be in exceptional circumstances and limited to infill plots and reuse of existing buildings"
- Paragraph 14 of the NPPF states there is a presumption in favour of sustainable development – this site is not sustainable development.
- The proposals are in conflict with policy SP2.
- The only circumstance permissible in countryside areas is for affordable housing. A recent survey has indicated that there is no requirement for such in this area.
- The NPPF states that planning authorities should avoid new isolated homes in the countryside

unless there are special circumstances. There are no special circumstances.

- The proposed development represents approximately a 37% increase to the main settlement of the hamlet.
- Size & Prominence - The proposed development represents approximately a 37% increase to the main settlement of the hamlet, no link to Little Eccleston and sets a precedent for further ribbon development along the A586. Access to the main settlement is hazardous. The site is within a prominent position, close to the highest point within Little Eccleston and, therefore, highly visible with ridge heights higher than the existing buildings. The proposals will result in houses being between 10 and 25 metres closer to the A586 with ridge lines several metres higher than the existing building. To the rear the development is also highly visible to the low lying surrounding area of Out Rawcliffe. Current hamlet is only 13 dph, compared to 19.47 of proposal, existing housing comprises bungalows, and 2 storey houses not 3 storey houses. It is not, therefore, representative of the general mix of properties in the main settlement. Due to its size and existing amenities, the Parish Council does not consider that Little Eccleston is able to sustain an additional 37 new properties and that this proposal is inappropriate development.
- Transport and Traffic - Public transport is severely restricted due to Lancashire County Council (LCC) cut backs in subsidy. It is unlikely that the frequency and times of the transport system would be suitable for commuters. Further the transport facilities do not serve the local primary schools. Crossing the A586 is hazardous and has resulted in a fatal accident to a child. Garstang Road only has street lights in the vicinity of the staggered junction between Blackpool Old Road and West End. Most of the 500m route is unlit and will be in total darkness at night. With poor and diminishing public transport services, cars are a necessity. If you estimated an average of 1.5 cars per household, this proposal could potentially add an additional 55+ cars into the area with a substantial increase in traffic movement onto the junction of the A586, in addition to the village roads.
- Sustainable Development – No school or shop, 1.2 miles to Health Centre and 6 miles to nearest supermarket, little employment opportunity. Additional pressure on existing services such as health. Suitability of apartment affordable provision in a rural location.
- Protection of Landscape and Environment – if approved, conditions requested requiring protection of existing boundary treatments, protection during construction and replacement of any lost.

Statutory Consultees and Observations of Other Interested Parties

Wyre Borough Council - Planning Dept

No comments received.

Lancashire County Council - Highway Authority

The proposal and submitted layout have been considered and no objections to the proposal are made, subject to conditions requiring completion of estate roads, future management / maintenance of streets, and construction details of the highway elements.

Strategic Housing

Support for affordable housing on the site, though concern is raised to apartment provision given the site's rural location.

United Utilities - Water

No objection to the proposal subject to conditions requiring foul and surface water to be drained on separate systems, submission and agreement of a surface water drainage

scheme, and management/ maintenance of SUDS.

Environment Agency

No objection, condition relating to land contamination requested.

Lancashire CC Flood Risk Management Team

No objection subject to conditions requiring submission and agreement of surface water scheme, management/ maintenance of SUDS and construction phase surface water management.

Natural England

No objection to the proposal, advising that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Highways England

No objection.

Chief Education Officer

Comments in relation to the revised scheme of 41 dwellings advise a shortfall of provision of secondary education is anticipated, although there is adequate provision for primary education at the schools in Great Eccleston to meet the needs of the development. They therefore request a secondary education contributions toward 5 places from the development of £101,517.95 for use at Garstang Community Academy.

Lancashire Constabulary

No objection to the proposal and request that specific security measures are incorporated in to the design including door/ window to PAS 24/2012, laminated glazing, 1.8m rear garden fencing, external lighting, visible garden sheds.

Neighbour Observations

Neighbours notified: 20 October 2016

Amended plans notified: 16 January 2017

Site Notice Date: 28 October 2016 and 20 January 2017

Press Notice Date: 27 October 2016

Number of Responses 25

Summary of Comments: All letter raise objection for reasons related to:

- Little Eccleston is not a Tier 2 Settlement as reported by Fylde Boroughs Councils letter dated 14 November 2016.
- Density increase to 21.57 dph, which is an increase of 65.9% compared to the rest of the village.
- Increased number of dwellings from outline consent.
- Rural character ruined by the density of the development, increase of settlement size by 50%.
- Contravenes the emerging local plan due to the site lack of sustainability. Unsustainable for local services including lack health, hospitals, and schools, declining bus service, limited employment opportunities, low water pressure, size of development proposed.
- Policy GD1 makes reference to the sustainability of the site. How well it relates to the settlement, how easy it is to access the settlement centre... on foot or by sustainable modes of transport - The proposed development meets none of the criteria required by Policy GD1.
- Policy GD7 New Public Open Space should be provided....' The proposed development appears to provide little in the way of this. The density of the site is such that it leaves only little and

inappropriate amenity space for the residents.

- Additional traffic on the A585 and A586.m existing highway safety problems on Garstang Road created by the excessive speed of road users.
- Existing waiting times at the Gt Eccleston Health Centre.
- Proposal needs to be compatible and in-keeping with Little Eccleston which is a small hamlet.
- Objection to removal of hedges due to their wildlife value.
- Impact to habitable room windows within the side elevation of Flonora which adjoins the application site.
- Objection to removal of hedge adjacent to Flonora which would act to screen the development.
- Flonora has a Legal right of access to repair sewers on the application site, conditions should be imposed to retain this access.

Relevant Planning Policy

Fylde Borough Local Plan:

| | |
|--------|--|
| SP02 | Development in countryside areas |
| HL02 | Development control criteria for new housing proposals |
| HL06 | Design of residential estates |
| TR05 | Public transport provision for large developments |
| TREC17 | Public Open Space within New Housing Developments |
| EP10 | Protection of important landscape and habitat features |
| EP11 | Building design & landscape character |
| EP12 | Conservation trees & woodland |
| EP14 | Landscaping of new developments |
| EP18 | Natural features |
| EP19 | Protected species |
| EP26 | Air pollution |
| EP27 | Noise pollution |
| EP29 | Contaminated land |
| EP30 | Development within floodplains |

Fylde Local Plan to 2032:

| | |
|------|--|
| NP1 | Presumption in favour of Sustainable Development |
| S1 | Proposed Settlement Hierarchy |
| DLF1 | Development Locations for Fylde |
| SL5 | Development Sites outside Strategic Locations for Devt |
| GD1 | Settlement Boundaries |
| GD4 | Development in the Countryside |
| GD7 | Achieving Good Design in Development |
| H1 | Housing Delivery and the Allocation of Housing Land |
| H2 | Density and Mix of New Residential Development |
| H4 | Affordable Housing |
| HW1 | Health and Wellbeing |
| INF1 | Service Accessibility and Infrastructure |
| INF2 | Developer Contributions |
| T4 | Enhancing Sustainable Transport Choice |
| T5 | Parking Standards |
| CL1 | Flood Alleviation, Water Quality and Water Efficiency |
| CL2 | Surface Water Run-Off and Sustainable Drainage |
| ENV1 | Landscape |
| ENV2 | Biodiversity |

ENV4

Provision of New Open Space

Other Relevant Policy:

NPPF: National Planning Policy Framework

NPPG: National Planning Practice Guidance

Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The main issues pertinent to the assessment of this proposal are:

- Principle of development.
- Design and layout.
- Highways.
- Impact on residential amenity.
- Affordable housing.
- Flood risk and drainage.
- Ecology.
- Trees.

Principle of Development

Planning History Relevance

Members should note that the site has the benefit of outline planning permission (15/0124) for the erection of 25 dwellings. This approval expires on 18 January 2019 and therefore remains extant. The extant consent is an important material consideration in the determination of this application as it establishes the principle of residential development on the site for 25 units, as well as vehicular access from Garstang Road to serve that development.

This current application is on the same site as the extant consent, though seeks consent for 41 dwellings and so it is appropriate for the differences that this scale of development brings when compared to the existing consent to be assessed as part of the consideration of this application.

Any other changes in policy or other material considerations will also be relevant to the determination of this application, and will be covered in this report.

Policy Context and Site Allocation

The site is located within open countryside in the FBLP. Policy SP2 is of relevance and seeks to safeguard the natural quality of the countryside area by supporting development related to agriculture, horticulture, forestry or other uses appropriate to a rural area only. The development proposed cannot be categorised as such and is therefore contrary to Policy SP2.

The SV has allocated the site for development under Policy SL5 and suggest that this has a capacity of 25 houses in recognition of the planning approval on the site. The SV is at a relatively advanced stage, with examination due to commence 27 March 2017, weight can therefore be given to this

policy in decision making though the housing figure referred to within Policy SL5 is exceeded by the current proposal.

The Parish Council has raised concern to comments raised by the Planning Policy section about Little Eccleston being a Tier 2 Rural Settlement in the Submission Version of the Fylde Local Plan 2032. Members should note that the Little Eccleston is not categorised as Tier 2, and so those original comments are erroneous with this explained to the Parish Council.

The outline consent on the site clearly confirms the principle of residential development for up to 25 units is supported and so further assessment relative to the additional units proposed is required against the NPPF and other material considerations to determine whether there is sufficient justification to outweigh the policy position of SP2 and SL5.

Housing Need

The NPPF emphasises the importance of housing delivery stating that a five year supply of market and affordable housing should be maintained. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing are not considered up to date if a 5 year supply of deliverable sites cannot be demonstrated.

The Council's most recent five year housing land supply position statement, as of 31 March 2016, indicates a supply equivalent to 4.8 years. In the absence of a five year supply, policies of the development plan which relate to housing supply, including FBLP Policy SP2, cannot be considered up to date and are in conflict with the NPPF. Therefore, the release of housing sites in the adopted countryside area is acceptable in accordance with paragraphs 47 and 49 of the NPPF. It is considered that the proposal will contribute towards the housing supply shortfall in the Borough.

In addition, paragraph 17 of the NPPF seeks to encourage the effective use of land by reusing land that has been previously developed (brownfield land). The majority of the site is currently occupied by either buildings or hardstandings associated with the existing nursery business. Exceptions to this include the pond and surrounding greenspace to the northeast corner and the grass verge to the southwest corner alongside Garstang Road. Nevertheless, the extent of built development means that most of the site area constitutes previously developed land for the purposes of the definition in the NPPF. Therefore, the re-use of brownfield land weighs heavily in favour of the scheme, particularly as this would avoid the need for the release of greenfield land within the Open Countryside.

Does the proposal deliver sustainable development?

Criteria (7) of FBLP policy HL2 states that planning applications for housing will be permitted where they "*are in a sustainable location having regard to the local availability of shops, schools, employment sources, public transport and other community facilities*". This reflects SV Policy NP1 and is seen as a golden thread to The National Planning Policy Framework. There are many aspects to be considered in that assessment, with the key issues for a residential scheme in this location being availability and accessibility of services, scale of development and visual impact.

Accessibility and Availability of Services

Objectors have suggested that there is a lack of services which are capable of supporting a development of the size proposed, and this is a valid consideration in the assessment of this application.

It is inevitable that sites within the countryside will not benefit from the same accessibility to

services as those within the urban area. It does not, however, follow that all development within the rural area is always unsustainable and, as acknowledged at paragraph 55 of the NPPF, the introduction of housing in rural areas is capable of enhancing the vitality of rural communities by supporting local shops and services elsewhere. Whilst Little Eccleston lacks any substantial shops and services with that only being the Cartford Inn Public House at the bottom of Cartford Lane, it is located within comfortable walking distance of Great Eccleston (being approximately 650m from the village centre). Great Eccleston is a larger village which includes a number of shops and services of a scale to serve local need including a convenience store, other specialist shops, churches, pubs, health facilities and two primary schools. The proximity of the two settlements means that they are sufficiently close to one another to enable the sharing of services.

Objectors consider that facilities in Great Eccleston are oversubscribed and it is known through assessment of other applications in Elswick that the Health Centre has a waiting list of 3-4 weeks. Notwithstanding this, the assessment to be made is in comparison to the 25 dwellings already consented on the site and it is considered that an additional 16 properties now involved would not place significant additional pressure on existing services. In relation to schools, it is noted that LCC Education report adequate capacity at the primary schools in Great Eccleston and whilst there is a shortfall of secondary provision in the area this can be addressed through financial contributions to assist in enhancing provision in the area.

According to the Lancashire County Council web site, there are two bus stops located adjacent to the site entrance to both sides of Garstang Road, accessible on foot by the existing footpath network. This provides the number 42 and 78 services between Lancaster and Blackpool, and St Annes to Poulton. Services 75a 80 are also available from Great Eccleston. The application site can therefore be considered to be in an accessible location, with a choice of alternative transport available in the locality.

In accordance with Policy HL2, NP1 and the NPPF, the development is capable of being adequately served by facilities in Great Eccleston and would support and enhance the vitality of shops and services. Future occupiers would not be reliant on car-borne journeys in order to access these facilities and pedestrian access to Great Eccleston would also be enhanced as part of the scheme through the introduction of two pedestrian refuges providing crossing points over Garstang Road. Accordingly, the development would not result in the provision of isolated homes in the countryside in conflict with the NPPF.

The outline consent concluded that there were sufficient and accessible services within the locality to sustain a development of 25 units on the site. Whilst this current proposal seeks consent for an additional 16 units, it is considered that existing service provision within Little Eccleston and Great Eccleston could accommodate the increased number of dwellings proposed.

Scale of Development

Policy HL2 of FBLP supports residential development subject to a number of set criteria. With reference to this proposal development must be compatible with nearby and adjacent uses, be in-keeping with the character of the locality and at a density of between 30-50 units per hectare. In addition Policy HL6 indicates that well designed housing schemes which respect the character of the area will be permitted. Proposals which involve poor designs and/or layouts which would prejudice the character of the area will not be permitted. GD7 of the SV seeks to ensure similar character impact and Policy H2 requires a minimum density of 30 dph and 50% 1, 2 or 3 bedroom dwelling mix.

The Parish Council and residents have raised concern on such grounds, commenting that the number

and density of dwellings proposed would result in a disproportionate enlargement to the settlement – specifically a 50% enlargement has been mentioned, impinging on village character.

The site occupies a prominent location fronting onto Garstang Road on the edge of the settlement boundary to the western periphery of Little Ecclestone. Buildings on the site are in a state of disrepair and currently detract from the visual appearance of the area. The site is located between a ribbon of housing fronting onto Blackpool Old Road to the east and a caravan park which follows a rectangular parcel of land running in a north-south direction to the west. Dwellings within the village are of semi/ detached nature with moderately sized external areas. A pair of semi-detached houses lie to the southwest corner of the site and a row of five dwellings and a second caravan park are located on the opposite side of Garstang Road.

The site boundaries are formed by established trees and hedging to the northern, eastern and southern perimeters, with an access track to Wyre View intervening with the caravan park alongside the site's western boundary. These boundaries, combined with the extent of built development on the site and its relationship to surrounding buildings, form a physical connection with the remainder of the village and visual segregation between the site and areas of adjoining open countryside, most notably that beyond the treeline to the north. The site's relationship with and connection to other built development within Little Ecclestone means that it forms part of the Y-shaped pattern of development and does not sit outside or in isolation to the remainder of the settlement.

Existing buildings account for a large proportion of the site area, the majority of which are un-used and as a result have fallen into a state of disrepair. These buildings have a front facing aspect to and are located close to Garstang Road and therefore appear particularly prominent when viewed from this external vantage point. It is considered that the current visual appearance of the site detracts from the locality and does not provide for a welcoming approach to Little Ecclestone, and that redevelopment would act to rejuvenate the land and provide for an enhanced setting to the village edge.

Concern has been raised by the Parish to the increased number of dwellings proposed and the impact has on the character of the village, stating 41% enlargement as not being sustainable.

There are approximately 126 properties within Little Ecclestone, inclusive of those within both Fylde and Wyre Authority areas. On this basis, the development would enlarge the number of dwellings within the village by approximately 32%. The submitted layout provides for a density of approximately 22 dwellings per hectare (DPH), based on a site area of 1.9 hectares referred to in the submitted application form. This figure is low in comparison to policy requirements of 30dph, but it is recognised that a large amount of open space is provided within the scheme. The density requirements of Policy HL2 are not representative of those in the locality or location of the development within countryside, being akin to a higher density urban area. The application site is located to the village periphery, on this basis a lower density scheme which reflects that of the locality and provides a sense of openness is more appropriate, indeed paragraph 47 of the NPPF states that housing densities should reflect local circumstances.

It is considered that the current proposal provides for a more efficient use of the land when compared to the extant consent without being overly dense to detract from the surrounding pattern of development. It incorporates a mix of dwellings and density which better accords with that Policy H2 of the SV. Members should also note that this proposal is on the same site as the extant consent and does not seek to enlarge the village envelope to any greater extent than that already deemed to be acceptable in the approval for 25 units.

There is no definition in the FBLP, SV or NPPF as to what constitutes an appropriate (or inappropriate) extension to an existing village, however for the above reasons it is considered that the proposal would result in an acceptable and proportionate extension of Little Ecclestone.

Visual Impact

Policy HL2 supports new residential development which is compatible with adjacent land uses and would be in-keeping with the character of the locality. Policy EP10 indicates that the distinct character and important habitats of Fylde will be protected. The policy identifies that particular priority will be given to the protection of important landscape and habitat features, including broadleaved woodland, scrub meadows, hedgerows, wetlands, ponds and watercourses. Policy EP11 states that new development in rural areas should be sited so that it is in keeping with landscape character, development should be of a high standard of design and matters of scale, features and building materials should reflect the local vernacular style. Policy EP12 states that trees and hedgerows which make a significant contribution to townscape or landscape character, quality and visual amenity will be protected. Policy EP14 requires new housing developments to make suitable provision for landscape planting. This reflects guidance contained within the SV and NPPF.

The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) which considers the development's impact on landscape character and views from surrounding receptors. The report concludes that the development would give rise to a slight landscape effect and a moderate visual effect. The Arboricultural Impact Assessment concludes that majority of trees are adjacent to the site boundary, enabling redevelopment with little impact on trees subject to protection during the construction period. Trees and hedgerow are both shown for retention on the proposed layout where practicable, accordingly, the most valuable landscape features on the site would be retained. Conditions would be usual to secure the implementation of tree protection measures and the retention of these features.

The site is situated on the western edge of the village envelope and is a brownfield site within the countryside. External vantage points of the site are limited due to the presence of the village to the east, caravan park to the west and dense tree planting to the north. External views are largely restricted on approach to the site from the east and west on Garstang Road. The proposed layout has considered the site's prominence ensuring a front facing aspect to Garstang Road, but ensures that dwellings are set back from the site boundary in order to retain hedgerow/ tree planting to minimise the obtrusiveness of the development from this main viewpoint. This set back accords with other dwellings on Blackpool Old Road which currently provide a sense of openness in the locality.

The proposal would result in the redevelopment of a previously developed site on the western edge of the settlement. Whilst the scheme would alter the existing character of the site, it would be contained within the established boundaries of Sunnysdale Nurseries and would not encroach into open countryside. Although the new dwellings would be taller than the existing nursery buildings, the proposal would result in a reduction in the overall massing of built development on the site. Moreover, the development would also have positive visual effects through the removal of unsightly buildings and replacement with a spacious landscaped development that will strengthen the village edge.

On this basis it is considered that the proposal is a sympathetic addition which will assimilate into the surrounding area. An appropriate condition has been recommended requiring any future application for reserved matters to demonstrate compliance with the principles of the submitted landscape strategy in order to satisfactorily minimise its visual impact. Accordingly, the proposal is considered to be in compliance with the requirements of FBLP policies HL2, EP10, EP11, EP12, EP14 and EP18, and the NPPF.

Conclusion regarding principle:

The site lies within the Countryside outside the settlement boundary of Little Ecclestone as identified on the FBLP Proposals Map. The proposed residential development does not fall within any of the categories of appropriate development outlined in FBLP policy SP2 and, accordingly, is in conflict with this policy. However, given the absence of a five year supply of housing land within the Borough, policy SP2 is out-of-date and is in conflict with the NPPF. As a result, little weight can be attached to this policy in the decision making process.

As has been demonstrated through numerous appeals, the principle of housing development cannot be resisted in the Countryside Area providing that it is sustainable in all other respects and that no other demonstrable harm would arise as a result of the development. It is considered that the scheme would result in an appropriate and proportionate extension on the edge of the village of Little Ecclestone and would deliver several benefits which, in combination, weigh heavily in favour of the development. In particular, the proposal would:

- Make efficient use of previously developed land on the edge of the settlement, would not encroach onto surrounding open countryside outside the built-up area of the village.
- Make a valuable contribution to the supply of housing within the Borough in the absence of a five year supply.
- Result in an extension of the settlement which, by virtue of its size, scale and density, would be compatible with the rural character and setting of the existing village, improve the appearance of the site and village edge and would not result in isolated homes in the countryside.
- Be accessible to shops and services in Great Ecclestone located within comfortable walking distance of the site, including enhancing their vitality and viability.

The site is a housing allocation in the SV, with Policy SL5 providing support for such development. The status of this document allows weight to be attributed. Furthermore, the application site has the benefit of outline planning permission for 25 dwellings and the addition of 16 units to this figure is not considered to compromise sustainability.

Given the above, it is considered that the principle of development is acceptable, having particular regard to the core planning principles (paragraph 17) and the requirements of paragraphs 47, 49 and 55 of the NPPF, and FBLP policy HL2.

The Parish Council has made reference to a recent decision in Wrea Green where an outline application for 50 units was refused quoting ‘the resultant expansion of the village far in excess of the scale of growth that was envisaged for this Tier 1 allocation’, with Little Ecclestone being designated as a “countryside” area with little or no expected growth. Whilst this is noted, it is considered that Wrea Green has had a large amount of growth, based on its sustainability, with existing approvals accounting for an increase of 256 dwellings over the new plan period (2011 – 2032). Whilst the Parish Councils concerns for the countryside designation are recognised, these matters are not sufficient to outweigh the lack of 5 year housing supply and the sustainability assessment made above.

Design and Layout

Policy HL2 of the FBLP supports new housing development which would be in-keeping with the character of the locality in terms of scale, space around dwellings, materials and design, and retains features such as trees and hedges. Policy HL6 requires new housing schemes to respect the

character of the area and provide an attractive, safe and crime free environment for residents. This reflects criteria contained within Policy GD7 of the SV, Policy H2 also requires the mix of dwellings to provide at least 50% 1, 2 or 3 bedroom properties, in rural villages 33% should also be 1-2 bedroom dwellings.

The layout reflects the existing settlement form and that of the outline approval, providing for a central access road with housing having a front facing aspect to Garstang Road. Dwellings within the scheme similarly have a front or side facing aspect to the internal access road and back to back relationship mirroring that within the locality. Dwellings are rear facing to the north and west, whilst this layout approach is not normally encouraged it is considered acceptable in this circumstance bearing in mind the western aspect toward the caravan site and dense tree coverage to the north. Dwellings are set back from Garstang Road and all other boundaries of the site enabling retention of the majority of existing hedgerow and trees to the site boundary. This will act to provide an established landscape buffer to the development, and enhance the setting of the development when viewed externally within the street scene.

With regard to house design, the dwellings are typical house types within the applicant's portfolio and so are not specifically designed to accord with the local vernacular. Notwithstanding this, dwellings within the locality present a standardised design which are predominantly 2 storey, having a dual pitched roof form and constructed of either red brick and/ or render and have no particular architectural interest. The dwellings proposed are to be constructed of brick and tile, with a mix of hipped/ pitched roofs, front gable detail and porches incorporated in some designs and their appearance would be consistent with existing dwellings in the locality.

Open space is provided to the north western edge of the development, surrounding the retained pond and provides occupants with an informal recreational space. There is no equipped play area proposed. Dwellings in this locality have either a front facing or dual aspect and provides for a degree of natural surveillance of the POS. The majority of existing natural features such as trees and hedgerows are retained to the site periphery. Additional tree planting within the front garden of dwellings provides landscaping within the streetscene of the development and limited boundary treatments provide an open aspect within the development. Boundary treatments are confirmed to be a mix of railings, post and rail fence, timber fence and brick pier/ fence infill, which are all acceptable though detail with regards to siting should be conditioned for approval.

At the request of officers the original layout has been revised to improve the mix of dwellings proposed. This has resulted in the addition of a greater number of 3 bedroom properties (46%), increasing the overall number of dwellings proposed to 41. A total of 15 of the 41 (37%) dwellings are 1-2 bedroom size. Whilst not in strict accordance with the percentage mix requirements of Policy H2, it is recognised that there must be some flexibility to this policy so as not to prohibit residential development. On balance the mix of dwellings is supported, and would contribute toward meeting the demographic needs of the Borough.

For the above reasons it is considered that the design and layout of the proposal is acceptable, in accordance with the requirements of Policy HL2, HL6 and H2.

Highways

Policy HL2 of the FBLP supports new residential development provided satisfactory access and parking arrangements are provided, and do not adversely affect the safe and efficient operation of the highway network, either individually or cumulatively with other permitted developments. Policy TR1 also encourages the improvement of facilities for pedestrians to encourage walking as an alternative means of travel. Policy GD7 and T5 of the SV reiterate the above highway policy position.

The applicant has submitted a Transport Statement in support of their proposal which concludes that the site is accessible and in a sustainable location, traffic flows have been assessed and present no capacity issues, as such the scheme will have little or no impact on the local network

The proposed access arrangements replicate those approved in the outline permission, with vehicular access to the site from Garstang Road, a right hand turning lane and pedestrian refuge island provided on Garstang Road and a second refuge island provided adjacent to the Great Eccleston junction. The existing footpath network to Garstang Road will be continued along the new access road, a secondary footpath link is provided to Blackpool Old Road in the south western corner of the site as previously requested by members. The outline planning consent considered the acceptability of this access arrangement, as well as the impact that vehicles resultant from the development would have on the road network. Whilst this current proposal provides for 14 additional dwellings, and consequently additional trips to/ from the site, it is considered that the access design and road network can accommodate the increase of traffic, subject to the provision of the offsite highway works proposed.

The proposed road layout within the application site is of standard design, the main access road providing for a 5.5m carriageway width and 2m wide footpaths, turning heads are indicated the end of each secondary road. It is considered that the layout is acceptable and would not prejudice the free flow of traffic on the site or compromise or highway safety. Parking for each dwelling is a mix of garaging, driveway or parking court (apartments). This will ensure that parking is provided within curtilage and not displaced to the road.

LCC Highways and Highways England have not raised any concerns to the proposal, subject to condition. On this basis it is considered that proposal provides for a safe form of development, in accordance with policies of the development plan.

Residential Amenity

Policy HL2 of the FBLP and GD7 of the SV supports new residential development that would have no adverse effect on the amenity and privacy of neighbouring properties. This amenity impact includes privacy, dominance, loss of light, over shadowing or disturbance resultant from the development itself on neighbours, or during the construction period.

Existing neighbours which could be affected by the proposal adjoin the application site to the east on Blackpool Old Road, south on Garstang Road and caravan site to the west. The occupant of Flonora has objected on such grounds and has raised concern with regards to accuracy of the Proposed Site Layout which may depict this property having a greater separation distance to the development, as well as loss of hedgerow adjoining the application site.

Flonora is located to the east of the application site and is set back from and has a front facing aspect to Garstang Road. There are a number of windows within the side elevation of this property serving habitable rooms which would oppose the corner of the side/ rear elevation of the dwelling sited on Plot 29. The applicant has checked accuracy of the drawings and has confirmed by annotation on the Layout drawing that separation between dwellings is 13.531m. This separation distance is considered acceptable, though given the possible inaccuracy of drawings a condition is considered necessary to ensure this separation is provided within the development.

Flonora and several other dwellings on Blackpool Old Road have a rear facing aspect toward the development, opposing the side gable and rear garden of plot 28, and the POS space. Separation to Plot 28 from these dwellings is 30m+ and is such to ensure an acceptable relationship to these

neighbours.

Plots 9-13 have a rear facing aspect to the end elevation of caravans located to the west. Separation would be approximately 17m, with retained hedgerow to the application site and to the boundary of the caravan site acting to soften the visual impact of the built form. The development is considered to provide an acceptable relationship to these neighbours.

Plot 1 is set back from the rear build line of 2 Sunnydale Cottages, located to the south west of the application site. This neighbour has a rear conservatory and side garden separation to Plot 1 approximately 10m deep. There would be no direct overlooking from the new dwelling and separation created by the side garden is sufficient to minimise any impact from loss of light, overshadowing and dominance. Neighbours to the opposing side of Garstang Road have a separation of 50m+ and would not be directly affected by the physical presence of dwellings on the site.

With regards to amenity of prospective occupants, several dwellings are located adjacent to the main road. It is considered that the standoff distances to the road are sufficient to ensure that the amenity of prospective occupants are not unduly affected by road noise. Further to this, each dwelling proposed has an acceptable level of private garden space and off street parking to ensure satisfactory levels of amenity for residents of the development.

The proposal will intensify use of the site and increase the number of vehicles on access roads in the locality. The level of vehicle activity associated with the development is not considered to have a significant noise impact on adjacent residents and is therefore unlikely to cause an unacceptable disturbance. It is inevitable that there will be some disruption for residents during the construction period. This disruption however is temporary for the duration of the build and is therefore acceptable. Conditions are suggested to control construction hours, wheel wash facilities, measures to control dust, noise and vibration.

On this basis it is considered that the development would not unacceptably impinge on the amenity of existing or prospective residents.

Flood Risk and Drainage

The site falls entirely within flood zone 1, as defined on the Environment Agency's Flood Map. Policy EP25 and EP30 of the FBLP states that development will not be permitted which would be subject to an unacceptable risk of flooding or create an unacceptable increase in the risk of flooding within the development site, or elsewhere, foul sewers and sewerage treatment facilities should be of adequate design and capacity to meet additional demand or their provision can be secured as part of the development. Policies CL1 and CL2 of the SV reflect EP25 and EP30, and encourage use of sustainable urban drainage systems.

An Outline Drainage Strategy has been submitted with the application, which includes a flood risk assessment. The flood risk assessment concludes that the site is in an area of low risk, and the pond on site is also identified as a low risk of surface water flooding. Foul sewerage is expected to link into the existing network, with surface waters being dealt by pervious surfaces and attenuated surface water sewer system prior to discharging in to the existing network also.

United Utilities and the Lead Local Flood Authority have not raised objection to the proposal, subject to conditions requiring submission of a detailed drainage strategy to ensure that the rate of surface water discharge from the site does not exceed the pre-development run off rate, that separate systems are installed for the discharge of foul and surface water and that appropriate management

and maintenance plans are put in place in respect of any sustainable drainage system. Therefore, adequate measures can be put in place in order to ensure that the development poses no unacceptable risk in terms of flooding in accordance with the requirements of FBLP policies EP25 and EP30, and the NPPF.

Ecology

Paragraph 118 of the NPPF states that local planning authorities should aim to conserve and enhance biodiversity, if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused, opportunities to incorporate biodiversity in and around developments should be encouraged.

The site has no specific nature conservation designation in the Local Plan. Policies EP15, EP16, EP18 and EP 19 seek to safeguard European Sites, SSSI's and protected species and their habitats from development requiring mitigation where appropriate, as well the retention/ enhancement of existing natural features and the introduction of additional features as part of the development in order to provide biodiversity enhancements. Policies ENV1 and ENV2 of SV reflect this current policy position.

An ecology survey submitted with the outline application states that the site is used by relatively common breeding bird species and small extent for foraging and community bats. There are 3 ponds within 25m of the site, only two of which are suitable for use by great crested newts (GCN), and only one of which occurs within the site boundary, the site is otherwise of limited ecological value. Surveys undertaken state that there are no conclusive signs of bat roosting within trees or buildings, and no signs of other protected species such as GCN, badgers or barn owl occurring on site. With the exception of the onsite pond and hedgerows, there are no important habitats on site, close to the site, or that will be adversely affected by the proposals. The Survey concludes that the proposal will have no negative ecological impact, subject to mitigation requiring for compensation of habitat and precautions in respect of breeding birds.

The ecological impact of residential development of the site was considered during assessment of the outline application. GMEU appraised the submission and considered; given the lack of any specific designations and the site's existing character/use, the site to be of limited nature conservation value with low potential to support any specially protected or priority species, except for foraging bats. GMEU raised no objection to the application on nature conservation grounds and recommended that conditions were attached to any permission granted requiring retention of perimeter vegetation and the pond.

The ecology survey submitted with the outline application demonstrated that residential development of the site is capable of being carried out without adversely affecting important habitats and species on/adjacent to the site. The Ecological Survey submitted with the current application has not identified any further issues and the proposal has retained existing features of ecological importance, including perimeter trees, hedgerows and the pond, in accordance with the above GMEU recommendations. Natural England also has no objection to the proposal. On this basis this proposal is therefore in accordance with the objectives of FBLP policies EP15, EP16, EP18, EP19 and the NPPF.

Trees

There are a number of trees on the site which afford amenity value to the locality, especially those to the site frontage on Garstang Road, these and those to the northern boundary are protected by Tree Preservation Order. Policy EP12 states that trees and hedgerows which individually or in groups

make a significant contribution to townscape or landscape character will be protected. Policy GD7 of the SVFLP seeks to protect existing landscape features.

The majority of trees and hedgerow to the site periphery are indicated to be retained within the development. The application is supported by an Arboricultural Impact Assessment (AIA) which concludes that majority of trees are adjacent to the site boundary, enabling redevelopment with little impact on trees. Several trees are required to be felled, though majority of these are Category C and not seen as a constraint to development. As per comment from the Tree Officer, the Layout drawing has also been amended to ensure that trees to the northern boundary are shown to overhang the site, and not cut back to the boundary line as originally submitted.

The Tree Officer has raised concern for any works affecting trees/ hedgerow adjacent to Garstang Road, including works to underground services and footpath enhancement. Any works affecting this locality should be subject to a method statement demonstrating how works will protect trees which can be controlled by condition.

On this basis the proposal is considered to accord with Policies EP12 and GD7, subject to protection of retained trees and hedgerows, and provision of additional tree planting within the development which can be controlled by condition.

Other matters

Pond Safety

It is considered appropriate to attach a condition requiring a fence to a minimum height of 1 metre to be installed to the perimeter of the pond. Given the nature of the proposal and presence of standing water in the site, the pond could pose a safety risk for occupants of the development. Therefore, whilst it represents an attractive feature with respect to visual amenity and biodiversity, it is correct to take measures to ensure the safety of future occupiers of the development in accordance with FBLP policy HL6. A suitable condition has been recommended in this regard.

Affordable housing

Paragraph 50 of the NPPF requires affordable housing to be provided where needs have been identified. Policy H4 of the SVFLP requires a 30% provision of affordable housing in new development, being based on The Fylde Coast SHMA 2014 which sets out the need for affordable housing in the Borough.

The Council's Strategic Housing team have commented on the application and require the development to provide 30% affordable housing on the site. This can be provided by Legal Agreement.

The Strategic Housing Team have raised concern to the provision of affordable apartments, questioning whether this typology could be occupied. Notwithstanding this, the applicant is willing to enter into a Legal Agreement which will require the affordable provision. This is considered to be sufficient justification of the applicant's commitment to delivery of the affordable housing on the site. The most recent layout has omitted the location of affordable units, though it is expected that they be the 2-3 bedroom units located adjacent to the pond. Ideally, affordable housing should be pepper potted throughout the development, however on balance it is considered that the proposed location is integrated within the scheme and would not obviously appear as affordable provision within the street scene.

Education

It is expected that development provides for any identified shortfall in local education provision.

Policy CF2 of the FBLP and INF2 are of relevance and place such a requirement on development.

Comments received from LCC Education confirm that there is capacity in the local primary schools to accommodate the education needs of the development in that respect. However, they also confirm that there is an expected shortage of places to meet the secondary education requirements of the development. The 41 dwelling scheme is expected to generate an additional 5 secondary school places and so the county Council have requested funding of £101,517.95 to be used at Garstang Community Academy as the nearest school to the site where an education project is to be delivered. This is a matter that can be secured through a clause to the s106 agreement and so would allow compliance with Policy CF2 of the FBLP and INF2 of the FLP32.

Conclusions

The proposed residential development represents a proportionate extension to the village on a previously developed site located to the edge of Little Ecclestone. The scheme would follow the pattern of built development on the periphery of the settlement and would be contained within the established boundaries of Sunnysdale Nurseries without encroaching into the open countryside. Whilst the site is located outside the settlement boundary and within the Countryside Area as defined on the Fylde Borough Local Plan Proposals Map, the Council is presently unable to demonstrate a five year supply of housing land and, accordingly, the principle of residential development within the Countryside Area cannot be resisted where the development is sustainable in all other respects.

The site is a housing allocation in the SV, with Policy SL5 providing support for such development. The status of this document allows weight to be attributed. Furthermore, the application site has the benefit of outline planning permission for 25 dwellings and the addition of 16 units to this figure is not considered to compromise sustainability.

The proposal, by virtue of the size, scale, density and number of dwellings proposed, and its relationship to the urban fringe of the village, would not have any significant adverse effects on landscape character or quality. Satisfactory arrangements (including infrastructure improvements) are proposed for vehicle access, parking and manoeuvring in order that the development would not have a detrimental impact on the safe and efficient operation of the surrounding highway network. The existing footpath network will be improved through provision of 2 pedestrian refuges on Garstang Road, acting to improve pedestrian access and connectivity between the settlements of Little Ecclestone and Great Ecclestone.

The proposal would result in an acceptable relationship with surrounding uses and appropriate mitigation can be provided to ensure that the development would have no adverse impacts in terms of ecology, flooding, drainage and contamination and appropriate contributions would be secured to make the development acceptable in planning terms. The proposal is therefore considered to represent sustainable development in accordance with the requirements of the relevant policies of the National Planning Policy Framework and the Fylde Borough Local Plan.

Recommendation

That the authority to GRANT planning permission be delegated to the Head of Planning and Regeneration, subject to completion of a Section 106 agreement that will secure:

- provision, retention and operational details for 30% of the proposed dwellings to be affordable properties

- a contribution of £101,517.95 towards addressing the expected shortfall of secondary education capacity to serve the occupants of the development with this expected to be spent at Garstang Community Academy

And that the planning permission be granted subject to the following conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning & Regeneration believes is necessary to make otherwise unacceptable development acceptable):

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:

- OS Plan OS-001.
- 'Proposed Site Layout' Amended Drawing Number 16-008 0001 rev G received on 12th January 2017.
- 'Shakespeare' drawing number 4.341/P/BU/L10/300/study.
- 'Trevithick' drawing number 3.205CB/P/BU/L10300 Rev# received on 22nd December 2016
- 'Oxford' drawing number 4.309/P/BU/L10 300 Rev#
- 'Haversham' drawing number 4.342/P/BU/L10/300 Rev#
- 'Haversham SA' drawing number 4.342SA/P/BU/L10/300 Rev#
- 'Eton (new)' drawing number 4.343/P/BU/L10/300 Rev#
- 'Whitemoor (new)' drawing number 4.344/P/BU/L10 300 Rev A
- 'Cavendish' drawing number 5.340/P/BU/L10/300 Rev#
- 'Stephenson' drawing number 4.203/P/BU/L10/300 Rev A
- '2 bed churchill' drawing number 2.214/P/BU/L10/300 Rev#
- 'Baird' drawing number 3.217/P(eg)/BU/L10/300 Rev#
- 'Bell' drawing number 2.213/P/BU/L10/300 rev#
- 'Double Garage' drawing number DGL/3.0/1/B Rev#
- 'Double Garage' drawing number DGL/5.0/2/B Rev A
- 'Paired Double Garage' drawing number PGL/1.0/1/B Rev A
- 'Single Garage (Lancashire)' drawing number PGL/2.0/2/B Rev#
- 'Single Garage (Lancashire)' drawing number PGL/2.0/1/B Rev A
- 'Refuge Layout' drawing number J481/Access/Fig1 rev X
- 'Refuge Layout' drawing number J481/Access/Fig2

and the following supporting information:

- Extended Phase 1 Habitat Survey & Baseline Ecological Impact Assessment (CSCA - August 2016).
- P5012 Outline Drainage Strategy (Thomas Consulting - 30/08/2016).
- P5177 Preliminary Risk Assessment (Thomas Consulting).
- Transport Statement (DTPC - September 2016).
- Landscape & Visual Impact Assessment (Urban Green - August 2016 Rev C).
- Arboricultural Report (Urban Green - August 2016).

Reason: The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015. Access has been applied for and any application for reserved matters must be in accordance with and/or not

exceed the parameters established as part of this permission.

3. Notwithstanding the submitted details, prior to commencement of the development hereby approved, representative samples of the external construction materials shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be used in construction of the development.

Reason: To provide sufficient clarity over the construction materials and in the interests of visual amenity for the dwellings, in accordance with Policy HL2 of the Fylde Borough Local Plan.

4. Notwithstanding the approved drawings detailed in condition 2, prior to commencement of the development hereby approved, drawings which indicate dual aspect dwellings to dwellings on Plot numbers 5, 6 and 34 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005) and National Planning Policy Framework.

5. The open space area located to the north east of the application site as identified on amended 'Proposed Site Layout' drawing number 16-008 0001 revision G received on 12th January 2017 shall remain free of development and available for communal public open space use at all times thereafter.

Prior to commencement of the development hereby approved, a phasing plan for delivery of housing, public open space and landscaping shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall ensure proportional provision of public open space throughout the construction period.

Reason: To provide clarity over the extent of the built development to minimise its impact on the surrounding landscape and to ensure provision of areas of open space within it in accordance with the approved submission, in accordance with Policy HL2 and TREC17 of the adopted Fylde Borough Local Plan.

6. No development shall take place until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

- a survey of the extent, scale and nature of contamination
- an assessment of the potential risks to:
 - human health;
 - (i) property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
 - (ii) adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments.
- where unacceptable risks are identified, an appraisal of remedial options and proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the apartments hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers, in accordance with Policy EP29 of the adopted Fylde Borough Local Plan (October 2005).

7. Details of finished floor levels and external ground levels for each plot shall be submitted to and approved in writing by the Local Planning Authority before any development at that plot takes place. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: In order to ensure a satisfactory relationship between the new dwellings and their surroundings (including buildings and the street scene) and to ensure that the development is not at risk of flooding, in accordance with Policy HL2 and EP30 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

8. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site 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 provide separate systems for foul and surface water and be based on the hierarchy of drainage options in the National Planning Practice Guidance, and the following:

- Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- Flood water exceedance routes, both on and off site;
- A timetable for implementation, including phasing as applicable;
- Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the duly approved details before any of the dwellings are first occupied, or within any other timescale first agreed in writing with the Local Planning Authority.

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 Policy EP25 and EP30 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

9. None of the dwellings shall be first occupied until details of a management and maintenance scheme for any sustainable drainage system required by condition 6 of this permission has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover the full lifetime of the drainage system and, as a minimum, shall include:
- arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Residents' Management Company.
 - arrangements concerning funding mechanisms for the ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) to include elements such as:
 - on-going inspections relating to performance and asset condition assessments.
 - operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets.
 - any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
 - means of access for maintenance and easements.

The drainage system shall be installed in accordance with the details in the duly approved scheme before any of the dwellings are first occupied, and shall be managed and maintained as such thereafter.

Reason: To ensure that satisfactory measures are put in place for the management and maintenance of any sustainable drainage system throughout the lifetime of the development, to minimise the risk of flooding and to limit the potential for surcharging of the sewer network, in accordance with Policy EP25 and EP30 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

10. Prior to commencement of the development hereby approved, a scheme for the design (including provision of an adequate visibility splay at the junction with Garstang Road), construction, drainage and lighting of the site access (the layout of which is shown on drawing number 16-008 0001 revision G) has been submitted to and approved in writing by the Local Planning Authority. The site access shall be constructed in full accordance with the duly approved details and made available for use before any of the dwellings hereby approved are first occupied, and the visibility splay kept free of any obstructions over 1 metre in height thereafter.

Reason: To ensure safe and convenient access to the site for vehicular traffic and to achieve a satisfactory standard of engineering works, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

11. Prior to commencement of the development hereby approved, a scheme detailing the off site highway improvements works (as shown on drawing nos. J481/Access/Fig1 and J481/Offsite/Fig2 - DTPC) shall be submitted to and approved in writing by the Local Planning Authority. The required works are namely:
- The provision of a ghost island right hand turn lane for westbound vehicles entering the site from Garstang Road.
 - A pedestrian crossing over the carriageway of Garstang Road in the position shown on drawing no. J481/Access/Fig1.
 - A pedestrian crossing over the carriageway of Garstang Road in the position shown on drawing no. J481/Offsite/Fig2.

The submitted scheme shall include siting, layout, design, construction, lighting and drainage. The approved scheme shall be implemented prior to first occupation of the development and retained thereafter

Reason: In order to secure improvements to the highway network to ensure safe and convenient access and circulation for vehicle traffic and enhanced provision for pedestrian access to the site and the adjacent settlement of Great Eccleston in the interests of road safety, in accordance with Policy HL2 and TR1 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

12. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include details of the following: -

- (i) the parking of vehicles of site operatives and visitors.
- (ii) loading and unloading of plant and materials.
- (iii) storage of plant and materials used in constructing the development.
 - provision of any portacabins on the site.
 - the erection and maintenance of security hoarding.
 - wheel washing facilities.
 - measures to control the emission of dust during construction.
 - measures to control noise and vibration during construction.

The duly approved CMS shall be adhered to throughout the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings during the construction of the development, in accordance with Policy HL2 and EP27 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

13. No development shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be.

The footpath link from the development site to Garstang Road, which is located to the frontage of Plots 40 and 41, shall be provided prior to occupation of plots 38-41 inclusive and retained thereafter.

Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway in, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

14. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

Reason: In the interest 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 Policy HL2 of the adopted Fylde Borough

Local Plan (October 2005) and the National Planning Policy Framework.

15. No development shall be commenced until 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 interest 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 Policy HL2 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

16. Prior to commencement of the development hereby approved, a scheme of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of siting, height and construction materials and provide for a 1m fence about the perimeter of the retained pond on the site. The approved scheme shall be implemented prior to occupation of the development hereby approved and retained thereafter.

Reason: In the interests of visual amenity and to ensure the safety of future residents of the development, in accordance with Policy HL2 and HL6 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

17. No development shall take place until an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall include construction methodology for any works within root protection areas (RPA) and provide for a Construction Exclusion Zone around the RPA of those trees/hedgerows identified as being retained on the Proposed Site Layout (amended drawing number 16-008 0001 Rev: G). The Construction Exclusion Zone shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012 and shall be maintained as such during the entirety of the construction period.

Reason: To protect existing trees and hedgerows to the periphery of site which are to be retained as part of the development, in accordance with Policy EP12 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

18. Prior to commencement of the development hereby approved, a "lighting design strategy for biodiversity" for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To safeguard retained ecological value of the site, in accordance with Policies EP18 and EP19 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

19. Notwithstanding any details shown on the approved plans, prior to commencement of the development hereby approved, a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure retention of all trees and hedgerows identified on the Proposed Site Layout drawing number 16-008 0001 Rev: G as well as the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs for additional landscaping within the development.

The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements, in accordance with Policy HL2, EP14 and EP18 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

20. There shall be no lopping, topping or felling of any trees or hedgerow on or overhanging the site unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the existing trees on the site and to ensure satisfactory landscaping of the site in the interests of visual amenity, in accordance with Policy EP12 and EP14 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

21. No clearance of trees and shrubs in preparation for or during the course of development shall take place during the bird nesting season (March to July inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of trees and shrubs shall take place until a methodology 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 methodology.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with Fylde Borough Local Plan policy EP19, the provisions of the Wildlife and Countryside Act 1981 (as amended), in accordance with Policy EP19 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

22. The separation distance between the dwelling on Plot 29 and the side elevation of the neighbouring property of Flonora shall be a minimum of 13.531, as annotated on amended Proposed Site Layout drawing number 16-008 0001 rev: G.

Reason: Due to possible in-accuracies of amended Proposed Site Layout drawing number 16-008 0001 rev: G and to safeguard the amenity of neighbouring properties, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

23. There shall be no on site works between the hours of:

08:00 - 18:00 Monday to Friday.
09:00 - 13:00 Saturday.
No on site works on Sundays or Bank Holidays.

Reason: To safeguard the amenity of neighbouring residents, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

24. Prior to commencement of the development hereby approved, a scheme for the control of noise, vibration and dust during the period of construction shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be used throughout the construction process.

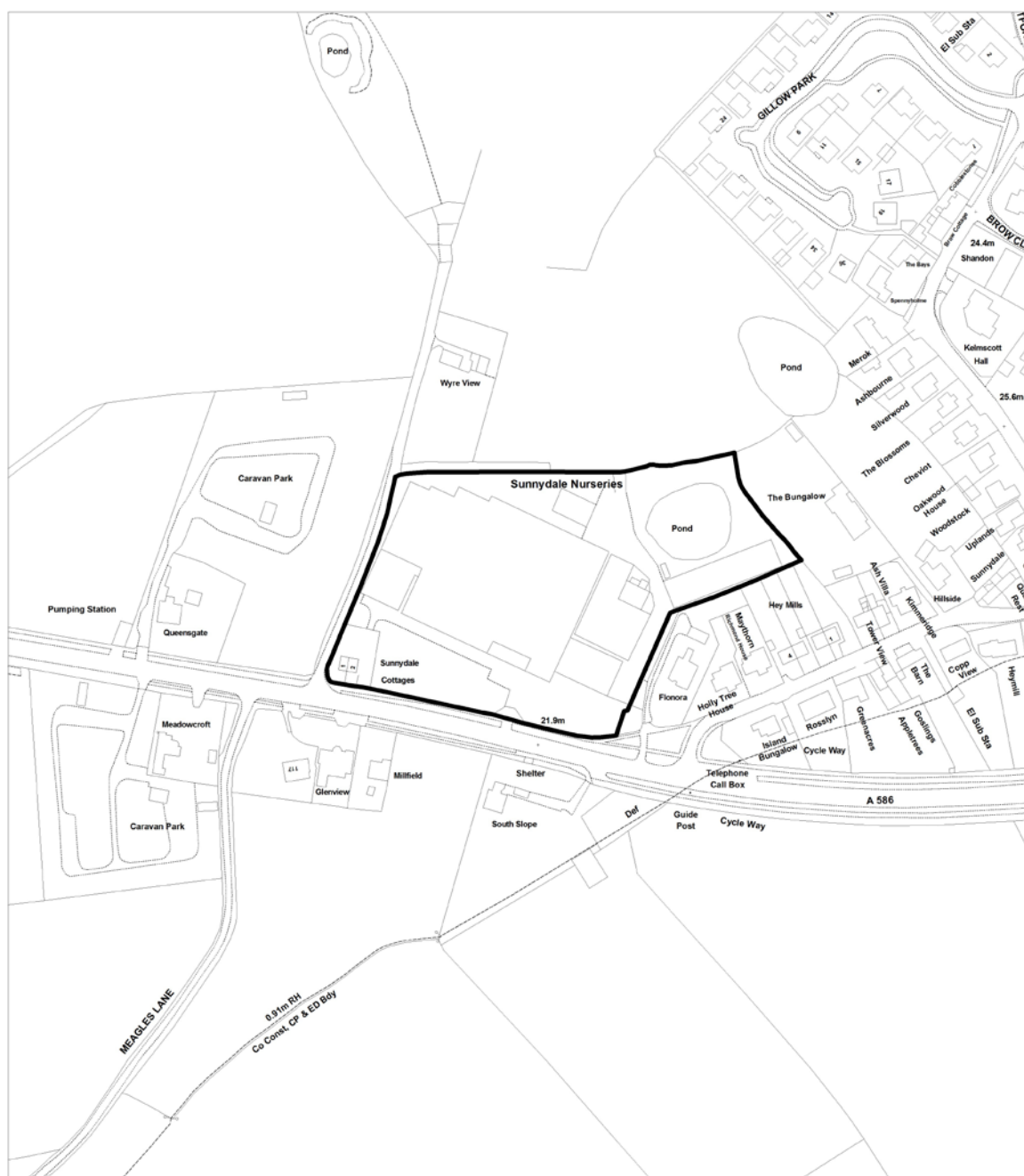
Reason: To protect the amenity of neighbours of the development, in accordance with Policy HL2 and EP26 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

25. All garages within the development hereby approved shall be made available for use prior to the occupation of each associated dwelling and be retained for use as a garage thereafter.

Reason: To ensure provision and retention of required parking within the development, in accordance with Policy T5 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

26. Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority of the on-going maintenance of the communal areas of public open space / amenity landscaping. The development shall thereafter be maintained in accordance with the approved schedule of maintenance.

Reason: To ensure that the development is implemented and maintained to a satisfactory degree into the future, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005).



| | | | |
|---------------------------------------|---|--|------------------------------|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2017). Ordnance Survey (100006084). | |
| Application No. 5/16/0817 | Address Sunnydale Nurseries, Garstang Road, Little Ecclestone | Grid Ref. E.3418 : N.4403 | Scale 0 10 20 30 40 m |

Item Number: 8

Committee Date: 08 February 2017

| | | | |
|-------------------------------|--|-----------------------------|-----------------------|
| Application Reference: | 16/0818 | Type of Application: | Advertisement Consent |
| Applicant: | Story Homes Ltd | Agent : | |
| Location: | LAND OFF WILLOW DRIVE, RIBBY ROAD, RIBBY WITH WREA | | |
| Proposal: | ADVERTISEMENT CONSENT FOR 2NO STATIC FLAG POLES (6M IN HEIGHT) WITH FLAGS AND 1 NO STATIC ADVERTISEMENT BOARD (4M IN HEIGHT) | | |
| Parish: | RIBBY WITH WREA | Area Team: | Area Team 1 |
| Weeks on Hand: | 17 | Case Officer: | Andrew Stell |
| Reason for Delay: | Design Improvements | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7771793,-2.9097871,575m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application relates to a site off Willow Drive in Wrea Green, where the construction of 86 dwellings has recently commenced following the grant of outline planning permission 14/0302 on appeal and reserved matters approval 14/0280. The site access has been formed through the demolition of the dwelling at 15 Willow Drive and site preparation works have commenced.

This proposal is for the erection of a non-illuminated advertising hoarding at the site entrance to help visitors locate the site and the positioning of a flag pole at either side to display a range of corporate Story Homes flags throughout the development period.

The council must determine applications for advertisement consent by assessing whether they have adverse impacts on public safety or public amenity. In this case there are no public safety concerns, but the original scheme placed the signage forward of the adjacent dwelling and was considered to be so prominent to impact on the amenity of the adjoining occupier and other users of Willow Drive. The proposal has been revised to set the signage and flags further back into the site and reduce the scale of signage so is considered to adequately address the concerns of officers.

The application is subject to an objection from the Parish Council, and whilst this is in response to the original scheme they have indicated informally that the revisions do not address their concerns. Notwithstanding that view officers are now satisfied that the proposal complies with the relevant local plan policies and so the application is recommended for approval.

Reason for Reporting to Committee

The officer recommendation to support the development as revised is in conflict with the objection of the Parish Council and so the Scheme of Officer Delegation requires that the application is determined at Committee.

Site Description and Location

The application site relates to the erection of 86 dwellings off Willow Drive in Wrea Green that has recently commenced construction following the grant of outline planning permission 14/0302 on appeal and reserved matters approval 14/0280. The site access has been formed through the demolition of the dwelling at 15 Willow Drive and site preparation works have commenced.

The actual location of the signage is on the northern verge of the proposed access road and so alongside the boundary with the neighbouring dwelling at 17 Willow Drive.

Details of Proposal

The application is for advertisement consent for the erection of signage and flag adverts associated with the construction of the residential development.

The signage is a single non-illuminated sign that features a 2m x 3m panel positioned on an angle and sited on posts to give an overall height of 4m above ground level. This sign is not to be illuminated. The original proposal was for a pair of signs in a V-shape. The original location was to be in the verge to the north of the access point and slightly forward of the front elevation to the neighbouring dwelling at No. 17. This has been revised to move the signage back so that it largely sits alongside the gable to that property.

Two flagpoles are proposed, and are to be positioned at either side of the signage. These have an overall height of 6m and are to display a range of corporate Story Homes flags that measure 900mm in width and 2.7m in depth. The applicant proposes to change the illustrations on these flags to refresh the advertising throughout the development period. The applicant has clarified that the flags are to be fixed to allay concerns that any ropes would cause a noise disturbance by banging on the flagpole.

Relevant Planning History

| Application No. | Development | Decision | Date |
|------------------------|--|-----------------------------|-------------|
| 16/0280 | APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 14/0302 FOR THE DEVELOPMENT OF 86 DWELLINGS INCLUDING 26 AFFORDABLE UNITS, PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE. | Granted | 18/10/2016 |
| 15/0458 | OUTLINE APPLICATION FOR THE DEVELOPMENT OF UP TO 49 DWELLINGS, INCLUDING THE PROVISION OF ACCESS FOLLOWING THE DEMOLITION OF 15 WILLOW DRIVE | Approved with 106 Agreement | 16/10/2015 |
| 14/0735 | OUTLINE APPLICATION FOR THE DEVELOPMENT OF UP TO 49 DWELLINGS INCLUDING THE | Refused | 13/01/2015 |

PROVISION OF ACCESS FOLLOWING THE
DEMOLITION OF 15 WILLOW DRIVE

| | | | |
|---------|---|---------|------------|
| 14/0302 | OUTLINE APPLICATION FOR UP TO 100 DWELLINGS INCLUDING THE PROVISION OF ACCESS FOLLOWING THE DEMOLITION OF 15 WILLOW DRIVE | Refused | 05/09/2014 |
|---------|---|---------|------------|

Relevant Planning Appeals History

| Application No. | Development | Decision | Date |
|-----------------|---|-----------|------------|
| 14/0735 | OUTLINE APPLICATION FOR THE DEVELOPMENT OF UP TO 49 DWELLINGS INCLUDING THE PROVISION OF ACCESS FOLLOWING THE DEMOLITION OF 15 WILLOW DRIVE | Withdrawn | 30/11/2015 |
| 14/0302 | OUTLINE APPLICATION FOR UP TO 100 DWELLINGS INCLUDING THE PROVISION OF ACCESS FOLLOWING THE DEMOLITION OF 15 WILLOW DRIVE | Allowed | 14/01/2016 |

Parish/Town Council Observations

Ribby with Wrea Parish Council notified on 25 October 2016 and comment as follows:

The following issues were raised and are of concern:-

- *The proposed hoarding and flags are within the heart of a residential area and are not readily visible from a major highway.*
- *The sheer height of the structures is not of a reasonable size within an established residential area.*
- *The rigging would cause noise pollution and sheer size be intrusive to properties on Willow Drive.*
- *The closest property would be a mere 10 feet from the hoarding and flags which is far too close.*
- *This is also an application for permanent planning permission and would suggest that the signage and flags may remain indefinitely.*

The parish council, therefore, strongly recommends REFUSAL."

An informal consultation has been undertaken with the Parish Council on the relocated proposal and will be reported to Committee in the Late Observations Report.

Statutory Consultees and Observations of Other Interested Parties

Comments have been received from CAPOW (local resident group) which are summarised as:

- They acknowledge the need for the developer to advertise the site
- Highlight that the proximity of the flags and use of rigging could cause a constant noise nuisance to the neighbouring occupiers
- The proximity of the flags and advertisement will cause 'visual disruption' to the occupier of 17 Willow Drive and other properties
- Refer to noise nuisance from the site being exacerbated by the acoustic fencing around the sales cabin (Note: this is not part of the current application)

- Request that Storey Homes respect their commitment to be neighbour friendly and cause minimum disruption

Neighbour Observations

Site Notice Date: 31 October 2016
Number of Responses: None

Relevant Planning Policy

Fylde Borough Local Plan:

| | |
|------|--------------------------------|
| SP01 | Development within settlements |
| EP09 | Advertisements |

Fylde Local Plan to 2032

| | |
|-------------|--------------------------------------|
| Policy GD7: | Achieving Good Design in Development |
|-------------|--------------------------------------|

Other Relevant Guidance:

| | |
|-------|-------------------------------------|
| NPPF: | National Planning Policy Framework |
| NPPG: | National Planning Practice Guidance |

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Legislative Background

As this application relates to Advertisement Consent it is to be assessed against the requirements of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). These confirm that the only matters that are to be assessed are the implications of the advertisement for amenity and public safety.

Whilst this legislation is dated, this point is reinforced by para 67 of the NPPF which states:

"Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

At a local level the development plan policy is Policy EP9 of the Fylde Borough Local Plan (as amended) 2005 which is primarily aimed at shopfront advertisements and states: *"Advertisements will only be permitted where they respect the character and architectural details of the buildings on which they are proposed. The proposed signage must respect the character of the building and the surrounding area in terms of scale, details, siting and method of illumination."* With the wording of

this Policy and the nature of this application it is considered to have only limited relevance.

The emerging Fylde Local Plan to 2032 is more general and makes reference to advertisements in Policy GD7 relating to general design matters stating: *"w) Advertisement designs should respect the character and architectural details of the buildings and location within which they are proposed, and their surroundings, in terms of scale, details, siting and method of illumination."*

The proposal here is therefore to be assessed against this background.

Public Amenity

The advertisement is located in an area of residential properties and so it is appropriate that any signage respects that character and the domestic scale of the surrounding properties. This proposal relates to signage for a residential development that has its access at a point which is not directly visible from the main road network of Ribby Road. However, the sign is not illuminated, is limited in scale to a 4m height which is lower than the eaves of the surrounding two storey properties, has been reduced in size from 2 signs to 1, and has been set back to a point that it is largely set against the gable to the nearest dwelling. This setback is important in that the original position was forward of this and meant that the rear of the sign would have been prominent from that property and when travelling out of Willow Drive from Ash Drive and other properties beyond the site access. This repositioning has adequately addressed officer concerns on this matter and it is considered that the revised sign achieves the appropriate advertisement of the site access location to prospective property purchasers and other visitors whilst not compromising public amenity.

The flagpoles are higher than the sign at 6m, but remain around eaves heights to the dwelling and by virtue of the design of the flags and location of the poles will not be unduly prominent in the streetscene.

The Parish Council highlight concerns over the potential noise nuisance from ropes used to attach the flags to the poles. This has been queried with the developer who has provided confirmation that the flags are not attached by ropes in the way that a traditional flag would be as they are permanently sited at the 'hoisted' position. Accordingly there is no rope to "chatter" against the pole and so cause this noise disturbance. Their clarification on this is as follows:

"The top of the flag pole will rotate but will be held in place by using plastic weights at the bottom of each flag. This design feature means there is no 'metal on metal' clash between the flag weight and the pole. The flag is attached to the pole by cotton loops and there will be no guide ropes. The only metal is the flag pole itself."

Public Safety

The advertisement is of a scale and position that will not unduly compromise highway safety or any other aspect of the public safety obligations of policy and guidance. Indeed it will assist safety by allowing visitors to the site to clearly identify the access location when travelling to the site from Ribby Road.

Conclusion

The application relates to the display of a non-illuminated advertisement board and 2 flags associated with the marketing of the dwellings under construction off Willow Drive in Wrea Green. Whilst the original siting would have been harmful to the local public amenity the signs have been moved to a position where that is no longer the case. Accordingly they comply with the relevant

guidance in para 67 of the NPPF and para w of Policy GD7 of the Fylde Local Plan to 2032, and so the application is recommended for approval. As with all applications for the display of advertisements, any consent granted would be subject to the standard conditions, which includes a condition which requires the advertisement to be removed after a period of 5 years. Following the expiry of this period, the advertisement benefits from deemed consent and the Council could at that time require the advertisement to be removed if it is displayed after its intended purpose, in this case to advertise the site, is no longer relevant.

Recommendation

That Advertisement Consent be GRANTED subject to the following conditions:

1. The advertisements hereby approved shall, unless a further period of consent is granted, be removed with any necessary re-instatement undertaken after the earliest of either a period of 5 years from the date of this consent, or the date on which the development of the dwellings has been completed and all sold.

In accordance with the provisions of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007, this is the maximum period of years for the display of advertisements; and in order to enable the Local Planning Authority to retain control over the situation.

2. This consent relates to the following details:

- Sales Sign Location Plan - Story drawing SL115.90.9.TSL
- Sales Advertisement Boards - Story drawing SL115.90.9.SL.SAB
- Sales Advertisement Flags - Story drawing SL115.90.9.SL.SAF
- Temp Sales Layout - Story drawing SL115.90.9.TSL Rev E

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

3. a) All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- b) Any hoarding or similar structure, or any sign, placard board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- c) Where any advertisement is required under the regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

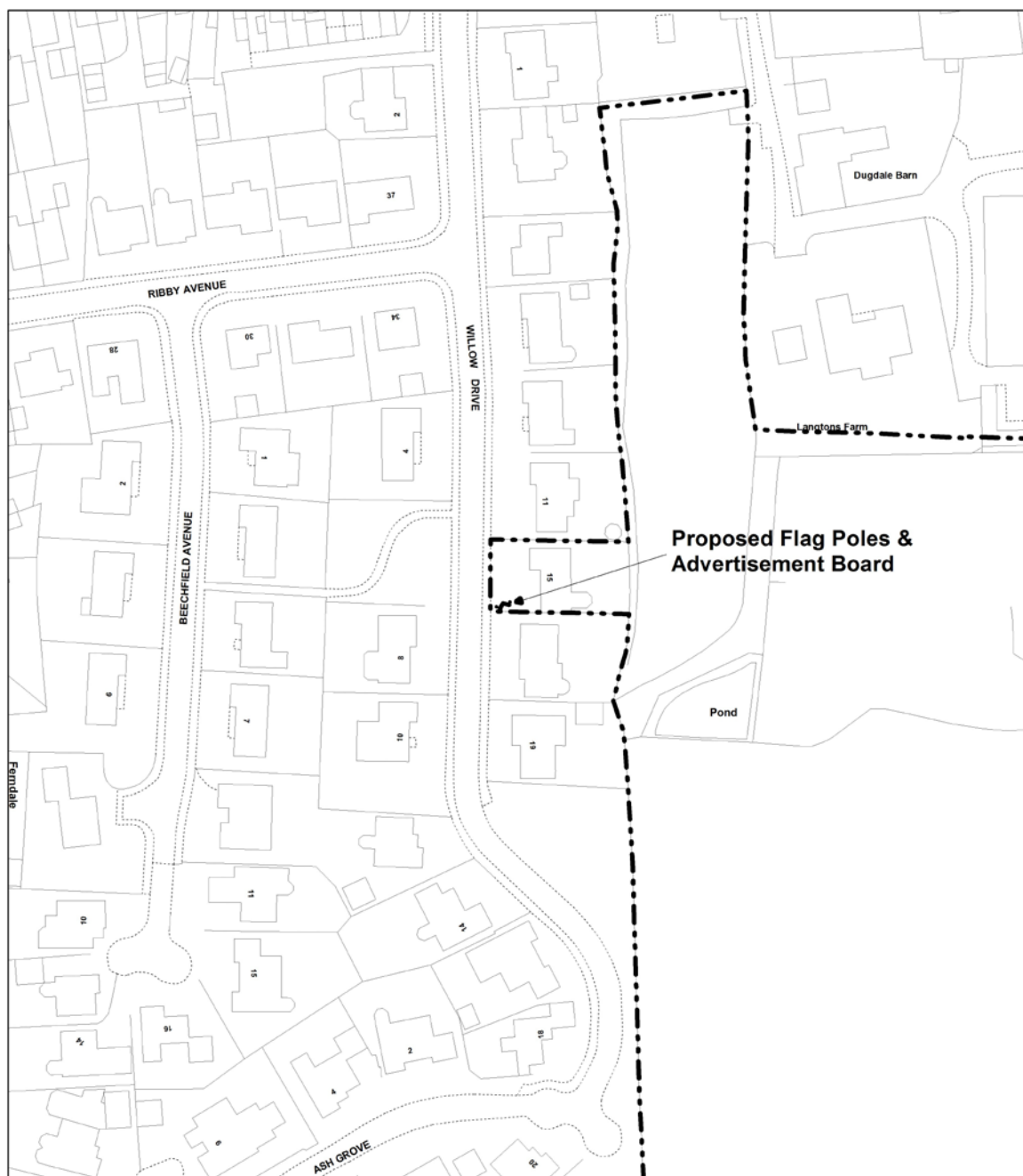
Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- e) No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway [including any coastal waters]; or aerodrome [civil or military].

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.



| | | | |
|---------------------------------------|---|--|-----------------------------|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2017). Ordnance Survey (100006084). | |
| Application No. 5/16/0818 | Address Land off Willow Drive, Ribby Road, Wrea Green | Grid Ref. E.3401 : N.4315 | Scale 0 6 12 18 24 m |

| | | | |
|-------------------------------|---|-----------------------------|--------------------------|
| Application Reference: | 16/0905 | Type of Application: | Full Planning Permission |
| Applicant: | Driftstone Ltd | Agent : | Croft Goode Limited |
| Location: | KEENANS MILL, LORD STREET, LYTHAM ST ANNES, FY8 2DF | | |
| Proposal: | ERECTION OF 5 X TWO STOREY DWELLINGS AND A 3 STOREY BUILDING PROVIDING 21 APARTMENTS FOLLOWING DEMOLITION OF EXISTING BUILDING WITH ACCESS FROM LORD STREET | | |
| Parish: | ASHTON | Area Team: | Area Team 2 |
| Weeks on Hand: | 11 | Case Officer: | Rob Clewes |
| Reason for Delay: | Not applicable | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7566358,-3.0332648,288m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

The application site is a broadly rectangular area of land that currently contains the buildings last used by Oldroyd Publishing. It is located within the settlement area of St Annes adjacent to the railway line and accessed from the mainly residential Lord Street and the mainly commercial Allenby Road. The existing building is two storey offices to the front with a taller warehouse building to the rear, with the remainder of the site providing parking and servicing yards.

The application is for full planning permission for the erection of 26 residential units comprising of 5 x two-storey dwellings and a three-storey block of 21 flats. All the proposed units are for affordable housing and consist of 1, 2 and 3 bed properties. They are arranged in an appropriate layout within the development when viewed from off site, and create no concerns over their relationship to each other or off-site neighbours, both residential and commercial.

The proposal offers a good opportunity to redevelop a brownfield settlement site that is well related to existing shops and other services for residential properties. The scheme satisfies all elements of Policy HL2 relating to new residential development and HL6/H2 relating to the design of residential estates and is in compliance with the provision of the NPPF. As such it is recommended that the Committee support the application. A condition will be imposed to ensure the scheme is entirely delivered as affordable housing.

Whilst the development is of a scale where financial contributions towards education provision and public open space enhancement are considered, no such contributions are sought in this case. This is because the applicant has provided evidence to support their claim that with the land costs, remediation works necessary, and actual property values, that

the scheme would not be viable if it were to be required to make such contributions. In addition, as the scheme is delivering 100% affordable housing in an area where it has been identified there is a significant need this is a material matter that can out-weigh the requirement for financial contributions in order to facilitate the development.

Reason for Reporting to Committee

The application involves major development and so the Scheme of Delegation requires that the decision on the application is made by the Development Management Committee.

Site Description and Location

The application site is the existing Keenans Mill located within the settlement boundary of St Annes. The site lies immediately adjacent to the railway line and spans a piece of land located between Lord Street and Allenby Road. The site comprises of two buildings, one of which is an office type that has two storeys and the other being for storage use and having an additional storey in height. The remainder of the site is for parking and servicing.

The neighbouring buildings on Allenby Road are commercial premises of varying kinds. Immediately adjacent the three storey building there is a vehicle body repair and repair garage. To the north there is a glass merchants and on the other side of Allenby Road there is St Annes Boarding Kennels.

The properties on Lord Street are predominantly residential, with houses running along the southern side and a recently built block of flats on the northern side immediately adjacent the two-storey building. At the very end of Lord Street there is a motor repair garage.

Details of Proposal

The submitted proposal is for the clearance of the site and the erection 26 residential units comprising of 10 x 1-bed apartments, 11 x 2-bed apartments, 2 x 2-bed dwellings and 3 x 3-bed dwellings. The application proposes that all are presented as affordable housing.

The apartments are in a single three-storey block positioned at the northern end of the site. Surrounding the block there are parking spaces, a cycle store, bin store and soft and hard landscaping. The roof is hipped and the elevations consist of facing brick and render.

The proposed dwellings are two storey in height and have hipped roofs. Each property has a rear garden which backs onto the neighbouring block of flats to the north and each is assigned two off street parking spaces. The properties front onto the railway.

The access is proposed off Lord Street with the internal access road running adjacent the railway boundary and back into the site round the back of the block of flats to the parking spaces to the rear and cycle store.

Relevant Planning History

| Application No. | Development | Decision | Date |
|-----------------|--|-----------------------------|------------|
| 16/0996 | PRIOR NOTIFICATION FOR DEMOLITION OF BUILDINGS | Approve Prior Determination | 13/01/2017 |
| 15/0810 | PROPOSED ERECTION OF 12 NO. | Granted | 21/03/2016 |

SEMI-DETACHED HOUSES, ERECTION OF A THREE STOREY BUILDING WITH OFFICES (CLASS B1) ON THE GROUND FLOOR AND 4 NO. SELF CONTAINED FLATS ON THE FIRST AND SECOND FLOORS AND ASSOCIATED WORKS FOLLOWING DEMOLITION OF EXISTING BUILDINGS

Relevant Planning Appeals History

None

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 25 November 2016 and comment:

"The Town Council supports development of a brownfield site, and the provision of social housing. The Town Council would like a contribution towards local transport infrastructure (bus shelters, improvements at the railway station)".

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

No comments received although they have been chased and it is expected that these will be reported as part of the Late Representations Schedule. No highway objections were presented to the application in 2015 for residential development of the site.

Environmental Protection (Pollution)

No objections subject to conditions

Network Rail (use for all consultations)

No comments received although no objections were received to the 2015 application for residential development of the site.

Lancashire CC Flood Risk Management Team

The Lead Local Flood Authority objects to this application and recommends refusal of planning permission until robust evidence has been submitted to the local planning authority demonstrating why higher priority discharge points for the runoff destination of surface water are not reasonably practicable in line with Planning Practice Guidance.

LCC Contributions

They have made comments on the application to advise that there is expected to be a shortfall of capacity to accommodate the education needs of the occupants of the development, which would relate to a single primary and single secondary space. Their request totals £33,778.12.

Strategic Housing

Housing are satisfied with the affordable housing statement for this scheme.

They advise that development is progressing between the applicant and ForViva HA who are a member of the council's RP Partnership. The proposal is that 21 of the units are available for affordable rent with 5 to be sold as Discounted Market Sale or transferred to Heylo for shared ownership.

There is to be a local connection criteria associated with both tenures for initial and subsequent occupiers, and to keep the properties affordable in perpetuity.

United Utilities

No objections subject to conditions

Neighbour Observations

| | |
|-----------------------------|------------------|
| Neighbours notified: | 25 November 2016 |
| Site Notice Date: | 20 December 2016 |
| Press Notice Date: | 15 December 2016 |
| Number of Responses | None received |

Relevant Planning Policy

Fylde Borough Local Plan:

| | |
|--------|--|
| SP01 | Development within settlements |
| HL02 | Development control criteria for new housing proposals |
| HL06 | Design of residential estates |
| EP14 | Landscaping of new developments |
| EP27 | Noise pollution |
| EP25 | Development and waste water |
| EP29 | Contaminated land |
| TREC17 | Public Open Space within New Housing Developments |

Fylde Local Plan to 2032:

| | |
|------|--|
| GD1 | Settlement Boundaries |
| GD7 | Achieving Good Design in Development |
| H2 | Density and Mix of New Residential Development |
| H4 | Affordable Housing |
| ENV4 | Provision of New Open Space |
| T5 | Parking Standards |
| INF2 | Developer Contributions |

Other Relevant Policy:

| | |
|-------|-------------------------------------|
| NPPF: | National Planning Policy Framework |
| NPPG: | National Planning Practice Guidance |

Site Constraints

None

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The principle of the development

The site is located within the settlement boundary of St Annes where the principle of residential

development is accepted under Fylde Borough Local Plan Policy SP1 and Policy GD1 of the emerging Fylde Local Plan to 2032. Policy HL2 of the FBLP and H2 of the FLP32 provide the development management criteria for housing proposal and seek to ensure, amongst other things, that proposals are acceptable in design terms, do not adversely affect neighbouring amenity, are compatible in land use terms, are situated in sustainable locations, are acceptable in highways safety terms and maintain or enhance local biodiversity.

With the council's on-going shortfall of housing supply it is imperative that sites which are brownfield and in accessible settlement locations are brought forward to meet that supply unless there are compelling reasons why not. This site is classed as previously development land, and is not of high environmental value. It is located near to public transport routes and community facilities such as a Medical Centre (0.3 miles) and a Primary School (0.4 miles). This makes it a site where the principle of residential development should be supported, subject to the detailed considerations in the remainder of this report, so as to assist in achieving a five year housing supply.

Design and impact to the street scene

The proposed development comprises of two elements, the block of flats and the five dwellings. The design of the flats is in the style of typical block and is to be primarily of brick construction with a tiled pitched roof which is considered appropriate for the area. Its foot print and general size/massing will not appear overly dominant within the site and will create a greater sense of space within the site when compared to the size of the existing building due to the greater areas of openness around the edges of the site. The building is comparable in height to the recently built flats adjacent the site fronting Lord Street. In light of this it is considered that the block of flats are not considered so large or domineering that it would create an incongruous feature within the site or within the setting of the wider area.

The proposed dwellings are of an appropriate design and it is proposed that they are constructed of materials that would match/compliment the adjacent proposed block of flats. Their scale and massing is comparable to the neighbouring houses on Lord Street and they will not appear out of keeping nor incongruous within their setting or wider area.

The proposed houses front the adjacent railway which results in views of the rear elevation of Plot 1 being obtained from Lord Street. This orientation is similar to what exists already with the existing building projecting out to the same position. Although this orientation and view down towards the railway line from Lord Street is not ideal it is nevertheless considered acceptable and is a compromise from providing a far superior appearance the development will create when viewed from the railway side. As plot 1 is a two-storey dwelling and is lower than the adjacent block of flats fronting Lord Street its forward projection on Lord Street will not be so incongruous that it will harm the street scene in a significant way. When weighed against the improved appearance towards the railway, on balance, the orientation and appearance of the scheme is acceptable.

Both hard and soft landscaping is also proposed as part of the development and this is considered important to the result appearance of the site. It is considered that an appropriately worded condition can be attached to any permission ensuring an appropriate landscaping scheme is agreed.

Overall the general location is one where taller buildings are prevalent, including the three storey building on the site at present, and so the development proposed here will not dominate the surrounding area and the overall height and size is considered appropriate. Their general appearance and setting are considered appropriate and the design is of a good standard that will enhance and compliment the surrounding area.

The design and style of the properties is considered to comply with Policies HL2/H6 and GD7 of the Fylde Borough Local Plan.

Mix of proposed housing

The councils Housing Officer has provided comments generally supporting the scheme and has confirmed that a local connection criteria has been agreed for both form of affordable tenures - Discount Market Sale and Affordable Rent. The scheme proposes 10 x 1-bed apartment, 11 x 2-bed apartments, 2 x 2-bed dwellings and 3 x 3-bed dwellings. The current number of people on the register in need of housing are as follows:

1-bed unit – 202 people

2-bed unit – 415 people

3-bed unit – 162 people

As shown above there is a significant demand for affordable units within the St Annes area and it is considered that the mix of units proposed will assist in meeting that need. As such it is considered that the proposal complies with Policy H4 of the submission version of the Fylde Borough Local Plan to 2032.

Impact to neighbouring amenity

The nearest neighbouring residential properties are the recently built block of flats immediately adjacent the site on Lord Street. The proposed houses, in particular plots 1-5, are just under 12m from the side elevation of the block of flats. This separation distance is considered sufficient for there to be no detrimental impact with the flats having no main habitable windows facing this direction. There will be no undue impact to the other residential properties along Lord Street from the development of the site.

The proposed block of flats will not have an impact to any neighbouring or nearby residential properties due to its orientation within the site and distance from any facing residential buildings. The nearest residential property is the recently built block of flats fronting Lord Street which is 20m away at its nearest point. This separation distance is considered sufficient to ensure that there will be no impact to their respective amenity.

Relationship to Commercial Neighbours

The application site is immediately adjacent commercial properties including a body repair shop and a glass merchant, both located on Allenby Road. There are also other commercial properties along Allenby Road including a kennels and cattery and a garage, therefore there is the potential for noise disturbance from the lawful operation of the adjacent and nearby businesses. However, the council's Environmental Protection Officer has raised no objection to the scheme provided that the units are acoustically insulated, including external amenity space. It is considered that an appropriate worded condition can be attached to any permission to ensure the necessary levels of acoustic insulation are achieved. This will enable the development to comply with the requirement of Policy EP27 of the Fylde Borough Local Plan which addresses noise disturbance.

Access/Impact to highway safety

The proposed houses and flats are accessed off Lord Street via a new access point adjacent to the existing access at the southern end of Lord Street. The other access on Allenby Road is to be closed off. The Lancashire County Council Highways surveyor has not provided comments to the scheme however comments were provided to the previously approved scheme ref: 15/0810 which confirmed that accessing the site off Lord Street and the proposed provision of off street parking and turning areas were acceptable as the site can provide a safe and suitable access to Lord Street.

Whilst this scheme is for a larger number of units at 26 compared to the 16 previously approved this is not considered to impact on network capacity, particularly given the established commercial use of the site from the Oldroyd Publishing use.

The development proposes 2 off street parking spaces per dwelling with 1 space per flat totalling 31 spaces in total which is considered an acceptable level of provision. In addition to the off street parking spaces the flats also benefit from a cycle store which will contribute to promoting sustainable modes of transport.

The change of use of the site from commercial to residential will alter the nature of trip movements to the site, but this is not a matter that creates concern as these are likely to be reduced and the traffic generated by the development will not have a significant impact on highway capacity.

There are no highway safety implications from the development which is in accordance with criterion 9 of Policy HL2 of the Fylde Borough Local Plan subject to conditions to ensure that the development is appropriately implemented and parking areas provided.

Drainage

The Local Lead Flood Authority have raised objection to the scheme as the applicant has not demonstrated why higher priority discharge points for the runoff destination of surface water are not practicable. Notwithstanding this, the site is currently entirely hard surfaced with the complete coverage by buildings and car parking. In contrast the proposed development will increase the permeable areas within the site through the introduction of soft landscaped areas and formal garden areas. This will provide areas for natural water runoff and percolation and so it is considered that the LLFA comments on this point can be discounted subject to conditions being imposed to secure appropriate surface water drainage schemes to be implemented. United Utilities have raised no objection to the scheme and have requested standard foul and surface water drainage conditions and these will form part of the officer recommendation.

Loss of land currently use for employment

The buildings on the site are currently used for commercial purposes in association with the existing business and provide employment which will be lost as a consequence of the development. This is unfortunate, but is not considered to be a material concern that would outweigh the benefits that the scheme brings in affordable housing supply. The site is not formally identified as employment land in the adopted Fylde Borough Local Plan and so the policy weight for its retention as such is limited.

Developer Contributions

As the proposal is for over 10 residential units the Local Education Authority has assessed the capacity of the local education facilities to accommodate the needs generated by the site. They have found that a shortfall is expected, although with the small size of the dwellings the actual yield of school age children is limited to 1 primary and 1 secondary place. Using their adopted methodology the County Council have therefore made a request for £33,778.12 toward Primary and Secondary education places. Furthermore Policy TREC17 seeks contributions towards off site Public Open Space should not be provided on-site. In this case none is provided and therefore the Council would normally seek in the region of £500 per unit. Finally, the Town Council have requested improvements to bus shelters, the rail station and other transport infrastructure around the area although they haven't given any specifics on this and the lack of any comments from LCC Highways doesn't give any further assistance on what works may be necessary.

The applicant has submitted information relating to the land cost, build costs, contamination

remediation and likely sales values of the resultant properties as affordable housing which argues that the provision of these contributions would make the proposal unviable.

Officers have assessed this evidence and accept that the figures provided do indicate that the development could be unviable if it were to make any contribution towards education, public open space or other works. Whilst it would be usual for a residential development to secure the necessary infrastructure requirements officers believe that the greatest priority is to deliver sustainably located affordable housing properties, especially in a highly sustainable area such as this where the need for such housing is high. This is in line with guidance in para 205 of the NPPF which requires that planning obligations must not be imposed which could involve development being stalled.

Should Committee not accept this point and believe that the development should make other contributions then additional clauses would be appropriate for a s106 agreement requiring £500 per plot for public open space improvements, the £33,778.12 quoted above increasing for education capacity, and an assessment of what works would be needed to address the transport needs of the area to accommodate this development.

Conclusions

The application site is a broadly rectangular area of land that currently contains the buildings last used by Oldroyd Publishing. It is located within the settlement area of St Annes adjacent to the railway line and accessed from the mainly residential Lord Street and the mainly commercial Allenby Road. The existing building is two storey offices to the front with a taller warehouse building to the rear, with the remainder of the site providing parking and servicing yards.

The application is for full planning permission for the erection of 26 residential units comprising of 5 x two-storey dwellings and a three-storey block of 21 flats. All the proposed units are for affordable housing and consist of 1, 2 and 3 bed properties. They are arranged in an appropriate layout within the development when viewed from off site, and create no concerns over their relationship to each other or off-site neighbours, both residential and commercial.

The proposal offers a good opportunity to redevelop a brownfield settlement site that is well related to existing shops and other services for residential properties. The scheme satisfies all elements of Policy HL2 relating to new residential development and HL6/H2 relating to the design of residential estates and is in compliance with the provision of the NPPF. As such it is recommended that the Committee support the application. A condition will be imposed to ensure the scheme is entirely delivered as affordable housing.

Whilst the development is of a scale where financial contributions towards education provision and public open space enhancement are considered, no such contributions are sought in this case. This is because the applicant has provided evidence to support their claim that with the land costs, remediation works necessary, and actual property values, that the scheme would not be viable if it were to be required to make such contributions. In addition, as the scheme is delivering 100% affordable housing in an area where it has been identified there is a significant need this is a material matter that can out-weigh the requirement for financial contributions in order to facilitate the development.

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 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 consent relates to the following details:

Approved plans:

- Location Plan - 16-2231-PN001 Rev A
- Proposed Site Layout - 16-2231-PN002 Rev E
- Proposed Apartment Floor Plans - 16-2231-PN101 Rev D
- Proposed House Type Floor Plans & Elevations - 16-2231-PN102 Rev C
- Proposed Apartment Elevations - 16-2231-PN201 Rev C
- Proposed Street Scene - 16-2231-PN202 Rev D

Supporting Reports:

- Design and Access Statement - 16-2231-PN901 (Prepared by Croft Goode Architects)
- Phase One Desk Study Report (Prepared by Martin Environmental Solutions. Dated September 2015)
- Contaminated Land Phase Two Intrusive Investigation (Prepared by Martin Environmental Solutions. Dated February 2016)
- Report on the potential noise aspects of a housing development on land at Lord Street St Annes (Prepared by Sound Advice. Dated 23rd September 2015)
- Survey & Assessment in Respect of Bat Species and Nesting Birds (Prepared by Echo Calls Bat Surveys. Dated 11th November 2015)

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

3. The development hereby approved shall comprise of not less than 100% affordable housing, and shall not commence until a scheme for the provision of the affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing scheme shall confirm that the affordable housing meets the definition of affordable housing in Annex 2 of the National Planning Policy Framework (or any future guidance that replaces it), and shall include:

- the tenure and type of the affordable housing provision;
- proposals for the management of the affordable housing and the arrangements for the transfer of the affordable housing to an affordable housing provider if any of the affordable housing is to be so transferred;
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing and that the dwellings remain affordable in perpetuity;
- the occupancy criteria to be used to assess eligibility of potential occupiers of the affordable housing and the mechanism for the enforcement of such occupancy criteria.

The development shall be implemented and occupied in accordance with the approved scheme at all times.

Reason: To ensure the dwellings are provided and remain as affordable housing in perpetuity, and that they meet the identified local affordable need in accordance with the requirements of policy H4 of the Submission Version of the Fylde Local Plan to 2032 and the National Planning Policy

Framework.

4. Notwithstanding any denotation on the approved plans samples of all the external materials to be used in the construction of the development, hereby approved, shall be submitted to and approved by the Local Planning Authority prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

Such details are not shown on the application and must be agreed to ensure a satisfactory standard of development.

5. Prior to the commencement of development a scheme for the disposal of foul for the entire site shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing foul, combined or surface water sewerage systems and shall drain away from the railway line. The development shall be implemented, maintained and managed in accordance with the approved details.

In order to ensure adequate and proper drainage of the site.

6. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

7. The access, turning and parking areas shall be carried out in accordance with the approved details shown on submitted plan ref: 16-2231-PN002 Rev E prior to the first occupation of any of the residential units, with those areas thereafter retained available for the parking of motor vehicles.

In order to ensure the provision of adequate off street car parking that is in keeping with the character of the area.

8. Prior to the commencement of development a detailed levels plan indicating the existing and proposed ground levels and proposed finished floor levels throughout the site shall be submitted to and approved in writing by the local planning authority. The development thereafter be implemented in full accordance with the approved plan.

To ensure that the development has an acceptable impact on neighbouring amenity and visual impact.

9. Notwithstanding any denotation on the approved plans details of all boundary treatments (including the cycle store and bin store), including their means of construction, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any built development on site. The boundary treatment running parallel with the railway line shall be

trespass proof. Thereafter only those approved details shall be used in the development unless otherwise agreed in writing with the Authority.

To ensure a satisfactory standard of development and to ensure there is no adverse impact to the adjacent railway network.

10. The remediation strategy outlined on page 7 of the submitted "*Contaminated Land Phase Two Intrusive Investigation*" prepared by Martin Environmental Solutions (dated February 2016) shall be implemented in full. Should contamination be found on the site works shall cease and the Local Planning Authority shall be notified in writing. A new remediation strategy shall be submitted to and agreed in writing by the Local Planning Authority prior to the recommencement of works on site.

To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health.

11. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the identification of the site access for construction traffic
- times of construction activity at the site
- times and routes of deliveries to the site
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- means of demolition of the existing buildings
- nature/type of machinery to be used in both construction and demolition
- the location of any scaffolding used for the development that is to be within 10m of the boundary with the railway network

To maintain the safe operation of the pedestrian and highway network in the area limiting the impact on adjacent uses given the proximity to residential properties and the equestrian use.

12. No works shall be undertaken until a walkover survey of the site including within the existing buildings has taken place in order to establish the presence of protected species and the results submitted in writing to the local planning authority. Should the presence of any protected species be identified, a mitigation and phasing scheme for demolition and construction work in the vicinity of their nesting sites shall be submitted to and approved in writing by the local planning authority and implemented throughout the construction of the dwelling.

To ensure adequate protection to protected species.

13. Landscaping, including hard surface landscaping shall be carried out and preserved in accordance with a scheme and programme which shall be submitted to and approved by the Local Planning Authority before any development is commenced. Specific details shall include finished levels, hard surfacing materials, minor artifacts and street furniture, refuse receptacles, lighting and services as applicable. Soft landscape works 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. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

To enhance the quality of the development in the interests of the amenities of the locality.

14. The whole of the landscape works, as approved in condition 13, shall be implemented 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 syvicultural 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.

To ensure a satisfactory standard of development and in the interest of visual amenity in the locality.



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|---------------------------------------|--|--|-------------------------|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2017). Ordnance Survey (100006084). | |
| Application No. 5/16/0905 | Address Keenans Mill, Lord Street, Lytham St Annes | Grid Ref. E.3319 : N.4293 | Scale 0 6 12 18 24 m |

Item Number: 10

Committee Date: 08 February 2017

| | | | |
|-------------------------------|---|-----------------------------|---------------------------|
| Application Reference: | 16/0968 | Type of Application: | Full Planning Permission |
| Applicant: | Mr Bradshaw | Agent : | KARL ZALDATS ARCHITECT |
| Location: | POST OFFICE HOTEL, 18 FRECKLETON STREET, KIRKHAM, PRESTON, PR4 2SP | | |
| Proposal: | CONVERSION OF EXISTING PUBLIC HOUSE INTO 3NO SELF CONTAINED APARTMENTS (INCLUDING DEMOLITION OF SINGLE STOREY REAR EXTENSIONS TO EXISTING BUILDING) AND ERECTION OF 3 NO. TOWN HOUSES TO SIDE | | |
| Parish: | KIRKHAM SOUTH | Area Team: | Area Team 1 |
| Weeks on Hand: | 8 | Case Officer: | Andrew Stell |
| Reason for Delay: | Not applicable | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7819037,-2.8713541,288m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to the conversion of the former Post Office pub on Freckleton Street in Kirkham to 3 residential flats and the erection of 3 dwellings on land to the side that was formerly the car park to the pub.

The site is located within the settlement area of Kirkham where the redevelopment of site for other uses are generally supported. In this case there are no planning or other policies that would prevent the loss of the pub as a community facility and with the surrounding land uses all being residential then the residential uses proposal are acceptable in principle.

The site is within the Kirkham Conservation Area, but is considered to enhance that area through the improved use of a vacant building and unattractive car park, with the conversion being undertaken in a manner that is sensitive to its construction.

The scheme is presented to Committee as the Town Council and a ward member are concerned that the development does not provide any car parking and they feel that this will exacerbate existing parking pressures in the area to an unacceptable degree. The absence of parking is not a matter that County Highways have raised objection over in their consultation response as they highlight the proximity of the site to the town centre and other facilities which ensure it is highly accessible and so attractive to those without a private car.

There are no design, scale, neighbour relationship or other such planning considerations that should prevent the development proceeding and accordingly the proposal is considered to comply with the relevant policies of the adopted and emerging Local Plans. It is therefore recommended for approval.

Reason for Reporting to Committee

This application is presented to Committee for a decision following a request by a ward councillor, and as the officer recommendation for approval is in conflict with the objection raised by the Town Council.

Site Description and Location

The application site is the former Post Office Hotel, 18 Freckleton Street, Kirkham. In particular the development proposed relates to a three storey rendered property and its adjacent car park area.

The site is located within Kirkham Town Centre and Conservation area, as designated on the Fylde Borough Local Plan and situated approximately 54 metres from the junction of Freckleton Street and the roundabout linking Church Street with Poulton Street and Preston Street.

The character of the area is mainly comprised of terraced properties with a mix of residential and commercial uses. The site is opposite the former Police Station which is in a mix use as dwelling and office and situated adjacent to the replacement Police Station which was designed as a more modern and contemporary styled building. To the south side of the site is 'Amounderness Court' again a more modern flat development of two and three storeys. To the rear of the site are 'The Flats' located on Marsden Street behind a brick retaining wall on the rear boundary of the application site and at around 3 metres higher than the Post Office site.

The application property has been in use as a public house and has been added (but now removed from) the council's list of Assets of Community Value.

Details of Proposal

This application seeks permission for the conversion of the existing building into three flats arranged over ground, first and second floors and providing two bedrooms, lounge, combined kitchen/dining room and bathroom on each floor. The conversion includes the demolition of an existing single storey rear extension and an outbuilding attached to the rear boundary wall. As a consequence of these works it is proposed to re-build the rear wall of the building and provide new window openings and roof lights to the rear elevation and a new window to the first floor side elevation. To the front of the building new upvc windows are proposed within the existing window openings with main pub entrance retained as then entrance to the flats.

To the car park area it is proposed to erect a two storey, terrace of three dwellings, constructed with a render finish. Each dwelling will be provided with lounge, kitchen, WC to the ground floor with two bedrooms and a single bathroom to the first floor. The block of dwellings measure 15.2 metres in overall width by 8.9 metres in depth, the eaves height of the building is variable due to the differing land levels with that at the rear being 5.5 metres and at the front at 6.1 metres, the ridge height is 8.9 metres.

The front elevation of each dwelling has a single window at ground and first floor with stone heads and cills with 'composite' door. A small forecourt, garden area to the front of each dwelling is proposed enclosed by a dwarf wall and decorative railings.

The conversion and the new build dwellings are to be set out with paved rear amenity areas with small areas of landscaping. Access from all dwellings to bin storage areas with passage to the front of the properties is to be provided.

The retaining wall to the rear boundary of the site is to be made good where necessary.

Relevant Planning History

| Application No. | Development | Decision | Date |
|-----------------|---------------------------|----------|------------|
| 95/0693 | TWO STOREY REAR EXTENSION | Granted | 03/01/1996 |

Relevant Planning Appeals History

None

Parish/Town Council Observations

Kirkham Town Council notified on 21 December 2016 and comment:

“Kirkham Town Council object on the grounds that there is no provision for car parking in the proposal. The nearest car park in the Town is Market Square which is a short stay car park and not suitable for residential parking. The other car parks are full by 9 am which already results in cars parking on the pavements along Poulton Street causing a hazard to pedestrians. The development is over intensive for the plot.”

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

“I note that there is no parking to be provided for this development consisting of 3 No. apartments and 3 No. Town Houses.

However, this proposal is considered to be located in a sustainable location where it would not be unreasonable to expect a significantly reduced reliance on the private car. The nearest bus stops are within 100m and the town centre is not much further, the rail station is 1km away. If limited parking demand is generated by this development there are car parks available within a short walk and also limited on street parking in the area.

I would however acknowledge that the current level of on-street parking does not satisfy existing demand and therefore any increase in demand as a result of this proposal will exacerbate conditions. This section of Freckleton Street is the subject of a 'No waiting at any time' restriction (double yellow lines on both sides of Freckleton Street) from 23m south of Old Row to Preston Street at the northern end. Therefore, while parking controls are in place to manage parking safely on the local highway, the existing demand does appear to result in regular instances of vehicles parked either fully or 'part on' the footways (both sides of Freckleton Street).

I have reviewed the latest accident figures on this section of Freckleton Street and these do not show any accidents.

I therefore conclude that while this proposal could have the potential to lead to a small increase in parking demand in the area, I consider this impact will be predominantly in relation to local amenity. NPPF paragraph 32 highlights that a development should not be refused on highway grounds unless its impact is “Severe”. With consideration for

existing parking behaviour and the last five year accident record I do not consider that it can be concluded that the proposal could be expected to result in a 'severe' impact on road safety and as such I would offer no objection."

Lancashire Constabulary

From a policing perspective my only concerns centre around parking, and ultimately the safety of pedestrians and other road users in the locality. The application is for 3 flats and 3 town houses. As most householders drive these days this equates to a potential 6 to 12 additional cars requiring parking. We are currently experiencing on-going problems in the locality due to parking. The road is currently unable to accommodate the current number of residential cars. Many of which are parking on the pavements and forcing pedestrians into the road which is a clear danger. I appreciate there is parking in the Town Centre but many are reluctant to park so far from home and in addition this will ultimately impact on the businesses in the area if all available parking is being taken up by local residents.

In light of this my observation is that any conversation to residential properties needs to provide sufficient parking on the land to prevent further congestion and dangers on the public road."

Electricity North West

Highlight that the site is adjacent to one of their assets and so advise that the developer insures that the scheme does not have any impact on that facility.

Neighbour Observations

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|-----------------------------|--|
| Neighbours notified: | 22 December 2016 |
| Site Notice Date: | 22 December 2016 |
| Press Notice Date: | 05 January 2017 |
| Number of Responses | 2 letters received |
| Summary of Comments | a. No parking provision for 6 more vehicles b. Concerned over noise and mess c. Can't park outside own house |

Relevant Planning Policy

Fylde Borough Local Plan:

| | |
|------|--|
| SP01 | Development within settlements |
| HL02 | Development control criteria for new housing proposals |
| EP03 | Development within conservation areas |
| EP14 | Landscaping of new developments |
| SH09 | New development in town centres |

Fylde Local Plan to 2032:

| | |
|------|--|
| GD1 | Settlement Boundaries |
| GD7 | Achieving Good Design in Development |
| ENV1 | Landscape |
| ENV5 | Historic Environment |
| EC5 | Vibrant Town, District and Local Centres |

Other Relevant Policy:

| | |
|-------|-------------------------------------|
| NPPF: | National Planning Policy Framework |
| NPPG: | National Planning Practice Guidance |

Site Constraints

Conservation area site

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

This application seeks permission for a conversion of an existing building and the erection of three terraced properties to add six new dwellings in total.

Policy Background

The application site is located within the settlement of Kirkham as designated by Policy SP1 of the Fylde Borough Local Plan, and by Policy GD1 of the submission version of the Fylde Local Plan to 2032. These policies direct development to settlement areas and previously developed land and so the proposal complies with the principle of development in this area, subject to compliance with other relevant policies of the local plan and having regard to the aims and guidance of the National Planning Policy Framework (NPPF).

Need for Residential Dwellings

The NPPF emphasises the importance of housing delivery, with this promoted through a requirement to deliver at least a 5 year supply of housing against the respective annual requirement. In Fylde that figure is 370 dwellings per annum, with the latest position at 31 March 2016 being that the council could demonstrate a 4.8 year supply. As this is below the required 5 year figure then the guidance in para 14 and 47 of the NPPF are engaged and the council should support development unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

The delivery of housing is to be supported where it delivers ‘sustainable development’. There are many aspects to be considered in that assessment, with the key issues being the availability of services, the accessibility to those services from the site, the scale of development, and the visual impacts of the development. These are assessed in the following sections of this report.

Accessibility to Services

The site is within one of the main settlements in the borough and within the defined town centre of that settlement which has been identified as a key service centre in the Fylde Local Plan to 2032. The location offers a convenient access to the services that are available in the town such as doctors, dentists, primary and secondary schools, supermarket and a range of other local shops with several potential, large employment sites nearby. The Plan advises that such settlements are to be seen as sustainable communities offering higher order services and are locations where development should be focussed.

Criteria 7 of Policy HL2 of the Fylde Borough Local Plan requires that residential development is located where it has a good accessibility to services and facilities, and it is considered that the proposal applies with this policy and the strategic objectives of the Fylde Local Plan to 2032.

Visual Impact of Development

There are two elements to this application. In regards to the conversion works whilst this building is not listed it is in a Conservation Area and has some historic merit by virtue of its use and design. In particular the form, layout and hierarchy of its windows to the front elevation and the overall scale of the building which compliments that of two buildings situated to the north side of the site of the same scale, one of which is Grade II listed.

Currently the building has a 'run down' appearance as a result of missing paint, unsightly rainwater goods and runs of external wiring extending across the front and side elevations. The conversion works include sandblasting off the paint, taking this back to the brickwork and making good where it is defective and re-pointing the bricks. The replacement windows although to be upvc, are intended to be 'sliding sash' style and the door in a 'wood grain' finish.

Overall the conversion works will improve the appearance of the building and as a result improve the character and appearance of the Kirkham Conservation Area.

The three town houses are designed as a two storey terrace to be constructed in dark red/brown brick with 'heritage style' windows and doors with decorative railings enclosing a small front garden area. They are designed to be lower in scale than the pub and so will reflect the historical hierarchy of buildings. In doing so they are sympathetic to the terrace dwellings which are the main feature of Freckleton Street. Whilst the addition of these dwellings will enclose an open area within the conservation area the space between the buildings as a consequence of the width of the pavements either side of the highway give good separation distance and lessens this enclosure. As with the conversion works to the pub the addition of the town houses are a visual enhancement to the conservation area of Kirkham.

Accordingly it is considered that the development proposed will comply with criteria 1 and 2 of Policy HL2 and Policy GD7 which require development to be compatible with nearby land uses and the character of the locality, and with Policy EP3 and Policy ENV5 in that the proposal enhances the character and appearance of the Conservation Area.

Relationship to Neighbours

As reported above the application site is on differing land levels, with the land rising north to south by around 1 metres along Freckleton Street and from the front of the site (east side) rising to the rear of the site (west side), by approximately 3 metres. As a consequence 'The Flats' to the rear will overlook the application properties to some extent due to the height difference. Notwithstanding this relationship the proposed development can provide between 15.6 metres (Plot 1) increasing to 21.8 metres (Plots 2 & 3) between properties. Whilst the shorter distance is below that which the council would normally seek the difference in the levels does not result in a detriment to the amenity for the occupiers of Plot 1 as the high retaining wall provides some protection from loss of privacy at ground floor level whilst providing a small outdoor amenity space. Again, as a result of the difference in land levels there will be no loss of amenity for the occupiers of 'The Flats' as a result of this development.

In regards to the properties to the front of the site no.s 9 and 11 Freckleton Street, opposite the existing building, are two storey terraced dwellings. The separation distance here is approximately 16 metres which in a front to front arrangement is an acceptable spacing distance. The conversion of the building will most likely, improve the sense of loss of privacy for the occupiers of these dwellings as a result of the change of use from a pub and the cessation of drinkers congregating outside the pub.

In respect of the new build dwellings, these are opposite no.s 13 to 17 Freckleton Street, the former police station. This has been converted to a dwelling (no. 13) and offices (no.s 15 to 17). The separation distance here is approximately 20 metres and is consistent with the neighbouring dwellings along Freckleton Street in the same arrangement and is sufficient to prevent undue loss of privacy.

Accordingly, the development will comply with the requirements of criteria 4 of Policy HL2/GD7 that relates to new development and impact on residential amenity.

Access and parking

The application proposes six, two bed properties and does not include the provision of any off street parking. Several comments have been received from neighbours and from Lancashire Police as to the possibility that this development may result in parking on the pavement, and that this could cause highway safety or other amenity impacts.

The Local Plan policy background for this element is in criterion 9 of Policy HL2 which requires that development does "*not have an adverse effect on the safe and efficient operation of the highway network, either individually or cumulatively with other permitted developments*". Policy GD7 of the submission version is in line with Policy HL2.

The NPPF advises that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe*" (paragraph 32).

Paragraph 39 requires that "*If setting local parking standards for residential and non residential development, local planning authorities should take into account:*

- *the accessibility of the development;*
- *the type, mix and use of development;*
- *the availability of an opportunities for public transport;*
- *local car ownership levels; and*
- *an overall need to reduce the use of high-emission vehicles."*

As part of the assessment of this application comments from LCC Highway Officers are sought, which are reported in full above. The comments advise that the development is located where there is currently an inadequate parking provision and where on street parking is restricted. They note that this leads to some parking on the pavements with the present uses both in respect of commercial and residential uses.

Notwithstanding the lack of parking provision, LCC have not objected to the scheme due to the sustainable location of the site and the availability of alternative modes of transport other than motor vehicles in the area to access services that are not available locally. The presence of various bus routes, the local cycle network and access to the rail services are clearly important facilities here.

Officers appreciate the concerns expressed, and accept that there is likely to be an element of car ownership within the development and that the roadside parking restrictions will likely lead to continued parking on the pavement. However, it is also noted that the pavement is of a generous width and so this seems to be undertaken without leading to its obstruction. The council must decide if the lack of parking is such that it will lead to a 'severe' impact on the highway network. Whilst there may be some increased harm to amenity in the area from the lack of parking arrangements it is not considered that there is any realistic detriment to highway safety, and certainly not a severe impact.

The applicant was advised to consider providing parking in the scheme at pre-application stage but chose to pursue the current scheme as he believes that the location is one where he could develop and sell a scheme where properties do not have parking provision. There is merit in this position due to the readily available services elsewhere in the town and accordingly it is considered that the development complies with Policy HL2/GD7 and the aims of the NPPF in this regard.

Drainage

The application is not supported with any specific drainage plans however, the site is currently drained into the existing mains sewer and information with the application advises that the new dwellings are to be likewise connected. A full drainage scheme for the development will form a condition of this recommendation.

Landscaping

Policy EP14 and ENV1 requires that schemes make suitable provision for landscape planting.

This is a small site with limited forecourt areas. As such the scale of the site is very constrained, particularly to the front elevation and does not have sufficient depth to provide any meaningful landscaping. However, the applicant is proposing some landscaping to the rear of the site and alongside the space between the existing building and the new dwellings and these indicate 'planting strips'. Some small scale tree planting here could provide some benefits for the wider public views as well as for the householder. Given the scale limitations the proposal is acceptable in regards to landscaping, subject to condition, and in accordance with Policy EP14/GD7.

Other matters

As the proposal is for the provision of 6 new dwellings, including the conversion of the existing building, it is below the threshold whereby the council would seek the provision of affordable housing or other contributions such as open space, public realm improvements, education capacity enhancements, etc.

The pub was listed on the council's Assets of Community Value register which required it to be available for a community bid when it was advertised for sale. That was undertaken with no bid being received and so the legislation requires that it be removed from the Register. This previous registration therefore has no bearing on this decision.

Conclusions

The council is unable to demonstrate the 5 year housing supply as required by government guidance in the NPPF, and so must support sustainable residential development unless it leads to significant or

demonstrable harm.

Whilst concern has been raised in respect of the lack of parking this has to be balanced against the benefits the scheme can bring i.e. housing provision in a sustainable area thereby relieving the pressure for dwellings in less suitable and less sustainable sites than this town centre location, and the considerable benefit of the enhancement of this site which is in a declining state and in a conservation area.

Having assessed the relevant considerations, the delivery of housing is a key government priority and so where this is provided in a sustainable manner such as in this application, it is concluded that, subject to conditions, the development would not cause '*significant or demonstrable harm*' to such a degree as to warrant refusal of the scheme and so is considered in accordance with the relevant policies of the local plan set out above and the aims and guidance in the Framework.

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 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 consent relates to the following details:

Approved plans:

- Location Plan - drawing no. 09
- Proposed site plan - drawing no. 10
- Proposed elevation & floor plan (conversion) - drawing no. 12
- Proposed elevation & floor plan (new build) - drawing no. 11
- External materials mood board - drawing no. 13

Supporting Reports:

- Planning, Heritage, Design and Access Statement -dated December 2016
- Construction Method statement - dated December 2016
- Photographic images of site and surroundings - drawing no. 14

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

3. That prior to the commencement of any development hereby approved a schedule of all materials to be used on the external walls and roofs of the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority. This specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwellings and only varied with the prior written consent of the Local Planning Authority.

Reason: Such details are not shown to the satisfaction of the Local Planning Authority on the application and to secure a satisfactory standard of development in accordance with Policy HL2

and EP3 of the Fylde Borough Local Plan.

4. That prior to the commencement of any development details shall be submitted to and approved in writing by the Local Planning Authority of the proposed ground levels across the site, and the proposed finished floor Levels of the proposed dwellings. The development of the site shall be undertaken in accordance with these approved details unless any deviations are submitted to and agreed in writing by the Local Planning Authority prior to the commencement of construction of the plot in question.

Reason: To ensure the site is constructed with a satisfactory appearance in the Kirkham Conservation as required by Policies HL2/EP3 of the Fylde Borough Local Plan, as altered (October 2005) and Policies GD7 and ENV1 of the submission version of the local plan to 2032 and the aims of the NPPF.

5. Prior to the commencement of the development hereby approved, full details of the means of surface water drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage shall not include any connections to the public foul sewer system and should it involve a Sustainable Urban Drainage System (SUDS) then details of the future management of the SUDS and a management company that will be established to oversee the maintenance of the drainage system shall form part of the submitted scheme. The approved works shall thereafter be implemented, fully commissioned and maintained on site during the development.

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 Policy EP25 as altered (October 2005) and Policy INF1 of the submission version of the local plan to 2032 and the aims of the NPPF.

6. Prior to the commencement of the development hereby approved, full details of the means of foul water drainage of the residential development area shall be submitted to and approved in writing by the Local Planning Authority. This approved scheme shall be implemented during the development and shall include that the development is drained on a separate system with only foul drainage connected into the foul or combined sewer.

Reason: To ensure that appropriate measures are taken to provide suitable drainage from the site as required by Policy EP25 of the Fylde Borough Local Plan, as altered (October 2005) and Policy INF1 of the submission version of the local plan to 2032 and the aims of the NPPF.

7. No site clearance, site preparation or development work shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Specific details shall also include means of enclosures, hard surfacing materials, provision of refuse receptacles, lighting and services as applicable. soft landscape works 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. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

To enhance the quality of the development in the interests of the amenities of the locality in accordance with Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005) and Policy GD7 of the submission version of the local plan to 2032 and the aims of the NPPF.

8. The whole of the landscape works, as approved shall be implemented 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 arboricultural 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 as required by Policy HL2 of the Fylde Borough Local Plan

9. That prior to the first occupation of the first of the new dwellings to be constructed the conversion of the existing public house to flats shall be completed and those dwellings ready for occupation as indicated on drawing no. 12 (proposed conversion plan) approved as part of this planning permission.

In order to secure the appropriately timed delivery of these aspects of the overall scheme in the interests of visual amenity of the area, the quality of the Conservation Area and the amenity of neighbours and occupiers of the dwellings..

10. Should any protected species be found during conversion 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 EP19 of Fylde Borough Local Plan, as altered (October 2005), Policy ENV2 of the submission version of the local plan to 2032 and Conservation of Habitats and Species Regulations 2010 (as amended). The Wildlife and Countryside Act 1981 (as amended), The Natural Environment and Rural Communities Act 2006 and the NPPF.

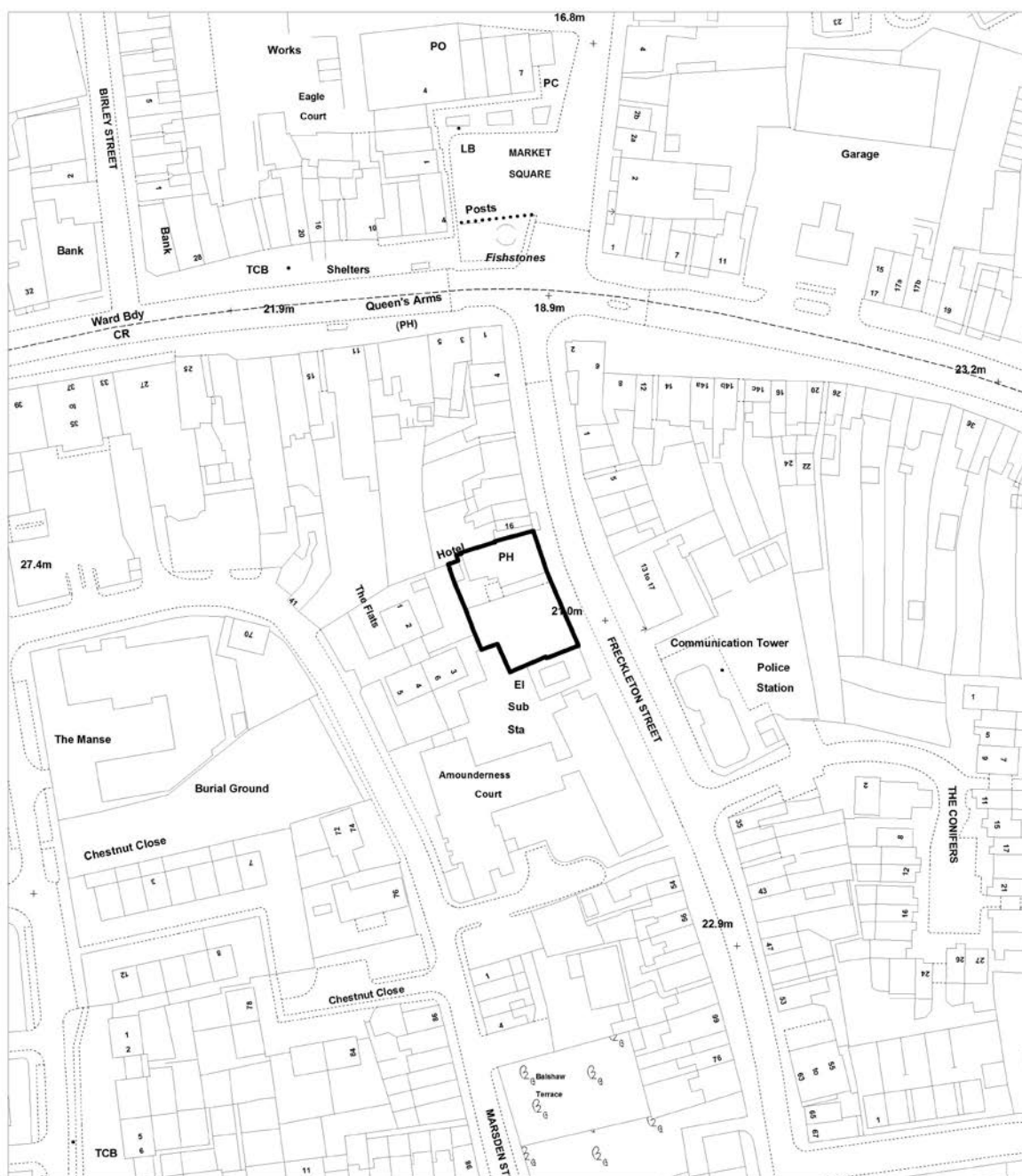
11. No development shall take place, nor any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) the identification of the site access for construction traffic,
- b) the timing of the provision, and standard of construction, of the site access for construction traffic,
- c) times of construction activity at the site,
- d) times and routes of deliveries to the site,
- e) the parking of vehicles of site operatives and visitors,
- f) loading and unloading of plant and materials,
- g) storage of plant and materials used in constructing the development,
- h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- i) wheel washing facilities, including details of how, when and where the facilities are to be used
- j) measures to control the emission of dust and dirt during construction,
- k) measures to control the generation of noise and vibration during construction to comply with BS5228:2009
- l) a scheme for recycling/disposing of waste resulting from demolition and construction works,

Reason: To ensure the development is implemented without compromising residential amenity or highway / pedestrian safety in accordance with Policies EP26, EP27 and EP28 Fylde Borough Local Plan as altered (October 2005), Policy GD7 of the submission version of the local plan to 2032 and the aims of the NPPF.

12. No work shall start on the conversion of the former public house until full details of the method of conversion works have been submitted to and agreed in writing by the Local Planning Authority. Those details shall include the methods for the cleaning off of paint and render and extent and repair of any external walls and materials to be used. The approved scheme shall be implemented during the development works hereby approved.

To ensure that the works and alterations to the building sustain and enhance the appearance of the building, having regard to policy EP3 of the Fylde Borough Local Plan policy ENV5 of the submission version to 2032 and paragraph 131 of the National Planning Policy Framework



| | | | |
|---------------------------------------|--|--|-----------------------------|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2017). Ordnance Survey (100006084). | |
| Application No. 5/16/0968 | Address Post Office Hotel, 18 Freckleton Street, Kirkham | Grid Ref. E.3426 : N.4320 | Scale 0 6 12 18 24 m |

Item Number: 11

Committee Date: 08 February 2017

| | | | |
|-------------------------------|---|-----------------------------|--------------------------|
| Application Reference: | 16/1030 | Type of Application: | Full Planning Permission |
| Applicant: | Fylde Borough Council | Agent : | |
| Location: | BEACH ADJ. NORTH BEACH CAR PARK, CLIFTON DRIVE NORTH, LYTHAM ST ANNES | | |
| Proposal: | REPROFILING OF SAND DUNE TO ASSIST SEA DEFENCES | | |
| Parish: | ASHTON | Area Team: | Area Team 2 |
| Weeks on Hand: | 5 | Case Officer: | Alan Pinder |
| Reason for Delay: | Not applicable | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7604807,-3.046153,575m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to an area of the beach that is immediately alongside part of the North Beach Car Park and the dwellings at Summerfields. The area is sand dunes that are at a height that is undulating, but is around the height of the first and second floor of the Summerfield properties. The proposal is to re-profile the dunes by pushing the sand towards the sea to lower the peak of the dunes and provide a deeper depth of dunes which has benefits to their function as a sea defence and reduces the safety danger that extremely tall dunes can present.

The works are programmed to be completed in the current financial year and have been the subject of a range of assessments coordinated by the council's Parks Service as the managers of this area. These conclude that there are no ecological or other such factors that would prevent the implementation of the works. These works will not result in any sand being manually removed from the area and are designed to offer a more consistent and so stable dune that will reinforce its role as part of the sea defences. The proposal is in accordance with relevant policies including ENV1 of the Fylde Local Plan to 2032 which supports the sea defence works that form part of the Shoreline Management Plan.

Reason for Reporting to Committee

The applicant for this application is Fylde Borough Council and hence the scheme of delegation requires the application to go before the Development Management Committee for a decision.

Site Description and Location

The application site is a stretch of sand dunes, measuring approximately 110 metres in length, located to the rear of No's 7, 8, 9 & 10 Summerfields (off Todmorden Road) and North Beach Car

Park. The site is located within Lytham Foreshore Biological Heritage Site and in close proximity to the Ribble Estuary Site of Special Scientific Interest (SSSI).

Details of Proposal

Planning permission is sought for the re-profiling of this section of sand dunes. The re-profiling is required on health and safety grounds due to the high level of erosion to this section of dunes and the collapse of small sections into the car park brought about by high levels of human trampling and strong winds.

The re-profiling will reduce the peak heights of the dune which are against the landward edge of the dune system (with the car park and dwellings) and move this material back toward the sea to form a smooth mound profile over the 60m depth of the dune area involved. The submitted transects confirm that this will ensure that the peak of the dunes are reduced in overall height by 3m in places with the top of the dune moved around 20m seaward from the current position. Once the re-profiling works have been undertaken the dunes are to be covered in a bio-degradable matting which is designed to hold the sand in place whilst planting that is to be carried out has chance to take hold and so provide the natural stability of the dunes.

Relevant Planning History

None to report.

Relevant Planning Appeals History

None to report.

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 05 January 2017 and comment that they support the application.

Statutory Consultees and Observations of Other Interested Parties

Greater Manchester Ecology Unit

No comments received at the time of writing. Any comments subsequently received will be reported to committee

Natural England

No comments received at the time of writing. Any comments subsequently received will be reported to committee

Neighbour Observations

Neighbours notified: 05 January 2017

Site Notice Date: 13 January 2017

Press Notice Date: 12 January 2017

Number of Responses One

Summary of Comments This letter raises queries with the level of information supplied with the application in particular:

- Address is not clear that it refers to dunes behind Summerfields
- Profile information not clear in area of dune affected
- The filling in of the area behind 7 Summerfield would prevent the use of this level and open area which is a popular location for families to use to shelter from the winds
- It is essential that there is a method of containing the sand into the re-profiled dunes to prevent the sand from blowing away and into properties.

Relevant Planning Policy

Fylde Borough Local Plan:

| | |
|------|--|
| SP01 | Development within settlements |
| EP16 | Development in or near SSSI's |
| EP17 | Devt in or near Biological & Geological Heritage Sites |

Fylde Local Plan to 2032:

| | |
|------|--------------|
| ENV1 | Landscape |
| ENV2 | Biodiversity |

Other Relevant Policy:

| | |
|-------|-------------------------------------|
| NPPF: | National Planning Policy Framework |
| NPPG: | National Planning Practice Guidance |

Site Constraints

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The dune re-profiling is an engineering operation and as such is development that requires planning permission, hence this application. As the council owns the dunes it is necessary for Committee to determine this application.

This particular section of dunes is one where there are high peaks that are situated close to an area in North Beach Car Park that has easy public access. As such they are well used by residents and visitors and due to the steep sides and heights involved this use causes safety concerns. The re-profiling will allow for this safety issue to be reduced significantly by lowering the overall height of the dunes, by reducing the steepness of the sides, and by repositioning the highest part of the mound to a point that is well away from the edge of the dune system. There is a clear safety benefit from the works proposed.

The dunes also provide a benefit to the borough as they are part of the coastal sea defence mechanism. The current situation leaves the dunes vulnerable to sand being lost due to the impact of the wind. The provision of a lowered, smoother profile dune with matting covering will assist in retaining the sand within the dune system. The works have been designed to ensure that the

re-profiled dunes operate as effective soft sea defences and this is an obvious benefit from the proposal.

The profiling will have a visual impact, and will result in the dunes having a less organic appearance, particularly in the early years following the re-profiling when the stability matting is prominent and the grasses that are to be planted to give long-term stability are becoming established. Whilst this more artificial appearance to the dunes will be an adverse impact, the change will also bring benefits to the Summerfield residents who will lose the looming appearance of the dunes from the rear of their property. Overall its not considered that the works are visually harmful to any overriding degree, particularly as the dune system will quickly regain its natural appearance.

The final impact to assess is the ecological implications of the development. The site is designated as part of a Biological Heritage Site (BHS) and adjacent to the nearby Ribble Estuary SSSI.

Policy EP17 of the Fylde Borough Local Plan relates to development within a BHS and prohibits any development that is likely to significantly impact on the biological resources of the BHS. In this instance the proposed works and the dunes environment have both been assessed by Fylde Borough Council's Senior Coast & Countryside Officer, its Parks & Coastal Services Manager, and by the Lancashire Wildlife Trust (who will be carrying out the actual works). Their assessments have concluded that the dunes do not provide any habitat for rare and/or protected flora, and would not unduly impact on wildlife habitat within the BHS.

Policy EP16 of the local plan relates to development within or likely to affect an SSSI and prohibits development that is likely to prejudicially affect the SSSI. In this instance, at its closest point, the application site would be approximately 70 metres to the south of the Ribble Estuary SSSI and the localised nature of the works is such that it is unlikely to have any impact on the adjacent SSSI area.

Conclusions

The proposed works are essentially required on health and safety grounds due to the high level of erosion to this section of dunes and the collapse of small sections into the car park. As such the development would ensure the continued viability of this section of sand dunes area and ensure it continues to function long term as part of the effective soft sea defences for this part of the borough. In doing so they will comply with the requirements of item v. of Policy ENV1 of the Fylde Local Plan to 2032 which seeks to ensure the integrity of the sea defences to the borough.

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 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 consent relates to the following details:

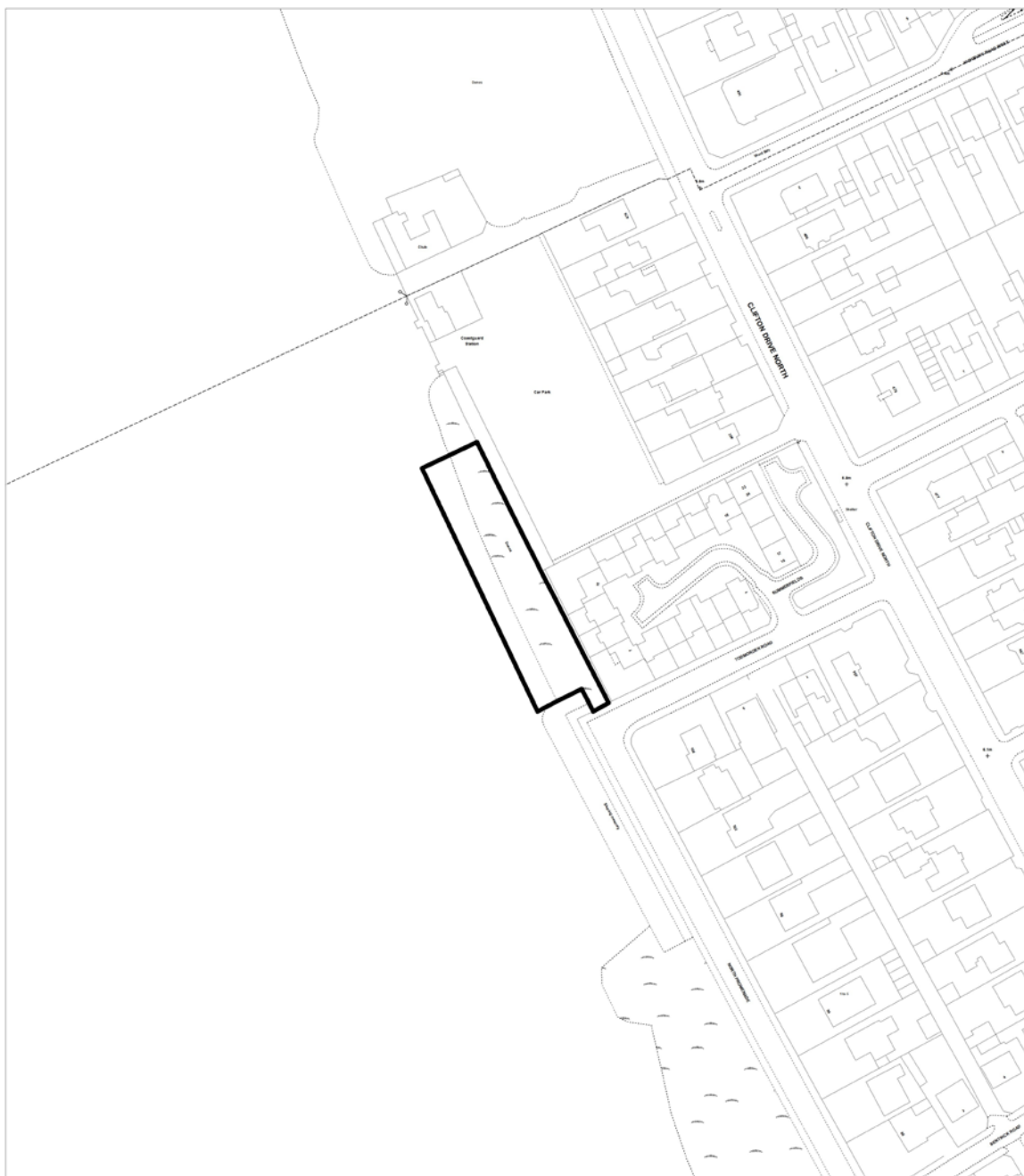
Approved plans:

- Location Plan - Produced by Lancashire County Council and dated 22 December 2016

Supporting Reports:

- Document titled "Appendix 2 - Invitation to tender for re-profiling of a sand dune in Lytham St Annes"

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



| | | | |
|---------------------------------------|---|--|------------------------------|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2017). Ordnance Survey (100006084). | |
| Application No. 5/16/1030 | Address Beach adj. North Beach Car Park, Clifton Drive North, Lytham St Annes | Grid Ref. E.3311 : N.4297 | Scale 0 10 20 30 40 m |

INFORMATION ITEM



| REPORT OF | | MEETING | DATE | ITEM NO |
|-------------------------------------|-------------------------------------|---------|-----------------|---------|
| DEVELOPMENT SERVICES DIRECTORATE | DEVELOPMENT MANAGEMENT COMMITTEE | | 8 FEBRUARY 2017 | 5 |
| LIST OF APPEALS DECIDED | | | | |

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY OF INFORMATION

The council did not receive any appeal decisions between 22/12/2016 and 27/01/2017.

SOURCE OF INFORMATION

Development Services

INFORMATION

n/a

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform members on appeals that have been decided.

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473

LIST OF APPEALS DECIDED

The following appeal decisions were received between 22/12/2016 and 27/01/2017. Copies of the decision letters are attached.

| | | | |
|---------------|---------|--|-----------------------------|
| Rec No: 1 | | | |
| 11 March 2016 | 15/0547 | BROOK FARM, DOWBRIDGE, KIRKHAM, PRESTON, PR4 3RD OUTLINE APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS AND RESIDENTIAL DEVELOPMENT OF UP TO 170 DWELLINGS INCLUDING ASSOCIATED INFRASTRUCTURE (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED) | Informal Hearing KPB |

Appeal Decision: Allowed: 23 January 2017

| | | | |
|-----------------|---------|---|-------------------------------|
| Rec No: 2 | | | |
| 18 October 2016 | 16/0507 | LAND ADJ, 183 KIRKHAM ROAD, NORTH OF BYPASS, FRECKLETON, PRESTON, PR4 1HU OUTLINE APPLICATION FOR ERECTION OF 1 DWELLING (ACCESS APPLIED FOR ALL OTHER MATTERS RESERVED) | Written Representations RT |

Appeal Decision: Dismiss: 24 January 2017

Appeal Decision

Hearing held on 23 November 2016

Site visit made on 24 November 2016

by Karen L Ridge LLB (Hons) MTPL Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 January 2017

Appeal Ref: APP/M2325/W/16/3144925 Land off Dowbridge, Kirkham PR4 3RD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Hollins Strategic Land LLP against Fylde Borough Council.
 - The application Ref. 15/0547, is dated 11 August 2015.
 - The development proposed is the erection of up to 170 no. dwellings (all matters reserved other than access) following demolition of existing buildings.
-

Decision

1. The appeal is allowed and outline planning permission is granted for the demolition of existing buildings and residential development of up to 170 dwellings, including associated infrastructure, in accordance with application reference 15/0547 dated 11 August 2015, on land off Dowbridge, Kirkham PR4 3RD, subject to the conditions set out in the schedule annexed hereto.

Procedural Matters

2. The planning application which led to this appeal was made in outline form with all matters except access reserved for future consideration. The proposed access for vehicles and pedestrians would be via the existing access point taken from Dowbridge. I shall consider these arrangements as part of my determination. Apart from the site location plan and access plans all other plans are to be treated as illustrative only.
3. The description of development in the banner header above is taken from the application form. At the Hearing both parties agreed that the description on the appeal forms more accurately reflects what is proposed and I shall adopt that description.
4. Following submission of the appeal the Appellant submitted some revised plans and some additional plans. Minor revisions were made to the proposed access and traffic calming plan as well as the cycle lane provision plan¹. The revised plans are accepted by the Council. It will not harm the interests of any parties to the proceedings to accept them so I shall proceed on the basis of the revised plans.

¹ Plan number SK21452-002 revision E and SK21452-007 revision A.

5. The planning application which led to this appeal was not determined within the prescribed period. Following the submission of this appeal the Council's Development Management Committee considered a report which recommended the Council's approach at the appeal. The committee resolved to accept the three putative reasons for refusal set out in that report. In short those reasons include the following concerns:
 - the development would have a significant detrimental visual impact on the landscape character of the area, being a visually prominent feature;
 - the development would result in substantial harm to the setting of Kirkham by virtue of the topography, scale and pattern of development; and
 - the proposal fails to make contributions towards the delivery of affordable housing on the site and financial contributions towards off-site requirements including educational provision and sustainable transport improvements.
6. The Council's objection set out in the third putative reason for refusal was subsequently withdrawn on the basis that the Appellant indicated that it would submit an executed agreement to secure these matters. A executed agreement made pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) has been received and it is acceptable to the Council. The agreement secures the payment of financial contributions and the provision of affordable housing and public open space on-site. I shall return to these matters later
7. The parties have submitted a signed Statement of Common Ground (SCG) which records all of the main matters agreed between them, as well as the main areas of disagreement. One of the principal areas of agreement was in relation to housing land supply. For the purposes of this appeal the Council accepts that it does not currently have a 5 year housing land supply (5 YHLS) in terms of the advice within the National Planning Policy Framework (the Framework). The Council confirms that it is content to adopt a figure of 4.8 years supply as at 31 March 2016.
8. The appeal site is made up of three fields or parcels of land. The southernmost parcel of land was the subject of a successful application for outline planning permission for up to 95 dwellings. A resolution to grant planning permission conditional on completion of a section 106 agreement was made on 27 July 2017. I am instructed that the agreement is nearing completion and the Council does not anticipate any obstacles to a grant of planning permission in the near future. Both parties are agreed that this grant of planning permission is a material consideration in my determination. At the Hearing it was further agreed that the assessment of any effects or benefits of the appeal proposal should focus on those effects or benefits over and above those associated with this alternative scheme (the 95 dwelling scheme).
9. Finally, after the close of the Hearing correspondence was received from a local resident raising new issues about the five year housing land supply. The Council and Appellant were afforded the opportunity to make representations in relation to this matter and a response was received from the Council. I shall take these additional representations into account.

Main Issues

10. In addition to the Council's putative reasons for refusal, local residents have raised objections on other grounds. At the Hearing two principal concerns emerged; flood risk and highway safety and I shall examine these as main issues.
11. Having regard to the above, and to all that I have heard and read, I conclude that the main issues in this case are as follows:
 - the effect of the proposed development on the character and appearance of the surrounding landscape and on the setting of Kirkham;
 - flood risk considerations; and
 - the effect of the proposal on highway safety.
12. There are also a series of other material considerations to be taken into account, one of which includes the shortfall in the Council's 5 YHLS.

Reasons

The development plan

13. Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, if regard is to be had to the development plan for any determination, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
14. For the purposes of this appeal the most relevant development plan policies are saved policies from the Fylde Borough Local Plan (as altered) dated October 2005 (the LP). The appeal site comprises 13 hectares of land in a countryside area as designated by the LP. Both parties agree that the proposal is contrary to LP policies SP1 and SP2. These policies are strategic policies designed to restrict development to within defined limits identified in named settlements and to strictly control development in countryside areas other than within specified circumstances. The proposal does not fall within any of the excepted categories and consequently it is contrary to policy SP2.
15. In addition the proposal would result in the loss of 11.3 hectares of grade 3a best and most versatile land. The Framework seeks to protect such land and confirms that where significant development of agricultural land is demonstrated to be necessary local planning authorities should seek to use areas of poorer quality in preference. In this case the Council confirms that there is a large amount of grade 2 and grade 3 agricultural land across the Borough and therefore it did not raise an objection in relation to this matter. The SCG records that this loss should be given minor weight.
16. The Council is currently preparing a Local Plan Part 1 and Part 2 combined and to that end a Preferred Option of the Local Plan to 2032 has been published and identifies areas for growth. The emerging Local Plan is due to be

submitted for examination. At this stage I agree with the assessment of the Council and Appellant that it can attract only limited weight.

Effect upon the character and appearance of the landscape

17. The site is made up of three fields delineated by hedgerows and fences and adjoining a residential area on the edge of the Kirkham settlement boundary. The western boundary of the site extends towards Dow Brook, with housing beyond. The northern site boundary lies alongside Spen Brook with open countryside beyond. The southernmost land parcel contains a dwelling and a pig farm which remains in active use. Structures and hard-standing associated with the pig farm are clustered in this part of the site, together with an existing dwelling and its associated hardstanding and outbuildings.
18. The northern part of the scheme would lie on north facing slopes which look out to the open countryside beyond. The southern parts of the site are more inward facing towards Kirkham and bear a closer association with the settlement due to this topography and the partial development therein.
19. A private track runs along a ridge line from New Hey Lane into the site along the boundary between the southern field and the north-western field. The track is bounded by a line of trees and represents a strong demarcation line between the two fields. As a result of this feature and the surrounding topography the main parties are agreed that residential development on the southern part of the site is acceptable in principle. This is demonstrated by the progression of the 95 dwelling scheme. I shall therefore focus my assessment mainly upon the effects of development within the two northern fields on the character and appearance of the landscape.
20. Finally in carrying out my assessment I bear in mind that the proposal is in outline form only. Many of the plans are illustrative only and indicative of how development could proceed on the site. In particular the Appellant has submitted an illustrative Landscape Masterplan² and a Parameters Plan³. The landscape plan was revised to incorporate a landscape buffer wrapping around the north-eastern corner of the development with dwellings set back and a community green on the eastern edge of the site. A linear park is depicted along Dow Brook on the western boundary. The parameters plan indicates a zone of single storey dwellings on the highest part of the site adjoining the internal track. The Appellant points out that there would be a benefit in terms of hedgerow retention and the retention and enhancement along the stream corridors with additional tree planting to create a wooded skyline through the highest part of the site, along the internal track.

Effects upon landscape character

21. There are no landscape designations attributable to the site. It is located within 'The Fylde' character area 15d, a sub-category of the Coastal Plan Landscape Character Type as defined by the *Landscape Strategy for Lancashire, Landscape Character Assessment (2000)*. Such character types exhibit features including gently undulating or flat lowland farmland divided by ditches, large fields, open road verges and long views.

² Drawing number 1956_02 Revision K.

³ PAR001

22. Whilst the site is adjacent to the settlement boundary, for the reasons given above, the two northern fields have a close association with the rolling countryside to the north. From within the site and particularly from these two fields there are wide ranging views of the open countryside separating Kirkham from the small hamlet of Treales to the north-west. The open countryside extends outwards from the western edge of Kirkham in a pastoral landscape comprised of long views over a patchwork of low lying farmland. From the site the small hamlet of Treales is visible to the north-west and in the foreground a railway line bisects the countryside on an east-west trajectory.
23. All three agricultural fields form part of the open countryside. The development of 95 houses on the southern field would result in the loss of an agricultural field on the settlement edge. The appeal proposal would result in the introduction of further housing on the two northern fields, albeit with the potential for a landscaped buffer which would wrap around the north-eastern corner of the appeal site. The two northern fields are an intrinsic part of the gently undulating farmland which lies to the north. The loss of these fields to housing would be detrimental to landscape character in that it would result in a diminution of the agricultural land which is part of a greater whole. It would introduce incongruous and uncharacteristic elements into the pastoral landscape which would bring about a significant change to the character of the appeal site which itself comprises a small part of the landscape character area under consideration.
24. Having regard to the juxtaposition of the site with the urban area I am satisfied that the appeal scheme would be viewed as an extension of the existing urban area. I do not agree with the Council's assessment that in some views it would be seen as an area of housing divorced from the adjoining area. The housing would be seen as a continuation of that on St Michaels Road even with the linear park depicted on the illustrative masterplan. From Carr Lane and the footpath running along Carr Brook the houses would merge with existing residential development and the linear park would not be readily discernible in these views.
25. Taking all of the above into account I conclude that the appeal proposal would result in a modest erosion of the landscape character of this part of the open countryside contrary to LP housing policy HL2. This requires, amongst other things, that housing proposals are in keeping with the character of the locality.

Visual effects

26. The Appellant has pointed to the inclusion of the appeal site as a potential development site in the Council's '*Appraisal of Strategic Site Options: Landscape Capacity to Accommodate Landscape and Visual Change*' (ASSO) from March 2016. In that document the Council concluded that the site only has a moderate sensitivity to development. The Appellant further contends that other sites of high sensitivity have been granted planning permission. Be that as it may, the appeal proposal must be assessed on its own merits and not as part of some comparative exercise within my decision making on an individual proposal.
27. The Council has already concluded that, in principle, residential development on the southern field is acceptable in visual terms. As a result of the ridgeline running along the internal track within the appeal site, and its associated treeline, the houses within the 95 dwelling scheme would only be glimpsed in

- viewpoints to the north and north-west. It is in middle and longer distance viewpoints that the two northern fields are readily appreciated as an intrinsic part of the open countryside which runs up to the western edge of Kirkham.
28. One of the closest public vantage points from which the development would be seen is from Carr Lane to the north-west of the site. This is a road which travels out of the settlement into the open countryside in the direction of Treales. Currently when travelling out of the settlement along Carr Lane there is an abrupt change of scene when the last houses on the urban edge of Kirkham are left behind. At this point panoramic views open up of the countryside on all sides. I note that Carr Lane is on a regional cycle route. Due to its proximity to the settlement I consider that it is likely to be a well-used and attractive recreational route for cyclists and walkers affording immediate and easy access to the countryside beyond the settlement.
29. With the appeal proposal in place, along this section of Carr Lane housing would be seen extending out from Kirkham on the southern horizon. This would erode the impression of the viewer being surrounded by rolling countryside. It would reduce the extent to which Kirkham is seen as being clearly confined to the higher land to the west, with housing starting to intrude on the lower slopes. I conclude that there would be a moderate effect upon this viewpoint.
30. The appeal proposal would also be seen in between the houses which adjoin the western appeal site boundary and from the Oxford Drive/Abbots Close cul-de-sac, as well as from private gardens and rear windows of the properties adjoining the site. However public views would be glimpsed. In any event these views are going to change somewhat by virtue of the likelihood of the 95 dwelling scheme coming forward. The additional housing in the appeal scheme would be seen as an extension to the 95 dwelling scheme in views from these vantage points.
31. A public footpath runs adjacent to Carr Brook connecting Carr Lane with St Michael's Church. From the church the footpath continues north-easterly before turning 90 degrees towards Carr Lane. Once the bend is rounded the appeal site comes into view in the middle distance and is seen in the context of an attractive wildflower footpath in the foreground framing rolling hills beyond. From this length of the footpath the appeal site is part of the rural backdrop located in the middle distance and containing the settlement edge. From this vantage point the appeal proposal would result in the appearance of built development extending further out into the open countryside and wrapping around the green foreground. In the longer term with the establishment of planting I conclude that there would be a moderately adverse effect on views from this viewpoint.
32. The housing would also be seen in longer distance views from the public right of way 5-8 which bisects the countryside and from Mowbreck Lane to the north. As the footpath travels towards Mowbreck Lane the land rises and enables views over the railway line towards the appeal site in the far distance. At this point the urban edge of Kirkham is clearly demarcated and the introduction of housing on the appeal site's northern slopes would be visible on the far horizon extending the urban edge eastwards. However it would only form a small part of a much larger composition and would represent only a minor incursion into the open countryside from this viewpoint. This footpath

travels south, across the railway line in the direction of St Michael's Church. Views of the development from this section of the footpath would be partial. Due to the oblique angle between the viewer and the northern parts of the site, the development would be seen as a minor and unremarkable extension of the urban area.

33. Other vantage points from which the housing would be visible are longer distance viewpoints which would afford glimpsed or partial views of the development. These include a handful of viewpoints in Treales and the surrounding lanes and at field openings along Spen Lane. From these points the housing would be seen in glimpsed views in the middle and longer distance and against the backdrop of Kirkham rising to the west. The changes would be relatively modest from this viewpoint. I was asked to visit the Boys Brigade Country Pursuits Centre on Carr Lane. From the centre there are limited, if any, views of the appeal site given two mature boundary hedgerows on either side of Carr Lane.
34. I also note that there would be views of the development from the elevated vantage point of the railway line but these would be fleeting and I do not consider that there would be any appreciable erosion of the sense of open countryside around the settlement. Taking all of the above together I conclude that the development would cause a moderate amount of visual harm.

The setting of Kirkham

35. The town of Kirkham became established on the higher ground with the lower lying and wetter land around the network of brooks established as agricultural land enveloping the town. The town is largely contained by the Kirkham bypass to the south and the A585 running northwards along its western edge. The new housing would extend the urban area into lower lying areas to the east of Kirkham but it would appear as a continuation of existing houses on the north-facing slopes. In addition, if the housing was set back from the north-eastern corner of the appeal site⁴, the development would not have a hard linear built edge but a more organic appearance mimicking the edges of development on the higher slopes.
36. The 95 dwelling scheme would result in an extension of residential properties into the southern part of the site. Development on the two northern fields would represent a greater incursion into the open countryside. Whilst there would be some moderate harm to the setting of Kirkham, I conclude that it would still read as a historic settlement on higher land surrounded by lower lying farmland.

Conclusions on landscape matters

37. I have concluded that the appeal proposal would result in a modest erosion of landscape character to this part of the wider landscape; it would cause a moderate amount of visual harm and would cause moderate harm to the setting of Kirkham. Consequently the proposal is contrary to LP policy HL2 and policies EP10 and EP11 which seek, inter alia, to protect important landscape features and to ensure that development is in keeping with the landscape character types identified in the Landscape Strategy.

⁴ As indicated on the landscape masterplan and in accordance with the parameters plan.

38. In this respect the proposal would also be contrary to national policy objectives in the Framework which seek to recognise the intrinsic character and beauty of the countryside. Whilst the Council has cited paragraph 109 of the Framework in its reason for refusal there is no reason to conclude that the site forms part of a 'valued landscape' in that it does not exhibit any special or particular characteristics which take this part of the countryside out of the ordinary. This was accepted by the Council in its statement of case.

Flood risk considerations

39. The site covers an area of some 13 hectares, with Dow Brook and Spen Brook immediately on its western and northern boundaries respectively. The Environment Agency Flood Maps depict the site falling within flood zones 1, 2 and 3. The Appellant's intention is to locate the residential development solely within the larger area entirely within flood zone 1. A Flood Risk Assessment and Drainage Strategy Management Plan (FRA) and a separate Hydraulic Assessment⁵ were submitted with the planning application. On reviewing the hydraulic model the Environment Agency concluded that it more accurately reflects the level of flood risk on the site than the Environment Agency's own Revised Flood Map.
40. The FRA concludes that infiltration methods would be unlikely to provide a viable drainage solution for surface water run-off generated by the development. Instead it suggests using infiltration methods in part, supported by a controlled discharge to Dow Brook, possibly with multiple outfalls. It is proposed that discharge be restricted to the pre-development greenfield rates. In addition a community green space or public open space is proposed to incorporate sustainable urban drainage features such as bio-retention, ponds and swales within the western and south-western part of the site. These arrangements could be secured by condition in the event that the proposal was acceptable in all other respects.
41. The Hearing heard representations from Mr Scott and Mr Long who each set out the concerns of local residents in relation to flooding. In addition I have also seen a number of other letters of objection raising this issue at both application and appeal stage and a video presentation was shown at the Hearing, with accompanying slides submitted. Mr Scott's concern relates to the area of land which would become impermeable as a result of development and he makes the point that surface water would run-off the site at a much higher rate.
42. Flood risk involves a consideration of the probability and potential consequences of flooding. The Planning Practice Guidance sets strict tests to protect people and property from flooding. Paragraph 103 of the Framework confirms that developers must demonstrate that the most vulnerable development is located to areas of the lowest flood risk within the site. In this case I am satisfied that the housing would all be contained within flood zone 1. The Environment Agency and Council have expressed themselves satisfied with the strategy outlined in the FRA.
43. It is inevitable that building on a greenfield site would increase surface water run-off but the FRA sets out an approach to the technical solutions which would be used to control the additional surface water run-off so as not to increase the

⁵ Both dated July 2015.

risk of flooding elsewhere. I have seen photographs and video evidence of flooding in the vicinity of the site and some evidence of flooding on the site. Local residents confirm that flooding occurs several times a year and with increasing frequency.

44. There was a suggestion at the Hearing that some of the houses on the north-western corner of the site would be sited on areas subject to recent flooding events. It is difficult to assess accurately the true extent of previous flooding from video footage. Flooding appears to occur on the lower reaches of the site, adjacent to the confluence of the two brooks. This is the part of the site which lies in flood zones 2 and 3. The Environment Agency has seen the Landscape Masterplan which contains an indicative layout and has confirmed that the houses shown would all sit within flood zone 1.
45. In any event I am mindful that this is an outline proposal with matters of layout reserved for future consideration. This effectively means that the layout depicted on the landscape masterplan is not cast in stone and the question I must ask myself is; in principle could 170 dwellings be accommodated on site without compromising flood risk.
46. Adoption of the measures within the FRA would ensure that sufficient mechanisms are in place to adequately control surface water. The conditions suggested by the Council would ensure that a fully drawn up surface water drainage scheme was submitted as part of the reserved matters application. Such a scheme would have to demonstrate that surface water run-off post development would not exceed greenfield run-off rates.
47. Having regard to all of the evidence, including the representations from the Environment Agency and third parties, I conclude that if such measures were adopted the risk of flooding elsewhere would not be materially increased and the flood risk to on-site development would be acceptable provided the dwellings were all located within flood zone 1. The proposal is acceptable in relation to this matter.

Highway safety

48. Access to the site is from Dowbridge which is a main arterial road into Kirkham and which joins the A583 bypass to the south. The scheme for 170 homes would utilise the existing vehicular access point subject to some re-alignment of the bell-mouth and with the provision of additional works to the public highway. A Transport Assessment and Travel Plan were submitted with the application and considered by Lancashire County Council as the Highways Authority. Further information was requested in relation to traffic figures and speed surveys and this was provided along with two further technical notes from the Appellant's highways consultants.
49. Initially the County Council expressed two concerns; firstly that the development would have only one point of access and secondly concerns about the speeds of vehicles travelling along Dowbridge. The first concern was addressed by a proposed cycle/pedestrian link to New Hey Lane which could be utilised for vehicular access in an emergency. In addition a 24 hour speed survey was carried out by the Appellant's experts and a separate, longer survey was done by the Highways Authority itself. As a result of the speed surveys the Highways Authority required traffic calming and other measures. A stage 1 road safety audit was undertaken in relation to the access

improvement and traffic calming proposals which resulted in modifications to the original scheme.

50. The off-site highway improvements agreed by the Highways Authority and the Appellant would include traffic calming measures along Dowbridge, street lighting, advisory cycle lanes and a pedestrian refuge island as well as a renewal of existing road markings and a new give way triangle and slow markings. In addition the County Council requested the imposition of conditions on any grant of planning permission to require construction of the off-site highway works prior to certain points in the occupation of the housing scheme. A further condition would require a traffic speed review in the vicinity of the site access prior to occupation of the 51st dwelling and in the event that 85th percentile speeds are greater than 30 miles per hour then a scheme of further works designed to reduce speeds on Dowbridge would be required to be implemented in accordance with an approved timetable⁶.
51. In addition to the off-site works and suggested conditions, provision is made in the section 106 agreement for the payment of financial contributions towards pedestrian cycle improvements at the rail station; further speed measurement survey and a contribution towards travel plan support.
52. At the Hearing I heard evidence from Mr Lever on behalf of the Residents Action Group. Mr Lever has had substantial experience as a police officer attached to the traffic division and was responsible, amongst other things, for conducting road traffic investigations following serious accidents. Mr Lever has read the Appellant's traffic reports and raises a number of concerns about the accuracy of some of the data and questions some of the findings. It is clear that he has raised what he says are anomalies within the report with Lancashire County Council's Highways Engineer. Indeed the County Council's letter of the 16 May 2016 confirms that *'substantial further information relating to road safety was considered which was provided by a local resident (a retired police officer) as well as LCC's own analysis'*.
53. One of Mr Lever's prime concerns was in relation to traffic speeds. He points out that the 50 miles per hour speed limit ends just past New Hey Lane to the east of the access. This means that inward coming vehicles from the east must adjust their speeds to 30 miles per hour a short distance before the access to the development. In the other direction Mr Lever points out that Dowbridge is on a hill and has a wide carriageway such that vehicles travelling out of Kirkham down the hill are more likely to exceed the speed limits given the forward visibility available and the width and nature of the carriageway.
54. Mr Lever raises valid and pertinent concerns in relation to speed. However it is clear that these concerns were before the County Council's highways engineer when he considered the scheme. Objections were only removed once additional information was obtained with regard to current speeds on the road and proposals were in place to assist traffic calming. Mr Lever criticised the Appellant's survey since it was conducted on only one day and at a time when Brookside Cottage had parked vehicles outside which may have caused vehicles to pass by with more caution. However the judgment reached by the County Council Highway's Engineer was having regard to all of the information

⁶ I note that conditions in the same terms are to be imposed on the planning permission for the 95 dwelling scheme.

- including the Council's own speed surveys taken over a longer period. There is nothing to persuade me that the Council's own data was flawed.
55. Mr Lever pointed to a history of road traffic accidents on Dowbridge including a fatal accident in 1992, an accident at Dow Bridge in 2006 and two incidents in 2014 when the bridge was struck on separate occasions. Some of these accidents, if not all, would have occurred outside the period for which the personal injury data was obtained. Mr Lever further explained that there has been a high incidence of personal injury accidents on the road in the last two years. The Transport Assessment relied upon accident data from 1 January 2009 and 31 August 2014. The database for that period did not reveal any accidents on the vicinity of the site access. There were six accidents at the junction of Dowbridge with the Kirkham Bypass further to the east.
56. The response of the Highways Authority confirms that the personal injury accident data covered the most recently available 5 year period and that the data did not point to any particular accident pattern which would be a cause for concern. Mr Lever presented a series of photographs depicting the aftermath of accidents in 2014, 2015 and 2016. The notations indicate five accidents along the length of Dowbridge including one at the bus stop. It is not known if the accidents in the photographs resulted in personal injuries. The accidents appear to be at different points in the road and do not appear to exhibit any particular pattern.
57. Mr Lever also raised concerns in relation to an increase in vehicles making left turning manoeuvres from the A583/Blackpool Road into Dowbridge as it travels into Kirkham. The Transport Assessment considered this junction as it was forecast to experience in the region of a 30+ increase in vehicles as a result of the development⁷. It records 6 accidents over five years at this junction; five slight and one serious. The assessment records high levels of traffic passing through the junction in the AM and PM peak hours of which a small proportion make the left hand turn off the bypass into Dowbridge⁸. The junction is forecast to operate within capacity with the development in place and with forecast traffic growth at years 2019 and 2024 in both the AM and PM peak hours. Lancashire County Council's Highway's Engineer raised no concerns about the operation of this junction. There is no substantive evidence before me to cause me to question that judgment.
58. Finally concerns were raised about the location of the bus stop. The existing bus stop for eastbound services is located immediately adjacent to the site access. The Access Improvements plan notes the position of the existing bus stop and confirms that it is to be repositioned as part of the detailed design. The Stage 1 Road Safety Audit concluded that the new location would have to be included within the Stage 2 Audit to ensure that the new location does not present safety problems.
59. The Highway's Authority confirmed that the bus stop may need to be re-located slightly to the west but was satisfied that such a matter could be considered and implemented as part of the highway improvements. Having carefully considered the current alignment of the highway and the access proposals there is no reason to suggest that the bus stop could not be safely re-located. This would then have to be subject to a stage 2 road safety audit.

⁷ Transport Assessment § 1.8.

⁸ Appendix D

60. The proposals have been subject to a road safety audit and two separate traffic speeds surveys have been undertaken. A series of traffic calming measures are required in the event that the development proceeds and these would be supported by conditions requiring further speed surveys and additional works if necessary. Having regard to all of the above I am satisfied that, subject to the measures proposed being adopted the appeal scheme would not compromise highway safety in the vicinity of the site and along Dowbridge. I have come to this view independently of any assessment as to the fallback position in terms of the traffic generation associated with either the current use or the likely traffic generation associated with the 95 dwelling scheme.
61. In terms of highway safety considerations I conclude that the proposal would not materially compromise the safety of pedestrians and other road users. As such it is acceptable in relation to this matter.

Other matters

62. I now turn to consider other objections raised by local residents and others. Concerns were expressed about possible trespassers from the linear park through the rear gardens of existing houses which would provide a more direct route into town. I accept that the route from some of the dwellings proposed into town would be somewhat circuitous but I do not consider that the idea of scrambling across the brook and its embankment into private gardens would prove to be a more attractive alternative. The risk of criminal behaviour is present in all schemes and I note that the Local Constabulary has confirmed that it would be content provided secured by design principles are followed. Again this is an issue which would properly be addressed at reserved matters stage.
63. Some local residents of St Michael's Road expressed concern about the effect of the new housing on their privacy. However the existing dwellings generally sit at a higher level than the appeal site and the existing brook and proposed linear park would ensure that the new housing was sufficiently set back so as not to materially harm the privacy of existing occupiers.
64. Local residents have also questioned the accessibility credentials of the site in terms of its relationship with the town. I agree that the walk into Kirkham from the site would be at least 15 minutes and would involve the uphill climb along Dowbridge. However the site is on the settlement edge approximately 1 kilometre from the town centre which has a range of facilities. In addition there would be ready access to a bus stop on the main road and on a bus route with regular bus services Preston and Blackpool via Kirkham and Poulton and Preston. Local primary and secondary schools are situated less than one mile away from the site. Having regard to all of these factors I conclude that the site performs well in terms of accessibility considerations.
65. The appeal site is not designated for nature conservation purposes. The Ribble and Alt Estuaries Special Protection Area (SPA), the Ramsar site and the Ribble Estuary Site of Special Scientific Interest (SSSI) are located more than 4 kilometres south of the site. Ecology surveys were carried out and confirmed that the site has a low potential for use by specially protected species, with the exception of wintering birds and foraging bats.
66. A shadow habitats regulation assessment was undertaken by the Appellant including a wintering bird survey. The assessment concluded that development

on the site would not result in any likely significant effects when considered on its own. When considered in combination with other developments or cumulatively the same conclusion was arrived at. These conclusions were accepted by Natural England and by the Greater Manchester Ecology Unit. Any grant of planning permission could include a series of conditions to protect wildlife and biodiversity interests. I have no reason to demur from these conclusions.

67. Objections have also been made on the basis that the local schools are full. However the County Council as Education Authority has assessed a requirement for financial contributions towards both primary and secondary school provision. These payments are secured in the section 106 agreement and would address any additional demands placed upon local schools.

Other material considerations

The Five Year Housing Land Supply

68. The National Planning Policy Framework (the Framework) is a material consideration of significant weight. It seeks to boost significantly the supply of housing and requires local authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing (the 5YHLS). Paragraph 49 confirms that housing applications should be considered in the context of the presumption in favour of sustainable development.
69. The Council's Five Year Housing Supply Statement has a base date of 31 March 2016 and reveals that the Council has a deliverable supply of 4.8 years. This is based upon an accepted annual requirement for 370 new dwellings with the accrued shortfall of housing being distributed over the next 5 years of the plan in accordance with the recognised Sedgefield approach. As a result the Council has conceded that it does not currently have a 5YHLS which means that relevant policies for the supply of housing will not be considered up-to-date.
70. At the Hearing and in its post-hearing letter the Dowbridge Residents' Group raised concerns about the 5 YHLS position advanced by the Council and agreed by the Appellant. It was asserted that the revised 5 YHLS figure put forward at another appeal had misrepresented the Council's true position⁹ on the basis that the Council had resolved at its committee meeting of 15 June 2016 to adopt a different method of distribution for the shortfall. However the Council confirms that this appeal had already been recovered by the Secretary of State for his own determination in February 2016 because of a Neighbourhood Plan.
71. On 15 June 2016 the Council's Development Management Committee considered the publication version of the Local Plan. That report contained a resolution to the effect that the policies in the housing chapter of the emerging local plan should be approved for immediate use. The text to those supporting policies contains a reference to the method of addressing the accrued housing shortfall over the plan period. The Council points out that the resolution referred to policies only and as such it does not address or affect the existing methodology used to deal with the shortfall. The issue as to how the accrued shortfall should be distributed (whether it is in the first five years or over the

⁹ APP/M2325/W/15/3004502 and 3141398

rest of the remaining plan period) is a matter for the Inspector conducting the examination into the Local Plan.

72. It would appear that some confusion has arisen in the minds of local residents and others with regard to a possible change in approach in distributing the shortfall which would change the 5 YHLS figures. However the Council's position is clearly established. It was further set out in the position statement put before the Development Management Committee of 7 September 2016. It is also clear that the Council Officers have acted entirely properly in relation to this matter and that the Council has taken a pragmatic decision to continue using the Sedgefield method of distribution until such time as greater weight can be attached to its Local Plan. It follows that I agree that the Council does not have a 5 YHLS at the present time and for the purposes of this appeal only.
73. It is common ground that policies SP1 and SP2 are policies concerned with the supply of housing and the Framework directs that they should not be considered up to date in circumstances where the Council does not have a 5 YHLS. The Council further accepts that the LP was drawn up to direct development up to the period ending in 2006 and in that regard policies relating to the settlement boundaries are out of date.

Benefits

74. The Appellant contends that the proposal would involve a series of benefits which weigh in favour of the grant of planning permission. The SCG records the Council's agreement that the development would provide employment opportunities in the construction industry and would contribute to additional spending in the locality. It would also make a contribution towards meeting the housing shortfall and to the provision of affordable homes when there is a shortfall of 1007 affordable units across the Borough. I am mindful that the 95 dwelling scheme will bring forward the same benefits to a lesser degree. Essentially the benefits under consideration are those which would accrue as a result of the additional 75 homes on the northern fields.
75. The Appellant asserts that the traffic improvement measures would bring benefits to existing residents. However the improvements are necessary to make the development acceptable in planning terms and I am not convinced that they would bring wider benefits. Similarly there is no evidence to suggest that the pig farm is injurious to existing residential users given the separation distances involved. The provision of public open space on the site would form part of any reserved matters proposal in accordance with policy requirements. These are not matters which weigh in favour of the proposal.

Section 106 matters

76. The section 106 agreement secures a series of covenants in relation to the payment of contributions for primary school provision, secondary school provision, a travel plan and cycle contribution, a speed measurement contribution, sustainable transport contribution and the provision of on-site affordable housing. The Council has provided a statement setting out justification for each of the contributions sought in accordance with the policy tests set out in the Framework and the statutory test in regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010. The Appellant raises no objections to any of the contributions sought.

77. Overall I am satisfied that the obligations in the agreement meet the tests in CIL regulation 122 and paragraph 204 of the Framework. The Council also gave evidence at the Hearing as to the number of pooled contributions in relation to the above contributions. The Council has not received five or more contributions in any of the instances and I am satisfied that none of the financial contributions fall foul of the pooling restrictions in regulation 123 CIL regulations. As such those contributions which meet the statutory and policy tests can be taken into account

Overall Conclusions

Paragraph 14 of the Framework

78. The duty in section 38(6) of The Planning and Compulsory Purchase Act 2000 enshrines in statute the primacy of the development plan. As an essential component of the 'plan-led' system, it is also reiterated in the Framework¹⁰. The Framework is of course a material consideration to which substantial weight should be attached.
79. Paragraph 14 recites the presumption in favour of sustainable development and sets out what it means for decision-taking. Paragraph 49 advises that housing applications should be considered in the context of the presumption in favour of sustainable development but that relevant policies for the supply of housing should not be considered up-to-date if the Council cannot demonstrate a 5 YHLS. I have concluded that relevant policies of the development plan are out-of-date by virtue of the lack of a 5 YHLS and the weight to be given to such policy conflict is reduced.
80. Paragraph 14 contains two alternative limbs in relation to decision-taking. The first limb requires a balance to be undertaken whereby permission should be granted unless the adverse impacts significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole. The second limb indicates that the presumption should not be applied if specific policies indicate development should be restricted. It is agreed that that is not the case here, so I shall go back to conduct the balance in the first limb.
81. The proposal would be contrary to LP policies SP1 and SP2 in that it would be in the open countryside and outside a settlement boundary. It would also result in the loss of best and most versatile agricultural land and there would be a modest erosion of landscape character, a moderate amount of visual amount and moderate harm to the setting of Kirkham. As a consequence of these matters I conclude that the proposal is contrary to the development plan when viewed as a whole. However relevant policies for the supply of housing are out of date and the weight which I attribute to the contravention of policies SP1 and SP2 is significantly reduced.
82. There is a serious and significant shortfall in the housing supply and more particularly a substantial need for affordable homes. The homes would be located in an accessible location and would bring economic activity and other benefits in terms of construction work.
83. The balancing exercise to be carried out in the first limb of paragraph 14 is not a straight balance; it is often referred to as a tilted balance because planning permission must be granted unless the adverse impact of the development

¹⁰ §§11, 12, 196

significantly and demonstrably outweighs the benefits. In this case I am satisfied that the adverse impacts which I have identified do not significantly and demonstrably outweigh the benefits. As such the appeal succeeds and outline planning permission shall be granted.

Conditions

84. The Council suggested a set of conditions which were discussed at the Hearing. I also put forward some additional conditions for consideration by the main parties. I have considered all of the conditions in light of the advice within the Planning Policy Guidance and I have made some revisions in the interests of enforceability and precision. The numbers in brackets relate to the suggested conditions in the Council's list. I have also amended some of the suggested conditions in the terms discussed at the Hearing. In the interests of good planning it is necessary to impose conditions setting out time limits for development and to require submission of reserved matters and to relate development to the submitted plans (1, 2 and 3). The development is to be constructed in phases and details of the proposed phasing of the development is required (28).
85. The Council suggested a condition requiring development to be substantially in accordance with the illustrative masterplan and parameters plan and I agree that this is reasonable in order to achieve a satisfactory development (4). I have deleted the reference to a linear park and community green since these details are contained within the plans and are required in any event by condition 4 which I have imposed. At the Hearing I suggested additional conditions in relation to requirements for finished floor levels and to require details of boundary treatments. These were accepted by the parties.
86. It is necessary to secure construction of the site access, emergency access and off-site highway works (5) and to secure a timetable for implementation of the on-site and off-site works (6). I have already discussed the conditions necessary to secure a traffic speed review and further works (7) and a condition is required to secure implementation of a Travel Plan in relation to each phase of development (8). It is also necessary to control activities during the construction and demolition period and to restrict the hours of working (9 and 24).
87. A hedgerow retention scheme is necessary (11) as are conditions necessary to protect sensitive habitats, provide bird nesting and bat roosting opportunities and to prevent the spread of Himalayan Balsam (13, 14, 15, 16 and 17). It is also necessary to require an ecological management plan (18). I have already set out the need to carry out development in accordance with the FRA and to control surface water drainage (19, 20 and 22). Suggested conditions 21 and 22 are incorporated into condition 20 as was agreed. I have imposed the condition requiring a programme of archaeological recording and analysis but I have simplified the condition (23). The Geo-Environmental Assessment recommended the deposit of clean sub-soil and I have imposed the suggested condition relating to this (25). Similarly reinforced floor slabs are required to address gas movement issues (26).
88. I have incorporated suggested condition (27) into the phasing condition. I do not consider that condition (29) is necessary given that landscaping is a reserved matter. Three additional conditions were also discussed at the Hearing; conditions securing the provision of internal access roads and foul

drainage arrangements were also considered necessary. Suggested condition (10) was withdrawn.

Karen L Ridge

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

| | |
|---|---|
| Mr Matthew Symons BA MPlan MRTPI | Planning Manager, Hollins Strategic Land |
| Miss Catherine Mitchell BA(Hons) MPhilD CMLI | Landscape Architect, Technical Director, SLR Consulting |
| Mr Ian Ponter | Of Counsel |

FOR THE LOCAL PLANNING AUTHORITY:

| | |
|-------------------------------------|--|
| Mr Kieran Birch | Senior Development Officer, Fylde Borough Council |
| Mrs Joanne Folland BA(Hons) CMLI | Senior Associate Landscape Architect, Randall Thorp |
| Mr Eddie Graves | Principal Planning Policy Officer, Fylde Borough Council |

INTERESTED PERSONS:

| | |
|------------------|------------------|
| Mr Adrian Long | Local resident |
| Mrs Susan Long | Local resident |
| Mr Ian Scott | Local resident |
| Mr Charles Fox | Local resident |
| Mrs Donnelly | Local resident |
| Mr Neil Lever | Local resident |
| Councillor Oades | Local Councillor |
| Mr Neil Donnelly | Local resident |

DOCUMENTS SUBMITTED AT THE HEARING

- 1 Appellant's list of appearances.
- 2 Extracts from Fylde Local Plan, submitted by the Council at the request of the Inspector.
- 3 Letter of notification of the hearing and list of those notified, submitted by the Council.
- 4 Committee report on Kirkham Public Realm Improvements: Phase 5 submitted by the Council.
- 5 Forest of Dean District Council v SSCLG and Gladman Developments Limited [2016] EWHC 2429 (Admin), submitted by the Appellant.
- 6 Statement of Mr Adrian Long.
- 7 Statement of Mrs Sue Long.
- 8 Minutes of Development Management Committee meeting on 15 June 2016, submitted by the Council.
- 9 Letter Bryning-with-Warton Parish Council to the Inspectorate dated 11 August 2016.
- 10 Note from Mr Michael Eccles, local resident.
- 11 Statement from Mrs Hadia Donnelly.
- 12 Executed unilateral undertaking dated 23 November 2016, various parties, submitted by the Appellant.
- 13 Office copy entries of the title to the appeal site, submitted by the Appellant.
- 14 Letter Environment Agency to the Council dated 22 October 2015, submitted by the Council at the request of the Inspector.
- 15 Slides from powerpoint presentation 'Flood Risk at Brook Farm, Dowbridge' submitted by Mr Ian Scott.
- 16 Environment Agency letter to Council dated 28 September 2015.
- 17 Environment Agency letter to Council dated 11 May 2016.
- 18 Letter Lancashire County Council to the Council dated 29 February 2016, submitted by the Council.
- 19 Letter Lancashire County Council to the Council dated 16 May 2016, submitted by the Council.
- 20 Statement of Neil Donnelly.

CONDITIONS ATTACHED TO THE GRANT OF OUTLINE PLANNING PERMISSION

- 1) The development hereby permitted is for no more than 170 dwellings. The development shall be carried out in accordance with the following plans, unless otherwise varied by the conditions set out:
 - Proposed site location plan (0-)A001
 - Proposed access improvement and traffic calming general arrangement plan SK21452-002 revision E
 - Proposed cycle land provision B5259 plan SK21452-007 revision A.
- 2) Details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development commences and the development shall be carried out as approved.
- 3) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission and the development must commence not later than either:
 - The expiration of five years from the date of this permission, or
 - The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter approved.
- 4) The Reserved Matters layout submission shall include a plan/strategy for the development of the whole site in phases, including the provision of public open space, landscaping and woodland planting, children's play area and the infrastructure associated with the development (including internal access roads) within each phase of the construction of the approved dwellings. The development shall thereafter only be carried out in accordance with the approved phasing plan/strategy unless any variation to the approved plan/strategy is first approved in writing by the Local Planning Authority.
- 5) The details submitted as part of the Reserved Matters application shall be substantially in accordance with the illustrative Landscape Masterplan drawing 1956_02 Revision K and the Parameters Plan reference PAR001.
- 6) The Reserved Matters submission in relation to layout on each phase shall include details of existing and proposed site levels throughout the phase and finished floor levels of all dwellings on that phase which shall be defined relative to a datum or datum points the location of which has been previously agreed by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved levels.
- 7) The Reserved Matters submission in relation to appearance on each phase shall include details of all boundary treatment to be carried out on all the perimeter boundaries on that phase and details of any boundary enclosures to be erected or grown within that phase. The approved details of perimeter boundary treatment shall thereafter be carried out and completed within each phase of development prior to any dwelling within that phase being first occupied and the boundary treatment

relating to individual plots shall be carried out and completed on each respective plot prior to its first occupation.

- 8) No part of the development hereby approved shall commence until a scheme for the construction of the site access, emergency access and the off-site highway improvements have been submitted to and approved in writing by the Local Planning Authority. The off-site highway improvements shall include details of:
- Site access junction and associated highway works shown on drawing SK21452-002 Revision E subject to detailed design and including the following:
 - i. Site access junction
 - ii. Traffic calming/gateway measures
 - iii. Upgraded bus stop provision to quality bus standard
 - iv. Street lighting
 - v. Review of and implementation of changes to Traffic Regulation Order(s)
 - vi. Construction detail to adoptable standard
 - Highway works to the wider area as shown in drawing SK21452-007 Revision A to be implemented upon completion of 25 dwellings or 18 months from the commencement of development whichever is the sooner, and comprising:
 - i. advisory cycle lanes;
 - ii. gateway measures; and
 - iii. a pedestrian refuge island.
 - White lining renewal/update scheme at A583 Kirkham Bypass/B5192 Dowbridge comprising:
 - i. renewal of existing road markings; and
 - ii. review and update to include new give way triangle and slow markings and additional hatching to eastern give way.

Development shall be carried out in accordance with the approved scheme.

- 9) Prior to the first occupation of the first dwelling on any part of the development the access works shown on drawing SK21452-002 Revision E shall be constructed in accordance with the details approved. No more than 25 dwellings on the site shall be occupied until such time as the off-site highway improvement works referred to in condition 8 have been constructed in accordance with the approved details. The emergency access shall be provided prior to occupation of the 95th dwelling on the site in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

- 10) No more than 51 dwellings on the development hereby permitted shall be occupied until the developer has carried out a traffic speed review in the vicinity of the site access in accordance with details approved by the Local Planning Authority. The results of the review shall be provided to the Local Planning Authority and should the review indicate that the 85th percentile speeds are greater than 30 miles per hour in either direction then a scheme of further works designed to reduce speeds on Dowbridge shall be submitted to the Local Planning Authority for written approval together with a timescale to be approved as part of that submission. In the event that further works are required no more than 51 dwellings shall be occupied until such time as the timetable for implementation of the works has been approved in writing by the Local Planning Authority.
- 11) Prior to the first occupation of any dwelling within a particular phase, a Travel Plan in relation to that phase shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall provide a framework for the phase and consider measures for encouraging sustainable modes of transport based on the number of residential units created within that phase. Development shall be carried out in accordance with the approved details.
- 12) Prior to the commencement of any demolition, construction or remediation on each phase a scheme in the form of a Construction Environmental Management Plan (CEMP) in relation to that phase shall be submitted to, and approved in writing by, the Local Planning Authority. Such a plan shall include details of the following:-
 - the parking of vehicles of site operatives and visitors;
 - the loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development;
 - the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing;
 - wheel washing facilities;
 - publicity arrangements and a permanent contact / Traffic Manager once development works commences to deal with all queries and authorised by the developer / contractors to act on their behalf;
 - details of the measures to be employed to control and monitor noise, vibration and dust;
 - construction routes within the site;
 - compound locations;
 - a scheme for recycling/disposing of waste resulting from demolition and construction works (there shall be no burning of materials on site);
 - a Management Plan to identify potential ground and water contaminants; details for their storage and how water courses will be protected against spillage incidents and pollution during the course of demolition and construction;
 - the routing of construction vehicles and deliveries to the site and the timing of their arrival.

Development shall thereafter only be carried out in accordance with the approved CEMP, unless any variation to it is otherwise first agreed in writing by the Local Planning Authority.

- 13) No demolition, ground works or construction works shall take place outside the following hours: 0800 to 1800 hours on Mondays to Fridays and 0900 to 1300 hours on Saturdays. There shall be no such work on Sundays or Public or Bank Holidays.
- 14) Prior to commencement of development on any phase of development a hedgerow retention and replacement scheme shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme. All existing lengths of hedgerow on the site shall be retained except where their removal is required for access points or visibility splays or in cases where a replacement scheme has been agreed.
- 15) Prior to the occupation of development on any phase, a 'Lighting Design Strategy for Biodiversity' in relation to that phase shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall:
 - Identify those areas or features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of territory and;
 - Show how and where external lighting will be installed on that phase so that disturbance to bats will not be caused. Such lighting should also seek to reduce light pollution from that phase so far as it practicable.
 - All external lighting on that phase shall be installed in accordance with the approved Strategy details and no external lighting shall be installed other than in accordance with the Strategy.
- 16) Prior to works of demolition or construction on each phase of development details of the fencing to be erected between that phase of development and sensitive habitats due to be retained (ponds, hedgerows and watercourses) shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing arrangements shall be in place prior to any works of demolition or construction and shall be retained throughout the demolition and construction works.
- 17) Prior to the commencement of demolition or construction on each phase of development a Method Statement of measures (including a timetable for implementation) to be taken to prevent the spread of Himalayan Balsam and eradicate it from the development shall be submitted to and approved in writing by the Local Planning Authority. The approved Method Statement shall be implemented in full in accordance with the approved timetable.
- 18) Prior to the commencement of demolition or construction on each phase of development details of bird nesting opportunities to be installed on that phase shall be submitted to and approved in writing by the Local Planning Authority. The details shall include provision for Song Thrush, Dunnock and House Sparrow (Species of Principal Importance) and shall include consideration of provision for other declining species such as House Martin and Swift as well as a timetable for implementation. The

approved details shall be implemented in full on that phase in accordance with the approved timetable.

- 19) Prior to the commencement of demolition or construction on each phase of development full details of bat roosting opportunities to be installed on that phase, together with a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full on that phase in accordance with the approved timetable.
- 20) No tree felling, vegetation clearance works, removal of hedgerows, demolition works or other works that may affect nesting birds shall take place between 1 March and 31 August inclusive on each phase unless surveys by a qualified ecologist show that nesting birds would not be affected on that phase have been submitted to and approved in writing by the Local Planning Authority.
- 21) No site clearance, site preparation or development work shall take place on each phase until a fully detailed landscaping/habitat creation and management plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The Habitat Management Plan shall include:
 - i. A description and evaluation of the features to be managed;
 - ii. Ecological trends and constraints on site that may influence management;
 - iii. Aims and objectives of management;
 - iv. Appropriate management options for achieving aims and objectives;
 - v. Prescriptions for management actions;
 - vi. Preparation of a works schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);
 - vii. Personnel responsible for the implementation of the plan;
 - viii. Monitoring and remedial/contingencies measures triggered by monitoring.

The approved details shall be implemented in full for each particular phase and carried out as approved within the first planting season following completion of development on that particular phase and shall thereafter be maintained in accordance with the approved plan.

- 22) The drainage for the whole development hereby permitted shall be carried out in accordance with the principles set out in the submitted Flood Risk Assessment and Drainage Strategy Management document Revision 1.0 dated 19 November 2015 and the mitigation measures within it. Surface water must drain to watercourses and no surface water will be permitted to drain directly or indirectly into the public sewer unless otherwise agreed in writing by the Local Planning Authority. The mitigation measures shall be fully implemented prior to first occupation of any dwelling on the development in accordance with the approved timetable or within any other period as may subsequently be agreed in

writing by the Local Planning Authority. The development shall be completed, maintained and managed in accordance with the approved details.

- 23) No development shall commence until details of an appropriate management and maintenance plan for the sustainable urban drainage system for the lifetime of the development has been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall include:
- 1) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company;
 - 2) arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the approved system;
 - 3) information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
 - 4) demonstration that the surface water run-off will not exceed the following greenfield run off rates; 1 in 1 -65.1l/s, 1 in 30 - 126.8l/s and 1 in 100 +30% climate change allowance - 155.5l/s;
 - 5) any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
 - 6) flood water exceedence routes, both on and off-site;
 - 7) a timetable for implementation, including phasing where applicable;
 - 8) site investigation and test results to confirm infiltration rates;
 - 9) details of water quality controls where applicable.

The approved scheme shall be implemented in full and subsequently maintained in accordance with the approved phasing/timing arrangements.

- 24) No part of the development hereby permitted (including works of demolition or preparatory works) shall be commenced within the site until a programme of archaeological work, recording and analysis has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

- 25) Prior to the commencement of demolition or construction on each phase of development a scheme for the deposit of clean subsoil on that phase, together with a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full on that phase in accordance with the approved timetable.
- 26) Prior to the commencement of demolition or construction on each phase of development a scheme for the provision of reinforced concrete floor slabs on that phase, together with a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full on that phase in accordance with the approved timetable.
- 27) Prior to any development being commenced within each phase, details of the design, construction, specification, lighting and drainage of all internal access roads within that phase shall be submitted to and first approved in writing by the Local Planning Authority. Development on that particular phase shall be carried out in accordance with the approved details in accordance with a timescale approved by the Local Planning Authority.
- 28) The internal access roads within each phase shall be completed to a minimum of base course level prior to the construction of each phase of development and shall be fully completed in accordance with the approved details contained within condition 27 in accordance with the agreed phasing plan/strategy required by condition 4.
- 29) Development shall not commence until a foul drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved in writing by the Local Planning Authority. No discharge of foul water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

END OF CONDITIONS

Appeal Decision

Site visit made on 13 December 2016

by David Cross BA (Hons), PGDip, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 January 2017

Appeal Ref: APP/M2325/W/16/3158259

183 Kirkham Road, North of Bypass, Freckleton PR4 1HU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr John Bamber against the decision of Fylde Borough Council.
 - The application Ref 16/0507, dated 8 July 2016, was refused by notice dated 31 August 2016.
 - The development proposed is outline planning application for one dwelling access applied for.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application has been submitted in outline with approval sought in relation to access with all other matters reserved for future consideration. I have dealt with the appeal on that basis, treating the proposed elevations, floor plan and site plan as indicative.

Main Issues

3. The main issues in this appeal are:
 - Whether the proposal is inappropriate development in the Green Belt;
 - The effect on the openness of the Green Belt and the purposes of including land within it; and,
 - If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Inappropriate Development

4. The appellant states that the site consists of previously developed land which has had previous uses such as a caravan site and a builder's yard. However, I saw at my site visit that the site has the appearance of a grassed smallholding containing some small wooden structures to the rear. The site is located on Kirkham Road, which is characterised by sporadic dwellings and other
-

development fronting onto the highway set in a wider agricultural landscape. The site is located within the Green Belt.

5. Paragraph 89 of the National Planning Policy Framework (the Framework) sets out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions. New buildings within the Green Belt are inappropriate unless they meet the exceptions referred to in paragraph 89. The appellant accepts that the appeal proposal does not comply with any of the identified exceptions, and I see no reason to disagree. Therefore, the proposal would comprise of inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt.

Openness and Green Belt Purposes

6. A fundamental aim of Green Belt policy, as set out in paragraph 79 of the framework, is to keep land permanently open. The construction of a dwelling on the site would result in built development where there is presently none. Although there are buildings located on either side of the appeal site, the proposal would have the effect of consolidating this more sporadic form of development. Furthermore, the appeal site is viewed within the context of a more open vista to the rear of the site; which, although this includes some evidence of built development, is essentially of an open countryside appearance. I note that the appellant states that any future reserved matters application would ensure that the dwelling would be in keeping with the character of the area and nearby properties. However, in my view, the construction of a dwelling on the site would inevitably lead to a loss of openness.
7. On this basis that I consider the proposal would lead to the encroachment of development into the countryside and would have a significant impact on the related Green Belt purpose. I conclude that the proposal would not preserve the openness of the Green Belt and would impact on the purpose of safeguarding the countryside from encroachment.

Other Considerations

8. In support of the appeal, the appellant has referred to the site history and a number of previous uses on the land. He refers to a certified location for 5 touring caravans which he states could be reopened. However, such a use would be intermittent and would not have the same effect on the openness of the greenbelt which would arise from the construction of a permanent dwelling. Notwithstanding this, based on my site visit and the evidence presented to me, it would appear that the caravan site is located to the rear of the appeal site on a separate parcel of land owned by the appellant. It is therefore feasible that the caravan site could reopen even if the proposed dwelling was permitted. Indeed, I note from the Design and Access Statement that the appellant intends to continue to operate the caravan site.
9. The appellant has also referred to a static caravan which he states was occupied for a number of years. However, from the evidence presented to me, this was also located on a separate parcel of land to the rear of the appeal site. Furthermore, it was apparent at my site visit that this static caravan had been removed. Notwithstanding the lawfulness, or otherwise, of this static caravan, its reintroduction would not be prevented by the appeal proposal.

10. The appellant has also referred to a previous use of the site as a builder's yard. However, no substantive evidence has been provided to me in relation to this use.
11. I have had regard to the previous uses referred to by the appellant. However, due to matters such as the location of these uses, the relationship with the appeal site, lack of substantive evidence and the potential for reintroduction regardless of whether the appeal succeeds, I have given these very little weight in support of the proposal.
12. The appellant has also referred to the site being brownfield land. However, even if this is the case, I consider that that this would not weigh in favour of the proposal as it would have a greater impact on the openness of the Green Belt and the purpose of including the land within it than the existing development.
13. The site is close to facilities within Freckleton and a bus route providing access to facilities in the surrounding area. In this respect the dwelling would be in a relatively sustainable location for a rural area and would also make a small contribution to the viability of local facilities. The construction of the dwelling would also create employment in the area, albeit to a very limited degree and for a relatively brief period. The dwelling would also make some contribution, albeit limited, to the supply of housing in an area where the Council is unable to demonstrate a 5 year housing land supply. I therefore attach moderate weight to these benefits arising from the proposal.
14. The appellant has also referred to planning permission granted by the Council for a wall at a nearby property which he claims highlights inconsistencies in the Council's approach. However, I consider that the circumstances of that permission are not directly comparable to the case before, and I have determined the appeal on its own merits.

Conclusion

15. Having considered all matters raised in support of the proposal I conclude that, collectively, they do not clearly outweigh the harm that I have identified in relation to the Green Belt. Accordingly very special circumstances do not exist and the proposal is at odds with the guidance of the Framework and Policies SP3, HL2 and EP11 of the Fylde Council Local Plan (As Altered) 2005 (FCLP). The Council's reason for refusal also refers to Policies EP14 and EP19, but as these relate to the provision of landscaping and the impact on protected species I do not consider that these are relevant to this decision.
16. For the reasons given above and taking account of all material planning considerations the appeal is dismissed.

David Cross

INSPECTOR

INFORMATION ITEM



| REPORT OF | MEETING | DATE | ITEM NO |
|----------------------------|----------------------------------|-----------------|---------|
| RESOURCES DIRECTORATE | DEVELOPMENT MANAGEMENT COMMITTEE | 8 FEBRUARY 2017 | 6 |
| CODE OF CONDUCT: INTERESTS | | | |

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY OF INFORMATION

This report sets out and provides a commentary on the parts of the council's code of conduct for members that relate to interests.

SOURCE OF INFORMATION

Director of Resources.

LINK TO INFORMATION

Hyperlink to the information itself.

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

Members have requested an information report on the topic of Members' Interests. One of the main issues appears to be confusion around the decision makers (committee members) declaring their interests and non- committee members (in attendance at committee) declaring interests. In addition, the associated requirements around public speaking have added to this confusion.

FURTHER INFORMATION

Contact Ian Curtis 01253 658506.

INFORMATION NOTE

INTERESTS

INTERESTS AND THE CODE OF CONDUCT

The Local Government Act 2000 introduced a model code of conduct, which local authorities were required to adopt. The model code defined personal interests and personal and prejudicial interests and set out when members were required to register and declare them. The Localism Act 2011 abolished the model code of conduct and made major changes to the law about interests.

The 2011 act allowed local authorities to decide on their own local codes of conduct. However, all authorities' codes had to include mandatory provisions about disclosable pecuniary interests, which were a new category of interest defined in the 2011 act.

Fylde Council adopted a code of conduct that retained definitions and procedures associated with personal interests and personal and prejudicial interests, as well as dealing with disclosable pecuniary interests. Making recommendations on changes to the code of conduct is within the terms of reference of the Audit and Standards Committee.

This note is about what actions members must take or not take at meetings when the different kinds of interests arise. It does not deal with the requirements to register interests. For more information on the need to register interests, members should contact the Monitoring Officer.

Members should also contact the Monitoring Officer in writing for advice on specific issues relating to interests. However, this must be done at least one working day prior to the meeting concerned. Comprehensive training on interests was given to members after the 2015 borough elections.

For convenience, this note refers to personal and prejudicial interests simply as 'prejudicial interests'.

PERSONAL INTERESTS

Definition: A member has a personal interest in an item of business where (i) a decision in relation to that business might reasonably be regarded as affecting their well-being or financial position or the well-being or financial position of a member of their family or any person with whom they have a close association; or (ii) it relates to any body of which they are a member or in a position of general control or management and to which they are appointed or nominated by the council; or (iii) it relates to a body (other than another local authority) exercising functions of a public nature, any body directed to charitable purposes or any body one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which they are a member or in a position of general control or management¹.

Example: A member regularly plays darts with the owner of a village store, who has applied for planning permission to install a cash machine. The committee is to consider the application.

Action: The member (whether or not they are a member of the committee) must make a verbal declaration of the existence and nature of their interest at the meeting.² They may remain in the meeting, and, if they are a member of the committee, take part in the discussion and voting.

How this applies to ward councillors who are not members of the committee: A ward member who is not a member of the committee may be invited to speak by the chairman in the normal way, and

¹ Code of Conduct, paragraph 8.1.

² Code of Conduct, paragraph 8.2(ii).

would not be subject to the three-minute time limit that applies to public speakers.

PREJUDICIAL INTERESTS

Definition: A member's personal interest becomes a prejudicial interest if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the member's judgement of the public interest.³

Example: A member lives next door to a site which is the subject of a planning application to be considered by the committee.

Action: The member (whether or not they are a member of the committee) must make a verbal declaration of the existence and nature of their interest at the meeting. They must also withdraw from any discussion of the business at the meeting and not take part in any vote on it⁴. They may only remain in the meeting for the purpose set out in the paragraph below, and must leave the room immediately afterwards⁵.

A member with a prejudicial interest can address the committee as a public speaker, and would be subject to the same three minute time limit as other public speakers.

How this applies to ward councillors who are not members of the committee: A ward member who is not a member of the committee and who has a prejudicial interest can address the committee as a public speaker, and would be subject to the same three minute time limit as other public speakers

DISCLOSABLE PECUNIARY INTERESTS

Definition: A pecuniary interest of a member or a member's spouse or partner of one the following descriptions⁶:

| Subject | Prescribed description |
|---|--|
| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. |
| | This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. |
| Contracts | Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— |
| | (a) under which goods or services are to be provided or works are to be executed; and |
| | (b) which has not been fully discharged. |
| Land | Any beneficial interest in land which is within the area of the relevant authority. |

³ Code of Conduct, paragraph 9.1. If the business it relates to is not a planning or licensing application, the interest will not be prejudicial unless it affects the financial position of the member or the person through whom the interest arises.

⁴ Code of Conduct, paragraph 9.2.

⁵ Code of Conduct, paragraph 9.3.

⁶ Localism Act 2011, section 30; Relevant Authorities (Disclosable Pecuniary Interests) Regulations, schedule 1.

| | |
|---------------------|--|
| Licences | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer. |
| Corporate tenancies | Any tenancy where (to M's knowledge)— |
| | (a) the landlord is the relevant authority; and |
| | (b) the tenant is a body in which the relevant person has a beneficial interest. |
| Securities | Any beneficial interest in securities of a body where— |
| | (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and |
| | (b) either— |
| | (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or |
| | (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class. |

Example: A member owns land that is the subject of a planning application to be considered by the committee.

Action: The member (whether or not they are a member of the committee) must disclose the interest to the meeting (unless it is in their register of interests), must not participate in any discussion of the matter at the meeting and must not participate in any vote taken on the matter at the meeting.⁷ They must also leave the room.

How this applies to ward councillors who are not members of the committee: A ward member who has a disclosable pecuniary interest would be excluded from the meeting as set out above and may not address the committee.

APPEARANCE OF BIAS

For completeness, this note concludes by briefly looking at issues around appearance of bias, and its relationship with interests.

A committee decision on a planning application will be liable to be quashed by the courts if there is the appearance of bias. The test for the appearance of bias is whether a fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the tribunal (meaning the committee) was biased⁸. The apparent bias of a member of the committee can infect the whole committee, in the sense that the participation of that member can render the decision of the committee liable to be quashed.

(Members should note that the issue of appearance of bias is not concerned at all with whether there is actual bias: the issue is how it appears.)

Cases where the courts have quashed decisions of local authorities because of the appearance of bias have included:

A councillor who was a director of the Coop had voted refusing to renew a licence for a sex

⁷ Localism Act 2011, section 31(2), (3).

⁸ See *Porter v Magill*, [2002] 1 All E.R. 465, cited in *Kelton v Wiltshire Council*, [2015] EWHC 2853 (Admin)

establishment next to a Coop store. If the sex establishment closed, the Coop could expand into its premises. The court held that there was apparent bias and quashed the decision of the committee⁹.

A councillor who was a director of a housing association voted on a planning application by a developer for a housing development. The association subsequently became the developer's preferred bidder for affordable housing included in the development. The court held that the councillor's participation in the meeting gave rise to an appearance of potential bias. The decision to grant planning permission was quashed.¹⁰

There is a strong overlap between interests and the appearance of bias. If a councillor participates in a decision when they should have withdrawn because of a prejudicial interest or disclosable pecuniary interest, the decision will almost always be vulnerable to challenge because of the appearance of bias. In those circumstances, officers have a responsibility to advise on the possibility of the council acting unlawfully and on what should be done to minimise that danger. Officers will continue to discharge that responsibility.

FURTHER INFORMATION AVAILABLE FROM

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⁹ R v. Chesterfield Borough Council ex parte Darker Enterprises, [1992] C.O.D. 465

¹⁰ Kelton, cited above.