



Meeting Agenda

**Development Control
Committee
Council Offices, Wesham
29 March 2006, 9.30a.m.**

Membership

Development Control Committee

CHAIRMAN - Harold Butler

VICE-CHAIRMAN - Dr Trevor Fiddler

Councillors	John Bennett	Councillors	Linda Nulty
	George Caldwell		Barbara Pagett
	Kevin Eastham		Albert Pounder
	Richard Fulford-Brown		Heather Speak
	Peter Hardy		William Thompson
	Howard Henshaw (A.D.K		Colin Walton
	MALAYSIA)		
	Ray Norsworthy		Andrea Whittaker

Contact: Lyndsey Lacey, St. Annes (01253) 658504, Email: lyndseyl@fylde.gov.uk



CORPORATE OBJECTIVES

The Council's investment and activities are focused on achieving our five key objectives which aim to :

- Conserve, protect and enhance the quality of the Fylde natural and built environment
- Work with partners to help maintain safe communities in which individuals and businesses can thrive
- Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment
- Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough
- Ensure we are an efficient and effective council.

CORE VALUES

In striving to achieve these objectives we have adopted a number of key values which underpin everything we do :

- Provide equal access to services whether you live in town, village or countryside,
- Provide effective leadership for the community,
- Value our staff and create a 'can do' culture,
- Work effectively through partnerships,
- Strive to achieve 'more with less'.



A G E N D A

PART I - MATTERS DELEGATED TO COMMITTEE

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**Development Control Committee Schedule
29 March 2006**

Item Number: 1

Application Reference: 05/0932		Type of Application: Change of Use	
Applicant:	Fylde Community Link Ltd	Agent :	Mr Fergus Stokes
Location:	19 CHURCH ROAD, LYTHAM, LYTHAM ST ANNES		
Proposal:	CHANGE OF USE FROM DENTIST TO OFFICE AND STAFF TRAINING FACILITY FOR LEARNING DISABILITY CHARITY AND SINGLE STOREY REAR EXTENSION		
Parish:	Clifton	Area Team:	Area Team 1
Weeks on Hand:	22	Case Officer:	Mr M Evans
Reason for Delay:	Staffing shortages and amendments to the scheme		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application seeks permission to change the use of the premises and to erect a large single storey extension. The proposed use is, given the previous commercial use of the property, considered acceptable. Although the size of the extension is large, on balance it is considered that planning permission should be granted.

Reason for Reporting to Committee

This application has been placed before Committee for consideration at the request of Councillor W Thompson.

Site Description and Location

This vacant terraced property, which was in use as a dentist surgery until April 2005, is located on the south side of Church Road, Lytham between Queen Street and Beach Street. The property is surrounded by residential properties with a property on Beach Street backing onto the site. To the rear of the property is a large walled garden area and a parking area which is accessed from Beach Street via a back street.

Details of Proposal

Change of use of dentist surgery to general office and training facility for learning disability charity
Erection of a single storey extension to provide a training room measuring 9.8 m deep x 8.5 m wide by 2.5 m eaves height and 5 m ridge height. The building would be linked to the existing dwelling by a flat roofed building 2m deep x 5.4m wide and would have a storage room that would project a further 2.5 m beyond the main bulk of the extension.

The extension is proposed to be constructed of facing brickwork and slate to match the existing

building.

Relevant Planning History

Application No	Development	Decision	Date
03/0732	CHANGE OF USE FROM SURGERY TO DWELLING	Granted	28/01/2004

Parish Council Observations

Not applicable

Statutory Consultees

Consumer Wellbeing and Protection

No response received at time of writing this report

County Highway Authority

No objections

Observations of Other Interested Parties

None received

Neighbour Observations

Six neighbouring properties have been notified, a site notice displayed and a press notice published. Neighbours have also been notified of revisions to the submitted application.

Five letters have been received objecting on the following grounds:

- The proposed extension is too large and would take up the majority of the site and represents over development
- The proposal is out of character with the area which is characterised by residential properties with rear gardens
- Poor access to the parking area at the rear of the property
- Increased traffic generation, particularly due to the proposed increase in floor area, would add to local congestion on Church Road and Beach Street
- The roof pitch of the extension is excessively high, high enough to be converted into additional floorspace and of a height that will dominate neighbouring properties
- Overshadowing and loss of light to neighbouring properties
- Impact of the proposed extension on the character of the conservation area which generally has open rear gardens
- Establishment of a precedent for other large extensions
- The rear projection is far too large
- The need for such a large extension means the property is too small for its intended use
- The additional accommodation could be provided on the upper floors of the premises
- Potential noise from the activity room, particularly through the side windows
- The proposed extension contravenes the “45° rule” and is contrary to the provisions of policy HL5 of the Fylde Borough Local Plan.

Relevant Planning Policy

Fylde Borough Local Plan:

EMP3 Business development within existing settlements
EP3: New development in conservation areas

Other Relevant Policy:

PPS1: Delivering Sustainable Development
PPG15: Planning & the Historic Environment

Site Constraints

Conservation Area

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

This application proposes the change of use of a dental surgery to a general office and training facility for a learning disability charity and the erection of a large single storey extension to provide a training/activities room.

The proposed office and training room must be considered in the light of the previous use of the building as a dental surgery. That previous use would have generated a considerable amount of activity as a result of staff and patients visiting the premises on a regular basis. It is considered that the proposed use, even taking account of any increase in floor area would generate a similar level of activity. In addition the site is located on a main road at the edge of the town centre where there is already a degree of activity over and above that which would normally be expected in a purely residential area. As such it is considered that the proposed use is acceptable in principle.

The proposed single storey extension to the rear of the property would occupy a large part of the existing rear open area of the property. The proposed extension would be set 1.2 metres off the eastern boundary of the site with the main bulk of the extension and the link building resulting in the extension projecting 12 metres. If a line is taken at 45° from the mid point of the window in the ground floor of the neighbouring residential property, it intersects the proposed extension at a point approximately 6 metres along its length. However, if this line is also inclined at 45° the plane created clears the top of the proposed extension due to the distance it is set away from the site boundary. This taken with the extensive shrubbery along this boundary leads your officers to conclude the relationship to this neighbouring property is acceptable.

The extension would be set 1 metre off the western boundary. Here the main bulk of the extension, the link building and the additional storage building would result in a projection of 14.5 metres. However, along this boundary there is at present a single storey outbuilding with a mono-pitched roof along the boundary which effectively links the rear of the buildings on Church Road with the rear of a property on Beach Street, which itself does not have any windows overlooking the site. As the proposed extension would be set off this boundary, it is considered that there would be little difference in impact over the existing situation.

The roof pitch of the proposed extension has been designed to reflect that of the existing dwelling, which is relatively steep. In order to ensure the extension is not too high, the extension has been designed with two linked gables, however this still results in a ridge height of 5 metres.

However, a site visit has revealed that the survey plans are inaccurate. The roof pitch of the existing rear gable is not as steep as indicated on the submitted plans, nor are the eaves of the existing building as low as indicated on the survey plan.

As a result the applicant has been asked to amend the submitted plans in order to correctly indicate the existing property. This will have a knock on effect of lowering the pitch of the roof of the proposed extension, producing a building with a ridge height in the region of 4 metres high. As the building would be viewed against a property which is actually taller than indicated, it would appear better proportioned than the submitted proposal.

On the basis of receiving revised plans, Members are recommended to grant planning permission. As the amended plans would lower the overall height of the proposed extension it is not considered necessary to carry out further consultations with neighbouring occupiers.

Conclusions

The proposed extension would have a relatively large floor area and would take up the majority of the existing walled garden area to the rear of the property. However, an area for parking would remain and it is considered, on balance, that the size of the proposed extension is acceptable. Amendments to the roof pitch will produce a building of an acceptable height and subject to these amendments, Members are recommended to grant planning permission.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. Notwithstanding any denotation on the approved plans the materials of construction to be used on the external elevations and roof must match those of the existing building[s] in the terms of colour and texture and samples of the materials shall be submitted to and approved by the Local Planning Authority prior to the commencement of building operations and thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

To ensure a consistency in the use of materials in the interest of visual amenity.

3. This consent relates to the revised plan[s] received by the Local Planning Authority on the [-----].

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

4. Details showing the design of all windows shall be submitted to and approved in writing by the Local Planning Authority before development is commenced. The windows shall be installed to the satisfaction of the local planning authority prior to the building first becoming occupied.

Such details are not clearly shown on the application and to secure an overall satisfactory standard of development.

5. The proposed window[s] shown coloured green on the approved plan shall non-opening windows glazed with obscure glass of a type to be agreed with the Local Planning Authority and shall thereafter be retained or if replaced the glass shall be of the same type as previously agreed.

To safeguard the amenities of the occupants of adjoining residential premises.

6. All window frames on the proposed dwelling(s) shall be set in a minimum of 100mm reveal and thereafter maintained as such to the satisfaction of the Local Planning Authority.

To ensure a satisfactory standard of development in the interests of the overall quality of the built development.

IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
- (b) You, your agent or any other person responsible for implementing this permission should immediately inform the Development Control Section of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

2) This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development, i.e. a „condition precedent“, the following should be also be noted:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.

In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

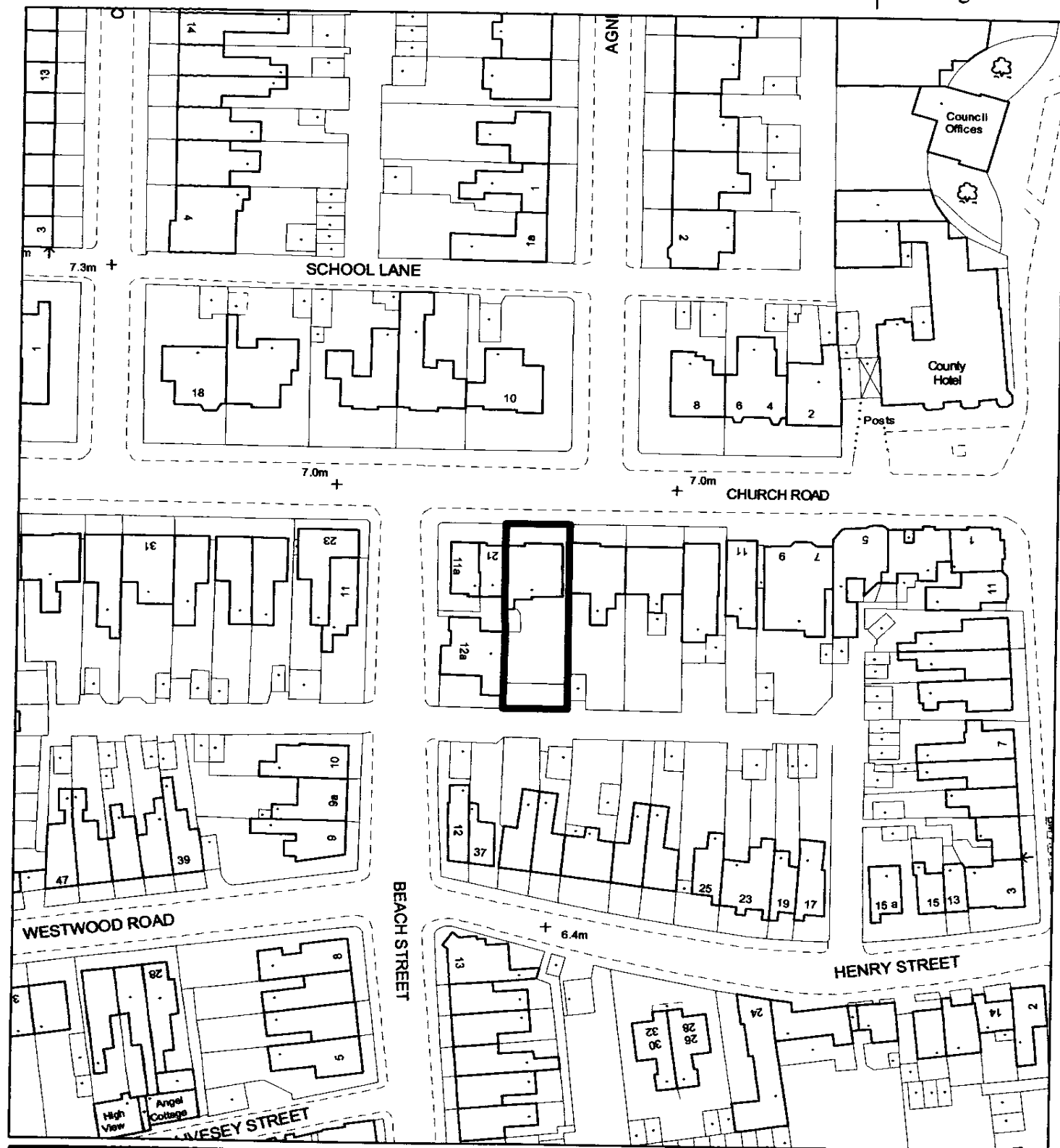
REASON FOR APPROVAL

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

SUMMARY OF RELEVANT POLICIES

This decision has been made having regard to:
the policies contained within the adopted Development Plan which
comprises of the:
The Fylde Borough Local Plan.
The Joint Lancashire Structure Plan.
and all other relevant planning guidance
and in particular Policies:

Fylde Borough Local Plan: EMP3, EP3
PPG's/PPS's: PPS, PPG15



The Built Environment Unit
Fylde Borough Council

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Application No.

5/05/0932

Address

19 Church Road
Lytham

Grid Ref.

E.3363 : N.4271

Scale

N.T.S.

Item No.

1

Item Number: 2

Application Reference:	05/0937	Type of Application:	Full Planning Permission
Applicant:	D. Dempster	Agent :	CFM Consultants Ltd
Location:	NEWTON GRANGE FARM, GRANGE LANE, NEWTON, PRESTON		
Proposal:	CONVERSION OF AGRICULTURAL BARN TO RESIDENTIAL DWELLING		
Parish:	Newton Clifton and Salwick	Area Team:	Area Team 2
Weeks on Hand:	14	Case Officer:	Mrs R Thow
Reason for Delay:	Due to staffing shortages and discussions with the applicant in an attempt to amend the proposal.		

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

The relevant policy to consider in the determination of this proposal is set out in Policy SP2 & SP6 of the Adopted Fylde Borough Local Plan as altered (October 2005). It is considered that the development fails to comply with the relevant criteria of the policies and Members are therefore, recommended to refuse permission.

Reason for Reporting to Committee

This application is on the agenda as the Officer's recommendation is contrary to the views of Newton with Clifton Parish Council.

Site Description and Location

The application site is a disused agricultural barn, previously part of a group of farm buildings associated with Newton Grange Farm, the barn is located off Grange Lane at Newton, it is within the area designated as countryside on the Fylde Borough Local Plan as altered (October 2005).

Details of Proposal

This application proposes the conversion of the barn into a single residential dwelling and includes a single storey extension to the side elevation measuring 5 metres in length and 7.8 metres in width, to an overall height of 6.1 metres. The development also proposes two further extensions to the rear elevation measuring 5.9 metres by 5 metres and 5.9 by 5.9 metres respectively. It is proposed to continue the roof slope of the barn down over the rear extensions.

Relevant Planning History

Application No	Development	Decision	Date
01/0671	CONVERSION OF BARN INTO 3 NO. TWO	Granted	27/02/2002

02/1028	STOREY DWELLINGS CONVERSION OF 2 NO. BARN INTO 3 NO. DWELLINGS & CONVERSION OF SHIPPON INTO 2 NO. DOUBLE GARAGES	Granted	21/01/2003
03/0149	DOUBLE GARAGE	Granted	09/05/2003
05/0936	OUTLINE APPLICATION FOR ERECTION OF SINGLE STOREY DWELLING.	Refused	24/11/2005
91/0779	OUTLINE APPLICATION FOR DETACHED BUNGALOW FOR	Granted	26/02/1992
92/0673	ERECTION OF BARN FOR THE STORAGE OF FARM EQUIPMENT	Granted	22/09/1992
95/0750	RENEWAL OF CONSENT RE: APP. NO. 5/91/779 - O/L PERMISSION FOR AGRICULTURAL WORKERS DWELLINGS	Migrated code	24/04/1996
98/0118	RESERVED MATTERS APPLICATION RE: 5/95/750 FOR DETACHED DWELLING & GARAGE	Granted	22/04/1998
98/0555	AGRICULTURAL BUILDING FOR STORAGE OF MACHINERY - TO REPLACE EXISTING	Granted	07/10/1998

Parish Council Observations

Newton with Clifton Parish Council notified on 07 November 2005

Summary of Response

Newton with Clifton Parish Council "Specifically support the application - Council understands that previous applications(s) for conversion to two dwellings have been approved by the Local Planning Authority as being in accordance with local plan policy".

Statutory Consultees

County Highway Authority

No highway observations

English Nature

English Nature is not aware of any statutory sites of nature conservation importance that would be significantly affected by the proposed planning application. However, it may affect bats, and barn owls, which are statutory protected species.

Bats are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and under the Conservation (Natural Habitats, etc) Regulations 1994). These statutory instruments protect both the species themselves and their associated habitats. Barn Owls are protected under Schedule I of the Wildlife & Countryside Act 1981 (as amended), barn owls roost in barns so if a development affects a barn then a barn owl survey would be needed to assess the impact on these species Such protected species are a material consideration in planning terms under PPG9. There is insufficient information accompanying the planning application on which to ascertain the possible impact of this development on this/these species.

Your Council may wish to note the implications of the case of R v Cornwall County Council ex parte Jil Hardy with respect to protected species as a planning consideration. This set the precedent that surveys for protected species should be undertaken prior to

determination of a planning application, rather than deferred to conditions following the granting of planning permission. We therefore recommend that surveys for the presence of protected species be carried out prior to planning permission being considered.

In addition, where a development affects a species protected under the Conservation (Natural Habitats, etc) Regulations, a licence issued by Defra will be required to derogate from the provisions of the Regulations. The licence will only be granted where the 3 tests, as set out under Regulation 44, have been satisfied.

In summary, taking into account the nature of the application, we would recommend that further surveys for the presence of bats and barn owls be carried out and/or a mitigation package be developed prior to planning permission being considered. The developer should be made aware that if construction begins and the species are subsequently found to be present, all work must stop immediately and they may be subject to a criminal prosecution given that the possibility of them being present was suspected.

County Ecology Officer

Thank you for your consultation in respect of the above. In determining this application, the requirements of The North West Regional Planning Guidance/Regional Spatial Strategy Policy ER5 and Policy 21 of the Joint Lancashire Structure Plan need to be considered in conjunction with relevant legislation (summary attached).

Bats (European Protected Species)

The building affected by the proposed development could potentially support roosting bats. The Government circular supporting PPS9 states that "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted" and that "the survey should be completed and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted".

The Conservation (Natural Habitats, &c.) Regulations 1994 state that Local Authorities in the exercise of their functions are obliged to have regard to the requirements of the Habitats Directive. In this respect English Nature guidelines and the Government circular supporting PPS9 state that proposals affecting European protected species need to pass three tests before they are approved by the planning authority. These are that:

- . the development is of overriding public interest.
- . there is no satisfactory alternative;
- . populations of the species concerned will be maintained at a favourable conservation status.

There can therefore be no favourable determination of the application until the presence/absence of bat roosts has been confirmed. If bat roosts are present then the applicant will need to provide a method statement before the application is determined, detailing how the population of bats can be maintained in a favourable conservation status during and after the development. If the above tests can be met and Fylde Borough Council is minded to approve the application, this method statement should form the basis of a planning condition. Fylde Borough Council should consult English Nature before determining the application and the developer may require a DEFRA licence before the development can proceed.

Breeding Birds

The building affected by the proposals could potentially support breeding birds. If the application is approved then works during the bird breeding season (March to July inclusive) should therefore be avoided where there may be an impact on nesting birds. This should be the subject of a planning condition.

The building may be suitable for barn owls. I therefore recommend that a survey for this species be undertaken. If evidence of barn owl use is found then the applicant should be required to submit mitigation/compensation proposals for likely impacts on barn owls. These should be submitted for approval by Fylde Borough Council in consultation with Lancashire County Council ecologists. This should be the subject of a planning condition if Fylde Borough Council is minded to approve the application.

Building Control Manager

Plans deposited are lacking information and detail, and as a result can not assess the proposals fully. However, I can comment briefly on a number of points as follows.

1. The structural appraisal by John Davis Consultants appears consistent with the report and attached photographs. However, I have not visited site to verify the recommendations or statements made by the Chartered Engineer. However, there is no note or reference to replacing the single storey dilapidated roof.
2. The means of escape as shown falls well short of minimum requirements for Building Regulations. In particular the escape from the second floor and the gallery rooms are inadequate and appear on first sight unable to comply in this design. The first floor should have means of escape windows for all habitable rooms. No details are shown for the provision of early warning throughout the property.
3. There is no detail showing a termination of a chimney, but the drawing shows a fireplace at ground floor lounge level.
4. Consent to discharge foul and surface water from the relevant statutory bodies should be required.
5. No construction details have been deposited for comment.
6. Insufficient details deposited to comment on suitable means for providing Fire Brigade access.
7. The above is not a detailed assessment or plan vet due to the lack of information and is offered for guidance only. A full plan vet for compliance will be undertaken as and when a Building Regulation submission is made.

Environment Agency

The Agency's response to this application will be contained within our Local Planning Guidance document, recently issued to your Authority. Details of advice on non mains drainage also available from www.pipernetworking.com

County Archaeologist

Thank you for your consultation. The first edition Ordnance Survey 1:10560 map, surveyed in 1844-5 (Lancashire Sheet 60) shows a building of a similar size in the same location as that proposed for conversion.

The building should be considered as being of some historical interest, originating in the first half of the 19th century or earlier and probably incorporating alterations in the latter part of the 19th century or early 20th century. The alterations as proposed will have a

significant impact on the internal arrangement of the building and will result in the loss of some historic fabric.

Should the Local Planning Authority be minded to grant planning permission, to this or any other scheme, the LCAS would recommend that the farm complex as a whole is recorded prior to the conversion works commencing, and that such work should be secured by means of the following condition:

No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and Inspection of matters of archaeological/historical importance associated with the building/site.

Observations of Other Interested Parties

CPRE

We wish to object to this application. The grounds for our objection are that the barn is outside the curtilage of the settlement of Newton. This would be contrary to Policy SP2 (and SP 5 & 6) of the Adopted Local Plan regarding reuse of agricultural buildings outside settlements in the rural areas of the Borough as dwellings.

We trust you will take our objection into account and recommend refusal of this application.

Neighbour Observations

None received

Relevant Planning Policy

Lancashire Structure Plan:
Policy 5

Fylde Borough Local Plan:

SP2	Development within countryside area
SP6	Conversion of existing buildings outside settlements
HL1	Housing

Other Relevant Policy:

PPS1:	Delivering Sustainable Development
PPS7:	Delivering Sustainable Development in Rural Areas
SPG:	The Conversion of Fylde's Traditional Farm Buildings

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

The main issues for consideration in determining this application are set out in Policy SP2 and SP6 of the Adopted Fylde Borough Local Plan as altered (October 2005).

Consideration should also be given to Policy HL1 in respect of the additional increase in the housing figures. Although in this instance the barn the subject of this application, was previously granted permission for conversion into two dwellings under application number 02/1028, which was part of a wider scheme and included conversion of a further barn into a single dwelling, this conversion has been implemented and therefore the conversion of the larger barn has an extant permission. The application is therefore, acceptable under the criteria of Policy HL1.

Whilst policy SP6 makes provision in principle for the re-use of rural buildings, there should not be an overall presumption that such development will always be acceptable. Furthermore, the Council will need to be convinced that a particular building is suitable for adaptation or conversion. Permission will only be granted where all the relevant criteria can be met.

In this instance the granting of the previous permission approved this particular barn as suitable for conversion into two dwellings in 2002. A revised partial structural survey has been submitted with the current application outlining the amount of rebuilding required on the external walls of the barn, this highlights several areas of potential re-build. The survey does not include potential re-build to the roof of the barn and the Council's Building Control department comment on its dilapidated state. This may therefore, further increase the potential re-build, as the survey submitted is not a full structural survey nor is it conclusive in demonstrating that the conversion can be undertaken without substantial reconstruction or major demolition.

The shape and form of barns are instantly recognisable within the rural landscape. This barn consists of a large structure of simple design with a small number of elevational openings and, according to Lancashire County Council Archaeology, could originate as far back as the first half of the 19th century. Whilst the previous permission proposed to convert the barn into two dwellings without the need for further extension this current proposal, for a single dwelling, includes three extensions, two to the rear of the building and a side extension. The proposed design intends to increase the number of openings, whilst this maybe unavoidable, new fenestration should be kept to a minimum, be as simple as possible and follow an informal pattern. The proposed design does not respect the original form of the barn and would negatively affect the character of this humble building and the wider countryside setting.

The submitted drawings also appear to indicate an extensive residential curtilage as a result of including a large tract of land within the application site. If such a large area were to be permitted as garden, the setting of the barn would be adversely affected by the inevitable domestic paraphernalia.

The proposal is not essentially required for agriculture, horticulture or forestry or other rural uses appropriate to a rural area, which would help diversify the rural economy and therefore fails to satisfy Policy SP2.

In addition, the applicant has failed to provide any survey information to demonstrate that the building is not used by any protected species, in particular bats. In the absence of this information and having regard to National Policy Guidance and habitat legislation, it is not possible for the application to be approved.

Conclusions

The proposal is considered unacceptable in that the conversion of the barn would represent a detrimental impact on the visual amenity of the character and appearance of the countryside and fails to satisfy all the criteria set out in Policy SP2 and SP6

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The applicant has failed to demonstrate that the building is capable of conversion without substantial reconstruction or major demolition and without major extension. The proposal therefore, fails to satisfy criterion 2 of Policy SP6 of the adopted Fylde Borough local Plan as altered (October 2005), which lays down specific criteria against which the conversion of rural buildings to residential use shall be adjudged.
2. The proposal fails to satisfy criterion 3 of Policy SP6 of the adopted Fylde Borough local Plan as altered (October 2005), which lays down specific criteria against which the conversion of rural buildings to residential use shall be adjudged in that the design and form of the proposed alterations would represent a detriment to visual amenity of the character of the barn and the wider countryside area.
3. The establishment of an extensive residential curtilage would adversely affect the setting of the existing barn which would be detrimental to the character of the existing building and the wider rural locality. As such the proposal would be contrary to criterion 3 of Policy SP6 of the adopted Fylde Borough local Plan as altered (October 2005).
4. The applicant has failed to demonstrate that there are no protected species present in the existing building. As such the proposal would be contrary to Policy 21 of the Joint Lancashire Structure Plan and the advice contained within PPS9 which seek to protect wildlife habitat.



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Application No. 5/05/0937	Address Newton Grange Farm Grange Lane, Newton	Grid Ref. E.3444 : N.4305	Scale N.T.S.	Item No. 2

Item Number: 3

Application Reference: 05/1024		Type of Application: Full Planning Permission	
Applicant:	MSS Holdings Limited	Agent :	P Wilson & Company
Location:	NEWTON GARAGE, BLACKPOOL RD, NEWTON, PRESTON		
Proposal:	CHANGE OF USE OF GARDEN CENTRE PREMISES TO LIGHT ENGINEERING WITH ASSOCIATED OFFICE, STORAGE AND SALES		
Parish:	Newton Clifton and Salwick	Area Team:	Area Team 2
Weeks on Hand:	19	Case Officer:	Mr P Hancock
Reason for Delay:	Due to staffing shortages		

Summary of Officer Recommendation

This application seeks to put an existing garden centre to an alternative industrial use. Subject to strict controls over external storage, the proposal is considered to meet the terms of the policies set out in the Fylde Borough Local Plan as altered, in particular the provisions of Policy SP5 and as such members are recommended to grant planning permission.

Reason for Reporting to Committee

Given the major nature of the proposal, particularly in this rural location.

Site Description and Location

This site is within the countryside area and was formerly known as 'Gibson's Machinery, which has a certificate of lawfulness in respect of the use as a garden centre. In addition, there is also permission for the redevelopment of the site with other land for a garden centre. The site access is between properties on Blackpool Road and a petrol filling station.

Details of Proposal

Proposed change of use of garden centre premises to light engineering with associated office, storage and sales. An existing building will be relocated, the access improved and a turning circle is to be provided within the site for service vehicles.

Relevant Planning History

Application No	Development	Decision	Date
02/0131	CERTIFICATE OF LAWFULNESS FOR PROPOSED USE AS A GARDEN CENTRE	Was Lawful	28/03/2002
02/0132	MODIFICATION OF CONDITION 1 RE: APP. NO. 5/90/46 RESTRICTING RETAIL SALES	Refused	22/05/2002
02/0481	GARDEN CENTRE, ERECTION OF	Refused	21/10/2002

03/0728	EXTENSION TO INCORPORATE CAFE/EATERY, ERECTION OF POLYTUNNELS, ALTERATIONS TO ELEVATIONS OF EXISTING BUILDINGS, CREATION OF NEW ACCESS AND CAR PARK WITH LANDSCAPE PLANTING. RESUBMISSION OF APPLICATION 5/02/481 FOR GARDEN CENTRE, ERECTION OF EXTENSION TO INCORPORATE CAFE/EATERY, ERECTION OF POLYTUNNELS, ALTERATION TO ELEVATION OF EXISTING BLDGS. CREATION OF 3NO NEW ACCESS AND CAR PARK WITH LANDSCAPE PLANTING.	Granted	12/11/2003
90/0046	SINGLE STOREY INDUSTRIAL BUILDING TO FORM SHOWROOM AND STORAGE FOR GARDEN MACHINERY	Granted	28/03/1990
94/0763	ADVERT CONSENT - DISPLAY OF ILLUMINATED FREE STANDING TOTEM SIGN (RETROSPECTIVE)	Granted	04/01/1995
94/0764	ALTERATIONS TO WIDEN EXISTING ACCESS	Granted	04/01/1995
94/0833	CHANGE OF USE OF PART OF GARAGE/PETROL SALES TO MOTOR	Granted	01/03/1995
95/0669	CHANGE OF USE OF PART OF EXISTING GARAGE TO AUTO VEHICLE	Granted	06/12/1995

Parish Council Observations

Newton with Clifton Parish Council notified on 07 November 2005

Summary of Response

Council understands that the proposed development constitutes a reversion to the original/previous development that has been granted planning permission in accordance with local plan policy.

Statutory Consultees

Environment Directorate

the proposed use is likely to generate less traffic than the garden centre and I am not averse to this type of business located here. the following amendments are needed:

1. the access needs to be widened to 6m
2. provision of off-street parking for local residents
3. bollards erected to the front of the dwellings
4. 39 spaces to be provided.

Consumer Wellbeing and Protection

With reference to your memorandum dated 8th November 2005, there are no objections to the above proposals in principle, however the following conditions shall be attached.

1. No deliveries shall take place before 7.00am weekdays.

2. If further connections are to be made to the foul drainage, the current system shall be inspected and modified if necessary to ensure it is capable of taking any increase in foul waste.

Observations of Other Interested Parties

None

Neighbour Observations

None

Relevant Planning Policy

Lancashire Structure Plan:
Policy 5

Fylde Borough Local Plan:
SP2
SP5

Other Relevant Policy:
PPS1: Delivering Sustainable Development
PPG4
PPS7: Sustainable Development in the Countryside

Environmental Impact Assessment

The development is of a type listed within Schedule II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999. Officers have screened the development for any potential environmental impact and concluded that the application need not be accompanied by a formal Environmental Statement.

Comment and Analysis

The main issue is whether the proposed use of this site for light engineering is appropriate on this former garden centre site within a countryside area, and whether there is any likely adverse impact on the nearby residential properties or highway safety, such as to justify refusal.

The site currently benefits from an authorised use as a garden centre, which has the potential to generate high levels of noise and activity. There is currently an unsatisfactory access, and unlimited hours of operation.

As the application seeks to put existing buildings to an alternative use, the application falls to be determined against Policy SP5 of the Fylde Borough Local Plan. This policy sets out 10 criteria against which applications of this nature should be assessed. For the reasons set out below, it is considered that this proposal meets all of the criteria set out in the policy.

The buildings proposed to be used are 42m from the nearest building and 63m distant from the nearest of six nearby dwellings. The majority of the activity will take place within the building, with storage area to the rear of the buildings. The application proposes the relocation of the small building on the frontage in order to improve the approach to the main building, and accommodate improved access arrangements. This building will be relocated to the front of the main car park area, adjoining the rear boundary of the filling station, and is proposed for display and sale of products.

A turning circle is proposed towards the rear of the site, within the rear storage area. Servicing arrangements are satisfactory.

In terms of the use, the site has been vacant now for some time. The light engineering permission sought is intended for use by a business currently located in Wesham (again in the countryside), which manufactures and repairs diving and sub marine equipment. It has currently outgrown its current site and has been looking for an alternative site within close proximity to its existing site, due to the local workforce which it currently employs.

Given that the buildings are to the rear of the site, there is sufficient distance from residential properties that there should be no significant detrimental impact on their residential amenities. In terms of vehicular movements, the County have anticipated that the proposed use is likely to give rise to a lesser amount of activity than if the site were used as a garden centre with an open, retail use.

I do not consider the need for parking and bollards suggested by the County arises in any way as a result of this proposal. Indeed, this issue was raised on appeal regarding the former garden centre use, and the Inspector concluded that "the refusal of permission on the basis of an absence of more wide reaching improvements on the A583 itself was unreasonable" and awarded costs to the appellant.

In these circumstances I consider the proposal acceptable in principle, given the likely reduced traffic and external activity.

The rear of the site is proposed to be used for storage. This area of land was previously used for open storage in association with the former garden centre. However, the proposed use for the manufacturing does have the potential for a greater visual impact than if the use was a garden centre. In the circumstances, it is appropriate to require improved landscaping of the boundaries as part of this proposal.

Conclusions

Having considered all of the facts, the application is considered acceptable.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. Before the use hereby approved is first commenced, a hard surfaced driveway of a minimum width of 6metres shall be provided between the highway and the car parking area shown on the approved plans.

In the interests of highway safety.

3. No goods, equipment, waste products, pallets or materials shall be stored or deposited to a height of over 2.00 metres above ground level

Reason:

To safeguard visual amenities and the efficient operation of activities within the site.

4. No storage, display or sale of goods shall take place outside the buildings on the site except within the area to the north of the main building shown as external storage area on Drawing 1613/1 accompanying the application.

To safeguard the amenities of this countryside area, and in the interests of highway safety.

5. 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 means of enclosures and planting to the reinforce screening of the rear storage area, and treatment of the area alongside the widened access driveway. 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. 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.

6. 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 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.

7. The car parking and turning areas indicated on the approved plan shall be made available for those purposes concurrently with the premises being brought into use, and shall thereafter be retained to the satisfaction of the Local Planning Authority solely for the purposes

of car parking for staff and visitors or delivery / collection vehicles.

To provide satisfactory off-street parking in accordance with Council's adopted standards.

8. There shall be no deliveries or servicing of the site between the hours of 8pm on one day and 7am the next.

To safeguard the amenities of nearby residential properties.

REASON FOR APPROVAL

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents, the visual amenity of the area or highway safety.

SUMMARY OF RELEVANT POLICIES

This decision has been made having regard to:
the policies contained within the adopted Development Plan which comprises of the:

The Fylde Borough Local Plan.

The Joint Lancashire Structure Plan.

and all other relevant planning guidance
and in particular Policies:

Fylde Borough Local Plan: SP2

Joint Lancashire Structure Plan: Policy 4

PPG's/PPS's: PPS, PPG4, PPS7



The Built Environment Unit
Fylde Borough Council

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Application No.

5/05/1024

Address

Newton Garage
Blackpool Road, Newton

Grid Ref.

E.3444 : N.4313

Scale

N.T.S.

Item No.

3

Item Number: 4

Application Reference: 05/1079		Type of Application: Change of Use	
Applicant:	Prestige Residential Developments Ltd	Agent :	Leith Planning Ltd
Location:	17 TUXFORD ROAD, 11 & 12 KIRTON CRESCENT, LYTHAM, LYTHAM ST ANNES		
Proposal:	PART RETROSPECTIVE APPLICATION FOR CHANGE OF USE OF THREE RETAIL UNITS INTO RESIDENTIAL 2 BED APARTMENTS.		
Parish:	Park	Area Team:	Area Team 1
Weeks on Hand:	15	Case Officer:	Mr A Donnelly
Reason for Delay:	Staffing shortages and to seek further information form the applicant		

Summary of Officer Recommendation

This application seeks permission to use retail premises for residential purposes. As the applicant is unwilling to provide any of the units as affordable properties, it is considered that the proposal is contrary to the provisions of Policy HL1 and the application is recommended for refusal.

Reason for Reporting to Committee

Cllr Carpenter has requested that the application be referred to Committee

Site Description and Location

The application involves a split site comprising firstly 11 and 12 Kirton Crescent and secondly 17 Tuxford Road, Lytham. The properties the subject of the application are currently shops on the ground floor with flats over on the first floor.

Details of Proposal

The application seeks planning permission for a change of use from three retail units to three 2 bedroom apartments on the ground floor of each property.

The applicants have already substantially commenced the conversion work and thus the application is part retrospective.

Relevant Planning History

Original planning permissions were granted for the shops and flats over in the late 1950's and early 1960's. Since that time planning permission was granted for one shop to operate as a laundrette and one shop to change its use to an office. See below.

Application No	Development	Decision	Date
3/2/6940	Alterations to shop to form laundrette	Approve	01/07/70
5/85/733	Change of use shop to café & taxi office	Refused	03/01/86

5/88/492	Change of use to office and store	Approved	13/07/88
5/95556	Change of use of newsagents to photography studios	Approved	11/10/95

Parish Council Observations

No Parish Council

Statutory Consultees

County Highway Authority

No Highway Observations

Consumer Wellbeing and Protection

Raise no objections to the proposal

Observations of Other Interested Parties

None

Neighbour Observations

Five letters of support have been received from the residents at Nos 14, 44, and 46 Tuxford Road 43 Edwinstowe Road and 3 Kirton Crescent.

A letter to Michael Jack MP from a resident of 16 Kirton Crescent expressing concern that building operations have stopped on the site has been forwarded to the Council.

The substance of the submissions are that:

- The shops have had a succession of uses most of which have not succeeded over the longer term;
- The parade has never been successful because of the lack of passing trade.
- Residents themselves have resisted any new businesses (through objecting to planning applications) which they consider unsuitable for the area or which would increase traffic flows;
- The property owner will not spend money on the premises because of the lack of viability. This gives the immediate area a rundown appearance.
- Given a choice between rundown shops or new living accommodation, preference is given to the latter.

Relevant Planning Policy

Lancashire Structure Plan:

Policy 12

Fylde Borough Local Plan (as altered October 2005):

HL1

SH12

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

The application falls to be considered in relation to the following issues:

1. Whether the proposal falls within the Council's policies on new housing development and retention of local shops;
2. If it does not, whether there are material considerations which would allow the Council to override its own policy in respect of the principal of development;
3. Whether the details of the proposed development are acceptable in terms of general design matters and external appearance and whether sufficient information has been provided within the submission documents;
4. Whether the proposal is acceptable in terms of highway access and parking.

Issue 1

At the level of residential development required by the Joint Lancashire Structure Plan (JLSP) the Council has sufficient housing permissions to last beyond the year 2016. This is the significant degree of over-provision which has led the Council to recently adopt the restrictive approach contained in Policy HL1.

Within the policy, the exceptions relevant to this application are considered to be:

- Exception 3: allows development where 60% of the new dwellings are affordable dwellings in light of the very significant need for this type of accommodation;
- Exception 4: allows development where the dwellings are to meet the needs of vulnerable sections of the community;
- Exception 7: allows development where the dwellings are over existing shops in town centres where this would contribute towards regeneration of the area;
- Exception 9: allows development where it would form a mixed use regeneration project of sufficient benefit to the borough as a whole to override the issue of quantitative housing oversupply.

The current proposal fails to fall within any of these exceptions.

The applicants have been asked to consider whether two of the three properties could be designated as affordable dwellings but have rejected this approach on the basis that there would be too little profit in the scheme. The applicants have not contacted the Council's preferred partner housing associations to discuss possible arrangements.

Your officers' response to this is that the properties must have been bought at too high a price, and that the price paid should have reflected the prevailing policy background. This matter is of direct relevance to the consideration of the planning application.

The properties have been acquired by a local firm specialising in residential development. It is to be assumed that the prevailing situation was thus known to them. The properties have been acquired as a speculative venture in the knowledge of current planning policy.

The applicants could have sought to develop the site by incorporating the new ground floor accommodation within the existing upper floor apartments. This would have created no additional net dwellings.

Exception 7 would allow this type of proposal within a town centre where there may be regeneration benefits, however, this application site is clearly outside the town centre areas.

Whilst it may be argued that the proposal falls within the broad spirit of exception 7, other developers have been advised that similar proposals would probably not be acceptable.

With regard to Policy SH12, even though the applicants have been asked to submit evidence to indicate the nature and breadth of any marketing exercises which have recently been carried out in respect of letting or selling the shops, no such evidence has been supplied. Members are asked to note in this respect that the properties are owned by a housing development company.

On this basis the proposal is thus also contrary to Policy SH12.

Issue 2

Whilst the applicant argues that the environmental benefit to the local area should outweigh the development plan objections, very little weight should be afforded to this argument since:

- It was open to the applicants to submit a proposal which fell within Policy HL1 in the ways suggested above;
- Whilst some environmental benefits will accrue from the proposed development, this is not of the scale needed to override a main element of Council policy;
- No evidence has been submitted to substantiate the claims that the shop units are not viable in line with the requirements of Policy SH12;

Issue 3

Whilst the plans submitted indicate in general that the proposal would be acceptable, they are insufficient to inform as to the precise nature of the details of the proposal. Also, no details are shown of the new boundary wall which has recently been erected.

Issue 4

Lancashire County Council has indicated that it has no observations to make on the proposal.

Conclusions

On the basis that the proposal is clearly contrary to Policy 12 of the JLSP and Policies HL1 and SH12 of the Fylde Borough Local Plan (as altered October 2005), the application is recommended for refusal.

In reaching this recommendation consideration has been given to the issue of overriding other material considerations, based on the environmental improvements which would accrue to the local area.

However, there are many instances throughout the Borough where redundant buildings or empty premises over shops outside town centres, could come forward for development. As such, approval of this planning application would set a precedent which would make it more difficult for the local authority to follow policy on this matter.

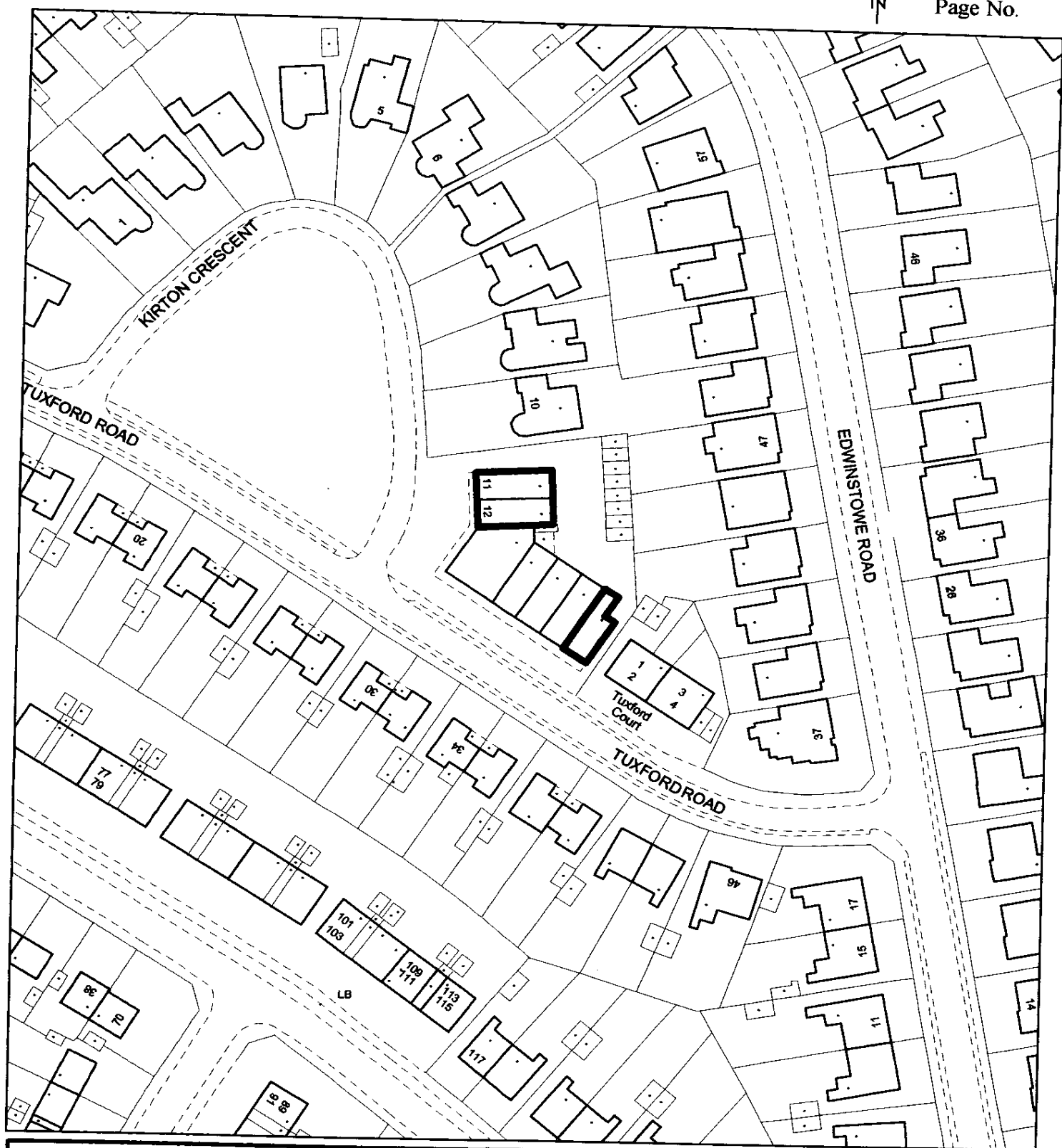
The fact that there is a very significant level of housing over-provision in the Borough, that other housing developers for small-scale housing developments have recently been refused planning

permission and that options remain open to the current applicant to submit a proposal that falls within Policy HL1, have all been taken into account in arriving at this unequivocal recommendation.

Recommendation

That Planning Permission be REFUSED for the following reasons:

- 1 The proposal would run counter to Policy 12 of the Joint Lancashire Structure Plan which indicates that planning permission should not be granted for further residential development where more than one years supply of land exists. There currently exists about a ten year supply of housing land in the Borough.
- 2 The proposal would run counter to Policy HL1 of the Fylde Borough Local Plan (As Altered October 2005), which indicates that planning permission will not be granted for further residential development except where the development falls within stated exceptions. The proposal development does not fall within any of the stated exceptions.
- 3 The proposal is contrary to Policy SH12 of the Fylde Borough Local Plan (As Altered October 2005), which indicates that changes of use from retail to non-retail uses will not be permitted unless it can be shown that, there is an alternative local shop which can serve the area, and that the units are vacant and there have been reasonable attempts to sell or let them.



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Application No. 5/05/1079	Address 17 Tuxford Road/11 & 12 Kirton Crescent, Lytham	Grid Ref. E.3345 : N.4287	Scale N.T.S.	Item No. 4

Item Number: 5

Application Reference: 05/1099		Type of Application: Full Planning Permission	
Applicant:	Mr J Plum	Agent :	Bromley Parker Architects
Location:	2 SANDGATE, ST ANNES, LYTHAM ST ANNES, FY8 2NL		
Proposal:	DEVELOPMENT OF EXISTING BUNGALOW TO FORM TWO STOREY DWELLING.		
Parish:	St Leonard's	Area Team:	Area Team 2
Weeks on Hand:	14	Case Officer:	Mrs R Thow
Reason for Delay:	Attempts to secure acceptable plans from the applicant		

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

The main issues for consideration in determining this application are set out in Policies SP1, HL1 and HL2. This application is considered to be an inappropriately designed development. Accordingly, Members are recommended to refuse permission.

Reason for Reporting to Committee

This application is on the agenda at the request of Councillor Barbara Padgett, the Ward Councillor for Ashton Ward.

Site Description and Location

The application site is a detached bungalow, occupying an elevated site on the corner of Sandgate and North Promenade. The area is designated as urban on the Adopted Fylde Borough Local Plan as altered (October 2005). The street scene to North Promenade is comprised of a mix of individually designed properties, whereas the properties along Sandgate are mainly detached hipped roofed bungalows.

Details of Proposal

This application proposes a replacement two storey dwelling, utilising the existing footprint, with the exception of the garage, which has been moved away from the boundary with no. 70 North Promenade, it is proposed to be two storeys, although the height is same as the existing bungalow with a slight increase, on the pitched roof elements on the promenade elevation.

Relevant Planning History

None

Parish Council Observations

St Anne's on the Sea Parish Council notified on 7th December 2005 and reconsulted on revised plans 21st February 2006

Summary of Response

St Annes on Sea wish to state its objections to the above planning application:

The Council feels that the building would be a huge over-development of the site, particularly in relation to the neighbouring bungalow.

The Council believes that, despite the modifications there will be a loss of privacy and of light to the neighbouring property (bungalow).

The Council thinks the building would change the character of that end of Sandgate - the design is not like anything around it and it would overshadow the bungalow next door.

Statutory Consultees

None received

Observations of Other Interested Parties

FBC Design Panel

Comments

Concerns were raised at the Council's Design Panel meetings with regard to the impact and design of the replacement dwelling. Of particular concern, was the transition of the proposed dwelling with the adjacent bungalow at no. 4 Sandgate and with the street scene as viewed from Sandgate and North Promenade.

A series of amendments were suggested to the applicant to secure an appropriate form of development, however, the submitted amendments did not take on board all of the issues raised.

Neighbour Observations

1 letter of objection received to the original plans

- Loss of privacy/obtrusive
- Forward of the building line
- Loss of daylight
- disproportionate spacing between properties
- would preclude any future redevelopment of own land
- concerns over disturbance of building work

Two letters received following re-consultation on revised plans

1 letter from the same neighbour & 1 further letter

- Add support to letter from no. 70
- deletion of balcony - step in right direction but should be no protrusion beyond building line
- clearance should be left for building work on the applicants side of the boundary.

- building upto boundary wall would affect the visual closure of the space between no. 2 and no. 70

Relevant Planning Policy

Joint Lancashire Structure Plan:
Policy 2

Fylde Borough Local Plan as altered (October 2005):

SP1	Development within settlements
HL1	Housing
HL2	Housing on non allocated sites

Other Relevant Policy:

PPS1: Delivering Sustainable Development

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

The proposed replacement dwelling is located in an area designated as urban within Lytham St. Annes. As such the application falls to be considered against the criteria laid down in Policy SP1, Policy HL1 and Policy HL2 of the Fylde Borough Local Plan as altered (October 2005). The development is within Lytham St. Annes and satisfies Policy SP1 which seeks to limit development to the main settlement areas.

Policy HL1 seeks to restrict new residential development in times of over supply. However, Criterion 6 of Policy HL1 acknowledges that replacement dwellings do not add to the housing supply. As such this proposal is in accordance with the provisions of that Policy and is therefore acceptable in principle.

In considering the proposal against Policy HL2 the policy states that housing will only be permitted where the development is acceptable in principle, and that the development would be in character with the locality in terms of scale, space, materials and design.

The proposal which committee is now considering is a revised scheme submitted by the agent on behalf of his client following discussion with your officers.

In this area of St. Annes particularly in terms of the street scene along North Promenade, the area is characterised by an eclectic mix of individually designed properties, where no neighbouring property is the same. The proposed dwelling is situated within the site in the same location as the existing and has a similar footprint. Whereas the existing dwelling is a more traditionally styled single storey, true bungalow with a pitched roof, rising to a ridge height of 6 metres the proposed dwelling is wholly two storey with a shallow, aluminium covered roof, rising to a maximum height of 6.4 metres. The elevations are predominately glazed with some areas of brickwork, particularly on the north and east elevations, which face the adjoining properties on Sandgate and North Promenade. The front elevation to North Promenade is wholly glazed and incorporates two gable features, one with balustrading and the corner gable with a wraparound cantilevered balcony. This corner balcony will project 1.2 metres further forward than the elevation of the main dwelling, which in itself is 0.5 metre forward of the front elevation of the adjacent property. As the dwellings along this stretch of North Promenade are of individual designs and include some which have had front extensions, the project ion proposed in this instance will not be out of keeping nor be visually intrusive in this section of the street scene. Whilst the scale and mass of the proposed dwelling are acceptable, the detailed design is

not considered to be satisfactorily in keeping with the character of the locality. The design of the dwelling fails to incorporate an adequate corner feature which is evident in the property on the opposing corner on Sandgate/North Promenade.

In terms of the impact of the development on the amenity of the occupiers of neighbouring properties, the main consideration is whether the proposed development results in any harmful loss of light or privacy. Letters of objection have been received from the neighbour at no. 70 North Promenade in respect of the proximity of the new dwelling to the joint boundary. The present property has had single storey extension built up to the boundary, the current proposal intends to increase this to two storeys at this point. The complainant's property at No. 70 North Promenade has two first floor windows along this side elevation to the shared boundary. These windows serve a kitchen to the rear and dining room/lounge to the front of the property, both of these windows are secondary windows, with the main windows being to the front and rear elevations of the property. Whilst this proposal increases the height of the built development along the boundary there is still approximately 3 metres distance between the two properties, this part of the new dwelling at this point would be 5 metres wide, beyond which, the distance between the new dwelling and no. 70 increases to 6 metres. This is considered sufficient distance between the proposed dwelling and the secondary windows to the side elevation of no. 70 not to cause any significant loss of light. Other objections raised concerning loss of privacy have been significantly overcome by the revised plans. Whilst other matters including issues of a covenant and maintenance were raised, these are not material planning considerations and cannot be taken into account in determining the application.

In considering the amenity of no. 4 Sandgate, the nearest element of the new dwelling to the boundary would be the double garage, which is proposed to be at single storey level. The roof of this and the two storey element which is 3 metres from the boundary, have been hipped to lessen the impact of built development on the occupiers of no. 4. There would be no loss of light to the occupiers of the neighbouring property. The proposed balcony on the elevation to Sandgate would overlook the front garden areas of the applicant's own property and that of no. 4 as these elevations are clearly on view to anyone passing or visiting the properties, it is not considered a loss of privacy to a private amenity area of the occupants of no. 4.

There are no issues in terms of highway safety as the application does not propose any change to access or car parking.

Conclusions

In summation of the above, whilst the application is considered acceptable in principle and in terms of any potential loss of light or privacy, to the occupiers of adjoining properties, the design of the new dwelling is lacking in sufficient architectural merit to warrant recommendation for approval by your officers. The application fails to satisfy Policy HL2.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The proposed replacement dwelling by reason of its design and position, on the corner of Sandgate and North Promenade would represent a visually discordant and obtrusive feature in the street scene, thereby resulting in a visual detriment to the character of the area. The proposal is therefore, contrary to the provisions of Policy HL2 of the Adopted Fylde Borough Local Plan, as altered (October 2005).



The Built Environment Unit Fylde Borough Council		This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. (C) Crown copyright Licence No. 100006084 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/05/1099	Address 2 Sandgate St Annes	Grid Ref. E.3314 : N.4293	Scale N.T.S.	Item No. 5

Item Number: 6

Application Reference: 05/1139		Type of Application:	Full Planning Permission
Applicant:	Mr M Pickerins	Agent :	Robert Newman
Location:	47 ELMHURST ROAD, ST ANNES, LYTHAM ST ANNES, FY8 3JH		
Proposal:	NEW DETACHED DWELLING		
Parish:	Heyhouses	Area Team:	Area Team 2
Weeks on Hand:	12	Case Officer:	Mr P Drinnan
Reason for Delay:	Due to staffing shortages		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application proposes a replacement dwelling that would occupy a greater footprint than the existing dwelling. However, the increase in floor area is considered appropriate for this site and it is, therefore, recommended that planning permission is granted for the development subject to appropriate conditions.

Reason for Reporting to Committee

The Parish Council expresses concerns about the size of the proposed dwelling and the recommendation of officers is contrary to the views of the parish. (See below).

Site Description and Location

The site fronts on to the easterly side of Elmhurst Avenue. The area is characterised by detached bungalows (some semi-detached properties are interspersed). The application site is located close to the junction with Singleton Avenue and presently contains a detached bungalow constructed in the early 1960's. It is of a low profiled style and of a generally square front print. To the rear of the site are large properties with long rear gardens and significant tree cover.

Details of Proposal

The application proposes the demolition of the existing bungalow and its replacement with a new bungalow. The general appearance of the 'new' is based on the character of that which presently exists and indeed that of the surrounding dwellings. However, it would have a larger footprint, essentially extending further rearwards into the plot. The new dwelling would extend slightly further forward than the present development and slightly wider to one side. The materials would match that of the existing bungalow.

Relevant Planning History

None

Parish Council Observations

St. Anne's on the Sea Parish Council:

The Council does not object to the proposal in principle but has reservations regarding the increase in size. Whilst understanding the cost of demolishing the existing building and rebuilding on more satisfactory foundations will be an expensive undertaking, that entitles the proposer to a degree of gain in the process, we still feel that an increase of what would seem to be in the region of 45%, including the conservatory is perhaps excessive''.

Statutory Consultees

None

Observations of Other Interested Parties

None

Neighbour Observations

Three letters of objection received. These do not relate specifically to the increase in size of the dwelling or the physical impact on amenity. Rather, concerns are expressed regarding that piling will be required in the construction of the new bungalow and having sand-based soil, the excavation, vibration and drilling may well damage adjoining properties. Some of the surrounding dwellings have symptoms of subsidence and the construction of the new dwelling could make matters far worse. The owner of 45, Elmhurst Avenue points out that there is only a short distance between his property and the application site property. He also questions who would be responsible for any damage.

Relevant Planning Policy

Field Borough Local Plan (as altered October 2005):
Policies HL1 and HL2

Other Relevant Policy:
PPS1: Delivering Sustainable Development

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

There are two principle issues in the determination of this application. These are contained within Policies HL1 and HL2 of the adopted local plan and relate firstly, to the principle of development in the light of housing supply issues (HL1) and secondly, design and other environmental considerations (HL2).

Dealing firstly with HL1, this considers matters of principle and is linked to the 'supply issue'. HL1 (6) is the relevant criterion. This permits the development of site(s), which involve a replacement, where this would not result in a net increase in dwelling units within the borough. Clearly, in this case, the application proposes a direct replacement and as a consequence, the application falls within the policy criteria and is therefore acceptable in principle.

Policy HL2 (2) applies to the determination of this application and deals with matters of design and impact on neighbouring properties.

The application results from the fact that the existing dwelling has suffered from quite severe subsidence. Indeed a number of properties in the locality display similar problems – a point made by the three neighbours who have responded to consultation. The design of the new bungalow is strongly influenced by that existing at present - a low profile with a hipped roof and a shallow projecting bay window. The new dwelling would be marginally wider than the existing (500mm overall), in the direction of no 45. The additional width per se would not have any additional detrimental impact on 45 primarily in view of the tall boundary treatment.

The increase in length is the main area for consideration. As a matter of principle, the plot is extensive and notwithstanding the increase as proposed, a large rear garden would remain and as a result, there would be no impact on the properties to the rear, the curtilage's of which back onto this site. Taking each property on either side in turn, no 49 is the property to the south (the right hand side when viewed from the front). In this case the overall increase in the length amounts to 2.2m. There is an intervening driveway and the side of the adjoining bungalow extends beyond the rear of the present property on this site. After due consideration, it is concluded that the increased length will not have an undue impact on no.49 as the main aspect of this property is in a rearward direction. The one concern, relating to a kitchen window can be overcome by a condition requiring obscure glazing.

Turning to number 45, the increase in this case is greater, at 5.1m but includes 2.9m in the form of a conservatory. The increased length will have a bearing on this property. However, as the roof over is of a hipped design, which reduces its impact, as well as the presence of boundary screening, it is considered that the development is satisfactory in relationship to no 45. The proposal has been assessed from the adjoining garden areas to draw these conclusions.

Conclusions

Taken overall the development is considered to be acceptable. If Committee approve the application it would be appropriate for officers to write to the objectors to offer advice in respect of subsidence issues and the safeguards that they might take. This would be on an advisory basis.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. The proposed window[s] shown coloured green on the approved plan shall be glazed with obscure glass of a type to be agreed with the Local Planning Authority and shall thereafter be retained or if replaced the glass shall be of the same type as previously agreed.

To safeguard the amenities of the occupants of adjoining residential premises.

3. Notwithstanding any denotation on the approved plans Samples of facing brickwork

[including details of mortar colour], and roof treatment, including colour, shall be submitted to and approved by the Local Planning Authority no later than 21 days 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.

In the interest of securing a satisfactory overall standard of development.

4. Details showing the design of all windows shall be submitted to and approved by the Local Planning Authority before development is commenced.

Such details are not clearly shown on the application and to secure an overall satisfactory standard of development.

5. Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 1995 [or any subsequent Order superseding it] no development of the type described in Schedule 2, Part 2, Class A shall be undertaken without the prior approval of the Local Planning Authority.

To ensure the Local Planning Authority to retain control over development which is not permanent residential accommodation and the form of which requires careful assessment.

IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
- (b) You, your agent or any other person responsible for implementing this permission should immediately inform the Development Control Section of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

2) This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development, i.e. a „condition precedent“, the following should be also be noted:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.

In addition if a condition precedent is breached, the development is unauthorised and the

only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

REASON FOR APPROVAL

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

SUMMARY OF RELEVANT POLICIES

This decision has been made having regard to:
the policies contained within the adopted Development Plan which
comprises of the:
The Fylde Borough Local Plan.
The Joint Lancashire Structure Plan.
and all other relevant planning guidance
and in particular Policies:

Fylde Borough Local Plan: HL1, HL5
PPG's/PPS's: PPS, PPG3



The Built Environment Unit
Fylde Borough Council

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Application No.

05/1139

Address

47 Elmhurst Road
St Annes

Grid Ref.

E.3337 : N.4296

Scale

N.T.S.

Item No.

6

Item Number: 7

Application Reference: 06/0030		Type of Application:	Full Planning Permission
Applicant:	Linda Hardy	Agent :	Robert Newman
Location:	20 THE NOOK, STAINING, BLACKPOOL		
Proposal:	SINGLE STOREY SIDE EXTENSION		
Parish:	Staining	Area Team:	Area Team 2
Weeks on Hand:	8	Case Officer:	Mr P Drinnan
Reason for Delay:	Due to staffing shortages and postponed committee meetings		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application proposes a single storey extension to the side and rear of the property. As this is a corner property, the extension would project in front of the side elevation towards a public highway. The application has been amended to reduce this projection and as a result the application is now considered acceptable.

Reason for Reporting to Committee

Officer recommendation is contrary to the views of the Parish Council

Site Description and Location

This is a corner property situated at the junction of The Nook and Maclaren Close. The property has a large front garden both to The Nook and to the adjoining 'close' and contains the main body of the house plus a rear wing. The area has the 'feel' of an open plan layout although part of the side garden of this property – towards its rear wing contains a fence which encloses what effectively is the side garden although it fronts onto Maclaren Close.

Details of Proposal

Erection of single storey side extension 5.8 x 3.8 x 4 metres maximum height

Relevant Planning History

Application No	Development	Decision	Date
90/0786	ERECTION OF SINGLE AND TWO STOREY REAR EXTENSION	Granted	07/11/1990

Parish Council Observations

Staining Parish Council notified on 17 January 2006
Summary of Response

Staining Parish Council. Note that the property has been the subject of fairly large extensions already. As a result, the PC consider the extension (on top of those previously undertaken) will result in 'over-development' of the site.

Statutory Consultees

None

Observations of Other Interested Parties

None

Neighbour Observations

None Received

Relevant Planning Policy

Fylde Borough Local Plan (as altered October 2005):
Policy HL5 (House extension criteria)

Other Relevant Policy:
PPS1: Delivering Sustainable Development

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

The principal considerations in the determination of this application are firstly, the impact of the proposed extension on the character of the neighbourhood and secondly, its impact on the amenity of neighbouring properties.

Taking the first issue, the application proposes a single storey extension to the side of the property. It would project 4.2 metres from the side of the existing dwelling encroaching over the garden area and to within (approx.) 1.6 metres from the back of footpath. The extension would be set back a distance of 6.5 metres from the front main wall of the house. It would have a mono-pitched roof over, the materials would match the existing house and the windows would be sympathetically proportioned with the existing dwelling. From the point of its external appearance, there is no specific issue.

The site description (above) highlights how the character of the immediate locality and this corner site, in particular, presents a somewhat open character. If the extension were to project too far from the dwelling the open character would be eroded to the detriment of the street scene. With this in mind a judgement has been made as to how far any extension should project to ensure, at the same time, that the general open character remains. Viewed from around and about, and bearing in mind the fact that the floor level of the house - and hence the extension - would be lower than the surrounding garden area, the potential conspicuous nature of the extension will be reduced. The view was taken that a minimum gap of 2.25m should be retained so that the open nature of the site and the immediate locality will be retained. The applicant has agreed to the reduction, which would still provide for a

reasonable internal floor area.

On the issue of the impact on the neighbouring properties, the extension would be some distance from the nearest house, 4, Maclaren Close and as a result there would be no direct impact on that property.

It will be noted that the Parish Council has objected to the development. The Council is not aware of the reduction of the extension, at the request of the Department. However, the objection relates to a more general concern about over-development. Whilst appreciating the sentiment of the Parish Council it is considered that the extension will not be detrimental to the character of the locality nor the amenity of surrounding neighbours.

Conclusions

In conclusion, the proposal, as amended is now considered acceptable.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. Notwithstanding any denotation on the approved plans Samples of facing brickwork [including details of mortar colour], and roof treatment, including colour, shall be submitted to and approved by the Local Planning Authority no later than 21 days 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.

In the interest of securing a satisfactory overall standard of development.

IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
- (b) You, your agent or any other person responsible for implementing this permission should immediately inform the Development Control Section of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

2) This consent is granted subject to conditions and it is the owner and the person

responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development, i.e. a „condition precedent“, the following should be also be noted:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.

In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

REASON FOR APPROVAL

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

SUMMARY OF RELEVANT POLICIES

This decision has been made having regard to:
the policies contained within the adopted Development Plan which
comprises of the:

The Fylde Borough Local Plan.

The Joint Lancashire Structure Plan.

and all other relevant planning guidance
and in particular Policies:

Fylde Borough Local Plan: HL5

PPG's/PPS's: PPS1



The Built Environment Unit
Fylde Borough Council

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Application No.

5/06/0030

Address

20 The Nook
Staining

Grid Ref.

E.3347 : N.4360

Scale

N.T.S.

Item No.

7

Item Number: 8

Application Reference: 06/0064		Type of Application: Full Planning Permission	
Applicant:	Texaco Garage	Agent :	R S Design Consultancy
Location:	SKIPPOOL SERVICE STATION (TEXACO GARAGE), MAINS LANE, SINGLETON, POULTON LE FYLDE		
Proposal:	RAISING OF FORECOURT CANOPY BY 1 METRE		
Parish:	Singleton	Area Team:	Area Team 2
Weeks on Hand:	6	Case Officer:	Mr M Evans
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This is a retrospective application to increase the height of the canopy at an existing petrol filling station. The canopy is considered to be located sufficient distance from neighbouring properties not to effect their residential amenity as a result of the increase in height. As such members are recommended to grant planning permission.

Reason for Reporting to Committee

Given the retrospective nature of the application and to allow a neighbouring resident to address the Committee.

Site Description and Location

The application site is a service station situated on Mains Lane, Singleton at Skippool Bridge. The site is at the edge of a residential area with a caravan park to the west of the site, open fields to the south and dwellings to the east and north.

Details of Proposal

This is a retrospective application as the forecourt canopy has been raised by 1 metre without the benefit of planning permission. As the advertisements that are displayed on the canopy are illuminated they should be the subject of a separate application for advertisement consent and they do not, therefore, form part of this proposal.

Relevant Planning History

Application No	Development	Decision	Date
05/1081	INSTALLATION OF AN AUTOMATED TELLER MACHINE	Granted	24/01/2006
97/0866	ADVERTISEMENT CONSENT TO DISPLAY	Refused	28/01/1998

ADDITIONAL INTERNALLY ILLUMINATED
PANEL TO THE EXISTING TOTEM SIGN

Parish Council Observations

Singleton Parish Council

No specific observations

Statutory Consultees

None

Observations of Other Interested Parties

None

Neighbour Observations

1 letter has been received pointing out that the work has been completed but raising no objections

A further letter has been received objecting on following grounds:

- Texaco lighting is too bright and out of character with the area
- There has been a noticeable increase in traffic
- No consideration has been given to neighbouring occupiers

Relevant Planning Policy

Fylde Borough Local Plan:

SP2 - Development in Countryside

Other Relevant Policy:

PPS1: Delivering Sustainable Development

PPS7: Sustainable development in the Countryside

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

This application has been submitted as a result of a complaint by a neighbour.

The main issues for consideration in this application relate to the impact of the proposal in terms of visual amenity and design.

There is good separation between the garage and neighbouring properties with trees or hedges adding to screen the canopy. Whilst the extended canopy is approximately 1.5 to 2 metres higher than existing shop, it is considered that there will be no detrimental impact on the street scene.

Although there was illuminated signage on the previous canopy, the fact that the canopy is now higher means that the new signage requires advertisement consent. This should be the subject of a separate application and should not form part of the consideration of this particular proposal.

Conclusions

The canopy is considered to be set sufficient distance from neighbouring properties for any impact from the increase in height of the canopy itself to be inconsequential. As such Members are recommended to grant planning permission.

Recommendation

That Planning Permission be GRANTED unconditionally:

IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

- 1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
 - (b) You, your agent or any other person responsible for implementing this permission should immediately inform the Development Control Section of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.
- 2) This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.
- 3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development, i.e. a „condition precedent“, the following should be also be noted:
 - (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.

In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

REASON FOR APPROVAL

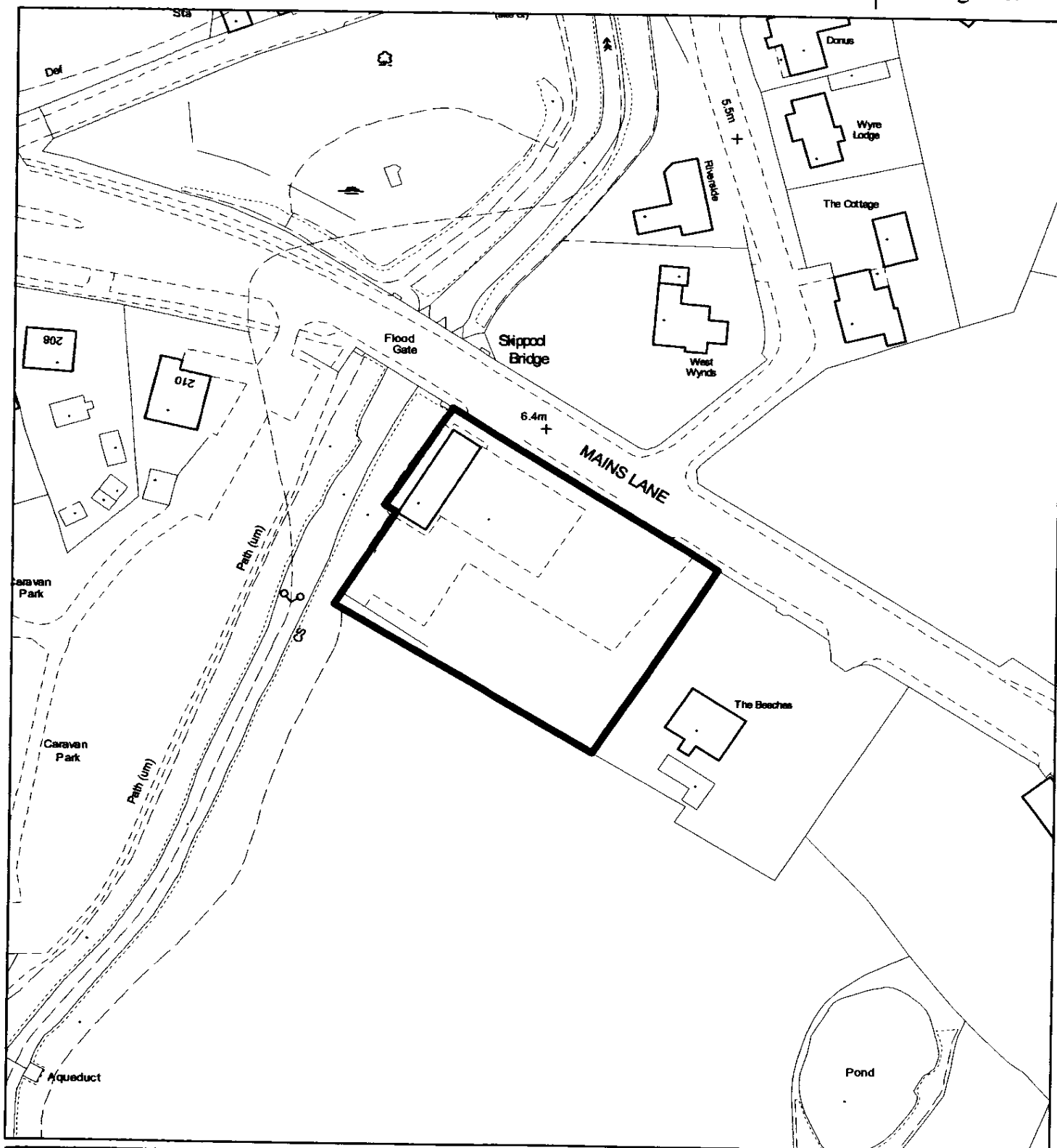
The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

SUMMARY OF RELEVANT POLICIES

This decision has been made having regard to:
the policies contained within the adopted Development Plan which comprises of the:
The Fylde Borough Local Plan.

The Joint Lancashire Structure Plan.
and all other relevant planning guidance
and in particular Policies:

Fylde Borough Local Plan:
PPG's/PPS's: PPS1 Delivering Sustainable Development



The Built Environment Unit
Fylde Borough Council

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Application No.

5/06/0064

Address

Skippool Service Station
Mains Lane, Singleton

Grid Ref.

E.3357 : N.4405

Scale

N.T.S.

Item No.

8

Item Number: 9

Application Reference: 06/0068		Type of Application:	Outline Planning Permission
Applicant:	Fylde Primary Care Trust	Agent :	
Location:	CLINIC, HEADROOMGATE ROAD, ST ANNES, LYTHAM ST ANNES		
Proposal:	OUTLINE APPLICATION FOR PROPOSED HOUSING DEVELOPMENT 60% AFFORDABLE AND 40% MARKET		
Parish:	St Johns	Area Team:	Area Team 2
Weeks on Hand:	6	Case Officer:	Mr A Donnelly
Reason for Delay:	Not applicable		

Summary of Officer Recommendation

This application is considered to be in accordance with Policy HL1 of the Fylde Borough Local Plan as altered and no objections have been raised by the Highway Authority to the proposed access. As such Members are recommended to approve the application subject to appropriate conditions.

Reason for Reporting to Committee

Given the nature of the application.

Site Description and Location

The application site is the existing School's Clinic on Back Headroomgate Road. The clinic sits on a site of 0.16ha adjacent to the grounds of the Heyhouses Endowed C of E School. Access is by way of Back Headroomgate Road which is of restricted width.

Details of Proposal

Outline application for housing development (60% affordable and 40 market)

Relevant Planning History No history

None

Parish Council Observations

Parish Council

Object to the proposal on the following grounds

The site is rather small and if flats are proposed they would overlook a primary school. The access road is very narrow and, in addition, leads to all the garages to the rear of this stretch of Headroomgate Road. There is also a scout hut nearby and the increase in traffic would bring extra safety problems.

Statutory Consultees

County Highway Authority

Has reservations regarding the adequacy of Back Headroomgate Road in terms of its width and its junction with Carenden Road North. It is recommended that, in the circumstances of the planning application being approved, the number of dwellings be restricted to 8 or 9.

Observations of Other Interested Parties

None received.

Neighbour Observations

None received.

Relevant Planning Policy

Lancashire Structure Plan:
Policy 12

Fylde Borough Local Plan (as altered October 2005):
Policy HL1

Other Relevant Policy:
PPG 3: Housing.

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

Issue 1: Principle of development

The site lies within a residential area and as such there would be no objection in principle to a residential use. The clinic is currently used for a variety of medical community purposes and houses services including the following:

- Health Visitors
- District Nurses
- Podiatry Services
- Schools Dental Services
- Health Education
- Family Planning
- Speech and Language Services
- Baby Clinics

- Eye Clinics

The building has been determined by the PCT as no longer being fit for purpose. The loss of the present facility is not a planning issue and the clinic is to be closed in any event and the services provided from other centres including: the new Primary Care Centre at Ansdell, Lytham Hospital and the Church Hall at St George's Road, St Annes.

Within 2 to 3 years, it is proposed to build a new purpose built Primary Care Centre within the centre of St Annes.

Issue 2: Housing Supply

Policy 1 of the Fylde Borough Local Plan restricts new housing development in light of the existing supply of housing permissions which is sufficient to last until at least 2016.

However, under exception 3 of the policy, proposals which can offer a minimum of 60% affordable housing can be approved on the basis of the very high need for such accommodation in the borough. Need for affordable housing in St Annes is high (second only to Lytham). The proposal thus meets Policy HL1. It also is in line with the general advice in PPG3: Housing.

Issue 3: Design and External Appearance

The disposition of the application site to existing houses around is such that there would be no issues of overlooking or loss of privacy.

In terms of the type of residential development which would be appropriate to the site, the application does not specify the type of housing development envisaged.

Views of the site are available from Clarendon Road North across the school playing fields. It will be important that the site is 'read' against the background of existing houses on Headroomgate Road and Clarendon Road. These are two and two and a half storeys.

In order that the proposed development sits acceptably within the character of the area, it is recommended that the development is restricted to two or two and a half storeys.

Issue 4: Vehicular Access

There are 29 existing car park spaces available within the curtilage of the existing building.

The number of visitors (including staff and patients/customers) arriving at the site by motor vehicle are relatively high at 70 – 100 per day.

In terms of the vehicular access issue, the County Highways Engineer has indicated that the best course of action is to:

- Re-surface the access road (Back Headroomgate Road);
- Widen the road where this is possible;
- Re-surface the footway;
- Tie in the footway on the east side to that on Clarendon Road North;
- Provide a footway crossover at Clarendon Road North, (in order to give pedestrians the right of way and reduce the speed of vehicles to a minimum);
- Limit the number of dwellings to 8/9.

A request has also been made for a developer contribution of £20,000 towards public transport links/infrastructure. However no justification has been made for the calculation of this amount.

Setting aside the requested contribution and the limitation on the number of houses, it is considered that the Highway Engineer's comments are justified and these are supported.

With regard to the limitation on housing numbers, the vehicle generation on residential developments in the morning and evening peak hours is about 0.7 movements per dwelling. On this basis even if there were 20 dwellings proposed, this would only produce a peak hour vehicle movement of about 14.

Compared with existing movements, this would not be increasing traffic movements.

With regard to the financial contribution sought, a justification for the amount requested has been sought.

Conclusions

It is concluded that a residential use would be appropriate on the site, but that the form of development should be restricted to 2 or 2.5 storey dwellings and that improvements to the highway be required.

Recommendation

That planning permission be GRANTED subject to the following conditions:

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: Siting of Development, Design of Built Development, External Appearance of Built Development, Means of Access to the Development Site and Landscaping to the Development Site.

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

3. Unless otherwise agreed in writing, the development shall be restricted to two storeys or two storeys with a third storey incorporated into the roof.

In order to protect the character of the area.

4. No development shall take place upon the site until such time as a scheme of highway and access improvements has been submitted to and agreed in writing by the local planning

authority.

To provide for a safe and convenient vehicular access to the site.

5. A minimum of 60% affordable housing of a type (in terms of size of property and tenure) to be agreed with the Local Planning Authority shall be incorporated into the detailed layout and thereafter that provision shall be maintained within the site layout; the affordable housing shall only be used for the purposes of specifically providing housing accommodation for a registered social landlord.

To accord with the provisions of Policy HL1 of the Fylde Borough Local Plan as altered which requires the provision of affordable housing.

IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
- (b) You, your agent or any other person responsible for implementing this permission should immediately inform the Development Control Section of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

2) This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development, i.e. a „condition precedent“, the following should be also be noted:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.

In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

REASON FOR APPROVAL

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

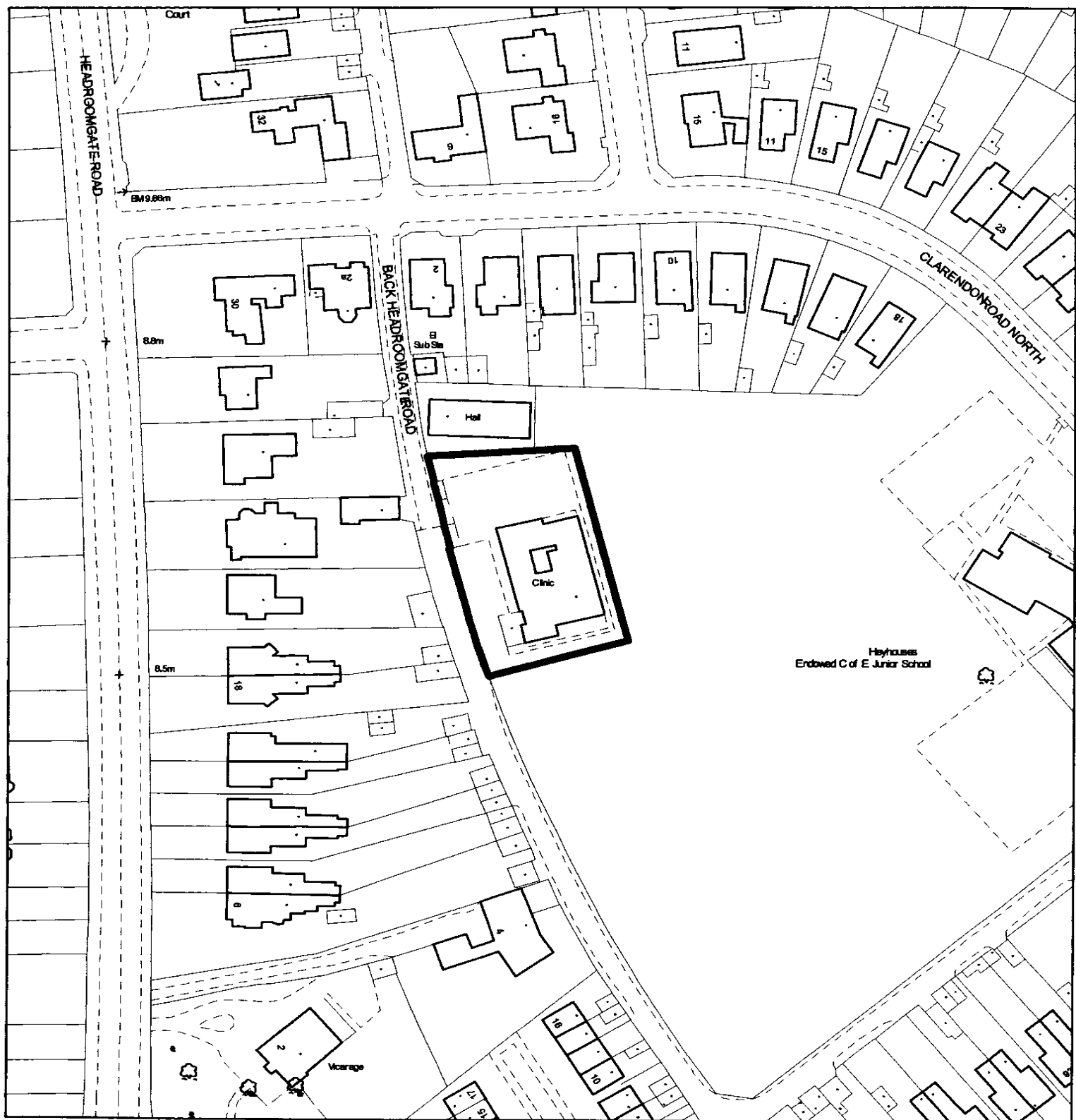
SUMMARY OF RELEVANT POLICIES

This decision has been made having regard to:
the policies contained within the adopted Development Plan which

comprises of the:
The Fylde Borough Local Plan.
The Joint Lancashire Structure Plan.



Page No.



The Built Environment Unit
Fylde Borough Council

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Application No.		Address		Grid Ref.	Scale	Item No.
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Item Number: 10

Application Reference: 06/0087		Type of Application: Full Planning Permission	
Applicant:	J Longstaff	Agent :	D Turnbull Esq
Location:	14 DOVER ROAD, ST ANNES, LYTHAM ST ANNES, FY8 3HN		
Proposal:	SINGLE STOREY REAR EXTENSION AND GARAGE STORE		
Parish:	Kilnhouse	Area Team:	Area Team 2
Weeks on Hand:	5	Case Officer:	Mrs R Thow
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposal is considered to comply with all the relevant development plan policies and meets the criteria set out in Policy HL5 of the Adopted Fylde Borough Local Plan as altered (October 2005). Members are recommended to grant planning permission subject to conditions.

Reason for Reporting to Committee

The application is on the agenda as the applicant is a Borough Councillor

Site Description and Location

The application site a detached gabled ended bungalow on Dover Road, the street scene is comprised of mainly detached properties of similar style and design.

Details of Proposal

This application proposes a single storey rear extension to the existing property and extension to rear of detached garage. The extension to the property would measure 4.4 metres in length by 3.8 metres in width and to a overall height of 4.5 metres with a pitched roof. The extension to the garage would be 1.8 metres in length by 2 metres in width to a height of 2.5 metres with a flat roof.

Relevant Planning History

None

Parish Council Observations

St Anne's on the Sea Parish Council notified on 07 February 2006

Summary of Response –

No specific observations

Statutory Consultees

None

Observations of Other Interested Parties

None

Neighbour Observations

None received

Relevant Planning Policy

Joint Lancashire Structure Plan:
Policy 2

Fylde Borough Local Plan: as altered (October 2005)
SP1 Development within settlements
HL5 House extensions

Other Relevant Policy:
PPS1: Delivering Sustainable Development

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

The main issues for consideration in determining this application are set out in Policy HL5 of the Adopted Fylde Borough Local Plan as altered (October 2005).

The proposed extensions are to the rear of the dwelling and as such do not impact on the appearance of the street scene. The scale and design of the extensions are in keeping with that of the existing dwelling and as the property benefits from a good sized garden area, sufficient area would remain following the building of the development proposed.

In terms of the proposals impact on the amenity of neighbours, the extension to the garage would be close to the boundary with the adjacent property at no. 12, a window is proposed in the rear of the extension, at present there is conifer screening along the applicants side of the boundary, this would be cut to allow for the extension but there would remain evergreen shrub screening in the neighbouring garden and any overlooking from this window would be to the rear garden area and would not impinge in the privacy of the neighbouring property.

The single storey extension to the rear of the property would involve the removal of an existing screen wall, attached to the garage, along the side driveway of the property. A window and door are proposed in this side elevation, whilst there maybe some overlooking to the kitchen window of no. 12, this would be no worse than that which exists already from the existing kitchen window of the applicant's property or from use of the side drive to gain access to the rear door. There would be no overlooking or loss of privacy to the occupiers of the neighbouring property at no. 16 as there is a 1.8 metre high wall and fence and sufficient distance between the two properties exists so as not to result

in any loss of amenity to the occupiers of this dwelling.

Conclusions

The extensions are considered to be an acceptable additions to the property by way of their scale and design and will not represent a detrimental impact on neighbouring properties. The application is therefore, recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. The materials of construction and/or finish in respect of the extension(s) hereby approved shall match those of the existing building entirely to the satisfaction of the Local Planning Authority.

To ensure visual harmony in respect of the overall development.

IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
- (b) You, your agent or any other person responsible for implementing this permission should immediately inform the Development Control Section of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

2) This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development, i.e. a „condition precedent“, the following should be also be noted:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.

In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

REASON FOR APPROVAL

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

SUMMARY OF RELEVANT POLICIES

This decision has been made having regard to:
the policies contained within the adopted Development Plan which comprises of the:
The Fylde Borough Local Plan.
The Joint Lancashire Structure Plan.
and all other relevant planning guidance
and in particular Policies:

Fylde Borough Local Plan: SP1, HL5

Joint Lancashire Structure Plan: Policy 2

PPG's/PPS's: PPS1 Delivering Sustainable Development



The Built Environment Unit
Fylde Borough Council

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Application No.

5/06/0087

Address

14 Dover Road
St Annes

Grid Ref.

E.3328 : N.4297

Scale

N.T.S.

Item No.

10

Item Number: 11

Application Reference: 06/0094		Type of Application:	Full Planning Permission
Applicant:	Mr H Roberts	Agent :	
Location:	15 BANK LANE, WARTON, PRESTON		
Proposal:	SINGLE STOREY BUNGALOW - ONE BEDROOM DOMESTIC DWELLING		
Parish:	Bryning with Warton	Area Team:	Area Team 1
Weeks on Hand:	4	Case Officer:	Mr A Donnelly
Reason for Delay:	Not applicable		

Summary of Officer Recommendation

This application proposes the erection of a new dwelling within the greenbelt which the applicant is seeking to justify on personal grounds. As the grounds are not considered to outweigh local or national planning policy, Members are recommended to refuse the application.

Reason for Reporting to Committee

Due to the sensitive nature of the application

Site Description and Location

The application site is the domestic curtilage of No 15 bank Lane Warton. The existing house is the end dwelling along this part of Bank Lane. It lies adjacent to an open field attached to Bank Farm.

The site lies within designated green belt as defined on the proposals map of the Fylde Borough local Plan (As Altered) Oct 2005.

Details of Proposal

Full application for a one bedroom bungalow.

Relevant Planning History: No planning history

None

Parish Council Observations

At the time of writing, no parish council comments had been received.

Statutory Consultees

The County Surveyor has been consulted but no response has to date been received.

Observations of Other Interested Parties

None

Neighbour Observations

One letter of objection has been received which indicates that:

- The proposed bungalow would not fit on the application site;
- There is a current restriction on new housing permissions;
- The application site is within greenbelt where there is a presumption against development.

Relevant Planning Policy

Lancashire Structure Plan:
Policy 12

Fylde Borough Local Plan (as altered October 2005):
Policies SP3 and HL1

Other Relevant Policy
PPG2: Greenbelts

Environmental Impact Assessment

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

Comment and Analysis

The application is submitted in respect of a separate (from 15 Bank Lane) single storey dwelling. The justification offered for the proposal is that the applicant's wife is 84 years old and is suffering from Parkinson's Disease, loss of memory and cannot walk or stand unaided. She cannot thus cope with the stairs in the existing house and is understood to be currently residing in a nursing home.

No statements from a doctor or social services has been submitted to support the application.

The applicant's stated intention is to move into the new dwelling with his wife and sell the existing house to his son.

Issue 1: Whether the principle of a new dwelling in this location is acceptable.

Policy HL1 of the Fylde Borough Local Plan severely restricts the development of new dwellings because of the significant oversupply of residential planning permissions. This supply is sufficient to last until at least 2016. There are nine exceptions stated within the policy. However, this application does not fall within any of them. The proposal is contrary to Policy HL1 of the Local Plan.

Policy SP3 indicates that planning permission in the green belt will not be given except in very special circumstances for the erection of new buildings other than in relation to clearly defined exceptions. Again, the current proposal does not fall within any of the exception listed within the policy.

The personal circumstances of the applicant and his family do not constitute planning considerations and should not be considered to be overriding factors in the face of significant policy objections. Growing old and infirm are circumstances which come to us all. The provision of new houses in the green belt as a solution to this problem is not a reasonable or sustainable proposition.

In light of the policy objection, it has been put to the applicant that a modest extension to the existing house, rather than a separate dwelling, could comply with both Policies HL1 and SP3. This option appears to have been rejected for the time being by the applicant.

A final issue is that on the basis of the plans submitted it is not certain that the proposed development would fit within the application area. No layout plan has been submitted with the application. This has not been requested on the basis of the major policy objection so as not to put the applicant to additional costs.

Conclusions

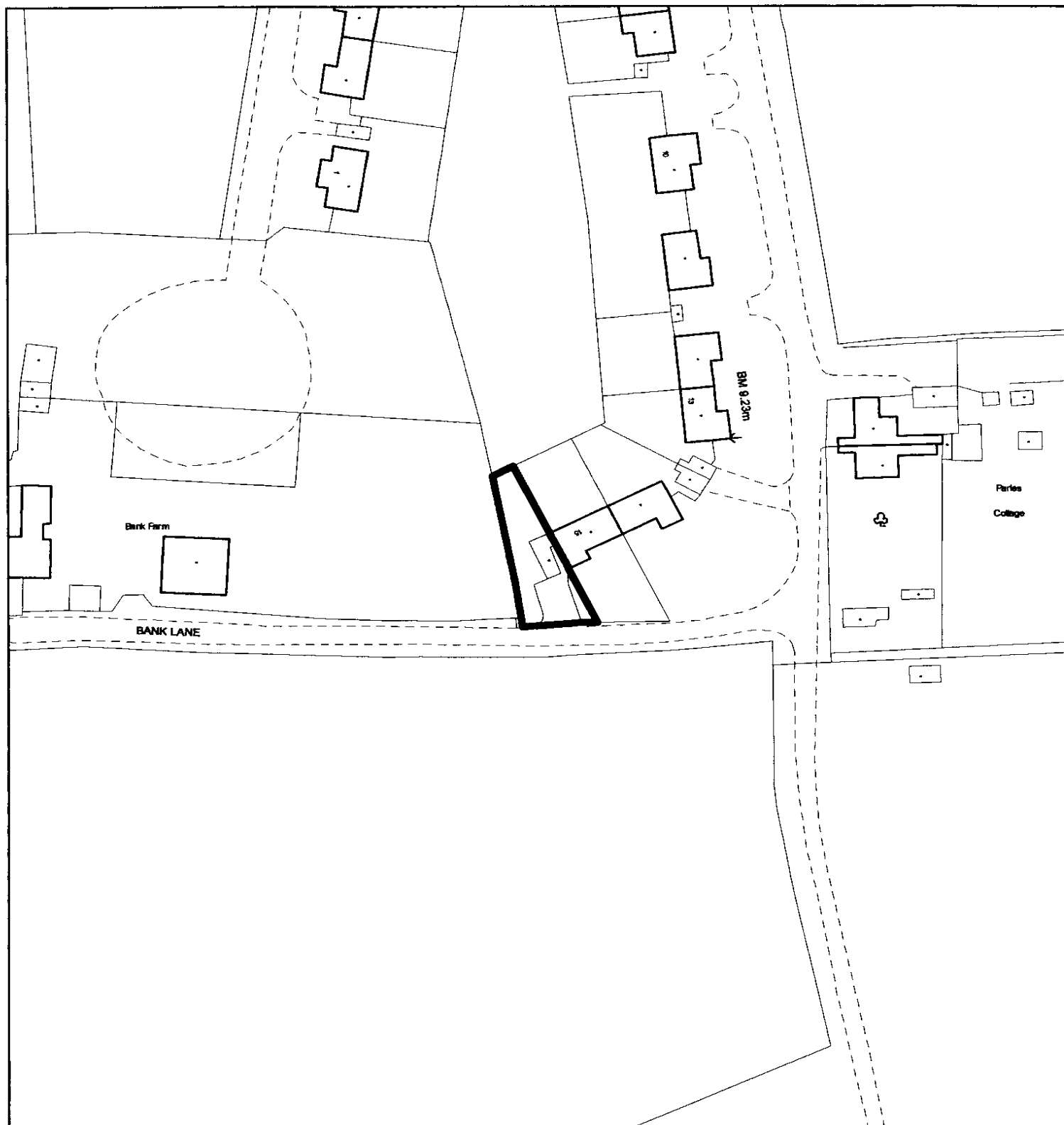
Significant policy objections to the proposal direct a refusal of the application. Personal circumstances should not override the Council's stated policy position.

If additional accommodation is required (and there is no medical evidence to support this) then an extension to the existing house would be a better solution in planning terms.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The proposal to build a new dwelling would exacerbate the existing over-supply of land with planning permission for residential development within the borough. This would be contrary to Policy 12 of the Joint Lancashire Structure Plan 2001 – 2016 and Policy HL1 of the Fylde Borough Local Plan (As Altered) Oct 2005.
2. The proposal to build a new dwelling within the greenbelt between Lytham and Warton would prejudice the openness of the green belt and would be contrary to the advice in PPG2: Green Belts and Policy SP3 of the Fylde Borough Local Plan (As Altered) Oct 2005.
3. The submitted plans are insufficient to determine whether the proposed development would fit on the application site as shown on the location plan.



The Built Environment Unit
Fylde Borough Council

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Application No.

5/06/0094

Address

15 Bank Lane
Warton

Grid Ref.

E.3404 : N.4277

Scale

N.T.S.

Item No.

11