



Agenda

Planning Committee

Date:	Wednesday, 4 November 2020 at 10:00 am
Venue:	Remote meeting via Zoom
Committee members:	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman) Councillors Tim Armit, Chris Dixon, Kiran Mulholland, Jayne Nixon, Linda Nulty, Liz Oades, David O'Rourke, Heather Speak, Ray Thomas, Stan Trudgill.

Please Note: This meeting is being held remotely via Zoom. To access the meeting please click on the link below.

Join Zoom Meeting <https://us02web.zoom.us/j/87936995496?pwd=cGITUHVSVPvWGI1UHN0a2srcDM0UT09>
Meeting ID: 879 3699 5496
Passcode: 150099

Public Speaking at the Planning Committee

Members of the public may register to speak on individual planning applications: see [Public Speaking at Council Meetings](#).

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meetings held on 7 October 2020 and 14 October 2020 as correct records.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24.	1
	DECISION ITEMS:	
4	Planning Matters	3 - 103
	INFORMATION ITEMS:	
5	List of Appeals Decided	104 - 105
6	Exclusion of the Public	106

7	Exempt Item – Not for Public Publication Planning Enforcement: Canopies and Front Extensions in Lytham	EXEMPT
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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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2	20/0315	LAND ADJACENT TO 8 & 12 OAK LANE, NEWTON WITH SCALES, PR4 3RR RESIDENTIAL DEVELOPMENT OF 37 DWELLINGS COMPRISING 100% AFFORDABLE HOUSING WITH ASSOCIATED INFRASTRUCTURE	Approve Subj 106	22
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Background Papers

The background papers used in the compilation of reports relating to planning applications are listed below, except for such documents that contain exempt or confidential information defined in Schedule 12A of the Local Government Act 1972:

- Fylde Local Plan to 2032 Adopted Version (October 2018)
- Joint Lancashire Minerals and Waste Local Plan
- Bryning-with-Warton Neighbourhood Plan
- Saint Anne's on The Sea Neighbourhood Development Plan
- National Planning Policy Framework 2019
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- Other Supplementary Planning Documents, Guidance and evidence base documents specifically referred to in the reports.
- The respective application files
- The application forms, plans, supporting documentation, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
- Any additional information specifically referred to in each report.

These Background Documents are available online at www.fylde.gov.uk/resident/planning

Planning Committee Schedule 04 November 2020

Item Number: 1 **Committee Date:** 04 November 2020

Application Reference:	19/0673	Type of Application:	Full Planning Permission
Applicant:	Mr Thorpe	Agent :	Firth Associates Ltd
Location:	FIR TREE BARN, BALLAM ROAD, WESTBY WITH PLUMPTONS, LYTHAM ST ANNES, FY8 4NG		
Proposal:	REPLACEMENT OF THE EXISTING DWELLING WITH A TWO STOREY DWELLING WITH BALCONY, DETACHED DOUBLE GARAGE, INSTALLATION OF SUBTERRANEAN SWIMMING POOL IN REAR GARDEN AND AMENDMENTS TO ACCESS.		
Ward:	WARTON AND WESTBY	Parish:	Westby with Plumptons
Weeks on Hand:	64	Case Officer:	Ruth Thow
Reason for Delay:	Awaiting Further Information		
Click Here for application site on Google Maps		Click here for application on FBC website	

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is a detached dwelling that was originally an agricultural building but was converted to a residential use under a planning permission in the early 1980s. It is located in the Countryside as designated by Policy GD4 of the Fylde Local Plan to 2032 and is directly alongside Ballam Road midway between the hamlets of Westby and Ballam.

The application originally proposed a series of extensions to the existing dwelling and outbuildings on the site, but during the consideration of the application it has been revised to an application for a replacement dwelling. Appropriate additional publicity and consultations have been undertaken as a consequence of this change. The scheme under consideration is for a two-storey detached building with double detached garage to the side and a partially subterranean swimming pool structure to the rear.

The decision on the application has been delayed by the need to explore the potential for the building to provide a bat habitat which required a seasonal survey which was undertaken in summer 2020 and proved negative. The planning merits of the proposal in terms of the scale of the building, the design, the relationship to neighbours and the landscaping are all considered to be acceptable in the context of the site and so accord with the requirements of Policy GD4, GD7 and H7 of the Fylde Local Plan to 2032. As such the application is recommended for approval.

Reason for Reporting to Committee

The officer recommendation for approval conflicts with the views of the Parish Council and so it is necessary to present the application to the Planning Committee for a decision.

Site Description and Location

The application relates to Fir Tree Barn, Ballam Road, Westby. The site is situated on the north side of Ballam Road between the property at Fir Tree Farm to the west side and a barn belonging to the property at Mollington House to the east. The site measures 1100m² and contains a two-storey former barn for which permission was granted for conversion to a dwelling in 1983, and a single storey detached domestic outbuilding. Both the dwelling and the outbuilding are finished in painted render.

The site is slightly elevated with the land rising from the roadside to the rear of the site, with the boundaries formed with a mixture of mature landscaping and timber fencing. The site is on a part of Ballam Road where there is small cluster of residential properties of differing styles and ages and other agricultural buildings.

The site is designated countryside on the Fylde Local Plan to 2032.

Details of Proposal

This application was originally submitted as a householder application for extensions to the existing property. During the course of the consideration of the application the scheme was altered and the application now seeks permission for the demolition of the existing dwelling and outbuildings and their replacement with a two storey dwelling with balcony to rear, detached garage and a subterranean swimming pool in rear garden. The appropriate publicity to respond to this change in application procedure has been complied with.

The new dwelling is proposed to be set back approximately 20 metres within the plot from the roadside and positioned to the east side of the plot. It measures 20 metres in overall length by 7.7 metres in width. The rear balcony adds a further 4.8 metres in rear projection by 4.8 metres in width, with an ensuite at ground floor level underneath it and the balcony supported on posts at first floor level. Access is available to the balcony both internally and via an external staircase. The staircase from the balcony provides access to the roof of the subterranean swimming pool which is situated across the full width of the rear of the plot and measures 19.8 metres in width by 11.6 metres in depth.

To the west side of the dwelling is a detached double garage measuring 5.5 metres by 5.5 metres.

The dwelling is designed with a dual pitched roof with eaves at 5.2 metres and with the ridge height at 7.8 metres. The garage also has a dual pitched roof with eaves at 2.5 metres and with a ridge height at 4.4 metres.

The property provides an 'upside down' arrangement of rooms to the traditional layout with three bedrooms each with ensuite with a utility room and WC to the ground floor, with a combined lounge/kitchen/dining area, a separate lounge, plant room and WC to the first floor.

The swimming is set below ground with roof lights provided at ground level.

The dwelling and garage are to be constructed in a mixed pallet of materials which include, red facing brick, white 'K Rend', VMZinc seam cladding, aluminium windows and doors.

Relevant Planning History

Application No.	Development	Decision	Date
89/0650	CONVERSION OF OUTBUILDING TO GAMES ROOM & COVERED WAY.	Granted	04/10/1989
83/0028	CHANGE OF USE OF BARN INTO DWELLING HOUSE.	Granted	02/03/1983
84/0792	COVERED WAY.	Granted	30/01/1985

Relevant Planning Appeals History

None

Parish/Town Council Observations

Westby with Plumpton Parish Council were notified of the original householder application on 21 August 2019 and comment:

"It was resolved to recommend REFUSAL. The parish council issues are as follows:

- 1. Not in keeping with the rural environs of Lower Ballam*
- 2. Development will require removal of several trees and vegetation*
- 3. The proposal is over-sized for the site and area*
- 4. The detrimental effects on wildlife*
- 5. There will be a loss of privacy for the neighbouring property."*

A further notification was undertaken on the revised proposal to erect a replacement dwelling and their comments on that are dated 16 Feb 2020 and repeat the above points verbatim.

Finally, a consultation was undertaken following receipt of the bat survey information and comments received on 13 October 2020 which state:

"It was resolved to retain the PC stance as per the previous correspondence and recommend REFUSAL and refer the application to FBC planning for a final decision"

Statutory Consultees and Observations of Other Interested Parties

United Utilities

Do not raise objection to the scheme but highlight the lack of known public sewers in the vicinity of the proposed development. They also refer to the guidance regarding the site being drained on a separate system with foul and surface water separate and the latter complying with the drainage hierarchy.

Greater Manchester Ecology Unit

They were consulted following receipt of the Preliminary Bat Roost survey in March 2020 and the content of their response on this matter is summarised as:

- The submitted report appears to have used reasonable effort to inspect the

structures both internally and externally for the presence of bats and assessed the likelihood that bats would use the structure at other times for roosting.

- The building inspection found no evidence of recent or historic usage of bats.
- It was concluded that the structure has moderate potential to support bats at other times and consequently two activity surveys were required.

Following receipt of these comments the applicant was requested to provide details of the results of emergence surveys undertaken in accordance with the relevant guidance where there is a moderate potential to support bats. These have been provided and evaluated by GMEU who comment:

- The activity surveys were undertaken at an appropriate time of year in suitable weather conditions using an appropriate number of site surveyors.
- The two activity surveys, whilst recording bat activity in the general locality recorded no emergence (or re-entry) into the property.
- There is currently no known reason to contradict the findings of the survey.
- The application can be forwarded for determination in respect of biodiversity
- They suggest that a condition is imposed to require that bat nesting opportunities are provided in the new building.

They also highlight the protection offered to bats in national legislation and the time-limited nature of surveys which results in the need for a condition to require re-surveys within 2 years if work have not commenced in that time.

They also highlight the potential for the planting in and around the site to support breeding birds and suggest that a condition is imposed to ensure that work is not undertaken during the bird breeding season to avoid the potential for an offence to be caused by disturbing any nesting birds.

LCC Highways

LCC Highways does not have any objections regarding the proposed replacement of the existing dwelling with a two storey dwelling with balcony, detached double garage, installation of subterranean swimming pool in rear garden and amendments to access, and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

They request conditions relating to:

- The surfacing of the driveway to ensure that the loose gravel currently used is replaced with a material that is not brought onto the highway.
- That the development is undertaken to ensure that there is on-site turning available at all times.

Neighbour Observations

Neighbours notified:	21 August 2019
Amended plans notified:	31 January 2020
Site Notice Date:	23 August 2019
Number of Responses:	13 letters received in total to various consultations.

Summary of Comments:

Correspondence is from 5 properties / individuals

- size of extension looks large
- surprised if it doesn't exceed permitted development
- balcony looks intrusive
- design out of keeping
- use of cladding detracts from original barn
- piggeries may have cobbled walls
- barn owls and bats around
- barn & piggeries of local heritage importance
- drive away colonies of bats
- of size & type that will give green light to developers
- better suited to an isolated position
- modern development should not acceptable
- development potential breaches protection for owls
- should be subject to surveys for bats and barn owls
- No objection
- re-building detrimental to barn owls
- bat roost on my property
- field drain in the middle of Fir Tree Barn's yard that a dyke on my property drains into
- since fence removed had lot of flooding
- loss of barn replaced with one of no character
- loss of privacy from balconies
- will give green light to developers
- drive birds away
- possible loss of light
- noise from workmen at weekends
- devalue our property
- traditional barn destroyed for one with no character
- request made to English Heritage to list the property
- not in keeping with rural area
- large windows overlooking our property
- plans don't show landscaping
- views outside of property ownership
- tall trees would reduce daylight/sunlight

Relevant Planning Policy

Fylde Local Plan to 2032:

GD4	Development in the Countryside
GD7	Achieving Good Design in Development
H7	Replacements and Extensions in Countryside
ENV1	Landscape
ENV2	Biodiversity
CL1	Flood Alleviation, Water Quality and Water Efficiency
CL2	Surface Water Run-Off and Sustainable Drainage

Other Relevant Guidance:

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
	Residential Design Guides in Extending Your Home SPD

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Comment and Analysis

This application seeks permission for a replacement dwelling and garage in an area designated as countryside on the Fylde Local Plan to 2032.

Background

The application property was original built as part of the buildings associated with Fir Tree Farm situated to the west of the site. Permission was granted to convert the former barn into residential use under application no. 83/0028 with the outbuildings granted permission under 89/0650.

Principle of development

The site is located within the Countryside Area as defined in the Fylde Local Plan to 2032 and as such the provisions of Policy GD4 are applicable in this case. Policy GD4 is generally restrictive of rural development subject to a series of exceptions.

Of these exceptions GD4c) states “*extensions to existing dwellings and other buildings in accordance with Policy H7;*” Whilst this wording is limited to extensions, the scope of Policy H7 is actually wider than this as it relates to proposals to replace dwellings as well as to extend them. It is considered that this is the key policy test for the principle of the development proposed in this application.

As a reminder to members Policy H7 of the Fylde Local Plan to 2032 states:

Proposals to replace and / or to extend an existing home in the countryside will be permitted where the following criteria are met:

- a. The replacement or extended home is increased in size by no more than 33% calculated in relation to the ground floor area of the original home; and*
- b. The appearance of a replacement home respects the character of the surrounding rural area and the appearance of an extended home respects the character of the original building and the surrounding rural area.*

As this proposal is for a replacement dwelling and garage, it is considered that the principle of a new dwelling will be acceptable should it comply with the principles of Policy H7 as assessed below, and the other considerations assessed in the remainder of this report.

Scale of the Replacement Dwelling

Policy H7 imposes strict restrictions on the scale and design of extensions and replacement dwellings compared to the original dwelling on the site with the aim of preserving the stock of smaller rural

dwelling in the borough. The justification for this Policy explains that the evidence behind the preparation of the Fylde Local Plan to 2032 found that not only have many of these smaller rural dwellings been lost in recent years, but this is a type of property for which there is a strong need. The justification also highlights that the establishment of large dwellings in rural areas can often be overbearing on the landscape and can dominate it with the result it gains a suburban character.

Policy H7 takes a two pronged approach to assessing applications such as this, by requiring firstly that the extensions are no more than a 33% increase in the footprint of the property compared to its original scale (criterion a)), and secondly that the appearance of the extended home respects the character of the original building and the surrounding rural area (criterion b)).

Since the adoption of the Fylde Local Plan to 2032 in October 2018 the council has taken a consistent approach to determining applications in accordance with this Policy, and this has been borne out through decisions on appeal as follows:

- In cases where the application property remains a small rural dwelling (i.e. it has 3 bedrooms or less) then the council will rigidly apply the quantitative test of Policy H7 a) and will refuse any extensions that exceed the 33% of ground floor area in that element of the Policy (including by factoring in previous extensions to properties made before the adoption of the local plan, as a cumulative figure). This accords with the approach taken by the Inspector at 2 South View in Lytham (PINS Ref: 3218843).
- In cases where the application property is not a small rural dwelling (i.e. it has 4 bedrooms or more) either as a consequence of previous extensions added to the original dwelling or due to the scale of the original dwelling, then the council will not apply the quantitative test in Policy H7 a). However, the qualitative test in criterion b) of the Policy will be applied. This accords with the approach taken by the Inspector at Many Views (PINS Ref: 3221121)

This development proposes the demolition of a two-storey former barn and its associated outbuildings and its replacement with a two-storey dwelling, detached garage and subterranean swimming pool building. The existing dwelling has not been extended since it gained residential status and so is the 'original dwelling' for the purposes of Policy H7. Whilst the existing dwelling only provides three bedrooms it is substantial in scale and has a footprint of 120m² (for the dwelling alone). In comparison the new dwelling (dwelling alone, ground floor plan) has a footprint of 164m² resulting in a 37% increase in footprint over the existing dwelling. As such the scale of the increase involved in this application is marginally over the 33% permissible under H7a, and as a 3 bed roomed property it should be considered to be a smaller rural dwelling. However, the property has sold within the last few years for a substantial sum which would clearly be out of the price range of any rural worker and so could not be considered as an affordable rural dwelling from the outset, and so it does not readily form part of the smaller rural stock of housing in the borough.

With the scale of the footprint increase being a modest exceedance of the quantitative limit in H7a and the unaffordable nature of the existing property it is not considered that the proposal can reasonably be resisted as being in conflict with criterion a) of Policy H7. This assessment does not take account of the outbuildings for the existing and proposed dwelling as these are excluded from this assessment in Policy H7 but are considered to also be broadly comparable.

Impact of Replacement Dwelling on Rural Character of the Area

In addition to establishing the scale of the new dwelling Policy GD7 requires that the replacement dwelling is sympathetic to surrounding land uses in its design and avoids demonstrable harm to the visual amenities of the local area.

The application site is situated at the crest of a rise on this part of Ballam Road where there are several residential properties and rural buildings. These properties vary in the style and age and include the simple, elongated form of the Grade II Listed Building at 'White House', the traditional styled properties at Fir Tree Farm and Mollington House, and the more modern dwelling at White House Farm. The farm buildings associated with that farm are a mix of red brick with profile cement sheet roofs and others with 'Yorkshire boarding' to the elevations under profile roof sheets. Accordingly there is a range of building scale and character in the area.

The existing dwelling on the site is also of a simple rectangular form. However, its humble origins and rural character as a former barn have largely been lost by several alterations in more recent years including the addition of a bay window, a porch to the front elevation and the application of render finish to its exterior. Whilst it still retains some rural charm it is in a poor state of repair and it's not a unique building nor is it sufficient significant in heritage terms to warrant its retention. This heritage aspect is also covered in more detail later in the report.

The proposed new dwelling is to be situated in a setback position on the plot and located to the east side boundary with a detached garage located to the west side and the swimming pool building to the rear. Setting the building back within the plot opens up the frontage to allow for landscaping to the roadside edge and reducing the overall visual impact of the development on the site to those passing the site and viewing it in longer range views.

The design of the dwelling retains the rectangular form of the existing and others in the area, and takes its cues from the surrounding rural barns. It does provide a minimalist and contemporary appearance using a simple palette of materials using brick, render and zinc cladding with aluminium windows and doors, but this is not considered to create any harm given the range of building styles in the area and the quality of the design that is proposed. The front elevation of the dwelling and the garage which face the roadside, are constructed in a mix of red brick to the lower part with brown zinc cladding above. The dwelling also has a large area of glazing proposed for the front elevation. These elements reflect the materials on neighbouring buildings with the brown colour of the cladding blending with the colours of the soft landscaping features around the plot and the glazing reflecting the surrounding planting.

Given that there is no overriding style of dwelling in the vicinity of the plot it is considered that the proposed development offers a sensitive approach to the redevelopment of a dwelling on this site and picks up on the characteristic themes of surrounding buildings. Whilst the development includes outbuildings, in respect of the garage this is located alongside the dwelling and is proportionate in scale for its intended use. In regards to the swimming pool it is intended that this will be located below ground taking advantage of the difference in land fall so that the roof of the building will be at natural ground level and will form part of the rear garden area and as such will be inconspicuous in the landscape.

A 1.8m high fence and sliding gate is proposed to the front, but this is setback by around 10m from the highway to enable landscaping to be provided to the frontage that will soften its appearance in the landscape to an acceptable degree.

The resultant dwelling is a modern country house that responds well to the site and its surroundings, and is felt to comply with the requirements of Policy H7b on this basis. Accordingly, the proposal complies with both elements of H7 of the Fylde Local Plan to 2032, and so the assumed intention of GD4c also ensuring that the development is acceptable in principle. It is also considered that the design aspects of the property accord with those elements of Policy GD7 relating to that area of the

overall assessment of the application.

Relationship to Neighbours

The property has neighbours to both sides, but open fields to the front and rear. To the western side is Fir Tree Farm which is a detached dwelling that is itself located close to the shared boundary with the application property. To the eastern side is Mollington House which is well separated from the application site with an intervening storage building and area of associated land in a non-domestic use around it.

The scheme locates the new dwelling on the eastern boundary which is a change to the location of the existing dwelling which is closer to the western boundary. The east elevation of the new dwelling has windows proposed on the ground floor serving two of the three bedrooms, but none are situated at first floor level. Whilst the bedroom windows will face the boundary at around a 1m separation they are not facing any habitable rooms or outdoor amenity space to that neighbour, and as they are at ground floor only they will have a very limited potential impact on the privacy of the occupiers of that property. They obviously offer a reduced amenity for the occupiers of the proposed dwelling over that which is typically available where bedrooms are located at upper floors, but this is a matter that has been raised with the agent who is adamant that his clients have chosen this arrangement as part of the design to the dwelling.

The proposal features a rear balcony which would potentially afford views to the east side towards 'Mollington House' which is approximately 50 metres from the boundary of the application plot. There is a wooded area of land containing an agricultural building between them and so any views from the balcony would therefore only be of a non-residential building and the intervening woodland. However, given the proximity of this balcony to the boundary it is appropriate that a condition be imposed to ensure there is a screen erected on this side.

To the west side of the site is Fir Tree Farm which is close to the boundary with the application property. The design of the proposed dwelling includes areas of full height glazing facing this property. There would be approximately 11m separating the new dwelling from the boundary with this property which features a rear patio and a series of doors to a lounge and dining/kitchen area and so clearly functions as a key habitable area to the property.

Views from the first floor of the new dwelling towards Fir Tree Farm would be possible, and whilst there will be some mitigation from the proposed intervening garage and the existing/proposed landscaping the distance involved is considered to be unduly close for the habitable accommodation involved with the first floor providing the main living space to the proposed dwelling. In order to ensure that the amenity of the neighbours is adequately protected it is necessary to impose a condition to require that part of the first-floor glazing that is closest to this patio area to be obscurely glazed, but with this protection secured by condition the relationship is an acceptable one.

The balcony area and remaining part of the glazing that serves the lounge to the proposed dwelling has a greater separation from this area and faces a part of the garden to Fir Tree Farm that is largely used for dog exercise. It is less critical to the residential amenity of the occupiers of that property and so this part of the new dwelling can be clearly glazed without causing undue harm. The balcony area is also acceptable given the separation distance involved and the reduced angles of view available. A condition to ensure that the landscaping be retained and enhanced on this shared boundary is also helpful in ensuring this relationship is acceptable.

The site has open fields to the front and rear and so has no residential neighbours that would be

affected to the north and south of the site.

Having undertaken a careful assessment of these relationships including visits to Fir Tree Farm it is concluded that the proposal has an acceptable relationship to its neighbours and complies with criteria c), d) and h) of Policy GD7 subject to the obscure glazing, boundary landscaping and balcony screening conditions referred to in this section.

Occupier Amenity

The site is a sizeable one and so provides an ample space to provide outdoor amenity for the occupiers of the property. The amenity available to some of the internal rooms, notably the two ground floor bedrooms that face the boundary to the Mollington House site, and the dining / kitchen area that features only obscure glazing to the main glazed elevation, is compromised. However, this is in part a design feature that the clients have sought and is in part essential to ensure neighbour amenity is protected.

Given the space around the dwelling and the areas of open aspect that are not compromised in this manner it is considered that the level of amenity available to the future occupiers of the property will be acceptable and so there is no conflict with criteria c) of Policy GD7.

Parking and Access Arrangements

The scheme proposes that the new dwelling and garage are set back within the plot thereby providing a wider access than the existing access onto Ballam Road. This roadside area is proposed to be planted with landscaping but will still retain the required visibility splays at the access point. As such the proposal retains an appropriate level and location of parking for the site and does not compromise the access arrangements or highway safety. As such it complies with criteria j) and q) of Policy GD7. Conditions are required to ensure that this area is landscaped and surfaced to improve the current arrangement which allows loose gravel to be brought onto the road. A facility for on-site vehicle turning during construction and subsequent occupation will also be addressed by condition given the obvious danger that any reversing onto or off Ballam Road would bring.

Ecology

The application was accompanied by a 'Preliminary Bat Roost Survey & Evaluation' by 'Pennine Ecological'.

The house and the outbuildings were surveyed for Bats and Barn Owls as protected species that are most likely to be found in rural areas such as this. In regards to bats an external inspection found that there are several small gaps below the slates and the ridge tiles on the west (rear) elevation, and a single hole at the verge on the northern gable elevation, and so bats might potentially access the fabric of the buildings via these features. The survey also found that there were numerous potential access points for bats in the garage structure. However, an internal inspection of both buildings concluded that there was no evidence of bat droppings but that the roost potential of the buildings was considered to be 'moderate'.

As a consequence of the 'moderate' potential for use of the site by bats, and in line with guidance, emergence and re-entry surveys were conducted in May and June 2020. From the survey results, it was concluded that emergence of bats was absent at Fir Tree Barn. Activity was noted as occasional to frequent at the site with commuting and foraging activity.

With the absence of any roosts at the site there is no reason to prevent the demolition of the

building on that basis, although conditions are appropriate to ensure that precautions are taken should bats be found during that work and to build bat roost opportunities into the new development to bring a biodiversity net-gain in accordance with local and national planning policy.

Regarding nesting birds, the buildings had no nesting bird potential, and no residual nests of swallow, of house martin were present on the outside of the buildings. The outbuilding was assessed for Barn Owls and was noted to be inaccessible to barn owl and therefore the building has no roost or nesting value for the species. In addition, no historical evidence of use was found.

Accordingly, it is considered that the proposed development will not result a detriment to the ecological status of the site, subject to conditions for enhancement and is in accordance with Policy ENV2 of the Fylde Local Plan to 2032 and Paragraph 174 of the NPPF.

Landscaping

The proposal is not submitted with a landscaping scheme however, some landscaping is indicated on plan. As the site is within a countryside location enhancement of the plot should be carried out in order to soften the impact of the development and to enhance the biodiversity of the site.

A landscaping condition will form part of the recommendation of this application to secure provision of additional landscaping that will have benefits in regard to the overall appearance of the site, the integration of the new dwelling into the landscaping and will provide ecological enhancements for wildlife. Accordingly, the development complies with the requirements of Policy ENV2 of the Local Plan to 2032.

Drainage

Comments have been received from neighbours that refer to flooding of the site. However, the site is within Flood Zone 1 which is land having a less than 1 in 1,000-year annual probability of river or sea flooding. Given the site is not within an area at risk of flooding as indicated on the Environment Agency mapping systems and its scale is not one which requires a Flood Risk Assessment.

United Utilities have commented on the proposal and advised that foul water should be connected to the public sewer and surface water drained in the most sustainable way. This recommendation will form a condition of this application and there are no drainage issues that could justify a refusal of the application.

Heritage Implications

At the time of the submission of the application the building had no heritage asset status – it was not nationally listed, not locally listed and is not in a conservation area. In the week before the drafting of this report an application was made to English Heritage requesting that the building be considered for national listed status.

The report on that has since been received and confirms that the application to list the building is rejected. For context the report assessment and conclusion are:

“ASSESSMENT

Based on the information provided and with reference to the Principles of Selection (DCMS 2018) and Historic England's Listing Selection Guides, Fir Tree Barn is not recommended for listing for the following principal reasons:

Degree of architectural interest:

- *the buildings have undergone significant alteration that has compromised their historic character and architectural integrity;*
- *their legibility as former agricultural buildings has largely been lost and they are now domestic in both character and appearance.*

Degree of historic interest:

- *there are no confirmed associations to any persons or events of special note, and even if a link to the Lytham Hall Estate were to be proven, this link would be of local rather than national interest and would not compensate for the high level of alteration that has taken place.*

CONCLUSION

Fir Tree Barn is a building of local interest. However, within a national context it lacks the special architectural and historic interest required to qualify for listing."

Accordingly, there are no heritage implications that would prevent the demolition of the existing building which is inherent in the proposed development.

Conclusion

This application proposes a replacement dwelling and a garage in place of the existing dwelling and garage. The increase in scale is in accordance with the criteria set out in the local plan policies and the scale, location and design of the dwelling is such that the development will not result in harm to the character and appearance of the countryside nor the amenities of any residential properties subject to the imposition of appropriate conditions.

The ecological surveys have confirmed that no harm to any protected species will occur as a result of the proposal and soft landscaping of the plot can provide enhancements to the visual amenity and biodiversity in the area.

Accordingly, the proposal complies with the criteria of Policies GD4, GD7, H7, ENV1, ENV2, CL1 and CL2 of the Local Plan and the aims of the National Planning Policy Framework in particular Criteria a) and b) to paragraph 170 that states planning policies and decisions should contribute to and enhance the natural and local environment.

Recommendation

That Planning Permission be GRANTED subject to the following conditions and reasons:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:
 - Location Plan - Drawing no.FTB/1/000
 - Proposed Ground floor Site Plan - Drawing no. FTB/1/010 REV. F
 - Proposed Roof Site plan - Drawing no. FTB/1/011 REV. D

- Proposed Ground Floor Plan - Drawing no. FTB/1/110 REV. C
- Proposed First Floor Plan - Drawing no. FTB/1/111 REV. C
- Proposed Front & Rear Elevation Plan - Drawing no. FTB/3/310 REV. C
- Proposed Side Elevation Plan - Drawing no. FTB/3/312 REV. B
- Proposed Side Elevation Plan (garage) - Drawing no. FTB/3/313 REV. D
- Proposed section Plan (pool) - Drawing no. FTB/2/210 REV. B
- Proposed Street view Plan - Drawing no. FTB/3/311 REV. C

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the approved plans listed in condition 2 to this planning permission.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

4. The central section of glazing to the first floor of the western elevation (ie that which is alongside the stairs and the kitchen / dining area) shall be obscurely glazed to standard equivalent to at least level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) to a height of up to at least 1.7m measured from the first floor height of the building, and shall be non-opening below that height. Only this style of glazing shall be installed during the construction of the dwelling and it shall be retained as such thereafter.

Reason: To safeguard the privacy of occupiers of the neighbouring dwelling at Fir Trees Farm in accordance with the requirements of Policy GD7 of the Fylde Local Plan to 2032.

5. That prior to the undertaking of any above ground construction works the details of a screen to the eastern side of the balcony area shall be submitted to and approved in writing by the local planing authority. This screen shall run for the full extent of that side of the balcony area to the top of the stairs and shall be of a height of at least 1.7m. The approved screen shall be installed prior to the first occupation of the dwelling hereby approved and retained at all times thereafter.

Reason: To safeguard the privacy of occupiers of the neighbouring dwelling at Mollington House in accordance with the requirements of Policy GD7 of the Fylde Local Plan to 2032.

6. Notwithstanding any details shown on the approved plans and the requirements of condition no. 2 of this permission, before the dwelling hereby approved is first occupied a soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved soft landscaping scheme shall be carried out during the first planting season after the dwelling is first occupied and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

7. If demolition works have not commenced by 1 February 2022 no demolition works shall be undertaken until an updated Bat survey has been completed to assess the potential for the buildings on site to support a bat roost or nesting site. The survey shall include appropriate mitigation in the event that any bat presence is found on the site, with demolition works not commencing until this survey has been submitted to and approved by the Local Planning Authority, and any licence that may be required if bats are found to be present has been obtained. Any mitigation measures identified in the survey shall be undertaken in full.

Reason: To limit the potential for harm to and to ensure that the development does not adversely affect the favourable conservation status of any protected species in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended).

8. No clearance of any vegetation and/or demolition of buildings (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation and/or buildings to be cleared do not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation and/or buildings shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

9. Prior to the commencement of above ground works on the replacement dwelling a scheme for Biodiversity Enhancement Measures, as set out in section 5 of the Dusk Survey dated June 2020 by Pennine Ecological, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

Reason: In order to enhance biodiversity in the area in accordance with the requirements of Policy ENV2 of the Fylde Local Plan to 2032, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

10. Prior to the first occupation of the replacement dwelling hereby approved the driveway feature between Ballam Road and the proposed gate shall be surfaced in a solid material as set out in the approved plan listed in condition 2 (or a suitable replacement to this material subsequently agreed in writing with the Local Planning Authority).

Reason: To prevent loose surface material from being carried on to the public highway thus

causing a potential source of danger to other road users, in accordance with Policy GD7 of the Fylde Local Plan to 2032.

11. Notwithstanding the provision of Article 3, Schedule 2, Part 1, Class(es) A, B, C, D, E and F of the Town and Country Planning General Permitted Development Order 2015 [or any Order revoking or re-enacting that Order], no further development of the dwelling[s] or curtilage(s) relevant to those classes shall be carried out without Planning Permission.

[CLASS VARIABLES

A	House Extensions.
B&C	Roof Extensions/alterations
D	Porches
E	Curtilage buildings
F	Hardstanding

Reason: To ensure that the Local Planning Authority has control over any future development of the dwelling[s] which may adversely affect the character and appearance of the dwelling[s] and the surrounding area. In accordance with Policy GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

12. No above ground development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved surface water drainage scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The dwelling shall not be first occupied until the approved surface water drainage scheme, and the foul water drainage scheme indicated to be a waste treatment tank on drawing no. 1114 REV. B has been implemented and is operational. These arrangements shall be maintained as operational drainage schemes thereafter.

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

13. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- a) hours of work for site preparation, delivery of materials and construction;
- b) arrangements for the parking of vehicles for site operatives and visitors;
- c) arrangements to ensure there is an area retained on site that allows for the on-site turning of all vehicles to the site, or operational arrangements in the event that a vehicle has to perform a reversing manoeuvre either onto or off Ballam Road
- d) details of areas designated for the loading, unloading and storage of plant and materials;

- e) arrangements for the provision of wheel washing and road sweeping facilities, including details of how, when and where the facilities are to be used;
- f) measures to control and reduce the emission of dust and dirt during construction, including details of how transmission to surrounding properties will be mitigated;

Development shall thereafter be carried out in full accordance with the duly approved CEMP.

Reason: In order to ensure that appropriate measures are put in place before any development commences to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties, and to ensure safe operation of the surrounding highway network during the construction of the development in accordance with the requirements of Fylde Local Plan to 2032 policy GD7, and the National Planning Policy Framework.

14. No works associated with the construction of the swimming pool and associated building hereby approved shall take place until a 'Pool Construction and Operation Plan' has been submitted to and approved in writing by the Local Planning Authority to include the following:

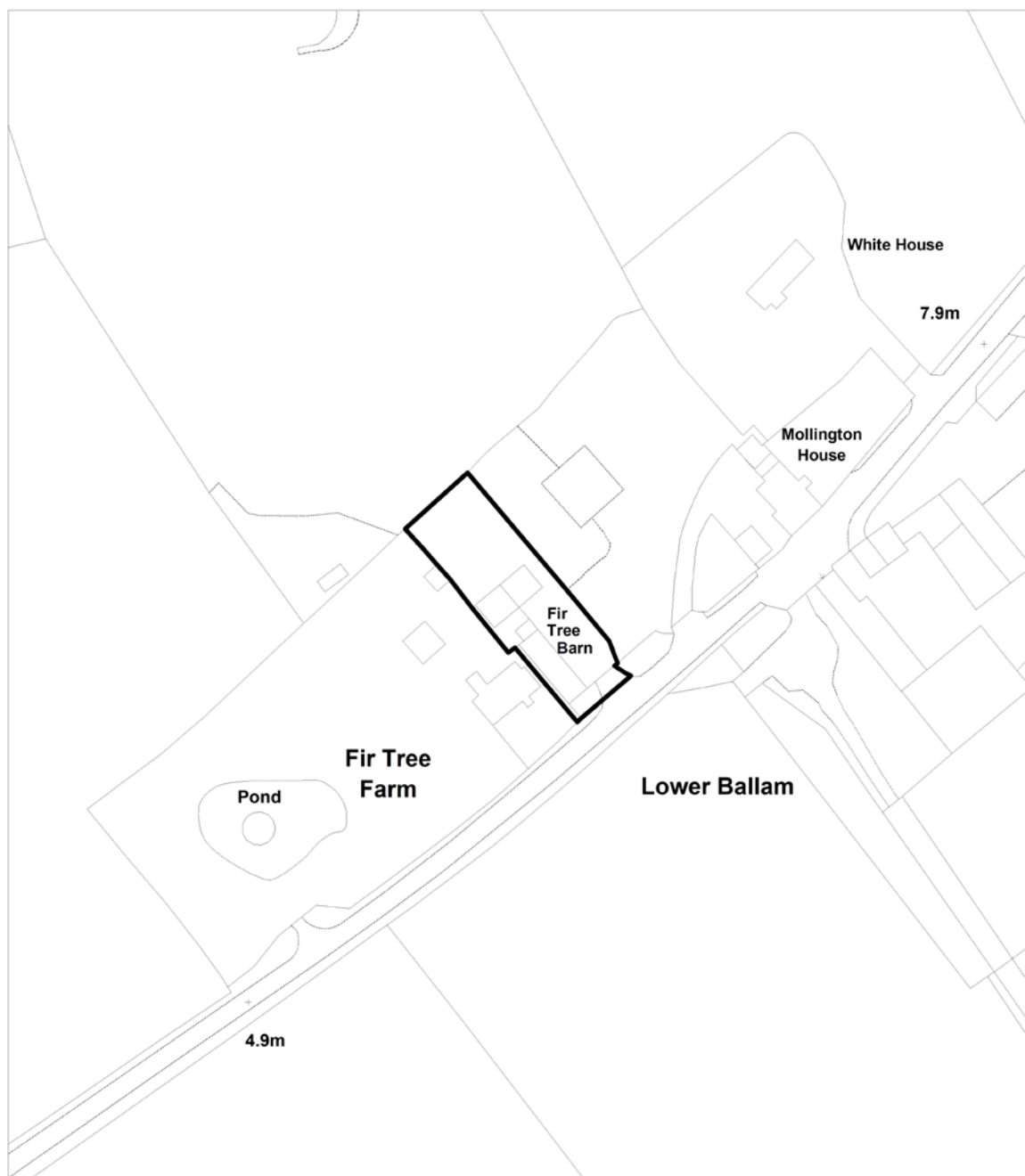
- a) the extent of the area to be excavated to construct this aspect of the development
- b) the measures to be taken to ensure that the land around the excavated area (both within and without the application site) is to be protected from slip and other subsidence during the excavation process
- c) The measures to be taken to protect existing planting around the perimeter of the site from damage by machinery or through root damage during the construction process
- d) the method of removal of any material that is to be taken off site
- e) the location for the storage of any material that is to be retained on site
- f) the details for the filling and draining of the pool once operational, including the arrangements for filtration of any chemicals from the pool water prior to it being discharged from the site.
- g) the operational details of any plant or other equipment associated with the pool such as water heating and circulation with particular regard to the level of noise and vibration that this could generate.


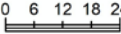
Development shall thereafter be carried out in full accordance with the duly approved Pool Construction Plan.

Reason: In order to ensure that appropriate measures are put in place before any development commences to limit the potential for harm to neighbouring amenity and the rural character of the area from the construction and subsequent operation of this facility in accordance with the requirements of Fylde Local Plan to 2032 policy GD7, and the National Planning Policy Framework.

15. The pool and associated leisure facilities hereby approved shall be for private personal use only by the owner of the dwelling at Fir Trees Barn with no swimming lessons, pool hire or other commercial enterprise carried on, in or from the facility.

Reason: The use of the development in connection with any commercial operation would potentially cause increased activity at the site and vehicle movements to it contrary to the provisions of policy GD7 of the Fylde Local Plan to 2032.



		(c) Crown Copyright and database right (2020). Ordnance Survey (100006084).	
Application No. 5/19/0673	Address Fir Tree Barn, Ballam Road, Westby	Grid Ref. E.3365 : N.4309	Scale 0 6 12 18 24 m 

Item Number: 2

Committee Date: 04 November 2020

Application Reference:	20/0315	Type of Application:	Full Planning Permission
Applicant:	Westchurch Homes Limited	Agent :	Maybern Planning and Development Ltd
Location:	LAND ADJACENT TO 8 & 12 OAK LANE, NEWTON WITH SCALES, PR4 3RR		
Proposal:	RESIDENTIAL DEVELOPMENT OF 37 DWELLINGS COMPRISING 100% AFFORDABLE HOUSING WITH ASSOCIATED INFRASTRUCTURE		
Ward:	NEWTON WITH TREALES	Parish:	Newton with Clifton
Weeks on Hand:	23	Case Officer:	Matthew Taylor
Reason for Delay:	Design Improvements		
Click Here for application site on Google Maps		Click here for application on FBC website	

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

The application relates to a broadly T-shaped parcel of open agricultural land extending to *circa* 1.34 hectares on the north side of Oak Lane, Newton. The site is bordered by existing dwellings on Avenham Place, Bryning Lane and Oak Lane to the northeast, east and south respectively; by a manège, stables and horse grazing area occupying a separate parcel of land to the southwest; by the rural road of Parrox Lane to the west; and by a combination of open fields and the ongoing Woodlands Close residential development to the north. The land is allocated for housing on the Fylde Local Plan to 2032 Policies Map (site reference 'HS52') and is also the subject of an undetermined outline planning application for a residential development of up to 30 dwellings (reference 17/0595).

The current application seeks full planning permission for a residential development of 37 dwellings on the site. The development would comprise six 2.5 storey dwellings, 27 two storey houses and 4 bungalows. All of the dwellings are to be constructed on behalf of a Registered Provider (Community Gateway Association) to meet the definition of "affordable housing" given in Annex 2 of the National Planning Policy Framework. The dwelling mix would comprise:- 17 x 2 bed units; 10 x 3 bed units; and 10 x 4 bed units. The affordable housing tenure split includes a mix of units for affordable rent (to comprise at least 50% of the total) and shared ownership (to comprise no more than 50% of the total). Eight of the units would be designed to provide specialist accommodation for the elderly. Accordingly, the proposed dwelling mix complies with the requirements for Tier 1 Larger Rural Settlements (which includes Newton) set out in policy H2 of the local plan.

The development would be accessed via a new junction onto Oak Lane within its southern boundary, which would merge with a 5.5m wide estate road flanked by 2m footways. The estate road would follow a T-shaped layout with cul-de-sacs terminating to the eastern and western ends. Separate shared pedestrian/cycle routes would branch off the end of each cul-de-sac to the northeast and northwest corners of the site to provide connections onto

Bryning Lane and Parrox Lane respectively to provide permeability and encourage opportunities for travel by non-car-based modes of transport. The estate road would incorporate a point of access into the equestrian land to the southwest which also falls within allocated housing site HS52 in order to prevent the future development potential of this land being sterilised. Adequate car parking would be provided for the dwellings in accordance with current standards. Accordingly, the proposed development would not give rise to any severe residual, cumulative effects on network capacity or adverse impacts on highway safety, and the proposed access strategy would ensure a safe and suitable means of access for all users would be achieved.

The layout of the dwellings would follow the highway frontage of the estate road, resulting in a consistent building line with properties following a perimeter block structure organised in simple, linear rows to ensure a sense of legibility across the development. Soft landscaping would be introduced and/or retained to provide an attractive entrance vista and appropriate visual buffers where the site borders neighbouring properties and open countryside. A suitable balance of hard and soft landscaping would be provided across the development's frontage to the estate road and contrasting surface treatments would be utilised in order to avoid an over engineered appearance while ensuring adequate parking provision. The dwellings would comprise simple, but well-proportioned elevations with generous sized window openings and protruding features orientated to address key vantage points and corner aspects both within and outside the site. All buildings would be finished in red brick walls with occasional rendered dressings below grey tiled roofs to reflect the materials of surrounding buildings.

Spacing distances achieved between dwellings, both existing and proposed, would reflect the density of surrounding housing and the proposed building scale, siting and orientation with existing dwellings would ensure that the development has no undue effects on the privacy and amenity of neighbouring occupiers due to loss of outlook, overshadowing or overlooking, while also ensuring a good standard of amenity for future residents.

The site falls within flood zone 1 and is at a low risk of flooding. The applicant's indicative drainage strategy follows the hierarchy set out in local plan policy CL2 and is accepted, in principle, by United Utilities and the Lead Local Flood Authority. Accordingly, there is no reason to conclude that the development would result in an increased risk of flooding either on the site itself or elsewhere. The site has limited ecological value and those features of greatest significance (including existing perimeter trees and hedgerows) would be incorporated into the development. Appropriate measures can be put in place through planning conditions to secure biodiversity enhancements, the protection and/or strengthening of existing landscaping and the suitable disposal of foul and surface water as part of the scheme. In addition to providing 100% affordable housing, the development will also make financial contributions towards the provision/enhancement of open space away from the site, education and healthcare.

Taken as a whole, the proposal is considered to represent sustainable development in accordance with the relevant policies of the Fylde Local Plan to 2032 and the provisions of the National Planning Policy Framework.

Reason for Reporting to Committee

The application is classified as major development and the officer recommendation is for approval.

Newton-with-Clifton Parish Council have also submitted representations in objection to the application.

Site Description and Location

The application relates to a broadly T-shaped parcel of open agricultural land extending to *circa* 1.34 hectares on the north side of Oak Lane, Newton. At present, the land is accessed through a courtyard containing a collection of single storey, agricultural-style storage buildings at the side and rear of a converted brick barn (nos. 8-12 Oak Lane). The site currently comprises grassland with mature trees and hedging marking its northern and southwestern boundaries. A common oak within the southwestern parcel is protected by Tree Preservation Order (TPO) 2020 no. 5. Lower-level hedging borders Oak Lane and Parrox Lane to the site's southern and western perimeters respectively. Ground level falls in a general east-west direction across the site between Bryning Lane and Parrox Lane.

In addition to the storage buildings to the southeast, the site is bordered by existing dwellings on Avenham Place, Bryning Lane and Oak Lane to the northeast, east and south respectively. These include a mix of two storey dwellings (Avenham Place and Oak Lane) and bungalows/dormer bungalows (Bryning Lane and Oak Lane). An equestrian paddock containing a manège, stables and grazing area occupies a rectangular parcel of adjoining land between the site and Parrox Lane to the southwest corner. The rural road of Parrox Lane flanks the western site boundary, with a low-level native hedgerow separating the site from the roadside verge. Two separate land parcels lie to the north. The eastern of those (west of Woodlands Close and Avenham Place) is presently being developed for 50 houses pursuant to planning permissions 16/0554, 17/1046 and 18/0862. The western parcel comprises open agricultural land within a designated Area of Separation that extends to the north up to Blackpool Road (the A583) and on the opposite side of Parrox Lane to the west.

A narrow strip of unregistered land – known locally as 'Sandy Gap' – runs in an east-west direction between Bryning Lane and Parrox Lane between the northern perimeter of the site and adjacent land uses beyond. The linear planting belt that flanks the site's northern boundary falls partly within the site itself and partly within Sandy Gap. Access onto the site from Bryning Lane to the northeast corner is presently restricted by fencing between the post office and no. 102 Avenham Place.

The land is allocated for housing on the Fylde Local Plan to 2032 Policies Map (site reference 'HS52') and is also the subject of an undetermined outline planning application for a residential development of up to 30 dwellings (reference 17/0595). Allocation HS52 also includes the rectangular (*circa* 0.36 hectare) equestrian site which borders to the southwest, though that land falls outside the development site boundary (which was also the case with 17/0595).

Details of Proposal

The application seeks full planning permission for a residential development of 37 dwellings on the site. The dwelling mix would comprise:- 17 x 2 bed units; 10 x 3 bed units; and 10 x 4 bed units. In addition, 8 (equating to 22% of the total) of the proposed dwellings will be constructed as wheelchair adaptable homes to meet the optional technical standard in Part M4 (3(2a)) of the Building Regulations.

All of the dwellings are to be constructed on behalf of a Registered Provider (Community Gateway Association) to meet the definition of "affordable housing" in Annex 2 of the National Planning Policy Framework and so the scheme will deliver 100% affordable housing provision. The affordable housing tenure split includes a mix of units for affordable rent (to comprise at least 50% of the total)

and shared ownership (to comprise no more than 50% of the total).

Access – The development would be accessed via a new priority ('give way') junction onto Oak Lane within its southern boundary. The access would be positioned to the eastern end of the boundary, achieving minimum visibility splays of 2.4m x 25m at the junction, and would require the removal of the full length of existing roadside hedgerow within the site. A new footway would extend around the east (to connect with the existing forecourt in front of nos. 10 and 12 Oak Lane) and west (for a distance of approximately 13m up to where the western site boundary meets the garden of no. 22 Oak Lane) sides of the junction. The access would open onto a 5.5m wide estate road following a north westerly trajectory into the site and flanked by 2m wide footways around its perimeter. The estate road would follow a T-shaped layout with cul-de-sacs terminating to the eastern and western ends, and would incorporate a future point of access (including a raised junction table) into the equestrian land to southwest which also falls within allocated housing site HS52. Separate shared pedestrian/cycle routes of between 3m and 3.5m in width would branch off the end of each cul-de-sac to the northeast and northwest corners of the site to provide connections onto Bryning Lane and Parrox Lane respectively.

Layout – The layout of the dwellings would follow the highway frontage of the estate road in a simple, linear pattern ensuring a consistent building line throughout the development. The northern edge of the site would comprise a row of 21 dwellings backing onto the boundary, with a group of 14 properties at right angles to the southeast corner sharing back-to-back gardens with each other and existing bungalows on Bryning Lane. Two detached houses would occupy a narrow strip of land to the south western edge orientated at right angles in relation to the northern run. Parking spaces would largely be in-curtilage and located to the front and/or side of individual dwellings. The exception to this would be six spaces arranged in two separate laybys running parallel to the estate road on the eastern and western arms of the cul-de-sac.

Scale – The dwellings would include a mix of 2.5 storey (6 plots), two storey (27 plots) and single storey (4 plots) properties of varying sizes across 8 separate house types in a combination of detached, semi-detached and terraced configurations. The 2.5 storey dwellings would be located centrally to the east side and at the end of the main entrance road into the site, with two storey dwellings fanning out to the fringes. The four bungalows would be located to the southeast corner backing onto existing bungalows on Bryning Lane. A single, one-storey high garage would be located within the rear garden to the south side of plot 1.

Appearance – The dwellings would comprise simple, but well-proportioned elevations incorporating protruding gables and canopies. Generous-sized window openings, including bay and 'blind' windows on some corner plots, would be arranged in symmetrical alignments to address key vantage points and corner aspects both within (onto the junctions of the estate road) and outside (towards Parrox Lane and onto the pedestrian/cycle line with Bryning Lane) the site. While precise details of materials have not been provided at this stage, it is indicated that the buildings are to be finished in red brick walls, including some with rendered dressings, below grey tiled roofs.

Landscaping – The majority of existing tree and hedge planting within the site is to be retained as part of the scheme, including the linear belts along the northern and southwestern boundaries (though several existing Ash trees within the northern group would be subject to 'monolith' pruning due to Ash dieback) and to the west side of the entrance road. The existing roadside hedgerow onto Oak Lane would be removed to form the access and a gap would be created in the western hedgerow to allow access onto Parrox Lane for the shared pedestrian/cycle link. New planting will comprise a combination of feathered and heavy standard trees located alongside the access road, supplementing existing boundary planting within open spaces and upon garden frontages; hedges to

provide means of enclosure to front/side gardens and between parking spaces, and law/shrub planting alongside the front elevations of individual dwellings.

Hard landscaped boundary treatments would comprise a mix of 1.8m high timber fencing to rear gardens (with the fencing alongside the eastern boundary with existing dwellings on Bryning Lane to sit inside the current rear garden enclosures of those properties), 1.8m high brick walls to the sides of corner plots facing the estate road and a combination of brick walls topped by timber fencing to corner plots facing the northern boundary. A 1.2m high picket fence fronted by planting would mark the site's eastern boundary with nos. 8-12 Oak Lane where this borders the estate road.

Relevant Planning History

Application No.	Development	Decision	Date
17/0595	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF 30 DWELLINGS INCLUDING 10 AFFORDABLE DWELLINGS (ACCESS AND LAYOUT APPLIED FOR AND OTHER MATTERS RESERVED)	Grant subject to S106	

Relevant Planning Appeals History

None

Parish/Town Council Observations

Newton-with-Clifton Parish Council – Notified of the application on 27.05.20 and 22.09.20 (following receipt of amended plans) and commented on 27.07.20 and 01.10.20 indicating that they object to the scheme and recommend refusal for the following summarised reasons (as set out in the most recent response of 01.10.20):

- **Introduction** - The Parish Council appreciate and welcome the reduction in number of dwellings. Also, council acknowledges that housing on this land is likely to be approved. However members reiterated their significant concerns relating to proposed, potential and ongoing development in the locality and consider that the consequential adverse impact on the residential amenity of occupiers of existing property is such that the current application should be refused.
- **Policy** – The proposed development is on a non-strategic housing site and may contribute to further extending the existing settlement boundary identified within FLP Policy GD1. The proposed development is not consistent with FLP Policy GD4 relating to development in countryside areas which recognises that safeguarding the countryside for its own sake is consistent with sustainable development.
- **Housing land supply** – The site is not now needed to fulfil the LPA's achievable and realistic housing supply.
- **Density** – Previous outline planning permission granted for this site in respect of application 17/0595 recommended 30 homes including 10 affordable dwellings. The proposed development for 37 affordable home, represents a significant change that members consider inconsistent with FLP Policy H2. Members are concerned the development is of too high density with resulting inadequate space for vehicle parking, refuse collection and disposal arrangements.
- **Housing mix** – This is not in line with FLP policy H2. The application does not include any homes for the elderly as there are no one-bedroom dwellings. Policy H2, paragraph 9.32 shows that the rural areas (Elswick/Staining and Newton/Clifton) and Kirkham/Wesham

have significantly fewer 1 and 2-bed homes than other parts of the borough. The application is for 100% affordable housing and states that it is anticipated this will be a mix of 50% affordable rent and 50% shared ownership. There is no justification for the proposal to incorporate 100% affordable housing and no local demand for affordable housing of this volume. It is unclear what 50/50 rental/shared ownership to be provided by the registered provider in perpetuity means in practice and understands that: "It is anticipated that the specific affordable housing criteria will be secured by way of Section 106 condition in agreement with the council's housing officer". Therefore members will welcome further definition/clarity of this point. Also, members note there are some exemptions from the 30% affordable homes guidelines and request the LPA to clarify on which exemption this application for 100% affordable homes is reliant. On the 24 June 2020 planning committee agenda there are two applications for 100% affordable dwelling developments. The planning case officer report states "The SHMA, 2016 Addendum 1 comments on Page 45, Figure 6.4 that Kirkham/Wesham and Freckleton/Warton require a net annual affordable housing need of 59 per annum." Members will appreciate LPA advice as to whether there is a mix of housing that Newton-with-Scales presently does not provide, when taking the development under planning application 16/0554 Woodlands Development into account.

- **Traffic** – The nearby junction improvements to the A583 with Bryning Lane remain unscheduled. Parrox Lane is a narrow, single-track route used by pedestrians and cyclists and has no safety measures in place to compensate for the traffic generated by the development. No further development should be permitted in the village until these issues are rectified and the junction improvements implemented. The submitted transport statement provides insufficient information to determine whether the likelihood of significant adverse highway safety effects can be ruled out including the adverse impact on parish highways of ongoing development, and the potential for this to be exacerbated by the proposed development.
- **Oak Lane access** – It is reasonable to conclude that the increased traffic generated from the new access/egress is detrimental to highway safety specifically in the Woodlands Close/Bryning Lane locality and the A583 Kirkham Bypass. The Oak Lane access/egress visibility splay should be improved in the interest of highway safety. LCC require 2.4m x 25m visibility splays to be provided along Oak Lane and the splay visibility to be uninterrupted by any planting trees or installation of structures. It is understood this is based on LCC's own on-site survey, and notwithstanding that the authority has indicated it has no record of a speed survey being executed on Oak Lane, residents confirm a survey was carried out earlier in 2020. Residents of many years can also confirm that the realistic traffic driving speed on Oak Lane is likely to be 30mph plus and not the classified 20mph being the 85th percentile speed of drivers using Oak Lane. In this case the visibility splay of 25m needs increasing. Since the condition only requires the developer to meet the 25m dimension it would be easy for the position of the access shown in the Transport statement Appendix B to be moved in a westerly direction and towards the bend in the road. It is considered an imperative for highway safety reasons that the access is constructed at the position shown in Appendix B to ensure that the 25m splay is a minimum so allowing for the increased speed. There is a continuous pavement on the south side of Oak Lane but on the north side there is no continuous pavement. Pedestrians accessing/egressing the site will always have to enter the highway to cross the road. This crossing is also difficult because of the lack of dropped kerbs. In the interest of highway safety LCC highways is requested to consider an improvement scheme to reduce the risk to pedestrians whilst crossing the road. Therefore members consider this contributes to the application failing to ensure a satisfactory comprehensive highway safety development of the whole site.
- **Parrox Lane** – Council welcome the proposed access to Parrox Lane which will enhance the amenity of the site. However changes to Parrox Lane are needed to ensure pedestrian safety

at this access point. Parrox Lane is a single track highway with short 30mph sections at the north end connecting to the A583 Blackpool Road and the south end connecting to the junction between Oak Lane and Grange Lane. Between these sections there is an unrestricted section for most of the length. It may be considered that some passing places already exist, two or three at most depending on vehicle size, however these are not specifically highways engineered but rather gateways to properties and/or fields and utilised as needed as passing places. Additionally, there are numerous bends along Parrox Lane with its narrow carriageway and high hedgerows resulting in poor sight lines that increase the risk of collisions between pedestrians and vehicles. At present villagers may be tempted to use Parrox Lane for village access/egress, particularly at busy times at the A583/Blackpool Road/Bryning Lane/New Hey Lane junction. This demand for use of Parrox Lane will increase as a result of the development and so additional safety measures are required.

- **Sandy Gap** – Two thirds of this is a former accommodation/occupational road. The developer will need to have access to the whole of this area and will need to utilise the entire width of “Sandy Gap” adjacent to the shop and leading onto Bryning Lane during development. This area should be landscaped appropriately on completion and also presents an opportunity, for this section of “Sandy Gap” to be improved for the benefit of future occupiers of the development, existing parishioners and residents and the village as a whole. Council recommend that, as part of this application, the developer engages with the parish council and negotiate a mutually agreeable scheme during and post the development work. Such an agreement should be implemented with formal plans in this application. Although the parish council currently maintain a portion of that area, any ongoing maintenance will potentially become more difficult due to its unclear boundary. Consequently, the management company for the Oak Lane development should take on the maintenance of that strip of land from the edge of the housing development to its junction with Bryning Lane.
- **Boundary treatments** – Houses to the northern end of the site back onto Sandy Gap. However, these houses do not have any boundary fencing between their gardens and “Sandy Gap”. This leaves potential problems relating to fly-tipping etc. Members consider this issue requires to be addressed to ensure proper boundaries between neighbouring dwellings and adjoining land are secured.
- **Connection through to Bryning Lane** – The proposed access to Bryning Lane is considered essential and significantly enhances the amenity of the site. The proposed plan for the pedestrian/cycleway should be extended to ensure it joins the Bryning Lane pavement north of the village post office and shop car park.
- **Development of adjoining land** – The previous outline planning permission relating to application 17/0595 for this site led the LPA to seek an opinion from LCC highways regarding an extra parcel of land “This adjoining land parcel is also allocated for housing in the emerging Fylde Local Plan, as is the current application site. It is expected that the adjoining land could be developed for up to 10 dwellings, in addition to the 30 dwellings proposed under this current application” LCC highway authority stated: “Providing the traffic signal improvements are carried out as part of the unilateral undertaking for planning application 16/0554, LCC highways would not have any objections or concerns regarding the cumulative effect of the additional 10 properties.” It is imperative that the junction improvements at the A583/Blackpool Road/Bryning Lane/New Hey lane junction relating to planning application 16/0554 be completed prior to any development of this site off Oak Lane.
- **Contributions** – Funding for improvements to the local park should be required as part of any approval through a S106 agreement.
- **Surface water drainage** – Surface water drainage in Newton is already subject to regular overflow. Council believe the drainage solution needs a thorough and full assessment prior to any planning consent. The proposed development does not fully address the capacity

issues related to the sewer network and will have an adverse impact on the sustainability of existing infrastructure. With regard to surface water it is intended that the surface water runoff from the development will be attenuated and discharged into the drainage ditch network and will join the outflow from the Woodlands Close development at the eastern entrance to the culvert under Parrox Lane and onward to the ditch/pipe in the field west of Parrox Lane. It is understood this development intends to eventually drain surface water into Middle Pool. The cumulative effect of surface water, from Woodlands Close and Oak Lane developments into the culvert on Parrox Lane, merits a thorough technical assessment of the narrow pipe which connects to the culvert west of Parrox Lane. The pipe should be technically evaluated to ensure it is fit for purpose and a responsibility for the maintenance of this pipe needs to be established. In high rainfall, there is regular flooding on Parrox Lane in the locality of this culvert. Council recommends that this part of the surface water drainage scheme should be reviewed from the perspective of the combined requirements of the Woodlands Close and this Oak Lane development: i) To make sure it will be effective for the combined flows ii) To ensure that a suitable, legally enforceable maintenance scheme is included in the ongoing management proposals for both developments. Council note that the surface water drainage scheme for the 19/0904 Woodlands Close development has not yet been determined despite occupation of that development having commenced. In planning application 19/0904 there is a proposal for this strip of land to become an open ditch. Council require an assurance relating to how the future safety of the residents of the plots on the northern boundary of the Oak Lane development will be secured.

- **Foul water drainage** –The intention is that foul sewage from the site will be collected by a piped system and discharged into the public combined sewer system that lies within Oak Lane. Council has been concerned about the capacity of the public system for many years, due to the many United Utilities (UU) internally reported incidents of sewage outflow onto roads and into properties along Bryning Lane, Grange Lane and Oak Lane. An additional 37 dwellings constitutes a significant increase to a system already considered overloaded. The public system on Oak Lane should have a capacity upgrade prior to site occupation. UU had stated in 2012 that this area of the system is at capacity and in need of an upgrade which has not occurred.
- **Trees** – During the Woodlands Close and Oak Lane developments there is the possibility for the work of one developer to affect the other and compromise tree protection zones. Both the Oak Lane development and the Woodlands development have undertaken tree surveys. These overlap along the northern boundary of the Oak Lane development. The surveys record different outcomes and council request the LPA to resolve the discrepancy as it could affect both developments. Moreover, if the LPA be minded to grant planning permission it should be conditioned to ensure that hedgerow and tree root damage and damage to the aerial parts of retained trees are avoided so that the health of hedgerows and trees and related visual amenity is not diminished by development activity.
- **Amenity impacts** – The development as proposed is considered detrimental to visual amenity, specifically of some existing residential occupiers and also the general landscape of the area and therefore conflicts with FLP GD7c and NPPF.
- **Area of separation** – The proposed development may encourage other similar applications and potentially impact on the neighbouring Area of Separation and the scale of the application is such that it may undermine Local Plan to 2032. The planning application site is on land which may encourage other applications and further extend the settlement boundary for Newton-with-Scales.
- **Mineral safeguarding** – The development should be assessed against the Site Allocations and Development Management Policies criteria M2, in the Development Plan Document which defines areas within the plan for mineral safeguarding. The policy states that planning permission will not be supported for any form of development unless the proposal is

assessed against criteria listed in the policy to the satisfaction of the planning authority. It is considered that the application does not adequately demonstrate such an assessment.

- **Scale** – Previous application 17/0595 condition 6 specified that housing should be restricted to only 2 storeys in height. Council recognise from the street scene illustrations that the 2.5 storey houses are no higher than the other houses, however, to ensure this is the case, if the LPA is minded to grant planning permission, council would prefer a height restriction condition to be attached.
- **Archaeology** – As indicted by the Lancashire Archaeological Advisory Service in 2017 a condition should be imposed on any permission granted requiring a programme of archaeological work to be undertaken to ensure and safeguard the investigation and recording of matters of archaeological and/or historical importance.
- **Ecology** – Given the proximity of the Oak Lane and Woodlands Close developments, the environmental impact of both should be considered. There are related conditions on the Woodlands development regarding ecology and in particular members request that this is also considered for the proposed Oak Lane Development. Members consider the proposed development is detrimental to the biodiversity, ecology and wildlife in the area.
- **Infrastructure provision** – Concerns prevail with regard to community amenities, infrastructure and services and specifically concerns exist in respect of foul and surface water drainage, health and medical facilities, highway safety, road network capacity, schools and utilities in the parish and the surrounding area which are considered insufficient to accommodate the cumulative expansion.

Statutory Consultees and Observations of Other Interested Parties

Fylde and Wyre Clinical Care Commissioning Group (CCG) – Latest comments 09.10.20 in response to revised scheme as follows:

- The CCG has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation with the payment of an appropriate financial contribution. This contribution meets the tests in the Community Infrastructure Levy Regulations 2010.
- The proposed development falls within the catchment area of Ash Tree House surgery, Kirkham. The practice is located less than 1.8 miles from the development and would therefore be the practice where the majority of the new residents register for general medical services. The physical constraints of the existing site mean that the current premises cannot be extended and opportunities to re-configure existing space to accommodate current growth have already been undertaken. The existing premises could not therefore accommodate the growth generated from this proposal and so this would trigger consideration of the commissioning of a new general practice.
- This proposal will generate approximately 97 new patient registrations based on the dwelling mix. This need, with other new developments in the area, can only be met through the development of a new practice premises in order to ensure sustainable general practice. A contribution of **£24,025** is sought towards the provision of new infrastructure, namely a new build Primary Care Centre at Wesham. The surgery cannot be adapted/extended in any way due to this increasing demand and we require new premises on the Wesham site. Indicative proposals have been prepared.
- It is important to note that general practice capacity would need to be created in advance of the growth in population so that both the infrastructure and workforce are in place. We would therefore be seeking the trigger of any healthcare contribution to be linked to commencement of development.

Greater Manchester Ecology Unit – Comments as follows:

- **Habitat Regulations Assessment Screening** – Natural England have recently commented on the application and indicated that the Local Planning Authority should undertake a HRA Screening of the proposals to consider if there is a Likely Significant Effect (LSE) on the coastal designated sites of European Importance (eg Ribble & Alt Estuary SPA, Morecambe Bay & Duddon Estuary SPA and associated Ramsar sites). Natural England indicate that if a LSE cannot be ruled out then an Appropriate Assessment will need to be submitted to them as the statutory nature conservation organisation (SNCO). They go on to state there is no need to reconsult Natural England if a LSE can be ruled out. As the ecological advisor to the Local Planning Authority GMEU has the following comments to make on this aspect of the scheme and the need for HRA Appropriate Assessment:- Fylde's Local Plan (2018) was supported by a strategic Habitats Regulations Assessment (Fylde Local Plan to 2032: HRA Report, Arcadis, July 2018). In this the allocation HS52 as a whole was considered. The current application occupies a part of this wider allocation. The strategic allocation concluded that there were not LSE in relation to the allocation. As a matter of best practise and as a precautionary measure it is recommended that a CEMP (Construction Environmental Management Plan) is provided and implemented via a condition. This condition could deal with matters which might increase levels of disturbance with other developments that might be implemented concurrently with this proposal. Such matters will be similar to those in a standard CEMP such as access routes, site lighting and times of operation/deliveries. I am satisfied that the proposal can be screened out of any LSE associated with European designated sites.
- **Other biodiversity matters** – The submitted ecology report appears to have used reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance. The survey was conducted in January which is recognised as suboptimal for the majority of surveys and 2 ponds within 250m of the site were not surveyed as access was denied. However, these ponds were assessed as part of the adjacent proposal (16/0554) and the findings of that survey were accepted. The Report concludes that the site supports a building of negligible value to bat roosting, but that 5 trees (shown on Appendix D Phase 1 Habitat Plan) were identified with low – moderate potential to support roosting bats. The surrounding habitats within the site are of only local and in part limited value to biodiversity. There is currently no known reason to contradict the findings of the Report and the application can be forwarded to determination in respect of biodiversity without the need for any further work.
- **Conditions** – The Report's recommendations at section 5 should be adhered to in relation to and secured by the use of appropriately worded conditions: - (i) Production of a CEMP (5.2 dust and lighting, 5.3 protection of retained habitats and 5.4 responsible control of materials and site construction drainage); (i) Pre-felling/tree surgery work aerial inspections of trees (section 5.5. and 5.6) and the erection of 3x Schwelger 2f bat boxes (5.7) as compensation for lost roost potential; (iii) Design of external lighting scheme (street and exterior house lighting – section 5.9) in line with best industrial practice (ILP and Bat Conservation Trust 2018; (iv) Bird breeding and vegetation clearance including trees, shrubs and undergrowth (eg bramble) avoidance of the nesting season (March – August inclusive) unless it can be demonstrated by a suitably qualified person that no nesting activity is present (section 5.12); (v) Implementation of a RAMS (Reasonable Avoidance Measures section 5.14) to avoid harm to great crested newt, common toad and reptiles; (vi) The Report makes some simple recommendations in respect of biodiversity enhancement (section 5.16) as guided by the NPPF and it is recommended that the curtilages of the property are hedged with locally native species if new boundary features are to be erected or that other types of boundary feature are constructed to allow ecological permeability by preserving a gap below any gravel board around edges of concrete footings. The detail of this can be conditioned on any permission if granted.

- I would suggest that hornbeam (*Carpinus betulus*) is removed from the planting schedule in the landscape plan (Trevor Bridge Associates Ltd. Dwg no 6240.03 no revisions, dated April 2020) as it is not a locally native species. Notwithstanding this adjustment I am satisfied with the elements of the scheme which provide native species planting (trees and hedgerows) and that this can be secured via condition.

Housing (FBC) – Comments as follows:

- The proposal is for 100% affordable housing. The property sizes 2, 3 and 4 bed provide a mix of unit sizes which will meet housing need within Fylde. The original application of 30 units (17/0595) would have a 30% affordable housing requirement of 10 units therefore this scheme will deliver more social housing within the borough. Local occupancy requirements for the site will be detailed in the section 106 agreement, which as this is a rural Tier 1 community, will be restricted to meeting the need in newton with scales in the first instance. A mixture of low cost home ownership and affordable rented accommodation on this site would be required as a concentration of one tenure would not be desirable in this one location.

LCC Archaeology: Comments 02.07.20 and 16.10.20 as follows:

- Previous advice (in relation to planning application 17/0595) from the Lancashire Archaeological Advisory Service in 2017 was that due to the potential for medieval and/or post-medieval activity to be found on the site that a programme of post-permission, but pre-commencement, archaeological evaluation comprising of geophysical survey and archaeological trial trenching, should be secured by means of a planning condition.
- A recent Geophysical Survey by KIT Archaeology (2019) did identify a number of anomalies which have the potential to be archaeological in origin, and a further stage of investigation (trial trenching) has been agreed with the applicant's archaeological consultant (Lanpro). I therefore advise that the trial trenching, and any subsequent archaeological works considered necessary should be secured by means of a suitable planning condition. The Programme of Archaeological Works should be described in a Written Scheme of Investigation produced by an appropriately qualified and experienced archaeologist and should contain appropriate research objectives and a detailed programme of works that includes a specification of the methods to be used. The WSI should be of sufficient detail so that the impact of the proposed works can be properly assessed by the Local Planning Authority.
- The preliminary WSI provided with the application mentions a first stage of geophysical survey which was undertaken at the end of May 2020 and reported to LCC in June, and on which a second stage of trial trenching (as suggested in 7.7 of the current WSI) was agreed. This evaluation is timetabled to commence on 26 October and is expected to take 2 or 3 days to complete. Depending on the results of the evaluation a further stage of archaeological work might be considered necessary, and this would require another WSI as this would involve a more detailed method of excavation, recording, post-excavation analysis and reporting. Accordingly, the wording of the WSI condition should be retained as it will remain relevant until it is known whether the evaluation is the end of the archaeological work, or leads to more being required.

LCC Highways – Latest comments dated 21.10.20 (based on 'Rev N' layout) as follows:

- **Summary** – This site has been allocated in the Fylde Local Plan and as such the principle of development has been agreed and highways have been consulted as part of the Local Plan process. LCC Highways do not have any objections to the proposed 37 dwellings and are of the opinion the development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

- Access** – The site will be accessed via a new access on to Oak Lane. Oak Lane is an unclassified road and is categorised as a Local Access Road with a speed limit of 20mph fronting the site access. There is currently no footpath fronting the site with Oak Lane; the carriageway width varies with an approximate width of 4.9m on the eastern boundary of the site and 5.3m on the western boundary of the site. The footpath opposite the site also varies in width with an approximate width of 1.37m opposite the proposed new site access. The existing fence line along Oak Lane is set back approximately 1.04m with a hedge fronting the fence. Oak Lane benefits from street lighting and the current traffic regulations fronting the site include the 20mph zone. There have not been any speed surveys carried out on Oak Lane near the site access point. From observations on site LCC Highways are of the opinion that the 85th percentile speed of drivers using Oak Lane is at the classified speed of 20mph. Using table 7.1 from Manual for Streets and the classified speed of the road of 20mph sight lines of 2.4 x 25m would be required from the site access onto Oak Lane. Figure 4.2 of the Mode Transport Statement shows the recommended sight line provision can be achieved over the existing adopted highway and land within the applicant's ownership. From observations on site, the available sight lines are actually greater than shown. LCC Highways are of the opinion that the proposed geometry of the site access is to prescribed design standards for this size of development for all highway users. Therefore, the proposed 37 dwellings will not have a severe impact on highway safety in the immediate vicinity of the site.
- Accident records** – LCC's five year data base for Personal Injury Accident (PIA) was checked on the 10th July 2017 and again on the 5th June 2020, in addition Crashmap was also used. The data indicates there has not been any reported incidents near the site or along Bryning Lane. LCC Highways are of the opinion that the highway network surrounding the site is considered to have a good accident record and indicates there are no underlying issue which the proposed development would exacerbate. The databases for collisions do indicate collisions at the junction with Blackpool Road and Bryning Lane. The signal improvements, which are required as part of a Unilateral Undertaking for planning application 16/0554 will help to improve safety at the junction for all users.
- Bus services** – Bus service 75 run along Bryning Lane linking the site to Fleetwood and Preston with a 1 hour service. The bus stop is located 25m north of the Post Office and comprises a pole with journey information. Bus service 61 is also available on Blackpool Road providing an additional service between Blackpool and Preston with a 1½ hour service. The bus stop is located at either side of Bryning Lane, the bus stops are to be upgraded as part of the Unilateral Undertaking for planning application 16/0554. Three School busses are also available to serve Lytham St Bedes RCHS (598); Kirkham Carr Hill (613) and Our Lady's RCHS (695). LCC Highways are of the opinion that the applicant should provide a scheme to upgrade the bus stop on Bryning Lane near the Post Office to a Quality Bus Stop (a bus shelter is not being recommend due to the impact on sight lines and access to adjacent drives). The off-site works to upgrade the bus stops will need to be constructed under a section 278 agreement of the 1980 Highways Act.
- Capacity** – The proposed development for 37 dwellings will generate an estimated:- i) 23 two way vehicular movements during the am peak period between 8am and 9am with 17 vehicles leaving the site and 6 vehicles returning to the site; and ii) 26 two way vehicular movements during the am peak period between 5pm and 9pm with 9 vehicles leaving the site and 17 vehicles returning to the site. LCC Highways do not have a highway capacity issue regarding the communitive impact of this development for 37 dwellings and the approved development of 50 dwellings associated with planning application 16/0554.
- Junction improvements at Blackpool Road/Bryning Lane** – The signal improvements, which are required as part of a Unilateral Undertaking for planning application 16/0554, will ease congestion for vehicles leaving the village on Bryning Lane onto the A583 and also aid

sustainable walking links across the A583. Works are currently progressing with the design of the section 278 technical approval, for the signal improvements. This scheme would generate an estimated 17 vehicles leaving the site, during the morning peak period between 8am and 9pm. Where all of the vehicles exiting the site use the junction with Blackpool Road and Bryning Lane this will equate to less than one additional vehicle using the signals every 3 minutes. Therefore, LCC Highways are of the opinion that the proposed 37 dwellings will not have a severe impact on highway capacity or congestion in the immediate vicinity of the site.

- **Sustainable links** – The sustainable links shown between the site with Bryning Lane and Parrox Lane are acceptable to be used as shared surface cycle links and these routes should be constructed with acceptable levels of lighting to aid with making the routes attractive and safe to use. LCC Highways are of the opinion that the applicant should provide a scheme to upgrade the bus stop on Bryning Lane near the Post Office to a Quality Bus Stops (a bus shelter is not being recommended due to the impact on sight lines and access to adjacent drives).
- **S106 contributions** – LCC Highways are not seeking any section 106 contributions as part of this development providing the recommended section 278 works are provided for the site access and off-site works for the footpath provision and bus stop improvements.
- **Internal highway layout** – LCC Highways are of the opinion that the highway layout and car parking conforms to current guidelines; recommendations; the philosophy of Manual for Streets; Creating Civilised Streets; the National Planning Policy Framework; the Joint Lancashire Structure Plan and the highway layout would also be acceptable for adoption under section 38 of the highways act. However, the second car parking bays for plots 19, 20, 21, 29, 30 and 31 are shown within the adoptable highway. Where the roads are offered for adoption these spaces cannot be designated to the properties and Highways will not be able to control who uses these spaces after the highways are adopted.
- **Future adoption considerations** – LCC Highways are of the opinion that the shown internal highway layout is to an acceptable standard for adoption under section 38 of the 1980 Highways Act, though it should be noted that the second car parking bays for plots 19, 20, 21, 29, 30 and 31 are shown within the adoptable highway. Where the roads are offered for adoption these spaces cannot be designated to the properties and Highways will not be able to control who use of these spaces after the highways are adopted.
- **Conditions** – The following conditions are recommended to be attached to any permission granted:- i) A scheme for the construction of the new estate road including engineering, street lighting, drainage and constructional details; ii) A construction management plan; iii) Provision of visibility splays measuring 2.4m x 25m in both directions at the junction of the site access with Oak Lane; iv) A scheme for the construction of the site access and off-site highway works including the provision of a 2m wide footway for the frontage of the site with Oak Lane; v) a scheme for the provision of the sustainable shared pedestrian and cycle links; vi) an estate street phasing and completion plan; vii) a scheme for the future management and maintenance of streets within the development; viii) marking out of private car parking and manoeuvring areas for each dwelling; ix) removal of permitted development rights allowing the conversion of garages to living accommodation in order to ensure their retention for parking.

LCC School Planning Team – Latest comments dated 19.10.20 as follows:

- **Primary School Places** – There are 7 primary schools located within a 2 mile radius of the site. It is estimated that there will be a shortfall of 9 places in these schools in 5 years' time. The housing mix proposed in this case would yield a demand for 7 new primary school places, thus increasing the shortfall to 16. Accordingly, LCC will be seeking a contribution towards the delivery of 7 primary school places in connection with the development. Based on current rates this contribution would be £117,249.72. Following an initial scoping

exercise of the local schools it has been determined that Lancashire County Council intend to use the primary education contribution to provide additional primary places at **Newton Bluecoat CE Primary School and/or Freckleton Strike Lane primary School**. These are the closest primary schools to the development that have space to accommodate an expansion.

- **Secondary School Places** – There is 1 secondary school located within a 3 mile radius of the site. It is estimated that 76 places will be available in this school in 5 years' time. There are pending planning applications expected to generate demand for a further 28 secondary school places. Nevertheless, with an expected yield of 3 pupils from this development, LCC would not be seeking a secondary education contribution from this scheme.

Lead Local Flood Authority (LLFA) – Comments 19.10.20 as follows:

- The Lead Local Flood Authority has no objection to the proposed development subject to the inclusion of a condition requiring final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme. A list of nine specific details (parts a) – i)) are given to be incorporated as part of the condition's wording.

Natural England – Comments as follows:

- For residential development in this area, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the Screening stage of the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations').
- Under Regulation 63 of the Habitat Regulations the determination of likely significant effect is for the competent authority, in this case the Local Planning Authority. If your authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England. Where the HRA Screening cannot rule out a likely significant effect on the coastal designated sites then an Appropriate Assessment is required, of which Natural England is a statutory consultee, please consult us again at this stage.

Tree Officer – Latest comments 01.10.20 concerning revised scheme as follows:

- The updated arboricultural impact assessment & method statement, tree protection and landscaping plans have addressed earlier comments of 14.08.20 by taking on board the remedial work to Ash trees 4T, 5T, 6T & 8T. To reduce risk and help with retention of these trees they should be reduced as highlighted in the AIA and method statement (section 4.4.3) as a monolith reduction and leaving lower lateral branches and scaffolding limbs, but be reduced by a method known as natural branch fractures. A reduction under 20% would be preferable but this wouldn't address the issues I have previously raised, and targets would still be within felling distance. My recommendation would therefore be a reduction up to 50% using the method of natural branch fractures and all work and future maintenance as per AIA and method statement.
- I am happy with the revised tree protection plan 21 September 2020 6240.02 REV B and Landscaping plan 6240.03 REV B.
- There is a section in the landscape management plan, section - existing trees. They refer to the removal of crossing branches, this should only be done if the branches haven't already formed natural bracing. The removal of these natural phenomenon could impact on the union lower down and should remain.

United Utilities – Comments as follows:

- In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with

foul water draining to the public sewer and surface water draining in the most sustainable way.

- Following our review of the submitted Flood Risk Assessment and drainage strategy, we can confirm the proposals are acceptable in principle to United Utilities.
- Conditions should be attached to any permission granted requiring: (i) the drainage for the development to be carried out in accordance with the principles set out in the submitted flood risk assessment and Drainage Strategy (Ref No.: 19.753, Dated: April 2020) which was prepared by REFORD Consulting Engineers Limited). No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development; and (ii) a suitable management and maintenance scheme for any sustainable drainage systems.

Neighbour Observations

Neighbours notified:	27 May 2020
Site notice posted:	9 June 2020
Press notice:	4 June 2020
Amended plans notified:	22 September 2020
No. Of Responses Received:	24
Nature of comments made:	24 objections

The appropriate neighbouring properties were notified of the application by letter on 27 May 2020 and for a second time on 22 September 2020 following the receipt of amended plans. On both occasions a minimum period of 21 days was allowed for comments. In addition, as the application involves major development notices have been posted on site and in the local press. A total of 24 letters have been received in objection to the application to date. The points made in the letters are summarised as follows:

Principle of development:

- Netwon lacks sufficient services and infrastructure to support the proposed number of dwellings.
- Given the number of new housing developments in the area there is no requirement for additional dwellings in this rural location.
- The Council is able to demonstrate a 5 year housing land supply and therefore there is no need for the development.
- Site reference HS52 is allocated for 40 dwellings in the local plan. This was based on 30 dwellings being delivered on this site and a further 10 on the 'future development land' marked on the layout. However, if 37 dwellings are permitted by this scheme and 10 are brought forward on the adjacent site this will result in a total of 47 dwellings which exceeds the allocation in the plan. This will result in a development that is over intensive, lacking in individual space and out of keeping with other developments in the area.

Comparison with application 17/0595:

- A previous application for 30 dwellings including 30% affordable housing has been approved on the site. The increased number of dwellings and 100% affordable housing proposed by this scheme is unjustified and would result in further harm to the character of the area and traffic.
- Application 17/0595 included a lower density development with more green space which was more in-keeping with the character of the village.
- The proposed development has significantly less soft landscaping and fewer trees lining the

roadside of the development in comparison to 17/0595.

- Condition 6 of 17/0595 restricted the height of the proposed dwellings to 2 storeys and so the 2.5 storey house types now proposed should not be permitted.

Character and appearance:

- The number of dwellings proposed is excessive and results in a high-density development where properties have limited garden space and appear to have been squeezed onto the site with small gaps between them. This density results in a cramped and overdeveloped appearance to the site which is out of character with its rural surroundings and the character of neighbouring dwellings.
- The development frontage onto the proposed estate road is dominated by parking and includes little greenery. This is not sympathetic to the character of other properties in the village which generally have parking alongside landscaped front gardens.
- The proposed development would encroach onto land which forms the oldest part of the village and includes 4 listed buildings nearby. The size of the development would adversely change the rural character of the area.

Housing mix:

- There is no pressing need for additional affordable housing in Newton given that which has recently been delivered by the Woodlands Close development and so no reason why the normal 30% requirement in the local plan policy should be exceeded in this location. There is a lack of justification for 100% affordable housing on this site based on the housing need in the area. It is also unclear what is meant by a 50/50 split between rented and shared ownership units.
- A development of 100% affordable housing fails to deliver an appropriate mix of housing across the village by grouping affordable homes in a single area. By restricting outright purchase the development discriminates against a generation of people who may wish to downsize whilst still owning their home outright. By dictating the future tenure of the properties the developer is trying to control their future use irrespective of future generations' requirements, contrary to the NPPF.
- Local plan policy H2 requires 20% of the dwellings to be provided as accommodation for the elderly. It is unclear how this is met by the development and there are no 1 bed houses which would be better suited to elderly occupiers.

Scale:

- The dwellings are 2-2.5 storeys high despite the site bordering existing bungalows on Bryning Lane. The type of housing provided is not in-keeping with the scale of surrounding properties.

Highways:

- There is one main thoroughfare into and out of the village – Bryning Lane. The junction between Bryning Lane and Blackpool Road is already congested, especially at peak times. The proposed development, in combination with the Woodlands Close scheme, will only exacerbate existing traffic congestion through the village. The Woodlands Close development has failed to deliver the junction improvements required by the S106 agreement to date and it is unclear when these will be implemented. Until the junction improvements are completed, no further development should be commenced in Newton.
- The development will increase traffic congestion and parking demand on Oak Lane. This is a relatively narrow road that is unsuitable to be used as a construction access for large vehicles and lacks suitable turning space to enter/exit the site. There is also no continuous pavement on the north side of Oak Lane and pedestrians entering/leaving the development

will always have to cross over Oak Lane, which is difficult due to a lack of dropped kerbs. A dedicated crossing point should be provided to allow for this.

- LCC Highways have indicated that they consider 85th percentile vehicle speeds on Oak Lane to be 20mph. It is, however, more common for vehicles to travel along Oak Lane at speeds closer to 30mph. Therefore, the proposed visibility splay of 2.4m x 25m must be the minimum requirement and the position of the access must not be altered to be moved further to the west from the current position shown in Appendix B of the Transport Statement. A dimensioned plan should be provided to clarify the exact position of the access relative to existing features so there is now risk of this being moved. LCC Highways also indicate that there has been no speed survey carried out on Oak Lane. However, in early 2020 a survey was carried out on the highway adjacent to no. 13 Oak Lane. When LCC Highways were contacted they reported that they had no knowledge of any such survey taking place.
- The development is likely to increase traffic travelling along Parrox Lane. This is a narrow rural lane with a lack of passing places, bends, poor visibility and no footway. Therefore, the increased use of and access to Parrox Lane for vehicles, cyclists and pedestrians proposed by this application would be detrimental to highway safety. Changes are needed to Parrox Lane to ensure pedestrian safety at the junction of the proposed pedestrian/cycle route with the highway. It is imperative that Highways review the usage of Parrox Lane and devise appropriate measures that will mitigate the risks of accidents between vehicles and pedestrians along the length of this road and particularly near the pedestrian access point proposed for this site. The speed limit on Parrox Lane should also be reduced to 30mph along the whole stretch and the road could be made a one-way route.
- The shared pedestrian/cycle link onto Bryning Lane is incomplete on the submitted site plan and requires users to cross over a grass verge at the edge of the site to access Bryning Lane. This needs to be extended to rectify this.
- Human Rights - Article 1 of the First Protocol: Protection of Property. This section of the Human Rights Act states that; A person has the right to the peaceful enjoyment of their property. A public authority cannot impose restrictions on a person's use of their property. The number of vehicles a development of this size generates seriously affects all residents of Oak Lane through additional air pollution, reduced parking capabilities along the stretch of lane opposite the site and intrusive head lights directly impacting the property opposite the new access.
- There are 5 outstanding issues raised by LCC Highways that have not been addressed by the revised scheme, including those relating to a lack of suitable parking provision.

Sandy Gap:

- The site's northern boundary flanks Sandy Gap, two-thirds of which is a former occupation road. The developer should be required to improve the area of Sandy Gap for the benefit of the village as part of this scheme. This scheme should be agreed with the Parish Council and implemented in accordance with plans that are approved as part of this application.

Tree impacts:

- The scheme includes the removal of several existing trees and hedgerows which would detract from the rural character of the area and diminish wildlife habitats.
- There are conflicts between the tree surveys for the Oak Lane and Woodlands Close developments as these give differing views of what is present on the sites where these overlap along the northern boundary of this site. There is a proposal for the intervening strip of land between the two developments to become an open ditch in accordance with the drainage strategy for the Woodlands Close development. It is unclear how the safety of future residents bordering this ditch will be secured.

- The short garden lengths of properties along the northern boundary means that the gardens of several of these dwellings are dominated by the root protection areas of existing trees. It is unclear how these specimens can be safeguarded due to their proximity to the proposed dwellings.
- The revised plans show trees to be retained along the southern site boundary with the adjoining equestrian land, subject to some remedial works (marked as trees 19T, 20T, 21T and group 22G on the tree protection plan). The adjoining landowner considers these trees to be within their ownership and is not minded to allow the remedial pruning works proposed to these trees.

Amenity:

- The height, proximity, massing and orientation of the proposed dwellings in relation to existing bungalows on Bryning Lane would result in a loss of outlook, overshadowing and overlooking of neighbouring dwellings and an unacceptable sense of dominance and enclosure due to their density on this boundary.
- Many properties backing onto the site on Bryning Lane have low garden fences which will not provide sufficient privacy screening with the gardens of the new dwellings. It is unclear whether the existing boundary fences will be retained, replaced or supplemented with new enclosures to the proposed dwellings.
- The close proximity of the proposed dwellings to one another results in a lack of suitable space to access rear gardens externally and so it is likely that bins will be kept at the front of the dwellings, which would be unsightly.
- Street lighting within the development has the potential to shine into neighbouring dwellings that currently back onto the site on Bryning Lane.
- The development would cause additional noise disturbance and disruption during the construction period. The hours of work need to be restricted and the location of the site compound clarified to locate this away from existing houses.
- The development has the potential to cause overlooking towards the neighbouring land to the southwest of the site which is presently used for equestrian purposes. The scheme should only be permitted if the layout, aspect and windows of dwellings are located and design so as not to cause overlooking.

Boundary treatments:

- The houses backing onto Sandy Gap to the north do not have rear garden fences but will, instead, use the existing trees and hedges as their rear boundary. This fails to properly mark the boundaries of these properties and it is likely that the existing trees will be removed over time.
- It is unclear how privacy and security for existing occupiers who back onto the site on Bryning Lane will be achieved due to the low height of some of their existing boundary fences onto the existing field.

Drainage:

- The existing sewerage system is overloaded and has insufficient capacity to carry the additional flows associated with the development.
- Surface water flooding is common on Parrox Lane. The development proposes to direct surface water towards an existing culvert on Parrox Lane that is in a state of disrepair. This has not been rectified by the Woodlands Close development (as is proposed by that scheme) and the downstream capacity of drainage infrastructure to accept surface water has not been proven. The cumulative effect of surface water from the Woodlands Close and this development into the culvert on Parrox Lane should lead to a thorough review of the narrow pipe which connects to the culvert west of Parrox Lane. The pipe should be technically

evaluated to be fit for purpose and a responsibility for the maintenance of this pipe needs to be established.

- The flood risk assessment refers to two outfalls from the site towards Parrox Lane. It is, however, unclear where the second outfall is and there is no reference to this on LCC's mapping system.
- The development will increase the impermeable area of the site thus preventing surface water from infiltrating into the ground. This, in turn, will lead to an increased risk of flooding.
- Foul sewerage from the site is to be discharged into the public combined sewer on Oak Lane. United Utilities have records of incidences of sewage outflow onto surrounding roads and properties along Oak Lane, Bryning Lane and Grange Lane due to the system being overloaded (a copy of a letter dated 24.07.12 is provided in support of this assertion). The proposed development would add further demand to the system which is already lacking in capacity and so needs to be upgraded as part of the scheme before any of the dwellings are occupied.

Infrastructure and contributions:

- The development will be occupied by families with children which will generate an increased demand for new places at Newton Bluecoat School. However, that school lacks the capacity to cope with this demand.
- The development will result in an increased demand for extra GP places and result in delays getting appointments.
- A recent local initiative has resulted in the creation of the "Friends of Newton Community Park" group who are working with the Council to improve the park and play area on School Lane. A concept scheme for the improvement of the park has been prepared and the first phase of this is estimated to cost approximately £120,000. An appropriate financial contribution towards this project should be sought from the development in order to secure improvements to the park on School Lane.

Conditions:

- Conditions should be attached to any permission granted which: i) prevent the conversion of garages to living accommodation and require their retention for parking; ii) require the implementation of biodiversity enhancements; and iii) require a programme of archaeological investigation to be undertaken.

Other matters:

- The proposal includes the provision of an access into an area highlighted for future development which, in combination with this scheme, gives rise to further concerns regarding road safety, congestion and drainage.
- The plan includes the provision of a secondary access onto the adjoining equestrian land. The adjoining landowner does not wish to have this access created onto their land as it could encourage trespass onto the paddock. The access is also shown to intrude onto adjoining land which is in separate ownership and permission is not given for this arrangement. The existing boundary fence between the site and the paddock should be retained to mark the ownership boundary and this fence should not be removed.

Relevant Planning Policy

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (the 'FLP') was formally adopted by the Council at its meeting on Monday 22 October 2018 as the statutory, adopted development plan for the Borough. Therefore, the FLP should guide decision taking for the purposes of paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework.

Fylde Local Plan to 2032:

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

Other Relevant Policy:

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

Other relevant Guidance:

Building for a Healthy Life: A Design Code for neighbourhoods, streets, homes and public spaces – June 2020 (referred to hereafter as 'BHL')

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, but does not exceed the threshold in Column 2 of the table relating to category 10(b) developments. Therefore, it is not Schedule 2 development for the purposes of the Regulations and, accordingly, is not EIA development.

Comment and Analysis

Policy context and main issues:

As outlined in paragraphs 10 and 11 of the NPPF, at the heart of the Framework is a presumption in favour of sustainable development. In terms of decision taking, subparagraphs c) and d) of paragraph 11 indicate that this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- (i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- (ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Given the site's allocation in the local plan, its planning history and the comments received in public representations and from statutory consultees, the main issues for consideration in the application relate to:

- The principle of residential development on the site.
- The scheme's effects on the character and appearance of the area.
- The development's impact on the amenity of surrounding occupiers.
- The scheme's effects on highway safety.
- Whether the proposal makes appropriate infrastructure contributions as required by the development plan.
- Other relevant matters including those relating to the mix of dwellings provided and the development's effects in respect of archaeology, tree impacts, flood risk and ecology.

Principle of development and site history:

As defined on the FLP Policies Map, the site falls within the settlement boundary of Newton and forms the larger parcel of non-strategic housing allocation HS52 (Cobweb Barn, Oak Lane, Newton), which also envelopes the adjacent equestrian land to the southwest that sits outside this site. FLP policy GD1 is permissive of schemes for residential development on sites within settlement boundaries providing that these comply with all other relevant policies of the plan.

Paragraph 59 of the NPPF sets out the Government's objective of "significantly boosting the supply of homes". FLP policy H1 identifies a minimum housing requirement of 415 net homes per annum across the plan period (up to 2032). Policy DLF1 indicates that the local plan will provide sites for a minimum of 8715 new homes in accordance with a development strategy which follows the four-tier settlement hierarchy set out in policy S1. FLP policy S1 identifies Newton as a "Tier 1 Larger Rural Settlement" and, in turn, policy DLF1 highlights Tier 1 settlements as "Non-strategic Locations for Development" which are to provide "around 870 homes, representing 10% of homes to be developed in the plan period".

FLP policy H1 c) stipulates that the Council will provide for and manage the delivery of new housing by "ensuring there is enough deliverable land suitable for house building capable of providing a continuous 5 year supply calculated using the "Liverpool" method from the start of each annual monitoring period and in locations that are in line with the Policy DLF1". FLP policy SL5 includes a list of sites that are allocated for development within the non-strategic locations. The application land is located wholly within site reference HS52, which is allocated to deliver 40 homes during the plan period with a projected commencement date of "2019/20".

On 17.07.17 an outline application (including access and layout) for a residential development of 30 dwellings was submitted on the application site – reference 17/0595. Members of the Planning Committee resolved to approve this application on 08.11.17 subject to the completion of a S106 agreement to secure contributions towards affordable housing, off-site open space and both primary & secondary education. The application site, along with the adjoining equestrian land which is in separate ownership but was promoted as a developable site by the owner at that time, was

subsequently allocated for housing in the FLP. The existence of application 17/0595 underpins the reason why allocation HS52 in policy SL5 refers to the expected delivery of 40 dwellings across the wider site (comprising the 30 proposed by 17/0595 and an estimate of 10 on the equestrian land). It should, however, be noted that the allocation of 40 dwellings mentioned in policy SL5 is an estimate of the contribution that the site could make for the purposes of demonstrating the Council's deliverable housing land supply during the local plan preparation process. It is not the case that this allocation represents a 'maximum' or 'cap' on the amount of development that can be brought forward. Since the committee's resolution on application 17/0595 the S106 agreement for that application has not completed and so no permission has been issued.

Objectors have sought to draw comparisons between the scheme put forward in application 17/0595 and the development now proposed with respect to the number and density of dwellings, the mix of housing proposed (including the amount of affordable housing), the scale (specifically the height) of the buildings and the scheme's layout. It should, however, be kept in mind that 17/0595 was an outline application with only matters of access and layout applied for (rather than a full application as is now proposed) and it was submitted prior to the adoption of the FLP (at a time when the site was mostly within the Countryside Area and the same policies concerning housing mix were not part of the former local plan). Moreover, it is an established principle of the planning system that each case must be assessed on its individual merits in accordance with the policies of the development plan that are applicable at the time a decision is made. Accordingly, the scheme proposed by application 17/0595 does not have the effect of imposing a limit or restriction that prevents other forms or types of residential development from coming forward on the site.

The application site falls within the settlement boundary of Newton – a Tier 1 Larger Rural Settlement and Non-Strategic Location for Development – and is allocated for housing in the FLP. Therefore, the principle of residential development on the site is wholly in accordance with the development strategy set out in the FLP. Accordingly, the remainder of this report is focussed on matters relating to the scheme's detailed design and an assessment of its compliance with other relevant policies of the development plan.

Character and appearance:

FLP policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 15 guiding principles (a) – o)).

FLP policy H2 indicates that developments will be expected to make efficient use of land, whilst avoiding detrimental impacts on the amenity, character, appearance, distinctiveness and environmental quality of the surrounding area. It is expected that this will normally result in a minimum net residential density of 30 homes per hectare. The policy goes on to state that high density development should be very carefully designed to relate well to its surroundings, be orientated towards and have principal entrances facing towards the street, and should include sufficient usable amenity space to provide for the needs of residents.

FLP policy ENV1 requires development to have regard to its visual impact within its landscape context and type, and for an assessment to be made as to whether it is appropriate to the landscape character, amenity and tranquillity of the area within which it is situated. Criteria a) – e) of the policy require, where necessary, that developments conserve existing landscape features and provide suitable compensation and/or strengthening of landscape planting.

Similarly to FLP policy H2, paragraph 122 of the NPPF indicates that planning decisions should

support development that makes efficient use of land, taking into account:

- the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- local market conditions and viability;
- the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- 1. the importance of securing well-designed, attractive and healthy places.

Paragraph 127 of the NPPF sets out six general principles of good design (a – f) and paragraph 129 indicates that local planning authorities should make use of “tools and processes for assessing and improving the design of development [including] assessment frameworks such as Building for Life” (footnote 47 of the Framework refers to the document “Building for Life 12: The sign of a good place to live” which has since been updated by BHL). Paragraph 130 of the NPPF indicates that “permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”.

Density:

The proposed development would deliver 37 dwellings across a *circa* 1.34 ha site. Paragraph 9.25 of the FLP makes clear that, when calculating net residential density, this “excludes requirements for open space provision within developments and particularly the need on certain sites to provide sensitive transitions to areas of countryside and to retain site features”. In this case, the T-shaped profile of the site and the need to retain and strengthen a landscape buffer to the site’s fringes, including where it borders land within the Area of Separation on the opposite side of Parrox Lane to the west, restricts its developable area to approximately 1.09 hectares. Accordingly, the proposal results in a net residential density of 34 dwellings per hectare (dph). While this marginally exceeds the “normal” target of 30 dph in policy H2, it should be noted that this target is expressed as a “**minimum** net residential density” and the policy makes provision for higher (and lower) densities to be permitted depending on site-specific circumstances.

In this case, the site is bordered by a mix of higher-density terraced housing on Avenham Place to the north and low-moderate density detached and semi-detached dwellings on Bryning Lane and Oak Lane to the east and south. The neighbouring Woodlands Close development to the north has a lower net residential density of approximately 22 dph, but this also includes a greater proportion of larger dwellings and was granted prior to the adoption of the FLP.

The dwelling mix proposed in this scheme includes a high proportion of smaller 2 (46%) and 3 (27%) bed homes which require smaller plot sizes and less parking, thus allowing a greater number of dwellings to be provided. Nevertheless, the layout includes a combination of terraced (two blocks in rows of three), semi-detached (26 plots) and detached (5 plots) properties which do not appear overtly dense or cramped in relation to their surroundings. In particular, the scheme includes a group of 4 bungalows set in more spacious plots to the southeast corner where the site adjoins dwellings of a similar type and scale on Bryning Lane, provides for an undeveloped, tree-lined vista into the site from the access off Oak Lane, and retains existing natural features on the fringes of the site – including a TPO tree and linear strips of tree and hedge planting to the site boundaries, along with a landscaped buffer to the western end onto Parrox Lane. The building layout is necessarily linear due to the site’s shape, but this is also not uncharacteristic of existing housing in Newton where properties are laid out to follow relatively rigid building lines, especially to the western end of

the settlement.

Accordingly, there is no reason to conclude that the development's density, by virtue of the number of dwelling proposed, would give rise to any detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of the surrounding area in conflict with the objective of FLP policy H2 and NPPF paragraph 122.

Layout:

The site falls to the western edge of the settlement and is bordered by established housing in a mix of styles, configurations and densities to its northern, eastern and southern fringes. This gives way to boundaries with adjoining open, equestrian land to the southwest and agricultural fields within the Area of Separation to the northwest and west (on the opposite side of Parrox Lane). The T-shaped profile of the site strongly influences the development layout, with the estate road off the access from Oak Lane running north before branching in easterly and westerly directions towards cul-de-sacs on the site boundaries. A linear run of 21 dwellings are arranged to flank the site's northern boundary, with a group of 14 running at right angles to the southeast corner. Two detached properties are located behind a retained mature TPO tree and trees/hedgerow to the southwest corner where the site borders the equestrian land. The entrance road from Oak Lane is flanked by planting on both sides and a landscaped buffer with a depth ranging between 10.5m and 22m is proposed to the far western end of the development where the site borders Parrox Lane.

Dwellings are arranged in linear groups following a consistent building line that affords a regular, garden-fronted aspect to the estate road and space around dwellings on corner plots. The majority of dwellings along the northern boundary would be viewed against the backdrop of existing buildings on Avenham Place and Woodlands Close, though these would be extensively screened by a combination of retained and supplementary tree planting along this boundary, and separated by the intervening strip of land known locally as 'Sandy Gap' (which falls outside the site). Where plots 31-35 extend further west beyond the edge of the Woodlands Close development and are bordered by open fields, views towards their rear gardens from vantage points on Parrox Lane to the north would be filtered by the retained and strengthened planting buffer along this boundary. An undeveloped buffer of soft landscaped open space to the west of plot 35 would provide a minimum standoff of 16.5m between the edge of that plot's garden and the boundary with Parrox Lane. The dwelling on plot 35 would also be orientated with its front elevation facing Parrox Lane to address the roadside with an active elevation. The detached dwelling on plot 36 would be set back 32m from the roadside and is also orientated to front onto the western boundary behind the landscaped buffer.

Dwellings to the eastern part of the site are located alongside existing bungalows on Bryning Lane that presently back onto the site, and adjacent to a collection of single storey agricultural-style storage buildings to the southeast. Dwellings across plots 1-14 are organised in a perimeter block structure sharing interlocking rear gardens between properties both within and outside the development. This also provides for dual aspect dwellings on corner plots and a consistent building line across the development. Shared pedestrian and cycle linkages varying between 3m and 3.5m in width are located off the edge of the cul-de-sacs to the northeast and northwest corners (opening onto Bryning Lane and Parrox Lane respectively). Both routes are overlooked by corner turners on plots 15 and 35, with hedged borders marking the boundaries between public and private spaces.

Considerations 1 and 7 of BHL encourage developments to incorporate "connected street patterns. These work best when they include straight or nearly straight streets to makes pedestrian routes as direct as possible"; "edge to edge connectivity"; "respond to pedestrian and cyclist desire lines";

“streets with active frontages”; “cohesive building compositions and building lines”; “front doors that face streets and public spaces”; and “perimeter blocks”. The proposed layout addresses these positive design aspirations by organising dwellings to front onto the estate road with an outward-facing orientation to sensitive vantage points within and outside the site, the use of perimeter blocks to ensure a consistent building line and providing edge-to-edge connectivity with filtered permeability connecting pretrains and cyclists to areas outside the site over direct routes that follow desire lines. The layout also reflects the site’s transition between the more suburban setting where it borders existing dwellings at the eastern end and its rural fringe alongside Parrox Lane to the west by reducing the scale, amount and density of development heading west and incorporating a undeveloped buffer of landscaped open space which provides visual relief adjacent to the rural road of Parrox Lane and open countryside within the Area of Separation beyond as required by policies GD7 and ENV1 of the FLP.

Scale:

The development would comprise six 2.5 storey dwellings, 29 two storey houses and 4 bungalows. Objectors have referred to a condition (no. 6) which was recommended as part of the committee resolution for application 17/0595 that sought to limit the storey height of any dwellings brought forward at reserved matters stage to a maximum of two storeys. However, the 2.5 storey house types proposed in this case (plots 2, 3, 22, 23, 24 and 25) are all located centrally within the site, away from existing dwellings, and incorporate extra living accommodation in the roof space through the inclusion of a single dormer windows with a ridge height that is no taller than that of the highest two storey dwelling (the ‘Petworth’ house type). Accordingly, there is no specific reason – in either amenity or design terms – why the proposed 2.5 storey dwellings should be resisted as a matter of principle (with condition 6 of 17/0595 not being applicable to this separate, application for full planning permission).

The scale of the proposed dwellings is arranged to reflect the mixed character of surrounding properties located adjacent to the site. In particular, the ‘true’ bungalows on plots 11-14 are intended to reflect the scale of the adjoining bungalows to the east on Bryning Lane with which they would share interlocking rear gardens, with this transitioning to two/2.5 storey housing in a westerly direction where the site has a closer relationship with Avenham Place, Oak Lane and the Woodlands Close development. Four of the 2.5 storey house types are located to face centrally onto the termination point at the northern end of the main access road to act as a focal point, with the remaining pair fronting the main access road into the site. The taller two storey house types (the ‘Longleat’ and ‘Petworth’) would also be located centrally, and the gradual fall in ground level to the west down to Parrox Lane would provide for a commensurate stepping down of ridge heights between the eastern and western boundaries.

The site is surrounded by existing dwellings of varying scale. Higher-density two-storey terraced houses are located in elongated plots on Avenham Place to the north; detached bungalows with more spacious footprints and square-shaped plots fall on Bryning Lane; and dwellings on Oak Lane follow a range of different styles with a more rural vernacular and spacious plot sizes to buildings on the northern flank of the road faced by suburban two-storey dwellings and dormer bungalows set in more linear, regularly-sized plots to the southern flank. Given this setting, the development’s use of a collection of different building heights, footprints and plot sizes would not appear at odds with the varied character of surrounding properties in the area. The development delivers a good blend of housing in a range of sizes, including a number of smaller units to meet the dwelling mix requirements of policy H2, while respecting the scale and character of neighbouring buildings where they border the site.

Appearance:

Eight different house types are proposed across the development. Building facades would include protruding features in the form of projecting porches, facing gables, canopies, roof-level pediments and bay windows, with recessive walls behind comprising generous window proportions following an alignment that affords a strong sense of symmetry and rhythm. Roofs would follow a mix of hipped and dual-pitched profiles grouped together, with the front dormer windows to the 2.5 storey house type introducing modest, discreet features to the roof space organised in pairs between semi-detached houses.

While simple and unfussy in their composition, building facades would present balanced and well-proportioned elevations to the estate road. This would be continued on corner plots through the use of dual aspect dwellings with active elevations fronting onto both sides of the estate road and open vistas beyond (e.g. plots 1, 4, 5, 15, 35, 36 and 37). This would be achieved through the use of protruding features, generous window proportions and 'blind' windows to break up side elevations where these border the estate road in order to avoid blank frontages to those aspects. Materials would include a mix of red brick with white rendered dressings to the external walls, below grey tiled roofs.

Considerations 6 and 7 of BHL encourage developments to ensure they "[reflect] character in either a traditional or contemporary style"; "[draw] inspiration from local architectural and/or landscape character"; and create "memorable spaces and building groupings"; "streets with active frontages"; and "dual aspect homes on street corners with windows serving habitable rooms". Existing dwellings in the area have a mixed character in terms of scale, materials, roof profile, architecture and era. The development responds to this through the use of varying building scales (e.g. by locating bungalows adjacent to those that exist on Bryning Lane), roof profiles (following the prevailing dual-pitched profile of surrounding building and grouping hip-roofed units together to ensure legibility) and following the predominant material palette in the area (red brick with grey tiled roofs). Interest is added through the use of protruding features to elevations and ensuring dual-aspect dwellings on corner plots, while avoiding conflict with the simple configuration of elevational treatments to surrounding buildings. Accordingly, the development's appearance would integrate successfully with the character of the site's surroundings.

Landscaping:

The proposed landscaping scheme provides for the retention of the majority of existing mature trees and hedgerows to the site boundaries (including the TPO specimens to the front of plot 37). The exceptions to this would be the roadside hedgerow to Oak Lane (which is to be removed to create the access), a short stretch of hedgerow to Parrox Lane (removed to create an opening for the shared pedestrian/cycle route) and two trees in retention category 'U' to the northern edge of the site. This retained vegetation would be strengthened by new tree planting along the verges of the access road into the site, within the belt to the northern boundary, upon the greenspace buffer to the western border with Parrox Lane, and through roadside planting within front gardens. Hedged boundaries would also be introduced on corner plots and between frontage parking spaces at right angles to the estate road to add vertical screening of parked cars within lawns.

In terms of hard landscaping, visual relief from the prevailing tarmac surface of the estate road would be achieved through the use of a contrasting, block-paved surface to the raised junction table within the main entrance road (front of plot 1), at the head of the T junction, within the turning heads to either end of the cul-de-sac, and for layby parking off the estate road. Boundary treatments would comprise low-level hedging to the estate road and 1.8m high boundary walls set in line with

flaking building elevations and fronted by hedge planting to the sides of rear gardens on corner plots. A 1.2m high picket fence fronted by planting would form a new boundary between the east side of the estate road and the yard to the southeast. Rear gardens would be enclosed by 1.8m high close-boarded fencing (with those to plots 11-14 set inside the current boundary fences of existing dwellings along the eastern perimeter).

Overall, there would be substantial net gain in soft landscaped areas across the site and the siting, size, species and density of planting has been arranged to reflect the different sensitivities of the site (e.g. by placing larger, heavy standard trees on site boundaries where these fulfil a screening function, and lower-level trees, hedges and shrubs within gardens to the estate road to balance out hardstanding parking areas). The most important existing natural features would also be retained and strengthen as part of the development and a balance of hard and soft landscaping within front gardens would avoid an over-engineered, parking-dominated frontage to the estate road.

The height, materials and siting of boundary treatments would ensure an open aspect to the estate road through the use of low-level enclosures to the roadside. Whether taller boundary treatments are proposed to the sides of rear gardens on corner plots, a superior material treatment would be used (brick walls instead of fencing), these enclosures would align the rear corners of the dwellings (rather than stepping out up to the edge of the footway) and they would be softened by foreground hedge planting. Rear garden boundaries comprising 1.8m high close-boarded fencing would be concealed from the roadside.

Objectors have raised concerns regarding the lack of hard landscaped rear garden boundary enclosures to plots 15-35 where these back onto Sandy Gap along the northern perimeter of the site. At present, much of this boundary is marked by a low (*circa* 1m) timber post and wire fence that sits within the trees and hedges to this perimeter. The boundary treatment plan indicates this fence is to be “retained and made good” in order to mark the boundary line. In order to retain the existing mature trees and hedging along the northern boundary it is necessary to limit the degree of encroachment into their root protection areas. Accordingly, the use of close-boarded fencing along the northern of the site within/beneath the canopies of existing trees is avoided to allow for that. The current planting buffer along the northern edge of the site is dense and largely continuous. Where small gaps do exist the landscaping plan provides for infill planting. There is no specific reason why a hard-landscaped enclosure is required along this boundary in place of the retained/made good post and wire fencing and soft landscaping proposed. Indeed, replacing those existing features with a 1.8m high garden fence would result in a much less sympathetic treatment of the site’s northern fringe on the edge of the settlement.

Residents on Bryning Lane have also raised concerns regarding privacy and security where their gardens back onto plots 11-14 due to the low height of some existing enclosures to the rear gardens of existing dwellings where they presently back onto the field. This would, however, be addressed through the introduction of a continuous 1.8m high fence along the full length of the eastern site boundary where this borders existing dwellings. The new fence would be located alongside the current rear garden boundary treatments of existing dwellings to ensure privacy screening and security between interlocking rear gardens (and with the estate road in the case of the post office and Oak View).

Summary:

For the reasons given above the proposed development, by reason of its density, layout, scale, appearance and landscaping, would assimilate sympathetically with its surroundings by integrating successfully with the varied character of neighbouring buildings, responding to the sensitivities of

the site's rural fringes and retaining those existing natural features of greatest value as part of the scheme. Accordingly, the scheme is considered to comply with the principles of good design set out in FLP policies GD7, H2 and ENV1, the NPPF and BHL.

Impact on amenity:

FLP policy GD7 c) requires that development proposals facilitate good design by “ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed”. In addition, criterion o) states that “all new housing developments should result in a high standard of amenity for occupiers. The standard of amenity for occupiers should not be compromised by inadequate space, poor layout, poor or lacking outlook or inconvenient arrangements for waste, access or cycle storage. Developments should include adequate outside amenity space for the needs of residents.”

Furthermore, paragraph 127 f) of the NPPF indicates that planning decisions should ensure developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

Existing occupiers:

The site borders existing dwellings to the north on Avenham Place and off Woodlands Close, to the east on Bryning Lane and to the south on Oak Lane. Other adjoining land uses include the yard with a series of single storey storage buildings to the southeast and the equestrian paddock and stables to the southwest which is presently accessed off Parrox Lane.

With the exception of plot 15 (whose front elevation overlooks the shared pedestrian/cycle link onto Bryning Lane), all proposed dwellings are orientated with a rear or side facing aspect where they border existing properties. The narrow shape of the site along its southern edge with Oak Lane places the proposed dwellings a substantial distance (a minimum of *circa* 92m) away from existing houses on that road. Dwellings bordering the southeast (with the storage yard) and southwest (with the equestrian land) corners of the site (plots 10,11, 36 and 37) have a side-facing aspect in relation to those uses and do not include principal, habitable room windows facing over adjoining land.

Existing dwellings on Avenham Place are two storeys in height and occupy a slightly elevated aspect with the rear elevations of nos. 84-94 facing in a south-easterly direction over the site. While the northern planting buffer provides a degree of screening for no. 84, this is absent or intermitted at the rear of nos. 86-94. A minimum spacing distance of 28m would be achieved between the rear elevations of plots 15-20 and those of existing dwellings on Avenham Place, with the majority of these properties bordering open land provided for the sustainable link onto Bryning Lane. The ongoing Woodlands Close development to the west of Avenham Place includes a single plot along the southern boundary of that site (plot 32) which is orientated with its rear elevation facing onto the intervening strip of Sandy Gap over a distance of approximately 10m, thus achieving 28m between the rear of that dwelling and the closest of those proposed by this scheme (along with substantial intervening screening buffers between both sites).

To the east, dwellings on Bryning Lane include a mix of true and dormer bungalows with a combination of hipped and pitched roofs. All dwellings back onto the site and have garden lengths varying between 9m and 20m. The only instance of a two storey dwelling facing existing properties would be where the front elevation of plot 15 is orientated in an easterly direction towards the post office/Newton Villa. The front elevation of plot 15 would achieve a separation of 10m with the rear

garden boundary of the existing building, with its own garden and the shared link onto Bryning Lane intervening in-between. The spacing distance with the rear elevation of the existing building itself would be *circa* 22m and the current low boundary wall to the rear of the post office would be supplemented by a 1.8m high close-boarded fence to provide additional screening.

Other dwellings on Bryning Lane would have a back-to-back relationship with the proposed dwellings on plots 11-14, all of which are true bungalows with hipped roofs. Garden lengths to the rear of plots 11-14 would vary to between 9m and 14m, with spacing distances between rear elevations of back-to-back buildings ranging between a minimum of 18.5m (plot 11 with Kerrydowns) and a maximum of 24m (plot 14 with Glenforsa).

The above relationships between existing and proposed dwellings, by reason of spacing distances, building scale, window orientations, garden lengths and the presence of intervening screening (both existing and proposed), would ensure that the proposed development does not appear dominant or oppressive in the outlook of existing occupiers, affords appropriate spacing between existing and proposed buildings commensurate with the density and character of surrounding development elsewhere in the settlement, and avoids any undue effects in terms of overlooking. Accordingly, the proposed development would ensure a high standard of amenity for existing occupiers and would not have any adverse effects through loss of outlook, overshadowing or overlooking.

Representations submitted in connection with the application raise amenity issues in terms of potential for noise, dust and traffic nuisance during the construction phase. These are, however, unavoidable consequences of any development that takes place in close proximity to existing dwellings and so the focus is on minimising these effects through appropriate mitigation. Therefore, a condition has been imposed requiring the submission of a construction management plan to set out these mitigation measures before any development takes place.

Future occupiers:

The layout would achieve a minimum spacing of 18.5m between opposing principal elevations of dwellings within the development. Window configurations would also avoid any undue overlooking between dwellings (a condition is imposed requiring secondary, habitable room windows in the sides of the windows to be obscurely glazed to limit direct views between opposing windows in plots 12 and 13). Garden lengths would vary across the development, with the shortest of 9m to the bungalow on plot 11 being offset by a greater width (as with several of the existing bungalows on Bryning Lane).

Objectors have suggested that the rear gardens of properties along the northern boundary fail to provide adequate outdoor amenity space by virtue of their limited length. These gardens vary between 9.5m (eastern end) and 13m (western end) in length. While this is less spacious than on other parts of the site, similar (and shorter) garden lengths are apparent elsewhere to the western end of Newton (e.g. on Avenham Place, Lowfield Close and Marsh View) where dwellings are set in narrow plots. Accordingly, this arrangement is not uncharacteristic of the varied density of surrounding development in the area. It is also noted that the smallest garden areas arise on plots with fewer bedrooms where narrower building widths and smaller footprints naturally give rise to a requirement for less outdoor amenity space.

Objectors opine that, at approximately 0.75m, the width of pathways shown to provide external access at the side of dwellings between the estate road and rear gardens is too narrow to allow bins to be moved between rear gardens and the pavement, with the consequence that unsightly bin storage would occur in front gardens. However, as a standard wheelie bin is a maximum of 0.58m in

width, there is no reason why the 0.75m wide pathways would prevent bin transit along the proposed pathways and, in turn, storage within rear gardens.

For the reasons given above, the internal development layout, scale, siting and spacing between the proposed dwellings would ensure a high standard of amenity for future occupiers which is typical of the density and character of surrounding development. Accordingly, there is no conflict with the requirements of FLP policy GD7 and the NPPF.

Highways:

Criteria p), q) and r) of FLP policy GD7 require developments to ensure that they prioritise the needs of non-motorised users through design measures and do not prejudice highway safety.

FLP policy T4 requires developments to enhance opportunities for travel by maximising access to sustainable transport modes. Policy T5 relates to parking provision and indicates that “a flexible approach [will be applied] to the level of car parking provision, dependent on the location of the development”. Paragraph 11.61 of the local plan indicates that the Council “will prepare a Supplementary Planning Document (SPD) on parking standards”. However, as this has not yet been adopted the standards contained in the Joint Lancashire Structure Plan are of greatest relevance in this case.

Criteria a) – c) to paragraph 108 of the NPPF indicate that in assessing applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

In addition, paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

In terms of parking, paragraph 105 of the NPPF indicates that local parking standards for residential and non-residential development should take into account:

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

Background (17/0595 access and Bryning Lane/A583 junction improvements):

Vehicle access for the 30 dwelling scheme proposed by outline application 17/0595 was shown to be taken from Oak Lane. The current scheme proposes substantially the same means of access (including the same 2.4m x 25m visibility splay), though with a slightly altered configuration which: i) moves the position of the access further to the east (closer to no. 12 Oak Lane); ii) reduces the width of the entry estate road from 6m to 5.5m; and iii) provides a longer footway on the west side of the new junction and merges the footway on the east side of the junction with the existing forecourt at the front of nos. 10 and 12 Oak Lane.

The committee's resolution to grant application 17/0595 on 08.11.17 was subject to: "a re-consultation with the Local Highway Authority regarding the implications of the site providing access to a larger area of housing land, and the consideration of their response by the Head of Planning and Housing in consultation with the Chairman, Vice Chairman and ward councillors." The purpose of this re-consultation with the Local Highway Authority (LHA) was to ensure that the proposed access onto Oak Lane would be suitable to accommodate both the proposed 30 dwelling development and an anticipated 10 dwelling development which could come forward in the future on the remainder of HS52 (the adjoining equestrian land to the southwest) and would take access via the same junction. The LHA's subsequent response on 14.11.17 read as follows:

- "Providing the traffic signal improvements are carried out as part of the unilateral undertaking for planning application 16/0554, (LCC) Highways would not have any objections or concerns regarding the communitive effect of the additional 10 properties. A hourly bus service is available near the site and as such the demand for pedestrians to cross the A583 would be limited.
- The proposed site access onto Oak Lane is suitable for 300 dwellings and as such the additional 10 dwellings would not be an issue. 10 new dwellings would generate an estimated 65 vehicle movements per day and 5 additional two-way traffic movements during the am and pm peak periods. The overall development for 40 dwellings would result in approximately 260 two way vehicle movements per day and approximately 20 two-way traffic movements per hour during the am and peak periods, this would equate to 1 vehicle every two minutes.
- Sustainable transport links with the village are being proposed as part of planning application 17/0595, by widening the footpath along Oak Lane and the off road link at the north of the site to access the local shop, the bus stops within the village and the local school."

Accordingly, the LHA did not raise any concerns with the cumulative impact of development across the whole of site HS52 taking access from Oak Lane as part of application 17/0595. There is no change to that position indicated in the LHA's response to this application.

The LHA have referred to improvements at the signalised junction of Bryning Lane and the A583 (Blackpool Road) which are to be undertaken in accordance with the requirements of a planning obligation associated with outline planning permission 16/0554 at the nearby Woodlands Close development. Objectors have also made reference to these junction improvements and opine that they should be completed before any development on this site takes place. The planning obligation for 16/0554 dated 02.08.17 includes the following definitions for "Highway Works" and "Highways Works Scheme":

- "**Highway Works**" means the works to construct the Site access and works of highway improvement in the vicinity of the Site comprising: a) the upgrading of the east and west bound bus stops on the A583 adjacent to the junction of Bryning Lane and the A583; and b) the upgrading of traffic signals at the junction of Bryning Lane and the A583, to include but not limited to, upgrading the traffic controller, tactile paving and nearside red/green man indicators".
- "**Highways Works Scheme**" means a scheme with appropriate plans detailing the Owner's proposals for carrying out the Highway Works".

Schedule 2, Paragraph 5 of the planning obligation includes the following triggers for the Highway Works:

- "5.1 – Not to Commence Development until the Highway Works Scheme has been submitted to and approved by the County Council; and

- 5.2 – Not to carry out the Development other than in accordance with the approved Highways Works Scheme which must be secured by means of an agreement (or more than one agreement if required) under Sections 278 and/or 38 of the Highway Act 1980 if so required.”

The Highway Works Scheme required by subparagraph 5.1 has been submitted to and approved by LCC. Confirmation of technical approval for the scheme was provided by LCC on 29.05.19. Accordingly, the requirement in 5.1 has been met. However, paragraph 5.2 does not include a specific trigger for the delivery of the Highway Works (e.g. by tying this to the occupation of certain number or percentage of the dwellings). The LPA has been informed by Hollins Homes that the current non-implementation of the Highway Works is due to delays associated with the completion of the S278/S38 legal agreements mentioned in subparagraph 5.2, though they indicate that the Highway Works are likely to commence before the end of 2020 and will take between 1 and 2 months to complete.

Notwithstanding that the planning obligation for 16/0554 does not include a specific trigger for the delivery of the Highway Works at the Bryning Lane/A583 junction which are intended to ease vehicle congestion and aid pedestrian access across the A583, they must be implemented in accordance with the terms of that obligation as a part of the Woodland Close development. There is, therefore, no option for the non-delivery of the junction improvement works as part of the Woodlands Close development because their future provision is required and secured by the planning obligation. Paragraph 009 of the ‘use of planning conditions’ chapter to the PPG (ID 21a-009-20140306) indicates that:

- “Conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body often fail the tests of reasonableness and enforceability. It may be possible to achieve a similar result using a condition worded in a negative form (a Grampian condition) – ie prohibiting development authorised by the planning permission or other aspects linked to the planning permission (eg occupation of premises) until a specified action has been taken (such as the provision of supporting infrastructure). Such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission.”

Objectors opine that any grant of planning permission should be subject to a condition that no development be permitted to take place until the Bryning Lane/A583 junction improvements required by the planning obligation for 16/0554 have been completed. The basis given for this is the cumulative impact of traffic generation arising from the 50 dwellings on Woodlands Close, together with the 37 proposed in this case. It is not, however, considered that such a condition would pass the 6 tests in paragraph 55 of the NPPF for the following reasons:

- The LHA have advised that they “do not have a highway capacity issue regarding the communitive [sic] impact of this development for 37 dwellings and the approved development of 50 dwellings associated with planning application 16/0554” and “this scheme would generate an estimated 17 vehicles leaving the site, during the morning peak period between 8am and 9pm. Where all of the vehicle exiting the site use the junction with Blackpool Road and Bryning Lane this will equate to less than one additional vehicle using the signals every 3 minutes. [Therefore], Highways are of the opinion that the proposed 37 dwellings will not have a severe impact on highway capacity or congestion in the immediate vicinity of the site”. Accordingly, there would be no “severe” impact on the capacity of the Bryning Lane/A583 junction arising from the traffic generated by this development to indicate that it cannot commence until the Highway Works required by the planning obligation for 16/0554 have been implemented. As the planning obligation for 16/0554 does not include a specific trigger for the delivery of the Highway Works in relation to a maximum

number of dwellings that can be occupied in advance of those works being completed, there is no defined 'threshold' (i.e. a specified number of dwellings) where the cumulative effects of the Woodlands Close and Oak Lane developments would trigger the need for the junction improvements to be in place, though their delivery is ensured through the planning obligation for 16/0554.

- The implementation of the Bryning Lane/A583 junction improvements is secured through a planning obligation connected with a separate planning permission on another site that is in the process of being developed independently of this scheme. If the implementation of this permission were to be prohibited until the completion of the Highway Works required by the planning obligation for 16/0554, this would have the effect of imposing a condition which relies on an action to be taken by another (third party) developer as part of a separate planning permission, over which the applicant has no control (i.e. it would be linking the implementation of the permission to an obligation in a separate permission that it is not within the applicant's gift to fulfil).

Access:

Access to the site is proposed via the creation of a new priority (give way) junction onto Oak Lane – a local access road with a speed limit of 20mph fronting the site. Minimum visibility splays of 2.4m x 25m would be achieved in both directions at the junction of the access. The formation of the access would require the removal, in full, of an existing roadside hedgerow spanning *circa* 29m in length along the southern boundary with Oak Lane and the access would cross the western part of the garden to the side of no. 12 (which is presently enclosed by, but not in the ownership of that dwelling). New 2m wide footways would extend around the east and west sides of the junction. While the western footway would terminate at the garden boundary with no. 22 Oak Lane, the eastern footway would join the forecourt to the front of nos. 10 and 12 which stretches for a distance of approximately 24m to provide a footpath along the north side of Oak Lane before meeting a boundary wall at the front of no. 4. The access would merge with a 5.5m estate road incorporating 2m footways on both sides following a north-westerly trajectory into the site. A short offshoot to the west side of the access road at the front of plot 1 would provide a connection up to the shared boundary with the equestrian land to the southwest which also falls within HS52.

The LHA advise that the proposed visibility splay of 2.4m x 25m accords with the requirements of Manual for Streets in relation to a 20mph road. It is noted that the same visibility splays were also accepted as part of application 17/0595 and there is nothing to suggest that circumstances have changed since then to necessitate the need for a greater visibility splay. While objectors contend that vehicle speeds along Oak Lane regularly exceed 20mph and suggest that a recent speed survey has, in fact, been carried out on the road, no evidence has been provided to support the position on excess vehicle speeds and the LHA are not aware of any speed survey having been carried out, nor has any such data been made available. Accordingly, the LHA have based the visibility splay requirement on an 85th percentile speed of 20mph following their own observations on site and the classified road speed of Oak Lane at 20mph. That notwithstanding, the LHA observe that the actual sight lines available at the junction exceed the minimum requirement of 2.4m x 25m shown in the Transport Statement (TS).

During the consideration of application 17/0595 the owner of the adjoining equestrian land submitted representations indicating that any development on the application site should include a future means of access to the remainder of housing site HS52 in order to prevent this land being sterilised and to avoid the creation of a 'ransom strip' as access could not be taken from Parrox Lane. Consideration 1 of BHL encourages developments to ensure "adoption to site boundaries" and avoid "ransom strips" as a principle of good design. In this case, while it appears that the ownership of the

equestrian land has changed since application 17/0595 was considered (with the current owner objecting to the proposed estate road connection with their land), it remains the case that the equestrian land falls within allocated housing site HS52 and so measures must be put in place as part of this scheme to prevent its sterilisation through the creation of a ransom strip. It should also be noted that the connection to the equestrian land would only extend up to the shared boundary between the two sites and so would not encroach onto land within separate ownership.

The scheme includes the provision of shared cycle/pedestrian links onto Bryning Lane (northeast corner) and Parrox Lane (western boundary). The link to Bryning Lane varies between 3m and 3.5m in width (with the 3m section flanking the northern boundary being limited by third party ownership on either side) and that to Parrox Lane is 3.5m wide, following a 'zig-zag' profile where it connects with Parrox Lane in order to achieve a suitable gradient for all users. The north-eastern link would provide direct access to existing shops and bus stops on Bryning Lane over a wide and open route with good natural surveillance. Similarly, the western route onto Parrox Lane would ensure 'edge-to-edge' connectivity across the site and convenient access to pedestrians and cyclists onto this rural, lightly trafficked thoroughfare. While objectors consider that additional public realm works should be carried out within Sandy Gap on the north side of the link through to Bryning Lane, this is unregistered land outside the landowner's control and so such a scheme is not within their gift to deliver.

The proposed access strategy for the development would provide a safe and suitable means of access for all users and enhanced connections to amenities and public transport facilities within the settlement. The LHA also advise that they have no objections to the proposed means of access on highway safety or design grounds subject to the imposition of appropriate conditions. Accordingly, the requirements of FLP policies GD7 and T4 are met, along with paragraph 108 of the NPPF.

Capacity:

With reference to the Trip Rate Information Computer System (TRICS) database, section 6 of the TS estimates that the proposed development will generate 23 two-way vehicle trips in the peak AM hour and 26 two-way trips in the peak PM hour (though this is based on the original submission for 39 dwellings rather than the revised scheme for 37 and so will be lower). The LHA agree with the methodology used to estimate trip generation from the development and, with reference to the Bryning Lane/A583 junction, indicate that based on the number of vehicles leaving the site during the peak AM period this equates to less than one additional vehicle using the signalised junction every 3 minutes. On this basis, and taking into account the scheme's effects with the Woodlands Close development, the LHA conclude that "the proposed 37 dwellings will not have a severe impact on highway capacity or congestion in the immediate vicinity of the site".

Issues relating to the timetable for delivery of the Bryning Lane/A583 junction improvements as part of planning permission 16/0554 are set out above, but there is no indication from the LHA that the delivery of those works must be linked to this scheme, or that a limit should be placed on the commencement or amount of development that can take place on this site in advance of the junction improvements being completed. Accordingly, there is no reason to conclude that the proposed development would give rise to a severe, residual cumulative impact on the surrounding highway network for the purposes of paragraph 109 of the NPPF.

Parking:

The majority of parking for the proposed dwellings would be provided within individual garden curtilages. All 4 bed houses would benefit from 3 parking spaces (either through driveway and/or

garage parking), with the 3 and 2 bed units being provided with a minimum of 2 parking spaces each. Table A of the Joint Lancashire Structure Plan (JLSP) includes the following baseline parking standards for individual dwellings based on the number of bedrooms they provide:

- Single bed houses – 1 space per dwelling.
- 2-3 bed houses – 2 spaces per dwelling.
- 4+ bed houses – 3 spaces per dwelling.

A note beneath the above standards indicates that “average spaces per dwelling should equal 1.5 per dwelling for proposals of 30 + dwellings”. In this case, the level of in-curtilage parking provided across the development would average at 2.1 spaces per dwelling (including garages). A further 6 on-street parking spaces would be provided within dedicated laybys to the south side of the eastern and western cul-de-sacs fronting plots 19-21 and 29-31 where these dwellings have a single in-curtilage parking space.

While not objecting to the application, the LHA indicate that the second parking spaces for plots 19, 20, 21, 29, 30 and 31 shown in laybys within the adopted highway cannot be designated to those specific dwellings and so the users of these spaces cannot be controlled once the highway is adopted. This is, however, referred to in the LHA’s response as an advisory note in relation to future highway adoption considerations and not an objection to the amount of parking provision being made as part of the scheme. Indeed, it is apparent that the level of parking provision for the development would comfortably exceed the 1.5 space average per dwelling required for 30+ dwelling developments in Table A of the JLSP.

While it may be possible to increase the level of frontage parking provision across plots 19-21 and 29-31 to provide two in-curtilage parking spaces for each of those dwellings, this would also require the removal of all soft landscaping (trees, lawns and hedges) within those gardens and so would result in a heavily over-engineered and parking-dominated frontage to that run of properties which would undermine the positive aspects of the soft landscaping scheme and detract significantly from the scheme’s design in conflict with FLP policy GD7 and Consideration 10 of BHL which encourages “shared and unallocated on street car parking” within roadside bays and seeks to avoid “frontage car parking within little or no softening landscaping”. Accordingly, it is considered that the scheme makes adequate provision for vehicle parking in accordance with the requirements of the JLSP, FLP policies GD7 and T5, and paragraph 105 of the NPPF.

Infrastructure contributions:

Paragraph 34 of the NPPF indicates that “plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.”

The number of dwellings proposed by the development exceeds the 10-unit threshold where contributions towards: (i) affordable housing, (ii) open space, (iii) education; and (iv) healthcare facilities can be sought in accordance with the provisions of policies ENV4, H4, INF2 and HW1 of the FLP respectively.

Affordable housing:

The development is to be constructed on behalf of a Registered Provider (Community Gateway Association) and all 37 dwellings are to meet the definition of affordable housing in Annex 2 of the

NPPF. The supporting statement indicates that the tenure of the affordable housing units will comprise a 50:50 split between affordable rent and shared ownership (with any rounding in favour of affordable rent). These tenures are defined in Annex 2 of the NPPF as follows:

- **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).
- **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes **shared ownership**, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

Objectors have questioned the need for a 100% affordable housing scheme of 37 dwellings in Newton, together with the 30% provision (15 dwellings) made by the Woodlands Close development, and opine that there is no justification for the scheme to exceed the normal 30% requirement identified in FLP policy H4.

Paragraph 9.65 of the FLP refers to the Fylde Coast Strategic Housing Market Assessment (SHMA) 2014 (and subsequent addendums) which identify a "net annual affordable housing need for 249 dwelling units in Fylde". Paragraphs 9.67 and 9.68 of the FLP go on to state that "the figure of 249 per annum would represent a large proportion of the 415 per annum requirement of all housing for Fylde, and this would therefore be undeliverable. [...] The policy therefore requires 30% of all homes on major developments to be affordable, this being established as a level which makes as effective a contribution to affordable housing need as is viable." Accordingly, it is apparent that there is an acute need for affordable housing in Fylde, with the level of need identified in the SHMA making up 60% of the Borough's overall net annual housing requirement. However, as identified in the local plan, a figure of 30% is set in policy H4 in order to strike a balance between the delivery of affordable housing while maintaining the viability of delivering market-led housing schemes. Based on the SHMA, the need for affordable housing in the Borough is, however, much greater than the 30% requirement in policy H4. For this reason, the 30% requirement in policy H4 is expressed as a minimum figure which must be achieved for all market housing scheme of 10 or more homes "unless robust viability testing has demonstrated that the cost of the affordable housing provision would prevent the development from being delivered." There is no upper limit on the amount of affordable housing that individual schemes can deliver and, given the acute need for affordable housing in Fylde as evidenced in the SHMA, the provision of affordable housing over and above the 30% minimum in policy H4 attracts weight in favour of the scheme in the overall planning balance.

Part b. of FLP policy H4 indicates that "for residential developments within rural areas, the provision of affordable housing will be primarily to meet the requirements identified for the closest Tier 1 Larger Rural Settlements: i.e. Newton, Staining and Wrea Green or Tier 2 Smaller Rural Settlements: i.e. Clifton, Elswick, Singleton and Weeton. If, having regard to an agreed assessment, the level of identified local need is less than the equivalent of 30% of the homes proposed, the balance of the

provision will be delivered for borough wide needs.” Accordingly, the eligibility criteria for affordable housing on this site would need follow the sequential approach in policy H4 b. by first being offered to eligible households meeting the local connection criteria for the closest Tier 1 and Tier 2 rural settlements before being extended to other households in affordable housing need elsewhere within the Borough if occupiers who meet the local connection criteria cannot be found. As the application site is allocated for housing in the local plan (regardless of whether this is market or affordable housing), there is no reason why Newton should be considered an unsuitable location for the delivery of a 100% affordable housing scheme as a matter of principle. Similarly, the number of dwellings proposed and their location amongst other market housing would not result in an unacceptable annexation or segregation of affordable housing within the settlement.

Open space:

In terms of open space, the proposed dwelling mix would require a minimum of 1,128 sqm of public open provision in accordance with the standards identified in FLP policy ENV4. As this level of provision falls below the 0.2 hectare (2,000 sqm) threshold for on-site provision in policy ENV4 below which commuted sum payments for the enhancement of existing open space will be sought in lieu of on-site provision, an off-site contribution of £37,000 (equivalent to £1,000 per dwelling) would be sought to meet the requirements of policy ENV4. Policy ENV4 indicates that commuted sum payments should be used to “help provide additional or improved open space nearby, where the benefits would serve the occupiers of new and existing developments.” The closest area of existing public open space to the site is Newton Hall Park on School Lane, which is located *circa* 0.4km from the main development access. Accordingly, any off-site open space contribution would be used for the provision and/or enhancement of recreational facilities at Newton Hall Park.

Education:

The latest response from LCC’s School Planning Team (19.10.20) indicates that, while no contribution is sought towards the provision of new secondary school places, a predicted shortfall in the provision of local primary school places in 5 years’ time results in a requirement for the development to make a financial contribution towards the delivery of 7 new primary school places. Based on current rates this contribution would be £117,249.72. The School Planning Team have indicated that the primary education contribution would be used to provide additional primary places at Newton Bluecoat CE Primary School and/or Freckleton Strike Lane primary School, as these are the closest primary schools to the development that have space to accommodate an expansion.

Healthcare:

The latest response from the Fylde and Wyre Clinical Care Commissioning Group (CCG) dated 09.10.20 indicates that the proposed dwelling mix is anticipated to generate 97 new patient registrations at the closest GP Practice (Ash Tree House Surgery, Kirkham). However, as this existing surgery cannot be adapted or extended to meet rising demand, there is a proposal to construct a new Primary Care Centre in Wesham, for which indicative proposals have been prepared. Accordingly, a healthcare contribution of £24,025 is sought from the CCG towards the provision of a new Primary Care Centre in Wesham.

Monitoring fees:

Paragraph 036 of the ‘Planning Obligations’ chapter to the NPPG (ID 23b-036-20190901) identifies a mechanism for local authorities to support the monitoring and reporting of planning obligations by charging a monitoring fee within S106 agreements. Specifically, the relevant paragraph of the NPPG

states that:

- “Authorities, including county councils, should work together to ensure that resources are available to support the monitoring and reporting of planning obligations. Authorities can charge a monitoring fee through section 106 planning obligations, to cover the cost of monitoring and reporting on delivery of that section 106 obligation. Monitoring fees can be used to monitor and report on any type of planning obligation, for the lifetime of that obligation. Monitoring fees should not be sought retrospectively for historic agreements. Fees could be a fixed percentage of the total value of the section 106 agreement or individual obligation; or **could be a fixed monetary amount per agreement obligation (for example, for in-kind contributions)**. Authorities may decide to set fees using other methods. However, in all cases, monitoring fees must be proportionate and reasonable and reflect the actual cost of monitoring. Authorities could consider setting a cap to ensure that any fees are not excessive.”

The Council’s strategy for monitoring fees follows the process highlighted in bold above – that a fixed fee will be charged per obligation contained in each agreement for in-kind contributions. This fee is charged at a rate of £300 per trigger for each contribution (for example, if an off-site contribution towards public open space were to be paid in two separate instalments on the occupation of the 10th and 20th dwellings, the monitoring fee would be £600) and would be payable on commencement of development (that being the point when the monitoring period commences). As the precise triggers for each contribution required in this case are unknown at this stage (they are to be determined through the drafting of the S106 agreement), the resolution sets out the broad approach and charges that will be applied rather than specifying a figure.

Summary:

The resolution at the end of the report requires the above-mentioned contributions towards affordable housing, open space, education and healthcare, along with payment of the monitoring fee, to be secured through a S106 agreement (though an option is also given to secure the delivery of affordable housing via a planning condition).

Other matters:

Housing mix:

Under the subheading “Mix”, FLP policy H2 requires developments to deliver “a broad mix of types and sizes of home, suitable for a broad range of age groups”. The policy states that “all developments of 10 or more dwellings will therefore be required to include at least 50% of dwellings that are 1, 2 or 3 bedroom homes [and] developments within or in close proximity to the Tier 1 Larger Rural Settlements or Tier 2 Smaller Rural Settlements should include at least 33% 1- or 2-bedroom homes”. Under the subheading “Specialist Accommodation for the Elderly” policy H2 includes an additional requirement for “developments of 20 or more homes [to be] designed specifically to accommodate the elderly, including compliance with optional technical standard M4(3(2a)) (wheelchair adaptable dwellings), unless it is demonstrated that this would render the development unviable”.

The proposed housing mix includes 17 x 2 bed units; 10 x 3 bed units; and 10 x 4 bed units. Accordingly, as 17 dwellings (equating to 46% of the total) would be delivered as 1 or 2 bed homes and 27 dwellings (equating to 73% of the total) would be delivered as 1, 2 or 3 bed homes, the

scheme surpasses the housing mix requirements of policy H2 with respect to dwelling size having regard to both the boroughwide and Tier 1 and 2 settlement requirements.

In terms of the second requirement relating to the provision of specialist accommodation for the elderly, the development includes a total of 8 plots across two house types (including all 4 bungalows) – equating to 22% of the total – that are designed to be compliant with optional technical standard M4(3(2a)) of the Building Regulations relating to wheelchair adaptable dwellings. Optional technical requirement M4(3(2a)) of the Building Regulations requires that “the provision made must be sufficient to allow simple adaptation of the dwelling to meet the needs of occupants who use wheelchairs”. Accordingly, the requirement in policy H2 is for the designated M4(3(2a)) dwellings to be built to a specification where their physical structure is capable of being adapted in the future with minimal retrofitting (i.e. that the buildings are capable of being easily adapted in the future without the need for major rebuilding works or extensions etc.). The dwellings do not need to be built ‘as adapted’ at this stage.

As set out in paragraph 0.3 of Approved Document M of the 2010 Buildings Regulations (as amended), optional requirement M4(3) “only applies where a condition that one of more dwellings should meet the relevant optional requirement is imposed on new development as part of the process of granting planning permission.” Accordingly, an appropriate condition has been imposed to require the 8 dwellings identified on drawing no. PL03 Rev N as being “M4(2) compliant” to be constructed so that they comply with that standard. With this condition in place the development will comply with the requirements of FLP policy H2 relating to the provision of specialist accommodation for the elderly.

Archaeology:

FLP policy ENV5 indicates that development proposals should conserve, protect and, where appropriate, enhance the character, appearance, significance and historic value of Fylde’s designated and undesignated heritage assets. In this case, there are no “designated heritage assets” close to the site that would be affected by the scheme. The closest listed building (8 Hill House Cottage) lies approximately 65m southeast of the site and lacks any inter-visibility with the site due to the presence of existing, intervening dwellings on Oak Lane. Accordingly, the main heritage impacts arising as a result of this scheme relate to non-designated heritage assets of archaeological interest as identified by the County Archaeologist.

The subsection of policy ENV5 titled “scheduled monuments and other archaeological remains” indicates that “where there is known or potential non-designated archaeology, developers will be expected to investigate the significance of any archaeology prior to the determination of an application for the site. Where this demonstrates that the significance is equivalent to that of designated archaeology, proposals which cause harm to or loss will not be supported. [Furthermore] developers need to undertake research at an appropriate early stage to establish whether or not archaeology exists or whether there is the potential for it to exist in order to inform decisions in respect of the site. Where it can be demonstrated that the substantial public benefits of any proposals outweigh the harm, the Council will need to consider the significance of remains and seek to ensure mitigation of damage through preservation of the remains in situ as a preferred solution. Where this is not justified, the developer will be required to make adequate provision for excavation and recording before and / or during development. Proposals should also demonstrate how the public understanding and appreciation of such sites could be improved.” Similar requirements are identified in paragraphs 189 and 199 of the NPPF.

The County Archaeologist identified the potential for medieval and/or post-medieval activity to be

found on the site as part of application 17/0595. The applicant has submitted a written scheme of investigation as part of this scheme which sets out a programme of archaeological evaluation comprising of geophysical survey and archaeological trial trenching. The County Archaeologist has advised that a first stage of geophysical survey was undertaken at the end of May 2020 and reported to LCC in June, and a second stage of trial trenching (as suggested in 7.7 of the current WSI) was agreed. This evaluation is timetabled to commence on 26 October and is expected to take 2 or 3 days to complete. Depending on the results of the evaluation a further stage of archaeological work might be considered necessary, and this would require another WSI as this would involve a more detailed method of excavation, recording, post-excavation analysis and reporting.

There is, however, no suggestion from the County Archaeologist that, based on the works undertaken to date, any archaeological remains are likely to be of greater significance than a non-designated heritage asset. Accordingly, the County Archaeologist considers that in-situ preservation of remains would not be required and so a further programme of archaeological work for the purposes of excavation, recording, post-excavation analysis and reporting can be secured through a pre-commencement condition. Accordingly, there is no conflict with FLP policy ENV5 or the NPPF with respect to the development's effects on heritage assets.

Flood risk:

FLP policy CL1 requires that planning decisions follow the sequential, risk-based approach to the location of development required by the NPPF (paragraph 157). Policy CL1 indicates that all new development is required to minimise flood risk impacts on the environment, retain water quality and water efficiency, and mitigate against the likely effects of climate change on present and future generations in accordance with 10 criteria (a-j).

FLP policy CL2 sets out a hierarchy of measures that should be used to attenuate surface water discharge from development sites. The policy indicates a preference for infiltration, followed by attenuation in open features for gradual release into a watercourse and, finally, storage in tanks. The policy also encourages surface water to be discharged direct to a watercourse in the first instance, with discharge to a surface water sewer where this is not possible and finally to the combined sewer. Policy CL2 indicates that development should make use of sustainable drainage systems whenever practical and reduce discharge to greenfield run-off rates wherever feasible. Where discharge is allowed to a surface water sewer, policy CL2 indicates that evidence must be provided to demonstrate that capacity exists within that sewer, including relevant authorisation from the appropriate infrastructure provider.

The application is accompanied by a flood risk assessment (FRA) and indicative drainage strategy which includes the following conclusions:

- **Flood risk** – The site is located within flood zone 1 and is therefore at the lowest risk of flooding from fluvial and tidal sources. The risk of flooding from all other sources is low.
- **Surface water drainage** – Ground conditions comprise slowly permeable seasonally wet slightly acid but base-rich loamy and clayey soils with impeded drainage. The ground is not, therefore, conducive to infiltration as a means for discharging surface water runoff. Surface water runoff from the existing site runs off into the drainage ditch network and it is proposed to mimic the existing scenario by discharging surface water from the development into the drainage ditch network and local watercourse, with the point of discharge being the outfall to the northwest corner of the site which crosses Parrox Lane and flows into an ordinary watercourse that runs west to meet Middle Pool. The flow into the drainage ditch is to be controlled to the Greenfield runoff rate (Q_{bar}) which has been calculated at 8.3 l/s.
- **Attenuation** – Surface water attenuation will be provided within the development through

the use of underground tanks (cellular storage). This attenuation will ensure a controlled discharge into the drainage ditch network designed to mimic the existing greenfield runoff rate and therefore there will be no additional risk upstream or downstream. Attenuation will be provided allowing surface water runoff generated by all rainfall events up to the 100 year critical rain storm plus 30% on stored volumes.

- **Foul water drainage** – United Utilities sewer records show a 225mm diameter public combined sewer running west along Oak Lane and a 225mm diameter public combined sewer running north along Grange Lane to its junction with Oak Lane. Foul sewage from the development will be collected by a piped system and discharged into the public combined sewer manhole that lies within Grange Lane close to its junction with Oak Lane via a gravity fed connection.

Both the Lead Local Flood Authority (LLFA) and United Utilities (UU) have been consulted on the application. UU indicate that the principles of the drainage strategy set out in the submitted flood risk assessment are acceptable to them and recommend a condition requiring the submission of a final drainage strategy to follow the same principles. As set out in the FRA, UU indicate that no surface water will be permitted to drain into the public sewer. The LLFA have also confirmed that they have no objection to the strategy set out in the FRA, and recommend a condition be imposed requiring the submission of a detailed drainage design and maintenance strategy.

Objectors have referred to incidences of surface water flooding in the locality – including around the culvert that passes beneath Parrox Lane into which the development proposes to discharge surface water – a lack of downstream capacity beyond this culvert on the western side of Parrox Lane and a perceived lack of capacity in the sewer system based on previous correspondence from UU dated 24.07.12.

An existing 225mm diameter surface water pipe within the culvert running under Parrox Lane has fractured and the current headwall feeding into this culvert on the east side of Parrox Lane is in a state of disrepair. This is causing surface water on Parrox Lane to pond around the culvert. These issues are to be rectified through the construction of a new headwall and installation of a replacement pipe to repair the culvert as part of the surface water drainage strategy for the Woodlands Close development which has been approved pursuant to condition discharge application 18/0769 – a strategy that also has separate land drainage consent from the LLFA. While objectors refer to a perceived lack of downstream capacity within the culvert on the western side of Parrox Lane where this runs through neighbouring agricultural land, there is no evidence to support this assertion or to conclude that the approved repairs to the existing culvert and headwall across Parrox Lane would not be effective in addressing the current issue. Moreover, it is neither reasonable nor within the applicant's gift to require them to undertake remedial works to existing drainage infrastructure on land further downstream that is not within their ownership.

While objectors have raised concerns that an increase in impermeable area arising from this development, in tandem with the Woodlands Close scheme, would give rise to additional surface water flooding in comparison to the pre-existing (greenfield) scenario, both surface water drainage schemes have been designed with attenuation features which will store excess surface water volumes within each site and so control the rate of surface water discharge from the developments to the previous greenfield rate. Accordingly, surface water from the completed developments would be leaving the site at the same rate after the developments are completed as was the case with the greenfield scenario.

In terms of sewer capacity and surcharging, it is noted that the letter from UU dated 24.07.12 indicates that "the cause of the flooding has been determined as being due to overloading of the

public sewer, which occurs when a sewer is unable to cope with additional flows running through it. This usually happens during times of heavy rain, causing the sewers to overflow, which can result in flooding to properties". With this context in mind it should be noted, firstly, that the drainage strategy in the FRA proposes to discharge surface water to an existing watercourse and not into the combined sewer on Oak Lane/Grange Lane. The only additional flows from the development which are proposed to enter the combined sewer would be from foul water. Accordingly, the sewer surcharging arising from excess surface water entering the combined sewer as identified by UU in their 2012 letter would not be exacerbated by this development because no surface water flows from it would enter the combined sewer. Secondly, UU provided comments in connection with this application on 16.06.20. This is a more recent response that deals specifically with the impact arising from this development and raises no objection to the drainage strategy identified in the FRA (which states a foul water connection only to the existing combined sewer), nor do UU indicate that the existing sewer network lacks sufficient capacity to accommodate foul water flows from this development.

Given the above, and in the absence of any objections from statutory drainage consultees, there is no reason to conclude that an appropriate means of disposal for foul and surface water could not be achieved through the imposition of an appropriate planning condition in accordance with the requirements of FLP policies CL1 and CL2.

Ecology:

Section 1 of FLP policy ENV2 a) identifies a hierarchy of nature conservation sites falling within three tiers including International, National and Local designations. Criterion b) sets out a list of five principles that must be followed for developments within or affecting designated nature conservation sites. Criterion c) of the policy defines what will constitute damage to nature conservation sites in assessing developments. Section 2 of policy ENV2 indicates the protection that will be afforded to priority species. Paragraph 170 d) of the NPPF requires developments to minimise impacts on and provide net gains for biodiversity.

The application is accompanied by an ecology survey which includes the following conclusions:

- **Designated nature conservation sites** – The development site lies within the impact risk zones for Newton Marsh SSSI and Ribble Estuary SSSI which are of importance for over-wintering and migrant birds. Due to the distance of development from Newton Marsh SSSI (1.2 km) and Ribble Estuary SSSI (2.8 km) direct impacts to these designated sites are considered unlikely. Although the improved grassland on site provides some suitable habitat for wintering birds such as foraging geese, the site is located some distance from both statutory designated sites with more favourable habitats located closer to the designated sites (e.g. grazing marshes); it is therefore not considered that the loss of the improved grassland would likely impact Newton Marsh SSSI and the Ribble Estuary SSSI and their associated bird populations. Furthermore, it is considered unlikely that the proposed development will result in the significant increase of recreational disturbance in either Newton Marsh SSSI or Ribble Estuary SSSI due to the relatively small scale of development.
- **Habitats** – The proposed development may result in the loss of some of hedgerows, scrub and individual trees along the site boundaries. Whilst offering little intrinsic botanical value and common in the surrounding landscape, hedgerows, scrub and trees offer refuge, nesting and foraging habitat for a variety of species and provide corridors for wildlife to disperse and move within the wider environment. Therefore, loss and/or a reduction of these habitats on site has the potential to result in a negative ecological impact, a reduction in biodiversity value of the site and fragmentation of habitats in the area. Furthermore, impacts to any retained trees, hedgerows and scrub may include physical damage to root systems and

pollution (fuel spillages incidents, runoff and dust) during site clearance and construction. The ditch on the southern site boundary is considered to have conservation value providing potentially suitable habitat for freshwater fauna such as amphibians and insects.

- **Species** – The majority of trees on site were found to have no potential roosting features for bat species. However, five trees (BT1 to BT5) have been categorised as having low and moderate potential to support roosting bats. Hedgerows, scrub and trees provide moderate foraging and commuting habitat for bat species. As such, potential removal of these habitats may result in the fragmentation of habitats and a reduction in the availability of bat foraging and commuting habitat which may negatively impact local bat populations. Furthermore, the site is currently unlit as such light pollution associated with site clearance, construction and the completed development is likely to have a negative impact on foraging and commuting bat through avoidance of highly lit areas. The improved grassland, hedgerows and scrub provide suitable foraging habitat for badgers; however, the site is considered unsuitable for badger sett creation due to its flat profile. The majority of the site is not likely to support a breeding bird assemblage of ecological significance (i.e. rare species) due to the semi-improved nature and low ecological value of habitats present. There are no reptile records within the search area, therefore the presence of reptiles on site is considered very low. The ditch along the southern site boundary offers poor aquatic habitat. The HSI score for the ditch is poor given its heavily shaded nature with a lack of emergent/aquatic vegetation used for egg laying. Furthermore, the ditch is small, shallow and likely to dry out annually which further reduces its suitability for great crested newt. Given this, it is considered unlikely that great crested newts would utilise ditch for breeding. The main habitat to be lost to accommodate the development is improved grassland which is considered to be a habitat of low value for amphibians including great crested newt. Although the grassland could potentially be used for dispersal by a small number of individual great crested newts, there are no ponds on site or towards the south and east of the site. Furthermore, the data search revealed no records of great crested newt within 1 km of the site.
- **Recommendations** – The following measures are recommended to mitigate the impacts of the development: i) Dust reduction measures must be put in place during the construction period and construction works should be undertaken during daylight hours with no artificial lighting to be used in hours of darkness; ii) Existing hedgerows, individual trees and scrub should be retained. If these habitats are to be impacted by works, then they will be replaced in a 2:1 ratio. Native and locally appropriate trees and shrubs will be utilised where possible in preference of ornamental species, which are of lower value to wildlife; iii) Root Protection Zones (RPZ) will be put in place around all trees to be retained on site to avoid any negative ecological impacts to the features; iv) Mitigation measures are required to avoid pollution of the ditch along the southern boundary; v) mitigation for the loss of features suitable for roosting bats will include a provision of three Schwegler 2F bat boxes or similar; the bat boxes will be installed wherever possible within the site or on the site boundary.; vi) any new lighting schemes will be designed so that they are ‘bat friendly’. Lighting schemes will be designed in accordance with the appropriate guidance to minimise impacts on foraging bats; vii) Vegetation removal will take place outside the breeding bird season which runs from March until August inclusive, in order to prevent any impacts upon nesting birds; viii) Mitigation for the loss of bird nesting and foraging habitat will include the planting of native species of trees and shrubs and the provision of alternative nesting opportunities in the form of nest boxes (four 1B Schwegler nest boxes or similar) in suitable trees around the site; ix) Reasonable Avoidance Measures for amphibians will be implemented.

GMEU have been consulted on the application and confirm their agreement with the conclusions in

the submitted ecology survey that “the surrounding habitats within the site are of only local and in part limited value to biodiversity” and advise that the application can be forwarded for determination in respect of biodiversity without the need for further survey work. GMEU recommend a series of conditions based on the recommendations for mitigation measures and biodiversity enhancements contained in section 5 of the ecology report (summarised above). Appropriate conditions have been recommended in line with GMEU’s advice.

Natural England have also commented on the application, indicating that, for residential development in this area, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the Screening stage of the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017 (‘the Habitat Regulations’). Natural England advise that, if the LPA can be satisfied that the proposal can conclude no likely significant effects, there is no further need to consult them.

GMEU have undertaken this screening exercise on behalf of the LPA and advise as follows:

- “Fylde’s Local Plan (2018) was supported by a strategic Habitats Regulations Assessment (Fylde Local Plan to 2032: HRA Report, Arcadis, July 2018). In this the allocation HS52 as a whole was considered. The current application occupies a part of this wider allocation. The strategic allocation concluded that there were no LSE [(Likely Significant Effects)] in relation to the allocation. As a matter of best practise and as a precautionary measure it is recommended that a CEMP (Construction Environmental Management Plan) is provided and implemented via a condition. This condition could deal with matters which might increase levels of disturbance with other developments that might be implemented concurrently with this proposal. Such matters will be similar to those in a standard CEMP such as access routes, site lighting and times of operation/deliveries. I am satisfied that the proposal can be screened out of any LSE associated with European designated sites.”

Accordingly, the proposed development would have no likely significant effects on designated nature conservation sites for the purposes of FLP policy ENV2 a), the development is not located within, nor would it affect any nature conservation sites or ecological networks for the purposes of ENV2 b) and, in turn, no damage would arise under ENV2 c). The submitted ecology survey also demonstrates that, with appropriate mitigation in place, the development would not have any adverse effects on any priority species or habitats and appropriate biodiversity enhancements would be made commensurate to the scale of development.

Tree impacts:

Section 5 of the ecology report identifies the importance of retaining existing trees and hedgerows to the site perimeter to act as wildlife corridors. In addition, five trees (BT1 to BT5) have been categorised as having low-moderate potential to support roosting bats. Similar requirements are identified in FLP policies GD7 m) and ENV 1 b).

The submitted tree protection plan indicates that, with the exception of hedgerow removal to create access points and the removal of two category ‘U’ trees along the northern edge of the site, all existing trees and hedges on the site perimeter are to be retained as part of the scheme (including TPO tree ‘21T’ and trees BT1 to BT5 as identified in the ecology survey). Tree works would be required to four Ash trees within the group along the northern boundary to veteranize these specimens through ‘monolithing’ (a technique that reduces the tree canopy back to the main stem while leaving lateral branches and limbs) due to Ash dieback. The Council’s Tree Officer considers that a reduction of up to 50% of the existing canopy would be required to achieve this. Conditions have been imposed to control the scope of the monolithing works and to require the tree protection

measures for retained species shown on the tree protection plan to be put in place before any development takes place.

Objectors opine that the retention of trees along the northern boundary would be curtailed by their siting within the rear gardens of the dwellings and that the short garden lengths would result in encroachment into their root protection areas (RPA). However, the submitted tree protection plan shows that all parts of the proposed buildings along this boundary would be comfortably outside the RPAs, and while some pruning works would be required to Ash trees along the northern fringe, the siting of the dwellings in relation to these trees would not prejudice their retention. Similarly, existing trees and hedges along the northern boundary are retained as a means of marking rear garden boundaries and the submitted Arboricultural Impact Assessment indicates that these specimens are to be maintained by a management company rather than being deeded to individual dwellings.

Objectors have also raised concerns that the tree survey for this application does not correspond with that submitted for the Woodlands Close development with respect to the existence of planting between the two sites. However, the tree survey submitted with application 16/0554 (for Woodland Close) did not include a survey of trees located upon the site of this application. Instead, it was limited to the area of land within and/or immediately overhanging the red line boundary of the Woodlands Close site (including a group of trees within the northern section of Sandy Gap). Likewise, the tree survey for this application is only concerned with recording those specimens within and/or immediately adjacent to the site boundaries (including along the southern edge of Sandy Gap). Accordingly, as the two tree surveys relate to different sites they do not cover the same land parcel and are not directly comparable. There is, however, no reason to doubt the accuracy of the submitted tree survey and the Council's Tree Officer has raised no such issues.

Representations on behalf of the owner of the adjoining equestrian land suggest that the tree/hedge belt along the southern boundary (19T, 20T, 21 T and 22G) is within their ownership and that consent would not be given for the removal or pruning of these trees. However, no evidence of ownership has been provided to support this assertion and the trees in question are shown to fall inside the red line boundary and, in turn, within the ownership of the single landowner upon whom notice of this application has been served. That notwithstanding, works to this belt of trees are limited to pruning the northern edge of 22G. Moreover, any boundary disputes between adjoining landowners are private, civil matters that are to be resolved between those owners through separate legislation that sits outside the remit of the planning system. Accordingly, such matters are not material planning considerations.

The proposed strategy for the retention, protection and remedial works proposed to existing vegetation within the site ensures that current natural features of greatest importance are retained and integrated as part of the scheme in accordance with the requirements of FLP policies GD7 and ENV1.

Conclusions

The application relates to a broadly T-shaped parcel of open agricultural land extending to *circa* 1.34 hectares on the north side of Oak Lane, Newton. The site is bordered by existing dwellings on Avenham Place, Bryning Lane and Oak Lane to the northeast, east and south respectively; by a manège, stables and horse grazing area occupying a separate parcel of land to the southwest; by the rural road of Parrox Lane to the west; and by a combination of open fields and the ongoing Woodlands Close residential development to the north. The land is allocated for housing on the Fylde Local Plan to 2032 Policies Map (site reference 'HS52') and is also the subject of an

undetermined outline planning application for a residential development of up to 30 dwellings (reference 17/0595).

The current application seeks full planning permission for a residential development of 37 dwellings on the site. The development would comprise six 2.5 storey dwellings, 27 two storey houses and 4 bungalows. All of the dwellings are to be constructed on behalf of a Registered Provider (Community Gateway Association) to meet the definition of “affordable housing” given in Annex 2 of the National Planning Policy Framework. The dwelling mix would comprise:- 17 x 2 bed units; 10 x 3 bed units; and 10 x 4 bed units. The affordable housing tenure split includes a mix of units for affordable rent (to comprise at least 50% of the total) and shared ownership (to comprise no more than 50% of the total). Eight of the units would be designed to provide specialist accommodation for the elderly. Accordingly, the proposed dwelling mix complies with the requirements for Tier 1 Larger Rural Settlements (which includes Newton) set out in policy H2 of the local plan.

The development would be accessed via a new junction onto Oak Lane within its southern boundary, which would merge with a 5.5m wide estate road flanked by 2m footways. The estate road would follow a T-shaped layout with cul-de-sacs terminating to the eastern and western ends. Separate shared pedestrian/cycle routes would branch off the end of each cul-de-sac to the northeast and northwest corners of the site to provide connections onto Bryning Lane and Parrox Lane respectively to provide permeability and encourage opportunities for travel by non car-based modes of transport. The estate road would incorporate a point of access into the equestrian land to southwest which also falls within allocated housing site HS52 in order to prevent the future development potential of this land being sterilised. Adequate car parking would be provided for the dwellings in accordance with current standards. Accordingly, the proposed development would not give rise to any severe residual, cumulative effects on network capacity or adverse impacts on highway safety, and the proposed access strategy would ensure a safe and suitable means of access for all users would be achieved.

The layout of the dwellings would follow the highway frontage of the estate road, resulting in a consistent building line with properties following a perimeter block structure organised in simple, linear rows to ensure a sense of legibility across the development. Soft landscaping would be introduced and/or retained to provide an attractive entrance vista and appropriate visual buffers where the site borders neighbouring properties and open countryside. A suitable balance of hard and soft landscaping would be provided across the development's frontage to the estate road and contrasting surface treatments would be utilised in order to avoid an over engineered appearance while ensuring adequate parking provision. The dwellings would comprise simple, but well-proportioned elevations with generous sized window openings and protruding features orientated to address key vantage points and corner aspects both within and outside the site. All buildings would be finished in red brick walls with occasional rendered dressings below grey tiled roofs to reflect the materials of surrounding buildings.

Spacing distances achieved between dwellings, both existing and proposed, would reflect the density of surrounding housing and the proposed building scale, siting and orientation with existing dwellings would ensure that the development has no undue effects on the privacy and amenity of neighbouring occupiers due to loss of outlook, overshadowing or overlooking, while also ensuring a good standard of amenity for future residents.

The site falls within flood zone 1 and is at a low risk of flooding. The applicant's indicative drainage strategy follows the hierarchy set out in local plan policy CL2 and is accepted, in principle, by United Utilities and the Lead Local Flood Authority. Accordingly, there is no reason to conclude that the development would result in an increased risk of flooding either on the site itself or elsewhere. The

site has limited ecological value and those features of greatest significance (including existing perimeter trees and hedgerows) would be incorporated into the development. Appropriate measures can be put in place through planning conditions to secure biodiversity enhancements, the protection and/or strengthening of existing landscaping and the suitable disposal of foul and surface water as part of the scheme. In addition to providing 100% affordable housing, the development will also make financial contributions towards the provision/enhancement of open space away from the site, education and healthcare.

Taken as a whole, the proposal is considered to represent sustainable development in accordance with the relevant policies of the Fylde Local Plan to 2032 and the provisions of the National Planning Policy Framework.

Recommendation

That authority be delegated to the Head of Planning and Housing to GRANT planning permission subject to:

1. The completion of an agreement entered into under S106 of the Town and Country Planning Act (as amended) to secure the following:
 - a) A scheme for 100% of the dwellings to be provided as affordable housing which meets the definition contained in Annex 2 of the National Planning Policy Framework.
 - b) A contribution of £117,249.72 towards addressing the expected shortfall in primary education capacity to serve the occupants of the development to be spent at Newton Bluecoat CE Primary School and/or Freckleton Strike Lane Primary School as identified in the assessment from Lancashire County Council dated 19.10.20 (or any other assessment that succeeds it).
 - c) A contribution of £37,000 towards the provision and/or enhancement of recreational facilities at Newton Hall Park, School Lane, Newton.
 - d) A contribution of £24,054 towards addressing the expected shortfall in Primary Care capacity to serve the occupants of the development to be spent in connection with the provision of a new build Primary Care Centre in Wesham.
 - e) A fee equivalent to £300 per trigger towards the Council's costs incurred in monitoring each of the contributions in b), c) and d) above.

SAVE THAT the provision of affordable housing required by a) may also be secured through the imposition of an appropriately worded planning condition.

The S106 agreement will be expected to meet the full amounts quoted above in all cases, unless: 1) a viability appraisal has been agreed in writing with the Local Planning Authority which demonstrates that the payment of some, or all, of these contributions would render the development unviable; or 2) the Council receives updated assessments from the relevant consultee advising that the contributions are to be altered.

2. the following conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning & Housing believes is necessary to make otherwise unacceptable development acceptable including, where appropriate, provision for an additional condition to secure the delivery of affordable housing as identified in 1)):
 1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

Drawing no. LP01 – Site location plan.
Drawing no. J32-4820-PS-001 Rev C – Preliminary site access.
Drawing no. PL03 Rev N – Proposed layout.
Drawing no. BT01 Rev J – Boundary treatments plan.
Drawing no. HL01 Rev H – Hard landscaping plan.
Drawing no. MP01 Rev G – Materials plan.
Drawing no. MAT-01 – Site material schedule.
Drawing no. 6240.03 Rev C – Landscape proposals.
Drawing no. 6240.02 Rev B – Tree protection plan.
Drawing no. 674-BUNG-EBH Rev D – Bungalow EBH.
Drawing no. 862-DAL-110 Rev B – Dalemmain EBG.
Drawing no. 862-DAL-116 Rev B – Dalemmain MB.
Drawing no. 912-GOS-110 Rev C – Gosford EBG.
Drawing no. 912-GOS-111 Rev C – Gosford EHG.
Drawing no. 862-HAD-110 Rev C – Haddon EBG.
Drawing no. 862-HAD-112 Rev C – Haddon ERG.
Drawing no. 862-HAD-116 Rev C – Haddon MB.
Drawing no. 862-HAD-118 Rev C – Haddon MR.
Drawing no. 1166-LON-110 Rev C – Longleat DBG.
Drawing no. 1255-LUD-112-ALT Rev D – Ludlow DBH.
Drawing no. 1255-LUD-112-ALTOP Rev E – Ludlow DBH.
Drawing no. 1183-MON-112 Rev C – Montacute ERG.
Drawing no. 950-PET-110 Rev C – Petworth EBG.
Drawing no. GA01 – Single garage.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework.

3. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works of development shall take place until samples or full details of all materials to be used on the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include their type, colour and texture and the materials used shall demonstrate compliance with the details shown on drawing nos. MAT-01 and MP01 Rev G. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

4. No above ground works of development on plots 1, 36 and 37 (as identified on drawing no. PL03 Rev N) shall take place until details of the blind/tax windows to the first floor side elevations of the Ludlow house type to be constructed on those plots have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the depth of the window reveal,

their materials and edge detailing. The blind/tax windows shall thereafter be constructed in accordance with the duly approved details before the dwelling on each associated plot is first occupied.

Reason: To ensure an appropriate design, finish and architectural detailing to the blind/tax windows proposed on each of the above mentioned plots in order that the elevations of those dwellings provide suitable dual aspects and active frontages to the street in the interests of achieving good design in accordance with the requirements of Fylde Local Plan to 2032 policy GD7, Consideration 7 of Building for a Healthy Life and the National Planning Policy Framework.

5. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- a) hours of work for site preparation, delivery of materials and construction;
- b) arrangements for the parking of vehicles for site operatives and visitors;
- c) details of areas designated for the loading, unloading and storage of plant and materials;
- d) arrangements for the provision of wheel washing and road sweeping facilities, including details of how, when and where the facilities are to be used;
- e) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
- f) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
- g) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;
- h) measures to control and reduce the emission of dust and dirt during construction, including details of how transmission to surrounding nature conservation sites will be mitigated;
- i) details of the siting, design and spillage of any artificial lighting to be used during the construction period and how its effects on surrounding habitats and nature conservation sites will be mitigated;
- j) Details of how the effects of construction activities taking place adjacent to the ditch located along the southern boundary of the site (as identified in the Ecological Appraisal by Bowland Ecology dated February 2020) will be mitigated.

Development shall thereafter be carried out in full accordance with the duly approved CEMP.

Reason: In order to ensure that appropriate measures are put in place before any development commences to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties, to avoid obstruction of the surrounding highway network during the construction of the development and to safeguard the ecological value of existing habitats within and surrounding the site in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV2, and the National Planning Policy Framework.

6. No above ground works of development shall take place until details of the finished ground floor levels for each dwelling and the ground levels for the external areas of the site, above ordnance datum, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the new dwellings and between the development and surrounding buildings and land uses before ground works to establish site levels are completed in the interests of ensuring a good standard of amenity for existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

7. The dwellings which are identified as being “M4(2) compliant” on drawing no. PL03 Rev N (8 dwellings in total) shall be constructed to comply with optional requirement M4(3)(2)(a) contained in Part M, Schedule 1 of the Building Regulations 2010 (as amended).

Reason: To ensure that the development delivers a suitable proportion of dwellings that are designed to provide specialist accommodation for the elderly in order to satisfy the requirements of Fylde Local Plan to 2032 policy H2 and to provide an appropriate mechanism to secure compliance with optional requirement M4(3)(2)(a) under Part M, Schedule 1 of the Building Regulations 2010 (as amended).

8. No above ground works of development shall take place until a scheme for the design, based on sustainable drainage principles, and implementation of a strategy for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the hierarchy of drainage options contained in the Planning Practice Guidance and shall demonstrate compliance with the principles of the drainage strategy contained in the Flood Risk Assessment and Drainage Strategy by Reford Consulting Engineers Limited (report reference 19.753) dated April 2020. The scheme shall include:

- a) Separate systems for the disposal of foul and surface water (with no surface water draining directly or indirectly to the public sewer).
- b) A final sustainable drainage layout plan appropriately labelled to include: i) Pipe/structure references; ii) Dimensions; iii) Design levels; and iv) Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm a minimum 150mm+ difference for FFL.
- c) Details to demonstrate that, and how, the surface water run-off and volume from the development will not exceed the pre-development runoff rate, which has been calculated at 8.3l/s Qbar.
- d) Sustainable drainage flow calculations (1 in 1, 1 in 30 and 1 in 100 + climate change (pre & post development), volume of attenuation required (post development)) with allowance for urban creep, to include summary of permeable/impermeable areas of site used within calculations, and return period summary of critical results by maximum levels.
- e) A plan identifying areas contributing to the drainage network.
- f) Measures to be taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses.
- g) A plan to show overland flow routes and flood water exceedance routes and flood extents.
- h) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates.
- i) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable.
- j) A construction phase surface water management plan to include how surface water and pollution prevention will be managed during each phase of construction.

The duly approved scheme shall be implemented before any of the dwellings are first occupied, or within any other timescale first agreed in writing with the Local Planning Authority, and the drainage system and infrastructure shall be retained, managed and maintained as such thereafter.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, that water quality is not adversely affected by the development, that appropriate measures are put in place for the disposal of foul and surface water and to identify a responsible organisation/body/company/undertaker for the sustainable drainage system to ensure its ongoing maintenance in accordance with the requirements of Fylde Local Plan to 2032 policies CL1 and CL2, and the National Planning Policy Framework.

9. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, boundary treatments to each plot, including those to be erected along the site perimeter where they connect with individual plot boundaries, shall be erected in accordance with the details (including their siting, height, design, materials and finish) shown on drawing no. BT01 Rev J before the dwelling on each associated plot is first occupied. The duly constructed boundary treatments shall be retained as such thereafter.

Reason: To ensure the security of existing and future occupiers, to provide adequate levels of privacy between neighbouring dwellings and to achieve an acceptable design and relationship with the street scene in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

10. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the soft landscaping scheme for the development shown on drawing no. 6240.03 Rev C shall be carried out during the first planting season that occurs either: i) in the case of landscaping within the curtilage of the dwellings, after the dwelling on each associated plot is first occupied; or ii) in the case of landscaping on the external areas of the site located outside the curtilage of the dwellings, after the development is substantially completed. The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with the details contained in the Landscape Management Plan by tba landscape architects (report reference BH/6240/REV A/LMP/SEP20) dated September 2020 (Revised). Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in order that the development assimilates sympathetically into its surroundings, to provide an appropriate landscape buffer with surrounding land uses, to enhance the character of the street scene and to provide appropriate biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 policies ENV1, ENV2 and GD7, and the National Planning Policy Framework.

11. With the exception of those specimens identified on drawing no. 6240.02 Rev B, no other trees or hedges shall be pruned, topped or removed unless details of those works and, in the case of removal a scheme for the provision of appropriate compensatory planting which includes details of the type, size, species, siting, planting distances and the programme of planting for replacement hedges and trees, have first been submitted to and approved in writing by the Local Planning Authority. Any compensatory planting to be introduced pursuant to this condition shall be carried out in accordance with a timetable which has first been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the existing trees and hedgerows on the site that are shown to be retained as part of the scheme and to ensure appropriate compensatory planting is introduced to offset any additional tree and hedge removal required as part of the development in the interests of visual amenity, to safeguard the amenities of existing and future occupiers and to ensure appropriate protection for and/or replacement of valuable ecological habitats and networks in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2.

12. The development shall be carried out in strict accordance with the tree and hedge protection measures detailed in the Arboricultural Impact Assessment and Method Statement Revision A by tba landscape architects (report reference MG/6240/AIA&AMS/REV B/SEP20) dated September 2020 and indicated on drawing no. 6240.02 Rev B. The identified tree protection measures shall be implemented before any development takes place and maintained as such thereafter for the entirety of the construction period.

Reason: To ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence in the interests of ensuring good arboricultural practice and to protect existing habitats and networks of ecological value in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2.

13. No works associated with the monolithing of the Ash trees 4T, 5T, 6T and 8T (as identified on drawing no. 6240.02 Rev B) shall take place until a scheme containing precise details, a schedule and programme of the monolithing works has first been submitted to and approved in writing by the Local Planning Authority. All monolithing works shall thereafter be carried out in full accordance with the duly approved scheme.

Reason: To ensure that the proposed monolithing works to retained Ash trees 4T, 5T, 6T and 8T are carried out in accordance with good arboricultural practice in order to minimise the impact on the retained trees, to safeguard future occupiers of the development and to ensure that the monolithed trees continue to contribute towards biodiversity in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2.

14. No clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1st March and 31st August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation to be cleared does not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

15. The scheme for the installation of bat and bird boxes shown on drawing no. 6240.03 Rev C and identified in paragraphs 5.7 and 5.13 of the Ecological Appraisal by Bowland Ecology dated February 2020 shall be implemented in accordance with a timetable which has been submitted to and approved in writing by the Local Planning Authority before any of the dwellings are first occupied.

Reason: To ensure that the development delivers appropriate biodiversity enhancements within a suitable timeframe as recommended in section 5 of the Ecological Appraisal in accordance with the objectives of Fylde Local Plan to 2032 policy ENV2 and the National Planning Policy Framework.

16. The development shall be carried out in full accordance with the Reasonable Avoidance Measures (including their timetable for implementation) detailed in paragraph 5.14 of the Ecological Appraisal by Bowland Ecology dated February 2020.

Reason: To ensure that appropriate measures are taken as part of the development to avoid potential harm to amphibians in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended).

17. None of the dwellings hereby approved shall be occupied until a scheme for the installation of any exterior lighting on the building(s) and the external areas of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with best industrial practice contained in the Institution of Lighting Professionals and Bat Conservation Trust publication – Guidance Note 08/18: Bats and artificial lighting in the UK, and shall include details of the lighting's: (i) position and height on the building(s) and/or site; (ii) spillage, luminance and angle of installation; and (iii) any hoods to be fixed to the lights. All exterior lighting shall thereafter be installed in accordance with the duly approved scheme.

Reason: To ensure that any exterior lighting to be installed at the site does not cause a nuisance to surrounding occupiers or undermine the value and use of retained and enhanced habitats within the site for protected species (specifically bats) as a result of light pollution in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV2, and the National Planning Policy Framework.

18. No development or other works of site clearance and preparation shall take place until a Written Scheme of Investigation (WSI) outlining a programme and timetable of archaeological investigation has been submitted to and approved in writing by the local planning authority. The WSI shall include:

- a) An initial phase of trial trenching followed by the compilation of a report on the work undertaken and the results obtained. These works should aim to establish the presence or absence of buried archaeological remains and their nature, date, extent and significance.
- b) In the event that remains are encountered, a further phase of impact mitigation (formal excavation of those remains) and a subsequent phase of appropriate analysis, reporting and publication.
- c) Provision for archive deposition of the report, finds and records of the site investigation.
- d) Provision for all archaeological works to be undertaken by an appropriately qualified and experienced professional archaeological contractor in compliance with the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA).

The development shall thereafter be carried out in full accordance with the duly approved WSI and the timetable contained therein.

Reason: To ensure that a suitable programme of archaeological investigation is implemented prior to the commencement of any development that could disturb buried archaeology in order to record and advance the understanding of the archaeological and historical significance of the site for archival and research purposes in accordance with the requirements of Fylde Local Plan to 2032 policy ENV5 and the National Planning Policy Framework.

19. No above ground works of development shall take place until a scheme for the design and construction of the site access (the layout of which is shown on drawing no. J32-4820-PS-001 Rev C) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for a minimum visibility splay of 2.4 metres x 25 metres in both directions at the junction of the site access with Oak Lane (when measured along the centre line of the proposed new road from the continuation of the nearer edge of the existing carriageway of Oak Lane). The site access shall be constructed in accordance with the duly approved scheme and made available for use before any of the dwellings hereby approved are first occupied. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent order following the revocation or re-enactment thereof (with or without modification), the visibility splay shall thereafter be kept free of any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction) over 1 metre in height (when measured above the height at the centre line of the

adjacent carriageway).

Reason: To ensure a suitable and safe means of access to the site for vehicular traffic and to achieve a satisfactory standard of engineering works in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

20. No above ground works of development shall take place until a scheme for the siting, layout, design and construction of the following highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

- a) The provision of a new footway with a minimum width of 2 metres on the north side of Oak Lane to the east and west of the site access, the approximate extent of which is shown on drawing no. J32-4820-PS-001 Rev C, including the provision of tactile paving and an assessment of the need for the re-location and/or provision of street lighting.
- b) The upgrading of the existing northbound bus stop located on the west side of Bryning Lane in front of no. 102 Avenham Place to a Quality Bus Stop.

The highway improvement works shall be implemented in full accordance with the details in the duly approved scheme and made available for use before any of the dwellings hereby approved are first occupied, or within any other timescale that has first been agreed in writing with the Local Planning Authority.

Reason: To secure appropriate and proportionate improvements to surrounding highway infrastructure in order to achieve a safe and suitable means of access to the development for all users in the interests of highway safety, and to promote modal shift and increased use of sustainable methods of travel in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T4, and the National Planning Policy Framework.

21. None of the dwellings hereby approved shall be occupied until a scheme for the provision of the shared pedestrian/cycle links onto Bryning Lane and Parrox Lane (the locations and layout of which are shown on drawing no. PL03 Rev N) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details for each link:

- a) A specification for their design, construction (including surface treatment) and lighting.
- b) Details of the layout and design of their junctions onto Bryning Lane and Parrox Lane, including any changes in levels, gradients and ground markings.
- c) Details of the siting, layout, height, design, materials and finish of barriers to prevent their use by vehicular traffic.
- d) A timetable for their completion.

The shared pedestrian/cycle links shall be constructed in full and made available for use in accordance with the details and timetable in the duly approved scheme, and shall be retained as such thereafter.

Reason: To encourage access to and from the site via walking and cycling by ensuring that the shared pedestrian/cycle links provide a safe and attractive route for pedestrians and cyclists in the interests of highway safety and to ensure that opportunities for crime are limited through the detailed design of the routes in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T4, Consideration 1 and 2 of Building for a Healthy Life and the National Planning Policy Framework.

22. No above ground works of development shall take place until a scheme for the design, construction and phasing of all new estate roads (including the raised junction table to the front of plot 1) and associated footways shown on drawing no. PL03 Rev N has been submitted to and

approved in writing by the Local Planning Authority. The scheme shall include full engineering, drainage, street lighting and constructional details and a timetable for their delivery. Each estate road and their associated footways shall be constructed in full accordance with the duly approved scheme before any of the dwellings to be served by that road are first occupied.

Reason: To ensure a satisfactory standard of engineering works for the construction of roads and footways to serve the development and to provide satisfactory facilities for access and circulation of all road users in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

23. None of the dwellings hereby approved shall be occupied until a scheme setting out arrangements for the future management and maintenance of all the estate roads and associated footways to be constructed pursuant to condition 22 of this permission has been submitted to and approved in writing by the Local Planning Authority. The estate roads and associated footways shall thereafter be managed and maintained in accordance with the duly approved scheme.

Reason: To ensure that satisfactory measures are put in place for the future management and maintenance of estate roads and footways to serve the development in order to provide satisfactory facilities for access and circulation of all road users in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

24. The vehicle parking and manoeuvring areas for each dwelling shown on drawing nos. PL03 Rev N and HL01 Rev H (including both in-curtilage and on-street parking) shall be laid out and made available for use in accordance with the details shown on the approved plans before each associated dwelling is first occupied, and shall be retained as such thereafter.

Reason: In order that there is adequate provision for vehicles to be parked clear of the highway in the interests of road safety and amenity, and to ensure appropriate surface treatment of parking areas in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policies T5 and GD7, and the National Planning Policy Framework.

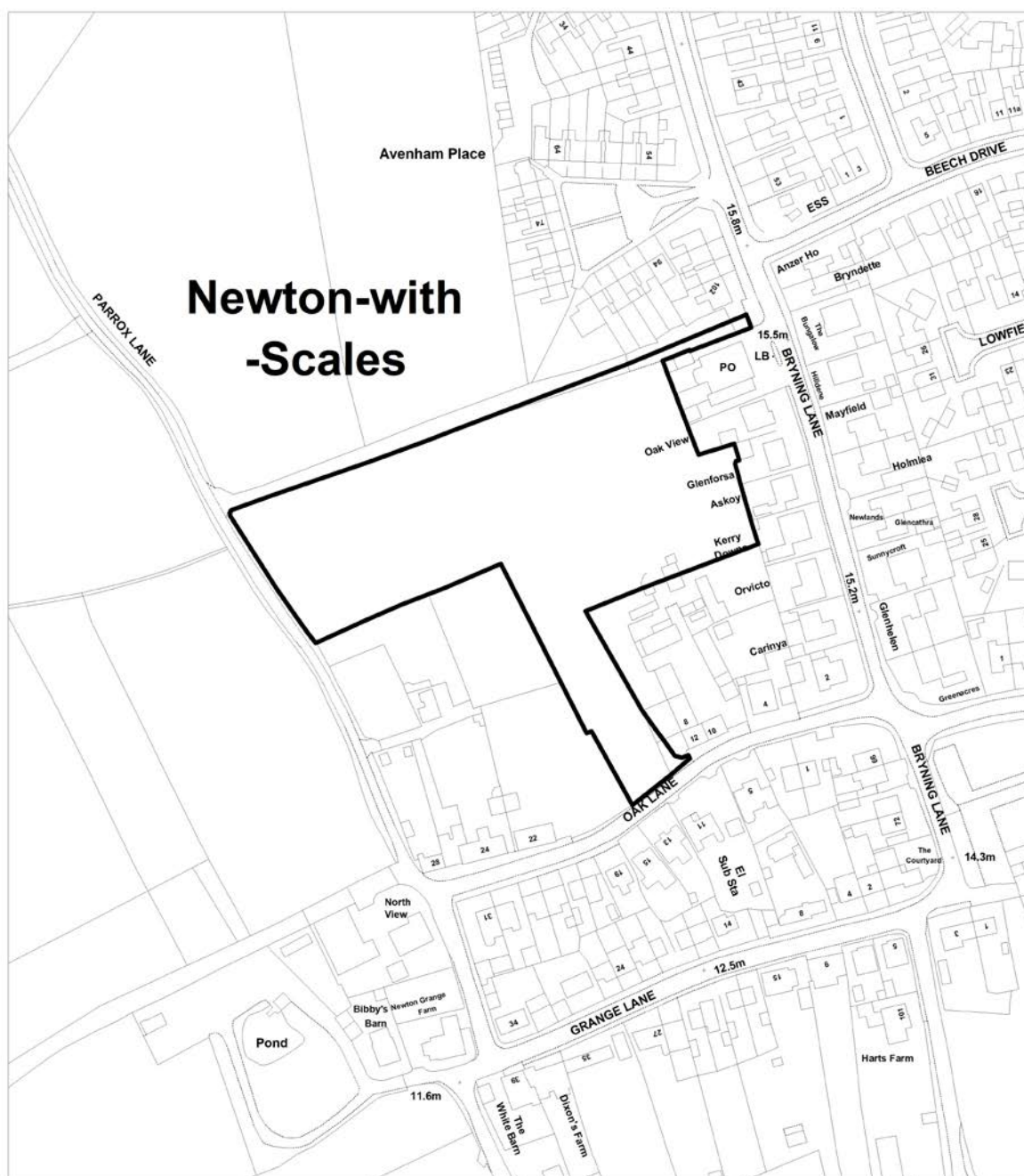
25. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), all garages (whether integral or detached) shown on drawing nos. PL03 Rev N, 1166-LON-110 Rev C and GA01 shall be retained for the parking of vehicles and shall not be converted to or used as additional living accommodation.

Reason: To ensure that, where garages are relied upon to act as parking spaces, appropriate provision is maintained for the parking of vehicles off the highway in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T5, and the National Planning Policy Framework.

26. Before the dwellings on plots 12 and 13 are first occupied, the ground floor bedroom and living room windows in their respective north and south facing (side) elevations shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity). The duly installed windows shall be retained as such thereafter.

Reason: To ensure that appropriate measures are put in place to limit the potential for overlooking between opposing habitable room windows in the sides of plots 12 and 13 in order to safeguard the privacy of future occupiers of those dwellings and to ensure a high standard of amenity for those occupiers in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and

the National Planning Policy Framework.



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Ordnance Survey (100006084).

Application No.
5/20/0315

Address
Land adjacent to 8 & 12 Oak Lane, Newton

Grid Ref.
E.3445 : N.4307

Scale
0 10 20 30 40 m

Item Number: 3

Committee Date: 04 November 2020

Application Reference:	20/0369	Type of Application:	Full Planning Permission
Applicant:	Mr Threlfall	Agent :	CFM Consultants Ltd
Location:	REAM HILLS, MYTHOP ROAD, WEETON WITH PREESE, PRESTON, PR4 3NB		
Proposal:	RETROSPECTIVE PLANNING APPLICATION FOR ERECTION OF 12NO STABLES FOR PRIVATE USE (INCLUDING TWO PADDOCKS, STORES, WC, 2NO LIGHTING COLUMNS AND KENNEL) PLUS LANDSCAPING,		
Ward:	STAINING AND WEETON	Parish:	Weeton with Preese
Weeks on Hand:	23	Case Officer:	Katie Halpin
Reason for Delay:	Awaiting Further Information		
Click Here for application site on Google Maps		Click here for application on FBC website	

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application relates to an area of land measuring approximately two thirds of a hectare in area and immediately to the south of the access road to the industrial units to the west, and to the north of the M55 motorway, within the holding known as Ream Hills. Ream Hills comprises a deer raising park, an industrial site, fishing lake with wakeboarding sport facility (and ancillary store, changing/toilet block, cafe and clubhouse), 24 holiday lodges, 51 touring caravan pitches, a camping field and a farmhouse that has permission for conversion to seven holiday apartments. This application relates to the erection of a building containing 12 stables, stores and WC and 2 paddocks, 2 lighting columns and a kennel building all for private use.

The proposal provides space for the stabling and exercising of the applicant's horses along with a safe place to kennel the applicant's dogs when he is on site. It is submitted retrospectively as the development has been completed. The main stable building has been constructed with dark green cladding which assists with it blending in with the surrounding countryside area. The use of land for stables is an acceptable rural use and with this appearance it is considered to be an acceptable development in the countryside area given the scale of the site as a whole.

The application is subject to an objection from Weeton-with-Preese Parish Council relating to the size and use of the stable building, impacts on the highway and the fact that this is a retrospective application. With regards to the scale and use of the building, the scale is not unusual in a rural location and whilst its design is considered to be functional, it does not look out of place in a countryside setting. It is a large facility for private stabling but is on a site that is extensive in area that can accommodate a number of horses. The applicant, via his agent, has confirmed that there is no intention to use the stables for anything other than the stabling of his own horses and kennelling of his own dogs when on site. With regards to the impacts on the highway Lancashire County Council, as Highway Authority, have not objected

to the proposal based on the usage being restricted to solely private use and no commercial use being allowed. With regards to the retrospective nature of the application, this is not a planning consideration when considering the planning merits of a planning application and cannot be used as a reason for refusal.

As such the proposal is considered to comply with the requirements of criteria a) of Policy GD4, Policy GD7, Policy ENV1 & Policy ENV2 of the Fylde Local Plan to 2032 subject to a series of conditions including those relating to the a restriction on the use of the stables to private use and to prevent it being used for commercial purposes, the provision and retention of the landscaping proposed around the sand paddocks and ensuring the light columns do not produce any light leakage in directions other than the paddock they are proposed for.

Reason for Reporting to Committee

The officer recommendation for approval conflicts with the views of the Town/Parish Council and so it is necessary to present the application to the Planning Committee for a decision.

Site Description and Location

This application relates to an area of land measuring approximately two thirds of a hectare in area and immediately to the south of the access road to the industrial units to the west and to the north of the M55 motorway, within the holding known as Ream Hills. Ream Hills comprises a deer raising park, an industrial site, fishing lake with wakeboarding sport facility (and ancillary store, changing/toilet block, cafe and clubhouse), 24 holiday lodges, 51 touring caravan pitches, a camping field, and a farmhouse that has permission for conversion to seven holiday apartments.

Details of Proposal

The retrospective application is seeking planning permission for the erection of a building containing 12 stables, stores and WC and 2 paddocks, 2 lighting columns and a kennel building. The stable building measures 28.23m in length by 15.25m in width. It has a dual pitched roof with an eaves height of 4.07m and a highest point of 4.93m. It is located 9.5m from the northern boundary and 27.5m from the eastern boundary. The front (eastern) elevation benefits from a sliding door opening measuring 4.5m in width and 4m in height. Inside the building there is a central circulation area that runs the length of the building. At the eastern end there are staircases on either side which lead to stores as well as stores and a WC on the ground floor below. The remainder of the building contains the 12 stables proposed for the private stabling of the applicant's horses. The walls and door are constructed out of green colour coated cladding sheets with white colour coated cladding sheets on the roof. 5 equally spaced rooflights are proposed on each plane of the roof. 2 parking spaces are proposed between the northern elevation and the northern boundary.

The larger sand paddock is located 9.5m from the southern boundary and 7.5m from the western boundary a measures 20m in width and 37.5 in length. 2 lighting columns measuring 8.4m in height are proposed at the southern and eastern corners of the paddock and the wooden post and rail fencing surrounding it is 1.3m in height.

The smaller sand paddock is located 11.5 from the southern boundary and 11m from the eastern boundary a measures 20m in width and 20m in length. The wooden post and rail fencing surrounding it is 1.3m in height.

The kennel building is located to the right of the entrance and is 1m from this entrance and 1m from the northern boundary. It measures 3m in length and 4.8 in width. It has a mono pitch roof which falls from front to back and measures 1.56 at the eaves and 1.8m at the highest point. It is constructed out of wood with a metal cage taking up part of the front elevation and is proposed to be used by the applicant's dogs.

Relevant Planning History

There is an extensive planning history on the site, with none relating to a previous equestrian use and so seemingly not of direct relevance to this application. However the most recent applications are included here for context.

Application No.	Development	Decision	Date
20/0523	CONSULTATION ON LANCASHIRE COUNTY COUNCIL APPLICATION LCC/2020/0043 FOR ERECTION OF A BUND	Raise No Objection	06/08/2020
19/0662	CHANGE OF USE OF LAND FROM TENT AREA TO THE SITING OF 12NO. STATIC HOLIDAY CARAVANS	Refused	10/10/2019
18/0711	ERECTION OF TWO STOREY LOG CABIN FOR USE AS A HOLIDAY LODGE TO REPLACE SINGLE STOREY CABIN APPROVED (BUT NOT YET CONSTRUCTED) UNDER PLANNING PERMISSION 16/0068	Granted	26/10/2018
18/0464	ERECTION OF TWO STOREY LOG CABIN FOR USE AS HOLIDAY LODGE TO REPLACE SINGLE STOREY CABIN APPROVED UNDER PLANNING PERMISSION 16/0068 BUT NOT YET BROUGHT ONTO SITE	Granted	02/08/2018
18/0186	CHANGE OF USE FROM EXISTING FARMHOUSE (WITH AGRICULTURAL TIE) TO 7 NO. HOLIDAY APARTMENTS AND 1 NO. MANAGER'S FLAT (ASSOCIATED WITH OPERATION OF HOLIDAY / LEISURE SITE), AND CONVERSION OF THE DOUBLE GARAGE TO AN AGRICULTURAL WORKER'S ACCOMMODATION (ASSOCIATED WITH THE AGRICULTURAL DEER RAISING OPERATION)	Granted	09/11/2018
18/0171	CHANGE OF USE OF LAND FOR THE SITING OF UP TO 76 NO. STATIC HOLIDAY CARAVANS	Refused	20/07/2018
17/0252	ADVERTISEMENT CONSENT FOR 3 NON ILLUMINATED POST SIGNS TO THE RIGHT AND LEFT HAND SIDE OF THE ENTRANCE	Split Decision	05/06/2017
17/0149	ERECTION OF TERRACE OF SINGLE STOREY BUILDINGS FOR 215m ² INDUSTRIAL (CLASS B2) SPACE AND 1,130m ² STORAGE (CLASS B8) SPACE	Granted	30/06/2017
17/0038	RETROSPECTIVE APPLICATION FOR ERECTION OF A TWO STOREY TIMBER BUILDING TO BE USED AS HOLIDAY ACCOMMODATION AS A REPLACEMENT FOR APPROVED SINGLE STOREY HOLIDAY LODGE	Refused	21/03/2017

16/0068	USE OF LAND FOR SITING OF 18 NO. HOLIDAY LODGES (ADDITIONAL TO 6 NO. EXISTING LODGES) WITH FORMATION OF INTERNAL ACCESS ROAD, DECKING AREAS, PARKING AREAS AND OTHER ANCILLARY WORKS	Granted	09/08/2016
14/0867	PROPOSED VARIATION OF CONDITION 3 OF PLANNING PERMISSION 12/0356 TO INCREASE NUMBER OF TOURING CARAVAN PITCHES FROM 25 TO 51 WITH NO ALTERATIONS TO SITE AREA.	Granted	27/04/2015
14/0862	PROPOSED RELOCATION OF TENTING FIELD ASSOCIATED WITH PLANNING PERMISSION 12/0356, FORMATION OF INTERNAL ACCESS ROAD, AND USE OF PREVIOUSLY APPROVED TENTING FIELD FOR AGRICULTURE	Granted	27/04/2015
14/0460	COUNTY MATTER APPLICATION FOR CONSTRUCTION OF A BUND WITH SOILS AND INERT WASTE	Raise Objections	23/07/2014

Relevant Planning Appeals History

Application No.	Development	Decision	Date
17/0038	RETROSPECTIVE APPLICATION FOR ERECTION OF A TWO STOREY TIMBER BUILDING TO BE USED AS HOLIDAY ACCOMMODATION AS A REPLACEMENT FOR APPROVED SINGLE STOREY HOLIDAY LODGE	Allowed	22/01/2018
14/0866	CONSULTATION ON COUNTY MATTER APPLICATION LCC/2014/0160 FOR ERECTION OF BUND	Allowed	30/09/2015

Parish/Town Council Observations

Weeton with Preese Parish Council notified on 03 June 2020 and comment:

It was resolved to RECOMMEND REFUSAL.

The application notes private usage, however, with 12 units this indicates a commercial venture. This will add to more traffic on an already over-utilised highway with bad access, particularly if horse boxes are to be utilised.

The councillors wish me to note that this is another retrospective application.

Statutory Consultees and Observations of Other Interested Parties

Highways England

Highways England has no objection to this application.

The Ramblers Association

No comments received.

Lancashire County Council Rights of Way

No comments received.

Regeneration Team (Landscape and Urban Design)

No comments received.

Lancashire County Council - Highway Authority

Highways do not have any objections regarding the Retrospective planning application for the erection of 12 no stables for private use and kennel and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site, providing they remain for private use only.

Highways have based the assessment on private use only and as such additional vehicle movements on Mythop Road will be minimal and most likely not be during the am and pm rush hours.

Greater Manchester Ecology Unit

From the available evidence it would not appear that the development has caused harm to protected species, designated sites or important habitats. The site has low potential to be used by birds associated with European designated sites because of the proximity of the motorway and the adjacent land-uses, both of which would cause disturbance.

I would therefore offer no overall objections to the development on ecology grounds. If retrospective permission is granted to the scheme I would support proposals for new tree and hedgerow planting and for landscaping of the new water body.

Neighbour Observations

Neighbours notified:	03 June 2020
Site Notice Date:	03 June 2020
Number of Responses	0

Relevant Planning Policy**Fylde Local Plan to 2032:**

GD4	Development in the Countryside
GD7	Achieving Good Design in Development
ENV1	Landscape
ENV2	Biodiversity

Other Relevant Policy:

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

Site Constraints

None

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Comment and Analysis

Principle of Development

The application site is located in the countryside area located between the settlements of Staining and Weeton where Policy GD4 of the Fylde Local Plan to 2032 is applicable. This sets out criteria within which development will be considered to be acceptable subject to compliance with general design guidance found within Policy GD7 of the same plan. Criteria b) to f) are not relevant to this application so the application falls to be considered under criteria a) which allows for development for purposes of agriculture, horticulture or forestry; or other uses appropriate to a rural area. The erection of stables, sand paddocks and kennels are uses that are considered to be appropriate as falling under the 'other uses appropriate to a rural area' element of Policy GD4 and so are acceptable in principle as a rural use.

Scale of Development

The majority of stable applications that the council receives are for small stable blocks that accommodate 2 or 3 horses and so are clearly for a private use, or are larger facilities where there is an equestrian business use undertaken such as a stud or livery activity. This scheme falls between the two as it involves the large purpose built enclosed barn style stable building with space for 12 horses along with associated feed, tack and manure storage areas, and a large exercise arena that would typically be commercial in nature, yet is submitted as being for private use.

This is not necessarily a concern providing the visual impact of the stables as proposed are acceptable, and that the scale of the use does not raise any other planning concerns such as the potential justification for a rural worker dwelling to be brought forward to provide security and welfare for the horses.

Looking at the visual impact first, the stables form the main structural part of the development and are the only part of the proposal that is visible from the public highway - that being the M55 motorway. The undulating nature of the countryside in this area results in no views of the development from Mythop Road from which the access to Ream Hills is located. The design of the building is functional and its appearance is not unusual within a countryside area as it has the appearance of a modern agricultural building of the type that is commonly found in the local landscape. The use of the dark green colour on the exterior of the walls and door of the building aide in blending the structure into the surrounding countryside.

The kennels are also functional in design however due to the stables and high hedge around the field, these are not visible from any public vantage point. The post and rail fence around the two sand paddocks has of a design that is commonly found in the countryside in relation to equestrian uses and is considered to be acceptable. Similarly, the two lighting columns are functional and minimalist in design to prevent having an unacceptable impact on the surrounding countryside area. No objections have been raised regarding the lighting columns but it is considered pertinent to condition these to ensure that the light emitted only shines on the development proposal and does not lead to light leakage in other directions within this countryside location.

It is therefore accepted that the proposed development will not create any harmful impact on the rural landscape around the site despite the scale of the stable building and ancillary elements of the scheme.

With regards the management, the submitted plans confirm that the applicant controls the remainder of the Ream Hill site. This contains the dwelling at Ream Hills Farm which provides a residential element that is specifically to provide for the management of the rural activity on the site

as a whole.

Given this relationship it is accepted that there are no management concerns from the establishment of a equestrian facility of the scale proposed, although a condition is required to ensure that the site is operated for the stated private use only. This assists with this management concerns, but also controls the number of vehicle movements to the site and the level of activity undertaken at it.

Accordingly it is accepted that the scheme complies with the requirements of Policy GD4a of the Fylde Local Plan to 2032.

Highways

There are two possible road impacts. Firstly, there is the proximity of the development to the M55. In that regard Highways England have offered no objection in relation to the development regarding any potential impact that the development has on the M55.

Secondly, with regards to the access to the site on the local highway network Lancashire County Council, as Highway Authority, have also raised no objection to the development proposal on the basis that the use of the stables remains solely for private use. They conclude that on this basis there is not anticipated to be a significant impact on highway safety, capacity and amenity as it is not envisaged that any extra journeys will take place during morning or evening rush hours.

A condition can be attached to the planning permission to restrict the use to solely private use in order to minimise the impact on the highway in accordance with the LCC response and the requirements of Policy GD7 relating to, amongst other things, highway safety obligations.

Ecology

The council's consultants on this area, the Greater Manchester Ecology Unit, report that it does not appear that the development has caused harm to protected species, designated sites or important habitats. The site has low potential to be used by birds associated with European designated sites because of the proximity of the motorway and the adjacent land-uses, both of which would cause disturbance. There is, therefore, no objection to the development on ecological grounds although support is provided for landscaping and a water body. Whilst no water body is proposed as part of the proposal, it is indicated on the plans that trees or hedging are to be planted along the southern boundary of the larger paddock and the southern boundary and eastern boundary of the smaller paddock. Hedging has been planted along the eastern boundary of the eastern paddock at the time of the site visit to the land however this was not complete. Given the comments from colleagues in the Greater Manchester Ecology Unit, it is proposed to secure the provision and retention of this landscaping is secured by a planning condition.

Other Matters

It is noted that Weeton-with-Preese Parish Council have objected to the fact that is a further retrospective application on the larger site known as Ream Hills however this does not impact upon the planning merits under consideration here and cannot be used as a reason for refusal of this application.

Conclusions

The application relates to the erection of a building containing 12 stables, stores and WC and 2 paddocks, 2 lighting columns and a kennel building all for private use. The proposal is considered to comply with the requirements of criteria a) of Policy GD4, Policy GD7, Policy ENV1 and Policy ENV2 of the Fylde Local Plan to 2032 subject to a series of conditions including those relating to the a restriction on the use of the stables to private use and to prevent it being used for commercial purposes, the provision and retention of the landscaping proposed around the sand paddocks and ensuring the light columns do not produce any light leakage in directions other than the paddock they are proposed for.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This permission relates to the following plans:

- Location Plan - Drawing no. RH/04536/001
- Proposed Site Plan - Drawing no. RH/04536/005
- Proposed Site Layout - Drawing no. RH/04536/004
- Proposed Stables Plans & Elevations - Drawing no. RH/04536/006
- Proposed Riding Arena Elevations - Drawing no. RH/04536/007
- Proposed Kennel Elevations - Drawing no. RH/04536/008

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework

2. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the application form and / or approved plans listed in condition 2 to this planning permission.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with Policy GD7 of the Fylde Local Plan to 2032.

3. The stables, kennels and sand paddocks hereby approved shall be for private personal use only by the owner of the Ream Hills Farm, being the land edged blue on the location plan submitted with the application and having reference RH/04536/001. No trade, business, or commercial enterprise shall be carried on, in or from the stables, kennels or sand paddocks.

Reason: The use of the development in connection with any commercial operation would potentially cause increased activity at the site and vehicle movements to it contrary to the provisions of policy GD7 of the Fylde Local Plan to 2032, and to ensure that there was no scope for a justification for a rural worker at the site to accord with Policy GD4 of the Fylde Local Plan to 2032

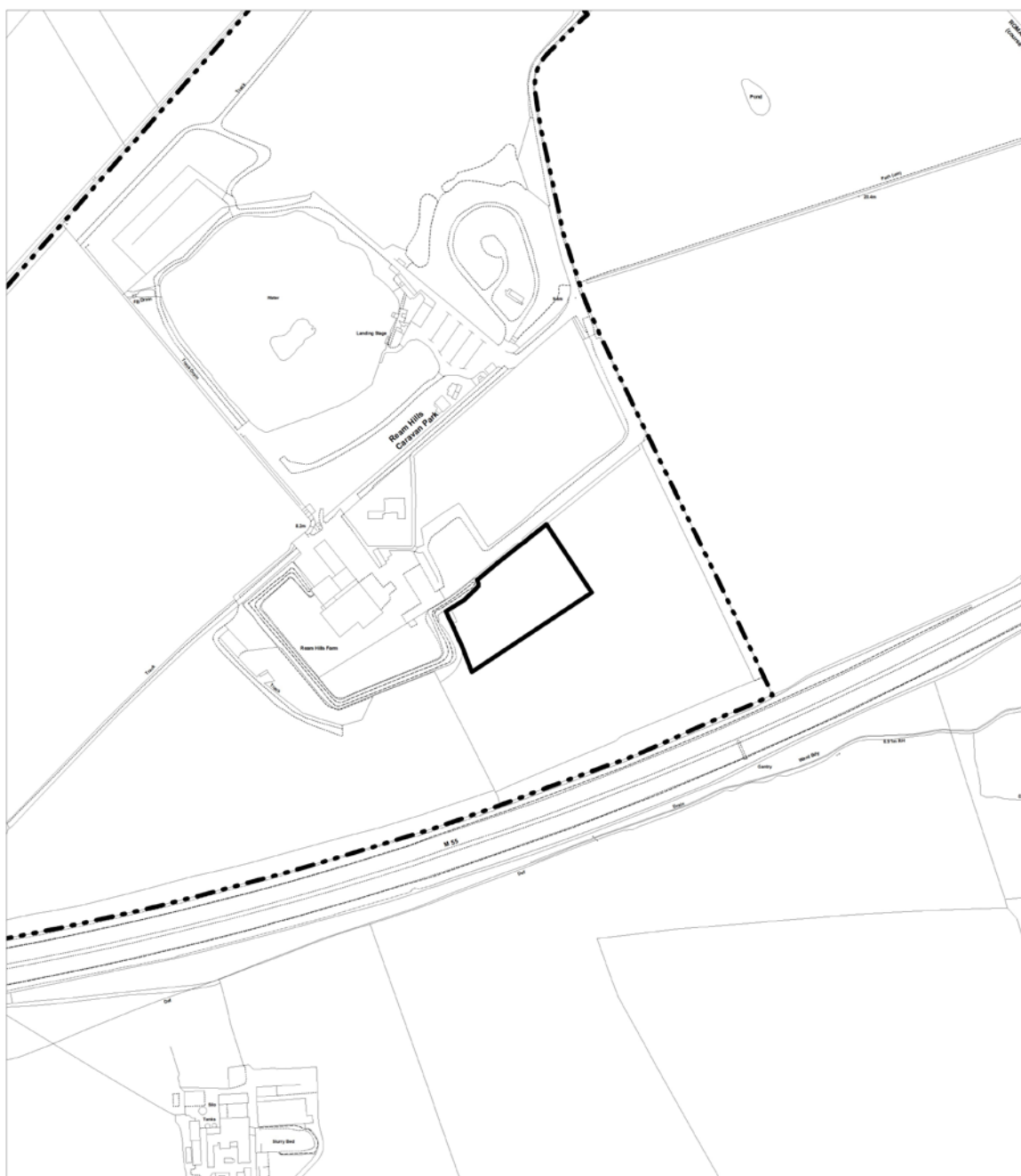
4. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the soft landscaping scheme for the site shown on drawing no. RH/04536/005 shall be carried out during the first available planting season after the granting of this planning permission and the areas which are landscaped shall be maintained as landscaped areas thereafter

in accordance with the details shown on the approved plan. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in order that the development assimilates sympathetically into the surrounding landscape and to provide biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 policies ENV1, ENV2 and GD7, and the National Planning Policy Framework.

5. Within 3 months of the date of the granting of this planning permission the lighting columns the subject of this application will be erected and fitted with appropriate hoods and at an appropriate angle to prevent light spillage beyond the larger sand paddock for which they are designed to illuminate.

Reason: To ensure that any external lighting to be installed at the site does not cause a nuisance to the surrounding countryside area or impact on the highway safety of the users of the M55, as a result of light pollution, in accordance with the requirements of Policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.



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Ordnance Survey (100006084).

Application No.
5/20/0369

Address
Ream Hills, Mythop Road, Weeton

Grid Ref.
E.3370 : N.4339

Scale
0 25 50 75 100 m

Item Number: 4

Committee Date: 04 November 2020

Application Reference: 20/0514		Type of Application: Full Planning Permission	
Applicant:	Reliant TV (St Annes) Ltd	Agent :	Eastham Design Associates Ltd
Location:	GRANARY BUILDINGS, MYTHOP ROAD, WEETON WITH PREESE, BLACKPOOL, FY4 4XB		
Proposal:	ERECTION OF BUILDING FOR STORAGE AND DISTRIBUTION USE (CLASS B8) OVER AN EXISTING DIS-USED SILAGE CLAMP STRUCTURE AND HARDSTANDING AREA		
Ward:	STAINING AND WEETON	Parish:	Weeton with Preese
Weeks on Hand:	15	Case Officer:	Alan Pinder
Reason for Delay:	Delay due to notification/publicity		
Click Here for application site on Google Maps		Click here for application on FBC website	

Summary of Recommended Decision: Delegated to Approve

Summary of Officer Recommendation

This application site is part of the Granary Buildings site at Mythop Grange which is located on Mythop Road to the north of its junction with Chain Lane. The site is a former farm where the agricultural activity ceased many years ago and which is now in employment use that is entirely occupied for storage and distribution purposes. The site is located in a rural area but is allocated as an employment site within that area.

The application relates to the construction of an additional storage building (use class B8) on the site of a series of former storage clamps associated with the previous agricultural use. The clamps are no longer present but the hardstanding that formed their floor remains along with most of the steel posts that stand in vertical rows to support the sides of the clamp.

With the proposal being for an employment use on an allocated employment site there is national and local policy support in paragraphs 83 and 84 of the NPPF and policies EC1 and EC2. This is subject to compliance with other relevant policies within the Fylde Local Plan to 2032 relating to visual, neighbour, and highways impacts. The proposed development has been assessed against such policies and found to be acceptable in respect of these aspects. Accordingly the proposal is considered to accord with the Fylde Local Plan to 2032 and paragraphs 83 and 84 of the NPPF as a whole and so should be supported.

Unfortunately, there has been an administrative oversight with the publicity of the application, which due to its major scale needs to be advertised on site and in the press. This oversight has since been corrected but it is necessary to delay the decision on the application to allow the notification period to expire and any comments received as a consequence to be considered. The officer recommendation to Committee is therefore to delegate the decision to the Head of Planning to allow this to take place at the appropriate time.

Reason for Reporting to Committee

The application is for 'major development' and so it is necessary to present the application to the Planning Committee for a decision.

Site Description and Location

This application relates to the Mythop Lodge employment site (Use Class B8) located on the north side of Mythop Road near its junction with Chain Lane, and specifically to the former silage clamp located to the north of the site and to the rear of the main employment buildings. The site is designated as an existing employment site in policy EC1 of the Fylde Local Plan to 2032 and is occupied by 'Reliant Direct', an online supplier of household electrical goods.

The site is surrounded on all sides by open countryside. Staining Lodge golf course lies approximately 470 metres to the north of the site and Marton Mere Caravan Park is approximately 1.2 Km to the west. To the front of the employment site are three dwellings (Mythop Lodge and No's 1 & 2 New Cottages), and a row of four residential cottages (no's 1 to 4 Mythop Grange Cottages) are approximately 90 metres to the east on the opposite side of Mythop Road.

Details of Proposal

Planning permission is sought for the construction of a new building for use as storage and distribution (Use Class B8) on the site of the former silage clamp, which comprises mainly of a large concrete slabbed area with a smaller area of consolidated hardcore to the eastern side. This is situated to the rear of the site when viewed from Mythop Road with the site itself behind the cluster of dwellings that front onto that road in this location.

The proposed building would have a footprint measuring 60 metres by 35 metres (2,100m²), have a triple gable design with 8 metre high ridges and 5.2 metre high eaves, and feature roller shutter doors set in two of its gables, and eight pedestrian doorways distributed between its four elevations for access and fire escape purposes. The elevations and roof would be clad in box profile steel sheet with a 'juniper green' colour finish. The building would be accessed via the existing access from Mythop Road, which serves the employment site and leads to a parking and circulation area that serves the site in general.

The building is required to enable the business to expand by providing additional secure storage for 'white goods', the demand for which has greatly increased.

Relevant Planning History

Application No.	Development	Decision	Date
01/0919	CHANGE OF USE OF LAND & CREATION OF CAR PARK IN ASSOCIATION WITH PREVIOUSLY APPROVED BUSINESS USE.	Granted	24/04/2002
00/0665	CONVERSION OF REDUNDANT FARM BUILDINGS TO INDUSTRIAL CLASS B1 AND B8 USE.	Granted	03/01/2001
00/0525	EXTENSION TO EXISTING WAREHOUSE AND REFURBISHMENT OF REDUNDANT FARM BUILDINGS	Granted	06/09/2000
99/0651	ERECTION OF NEW WAREHOUSE BUILDING IN	Granted	13/01/2000

93/0783	CONNECTION WITH EXISTING USE MODIFICATION OF APPLICATION NO 5/91/0764 TO FORM NEW WAREHOUSING	Granted	02/02/1994
91/0764	ERECTION OF WAREHOUSE EXTENSION, CHANGE OF USE OF EXISTING BARN TO WAREHOUSE, OFFICES AND FORM 6 ADDITIONAL CAR PARKING SPACES.	Granted	26/02/1992

Relevant Planning Appeals History

None

Parish/Town Council Observations

Weeton with Preese Parish Council notified on 23 July 2020 and comment:

"No observations to make"

Statutory Consultees and Observations of Other Interested Parties

National Grid (now cadent gas)

No comments received.

Health & Safety Executive

'Does Not Cross Any Consultation Zones'

Lancashire County Council - Highway Authority

LCC Highways does not have any objections regarding the proposed erection of building for storage and distribution use (class b8) over an existing dis-used silage clamp structure and hardstanding area, and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

The submitted plans do not show the car parking for the staff and the delivery and manoeuvring areas for the vehicles loading and un-loading. It is requested that the parking and manoeuvring areas are shown.

These details have since been supplied and so a condition to ensure their provision and retention for use is requested by the highway authority.

Regeneration Team (Landscape and Urban Design)

No comments received.

Neighbour Observations

Neighbours notified:	23 July 2020
Site Notice Date:	23 October 2020
Press Notice Date:	29 October 2020
Number of Responses	One (any further comments will be reported to the meeting)
Summary of Comments	Raise a query that as there is no detail of the product to be stored and distributed it could be nuclear waste or toxic substances.

Relevant Planning Policy

Fylde Local Plan to 2032:

GD7	Achieving Good Design in Development
EC1	Overall Provision of Empty Land & Existing Empty Sites
EC2	Employment Opportunities
ENV1	Landscape

Other Relevant Policy:

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

Site Constraints

Pipelines
Tree Preservation Order

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Comment and Analysis

The principal issues to consider in the determination of this application are set out in policies GD4, GD7, EC1 and EC2 of the Fylde Local Plan to 2032, which are examined as follows:

The Principle of the Development

Policy EC1 of the Local Plan identifies the application site as an existing employment site. More specifically it lists the type of employment use that this supported at the site as Use Class B8, and policy EC2 of the Local Plan seeks to retain the continued employment use of existing employment sites. Furthermore paragraph 83 of the NPPF states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings, and paragraph 84 provides support for the use of previously developed land for the expansion and growth of rural businesses.

The site is clearly a former farm, but from the planning history it has been in employment uses, at least in part, since 1991 and now is entirely in that use as the basis for a large distribution company in the 'white goods' market. As this proposal is for a new building to expand the Class B8 employment accommodation available to the business on site then the principle is in accordance with the NPPF and policies EC1 and EC2 of the Fylde Local Plan to 2032. These also require compliance with other relevant policies of the Local Plan and so these aspects are assessed in the following sections of this report.

Visual Impact

The application site features a cluster of buildings alongside each other and set approximately 50 metres back from Mythop Road. The proposed building would be sited to the rear (north) of these buildings and be of similar height and finished appearance to the existing buildings. These have largely been converted from their agricultural originals to service the current business use through re-cladding and insulation but retain the style and form of an agricultural building. These existing buildings would provide an appropriate level of screening for the proposed building in views from

Mythop Road as it will be to the rear of them in close views and sit as a coherent part of that cluster when approaching from Preston New Road.

Views across from Chain Lane and the north of Mythop Road are also largely screened by the tall roadside flora that populates these two roads and the topography of the land. Staining Lodge Golf Course lies approximately 470 metres to the north of the and across open countryside making the building visible to users of the course. However it would be viewed against the backdrop of the row of three existing buildings, all of similar height and appearance, and which would encompass the outline of the proposed building to an extent that it would not appear as a separate, visually intrusive, entity. The proposed dark green colour finish of the building will further aid in blending the building into its immediate surrounds and reducing its visual presence in the countryside.

Having regard for the spatial relationship of the proposed building relative to both its immediate surroundings and outlying public vantage points it is considered that the development would not unduly harm or prejudice the visual amenity or character of the area. Accordingly the proposal is considered to accord with policy ENV1 and criteria 'd' and 'h' of policy GD7 of the Fylde Local Plan to 2032.

Neighbour Amenity

Nearby dwellings potentially affected by the application are Mythop Lodge and No's 1 & 2 New Cottages, which are situated directly between the southern side of the employment site and Mythop Road, and No's 1 to 4 Mythop Grange Cottages which are located approximately 90 metres to the east on the opposite side of Mythop Road.

The application site is an established allocated employment site. The proposed building would be sited to the rear of the existing three storage buildings which would effectively isolate and screen it from the nearby dwellings to an extent that residential amenity would not be unduly harmed or prejudiced either through the visual impact or the activity associated on site. Accordingly, the proposal accords with criteria 'c' and 'h' of policy GD7 of the Fylde Local Plan to 2032.

Highways, access and parking

The proposed building would be accessed via the existing access to the employment site from Mythop Road. County Highways have been consulted on the application and raise no objections, opining that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. They have commented that the submitted plans do not include details of staff car parking.

It was noted during the officer site visit that an appropriately sized car parking area already exists at the northern end, and to the west, of the access drive. This notwithstanding the applicant has been requested to provide a plan indicating both existing and any proposed car parking, and manoeuvring areas within the site. It is expected that this will be with the council by the date of Committee and so will be incorporated into the list of approved plans in the recommended condition.

Other Matters

The proposal represents development within an existing allocated employment site, and involves no demolition or removal of existing structures. As such the development raises no ecological issues for consideration. Similarly the site does not fall within a flood zone and hence flooding within the site is not a concern.

One local resident has noted the lack of information in the application regarding the nature of the

stored products and has expressed concern that the building might be used for the storage of nuclear waste or other toxic substances. Notwithstanding that the application contains no indication, or reason, that the building would be used for the storage of such substances the storage of nuclear and/or toxic waste is subject to a separate legislative regime and strictly controlled by the Environment Agency and/or the Office of Nuclear Regulation. Planning legislation allows for general storage to be undertaken as a use without the need for the nature of the goods stored to be specified, although in this case it is highly likely that the use will be associated with the expansion of accommodation for the applicant's business.

Conclusions

The application relates to the construction of an additional storage building (use class B8) within an established allocated employment site. Policies EC1 and EC2 permit such development subject to compliance with other relevant policies within the Fylde Local Plan to 2032 relating to visual, neighbour, and highways impacts. The proposed development has been assessed against such policies and found to be acceptable in respect of these aspects. Accordingly the proposal is considered to accord with the Fylde Local Plan to 2032 and paragraphs 83 and 84 of the NPPF. It is therefore recommended that the application be supported.

Unfortunately, there has been an administrative oversight with the publicity of the application, which due to its major scale needs to be advertised on site and in the press. This oversight has since been corrected but it is necessary to delay the decision on the application to allow the notification period to expire and any comments received as a consequence to be considered. The officer recommendation to Committee is therefore to delegate the decision to the Head of Planning to allow this to take place at the appropriate time.

Recommendation

That the decision on the application be delegated to the Head of Planning and Housing with the decision made following the conclusion of the statutory notification period for the press and site advertisements and the consideration of any comments received. Any decision to grant planning permission shall be subject to conditions and reasons which the Head of Planning and Housing considers necessary based on the following suggestions.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

- Location Plan - Drawing no. 1451-20-03 Rev B
- Proposed Site Plan & Street Scene - Drawing no. 1451-20-03 Rev B
- Proposed Plans - Drawing no. 1451-20-05 Rev B
- Proposed Elevations - Drawing no. 1451-20-04 Rev B
- Indicative Section - Drawing no. 1451-20-06 Rev B

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the approved plans (drawing no. 1451-20-04 Rev B)

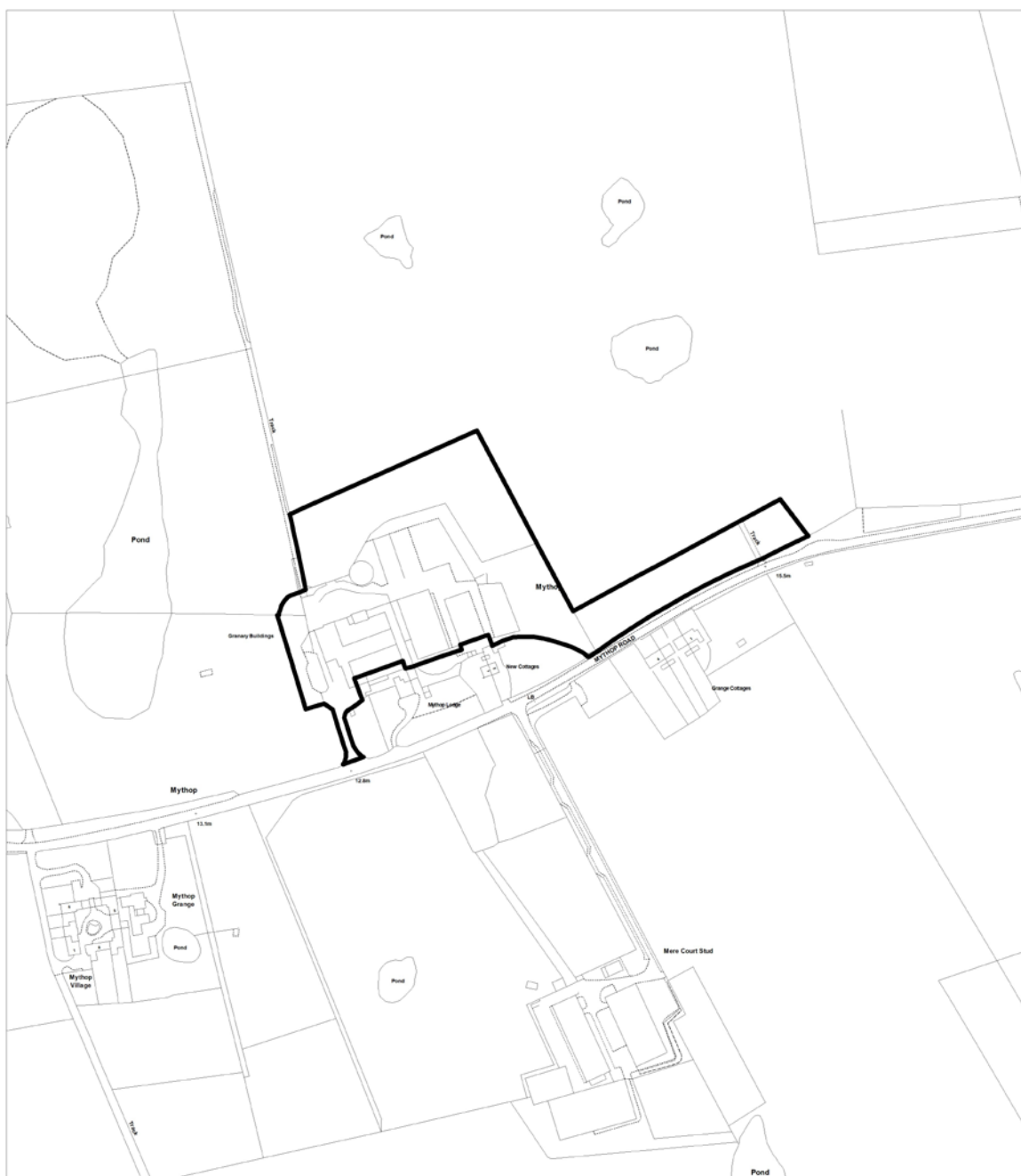
Reason: To ensure the use of appropriate materials which are sympathetic to the character of the surrounding area in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the building shall be used for B8 purposes (as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)) only.

Reason: To restrict the use of the building to an operation which is compatible with the nature of surrounding uses and to prevent future changes of use which have the potential to detract from the character of the area and/or harm the amenities of surrounding occupiers in accordance with the requirements of Para 180 the National Planning Policy Framework.

5. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, prior to the commencement of any part of the development hereby approved a soft landscaping scheme to screen the approved new storage building in views from the east, north and west shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved soft landscaping scheme shall be carried out during the first planting season after the storage building is brought into first use and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of policies GD7 and ENV1 of the Fylde Local Plan to 2032, and the National Planning Policy Framework.



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Ordnance Survey (100006084).

Application No.
5/20/0514

Address
Granary Buildings, Mythop Road, Weeton

Grid Ref.
E.3361 : N.4349

Scale
0 20 40 60 80 m

Item Number: 5

Committee Date: 04 November 2020

Application Reference:	20/0644	Type of Application:	Householder Planning Application
Applicant:	Mr Dixon	Agent :	
Location:	5 THE CRESCENT, FRECKLETON, PRESTON, PR4 1UL		
Proposal:	RETROSPECTIVE APPLICATION FOR ERECTION OF TWO STOREY GARDEN SUMMERHOUSE		
Ward:	FRECKLETON WEST	Parish:	Freckleton
Weeks on Hand:	8	Case Officer:	Katie Halpin
Reason for Delay:	Not applicable		
Click Here for application site on Google Maps		Click here for application on FBC website	

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site relates to a detached bungalow located within the countryside area to the south of Freckleton. The application relates to the erection of a two storey summer house in the north west corner of the garden.

The proposal will increase the use of the outdoor space during colder months and provide a domestic workshop for the applicant away from the main property in the far north west corner of the garden tucked into mature hedging and so is not excessively scaled for the plot or the character of the surrounding area. The proposal is considered to have an acceptable relationship to the neighbouring properties on The Crescent.

The application is subject to an objection from Freckleton Parish Council relating to the scale of the building, a previous dispute regarding the land on which the summer house is located, a query over air safety, and the implication on the application form of a relationship between the applicant and Fylde Council. With regards to the scale of the summer house this is considered acceptable given the backdrop of mature hedgerow and as it cannot be viewed from any short or long viewpoint within the countryside area. With regards to the land dispute, this is not a planning consideration however a Certificate of Lawfulness was granted in 2014 establishing that the land was residential curtilage. With regards to the relationship with Fylde Council, this question on the application form is clarified by the applicant confirming his communications with the Planning Enforcement Officer who first visited the property rather than a formal relationship to someone within Fylde Council.

As such the proposal is considered to comply with the requirements of Policy GD4 and Policy GD7 of the Fylde Local Plan to 2032 subject to a series of conditions including those relating to the finished colour of the summer house and a restriction on the workshop being used only for domestic purposes and to prevent it being used for commercial purposes.

Reason for Reporting to Committee

The officer recommendation for approval is in conflict with the views of the Parish Council and so it is necessary to present the application to the Planning Committee for a decision.

Site Description and Location

The application property is a detached bungalow situated on the western end of The Crescent. The property has a large garden to the west of the dwelling and this is surrounded by high conifer hedges. Located in the garden there is a detached garage which also has a number of kennels attached to it and a partly built summer house. To the east and southeast of the property there are neighbouring residential properties. To the south and west there is Naze lane Industrial Estate. The property is located within the countryside area in accordance with Policy GD4 of the Fylde Local Plan to 2032.

Details of Proposal

The retrospective application is seeking planning permission for the erection of a 2 storey summer house in the north west corner of the garden. The summer house measures 5.1m in width by 4.91m in depth with the 2 front corners cut away. There is a small platform located centrally to the front of the summer house measuring 2.2m in width and 1.36m in depth. The platform is 0.2m in height. The height to eaves of the structure is 4.43m and the highest point of the dual pitched roof is 5.18m. A staircase runs up to an identical sized platform above the ground floor platform and measures 2.97m in length. The platform at first floor level has a balustrade measuring 1.1m in height from the platform base and 3.3m in height from ground level. The north and east elevations are tucked tightly into the existing boundary vegetation. The south elevation has 2 sets of dual pane windows units on each floor with top openings to all the windows. To the west elevation on the ground floor a double door is proposed and to the first floor a single door is proposed with a dual pane non-opening unit to the side and a further dual pane window unit in the cut off section facing south east with a side opening window to the left hand side.

The structure is constructed out of timber and will be clad in a Californian Redwood cladding and painted in a dark brown colour. The roof is a rubber membrane fitted in one piece.

Relevant Planning History

Application No.	Development	Decision	Date
14/0674	LAWFUL DEVELOPMENT CERTIFICATE FOR EXISTING USE OF AGRICULTURAL LAND AS GARDEN, AND FOR EXISTING DEVELOPMENT OF DETACHED DOUBLE GARAGE INCORPORATING THREE KENNELS AND FENCED DOG RUNS	Approve Certificate	13/11/2014
77/1072	USE OF TIMBER SHED FOR STORAGE OF WASHING MACHINES.	Refused	15/02/1978

Relevant Planning Appeals History

None

Parish/Town Council Observations

Freckleton Parish Council notified on 11 September 2020 and comment:

The building is 5.38m high in an area where every other building is single story. As such it is out of keeping with the other properties. It is situated in an area that was subject to a property dispute with the neighbour who owns the field adjacent. The height limit required will come from BAE / MoD as it relates to the proximity to the Warton runway and the associated height restrictions that apply for fixed structures in proximity to an active airfield. The council also note that the application states there is a relative involved in Fylde Planning (Para 24) without any further comment? Therefore the parish council are against this application.

Statutory Consultees and Observations of Other Interested Parties

BAE Systems

No comments have been received at the time of writing this report.

Ministry of Defence - Safeguarding

No comments have been received at the time of writing this report.

Neighbour Observations

Neighbours notified:	11 September 2020
Number of Responses:	1
Summary of Comments:	<i>I am supportive of the application and have no objections or concerns about the construction whatsoever</i>

Relevant Planning Policy

Fylde Local Plan to 2032:

GD4	Development in the Countryside
GD7	Achieving Good Design in Development

Other Relevant Guidance:

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
	Residential Design Guides in Extending Your Home SPD

Site Constraints

None

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Comment and Analysis

Principle

The application site is located in the Countryside area as defined by Policy GD4 of the Fylde Local

Plan to 2032. In these areas the principle of residential outbuildings is acceptable subject to the normal planning criteria as examined below with reference to Policy GD7 of the Plan.

Design and Appearance in Streetscene

The property is a detached bungalow situated on the western end of The Crescent, directly adjacent to Naze Lane Industrial Estate. The property benefits from a substantial private garden containing mature vegetation and mature hedging to the west and north boundary of the property. The unusual height of the summer house does not breach the height of the surrounding hedges and therefore has no impact on the streetscene, nor can it be seen via long views from Stoney Lane or Bush Lane. Similarly it has no impact on the Countryside Area as it cannot be seen from any vantage point which results in no impact on the rural character of the area. Even without the hedges, the structure is of a scale and location where the long range views would ensure it is not a dominating or incongruous presence.

The materials used/proposed are a timber construction finished in Californian Redwood cladding, painted dark brown, and with a rubber membrane covering the roof. These materials are not considered unusual in a rural residential setting and the dark brown finish will help to blend the development into the mature garden.

Based on the limited impact that the development has on the both the Countryside Area and the streetscene, the design and scale of the extension are considered to accord with the requirements of criteria b), d), h) and i) of Policy GD7 and Policy GD4.

Relationship to Neighbours

Naze Lane Industrial Estate can be found to the west and south of the land and Nos 3, 4 & 6 The Crescent can be found to the south east and east of the property. Jamar on Naze Lane East can be found to the north of the land.

The location of the outbuilding in the north west corner of the garden places the development as far as it possibly can be from the nearest residential properties which are found on the opposite side of No 5 The Crescent itself. Whilst the properties in this area are all single storey, the mature vegetation and boundary treatments result in near to no impact on privacy. This is evidenced by site photographs taken from the first floor platform revealing no aspects of any neighbouring gardens are visible resulting in the development having no impact on the privacy of neighbouring properties. The dense mature hedging to the side and rear of the summer house result in their being no impact on Naze Lane Industrial Estate or Jamar.

As such the proposal has an acceptable relationship to its neighbours in all regards and complies with criteria c), d) and h) of Policy GD7.

Parking and Access Arrangements

The proposal retains an appropriate level and location of parking for the site and does not compromise the access arrangements or highway safety. As such it complies with criteria j) and q) of Policy GD7.

Other Matters

Whilst the Parish Council have raised objections relating to the land that this outbuilding is located

upon, the Certificate of Lawfulness that was granted under application 14/0674 reveals this land to be lawful as residential curtilage. Any other disputes relating to this land do not alter its lawful planning use as residential curtilage.

It has also been noted by the Parish Council that the applicant has ticked Yes on Question 11 of the Application Form confirming he is either an Elected Member or employee or related to either of these within Fylde Council. This is clarified in the box below as relating to correspondence with Mr Hoyle, the Planning Enforcement Officer responsible for the investigation that culminated in the submission of this application, and is not in fact an Elected Member, employee or related to either of these within Fylde Council.

The Parish Council have also referred to the need to consider any air safety restrictions on buildings in such proximity to the active runway at BAE Warton. As is the case with all applications in Freckleton and Warton Parishes BAE and the MOD have been consulted on the application, but at the time of writing neither has offered any comments on the application. Officers have chased these and will report them to Committee in the Late Observations Schedule should any be received. Notwithstanding that, the site is not in the area designated on the local plan policies map where new development is restricted on air safety grounds.

Conclusion

The application relates to the erection of a two storey summer house in the residential curtilage of a detached bungalow located within the countryside area to the south of Freckleton. Having viewed the proposal and assessed the issues raised relating to scale, land disputes and queries on the application form, it is considered that the proposal accords with Policies GD4 & GD7 of the Fylde Local Plan to 2032 and other relevant development plan policies. Accordingly, the application is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This permission relates to the following plans:
 - Location Plan & Proposed Site Plan - Drawing no. AG20/0236 00 Rev A
 - Proposed Floor Plans & Elevations - Drawing no. AG 20/0236 01

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

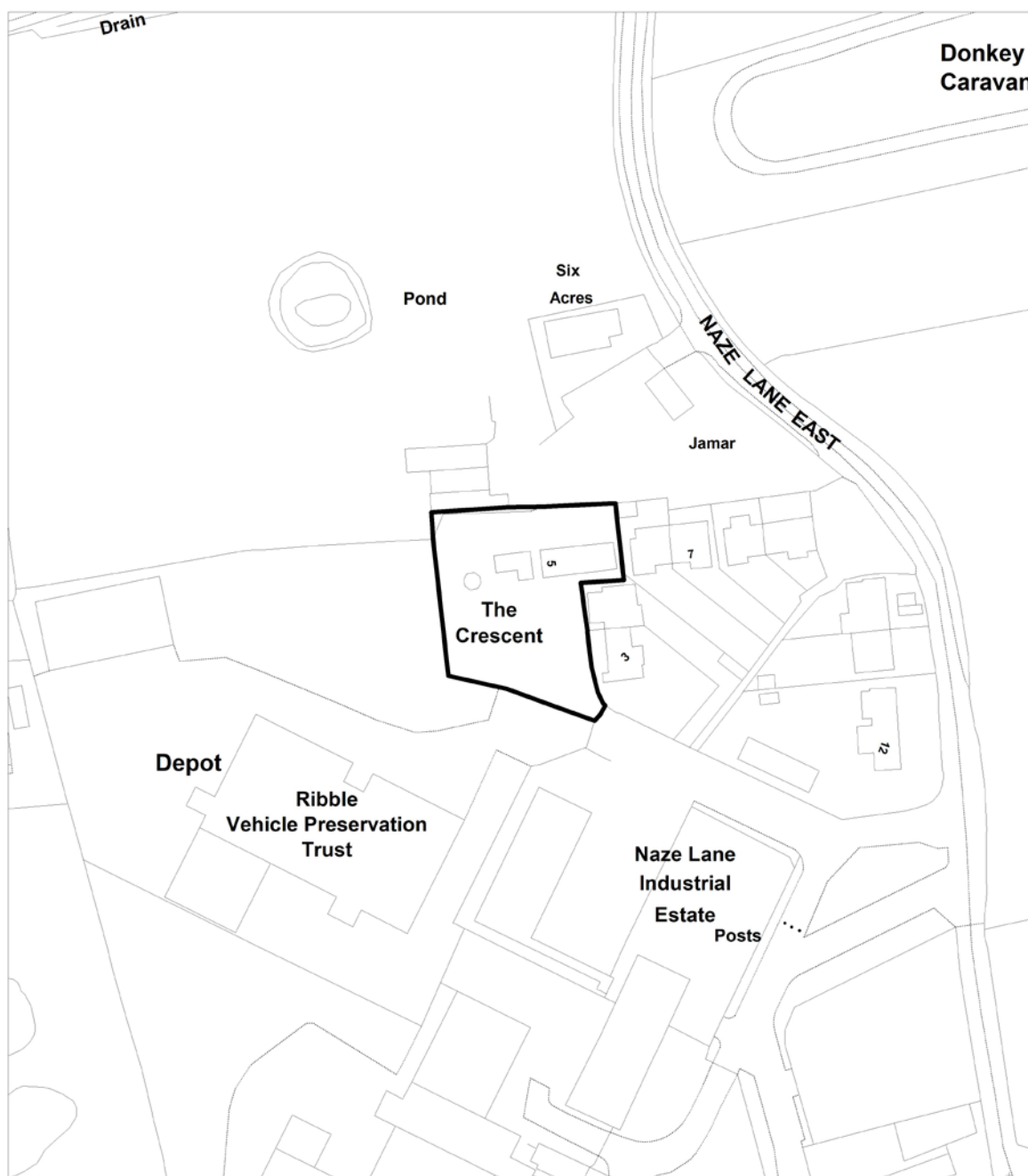
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework


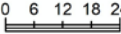
2. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the application form and / or approved plans listed in condition 2 to this planning permission.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with Policy GD7 of the Fylde Local Plan to 2032.

3. The outbuilding hereby approved shall be for private personal use only by occupiers of No 5 The Crescent, Freckleton. No trade, business, or commercial enterprise shall be carried on, in or from the outbuilding.

Reason: The use of the outbuilding in connection with any commercial operation would potentially cause unacceptable harm to neighbour amenity and the safe use of the adjacent highway network contrary to the provisions of policy GD7 of the Fylde Local Plan to 2032.



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Application No. 5/20/0644	Address 5 The Crescent, Freckleton	Grid Ref. E.3429 : N.4280	Scale 0 6 12 18 24 m 

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	4 NOVEMBER 2020	5
LIST OF APPEALS DECIDED			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY OF INFORMATION

The council received no appeal decisions between 25 September and 23 October 2020.

SOURCE OF INFORMATION

Development Services

INFORMATION

No appeals received

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform members of the appeals that have been decided during the period.

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473

LIST OF APPEALS DECIDED

There were no appeal decisions received between 25/09/2020 and 23/10/2020.

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PLANNING COMMITTEE	4 NOVEMBER 2020	6
EXCLUSION OF THE PUBLIC			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

RECOMMENDATION

Members are invited to consider passing a resolution concerning the exclusion of the public from the meeting in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 on the grounds that the business to be discussed is exempt information as defined under paragraph 3 of schedule 12A to the Local Government Act 1972, Information relating to the financial or business affairs of any particular person (including the authority holding that information).