



Agenda

Planning Committee

Date:	Wednesday, 19 May 2021 at 10:00 am
Venue:	Council Chamber, Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Tim Armit, Chris Dixon, Kiran Mulholland, Jayne Nixon, Linda Nulty, Liz Oades, David O'Rourke, Heather Speak, Ray Thomas, Stan Trudgill.</p>

Public Speaking at the Planning Committee

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

Please Note: In line with government restrictions, you should only participate in the meeting either as an individual or in a group of no more than six people. You should not join or otherwise mingle with any other group.

	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 meeting held on 28 April 2021 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24.	1
	DECISION ITEMS:	
4	Planning Matters	3-28
5	Education Contribution Relating to Section 106 Agreement for Development at the Former Government Offices Site, Heyhouses Lane, Lytham St Annes	29-30
6	Examination of the Partial Review of the Fylde Local Plan to 2032 - Post Hearing Letter	31-38

7	Welcome Back Fund	39-41
	INFORMATION ITEMS:	
8	List of Appeals Decided	42

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Planning Committee Index

19 May 2021

Item No:	Application No:	Location/Proposal	Recomm.	Page No.
1	20/0324	LAND EAST OF ORCHARD DENE, KIRKHAM ROAD, TREALES ROSEACRE AND WHARLES RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION 16/0433 SEEKING DETAILED PERMISSION FOR THE ACCESS, LAYOUT, APPEARANCE, LANDSCAPING AND SCALE OF A DEVELOPMENT INVOLVING 3 DWELLINGS	Grant	4
2	21/0199	7 JUBILEE WAY, LYTHAM ST ANNES, FY8 3TT MINOR MATERIAL AMENDMENT TO PLANNING PERMISSION 20/0525 FOR ALTERATIONS TO APPROVED REPLACEMENT DWELLING INCLUDING: 1) 1 METRE INCREASE IN LENGTH OF TWO STOREY REAR OUTRIGGER; 2) ADDITION OF 0.6 METRE LONG LEAN-TO AT GROUND FLOOR LEVEL TO REAR OF KITCHEN; 3) INCREASE IN WIDTH AND RIDGE HEIGHT OF PROJECTING FACING GABLE TO FRONT ELEVATION; AND 4) INSTALLATION OF OBSCURELY GLAZED FIRST FLOOR STAIRWAY WINDOW TO NORTH FACING SIDE ELEVATION	Grant	21

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

19 May 2021

Item Number: 1

Committee Date: 19 May 2021

Application Reference:	20/0324	Type of Application:	Reserved Matters
Applicant:	Prospect Homes Ltd	Agent :	CFM Consultants Ltd.
Location:	LAND EAST OF ORCHARD DENE, KIRKHAM ROAD, TREALES ROSEACRE AND WHARLES		
Proposal:	RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION 16/0433 SEEKING DETAILED PERMISSION FOR THE ACCESS, LAYOUT, APPEARANCE, LANDSCAPING AND SCALE OF A DEVELOPMENT INVOLVING 3 DWELLINGS		
Ward:	NEWTON WITH TREALES	Parish:	Treales, Roseacre and Wharles
Weeks on Hand:	53	Case Officer:	Andrew Stell
Reason for Delay:	Design Improvements		
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 generally rectangular area of land that fronts onto Kirkham Road in Treales. It is undeveloped and currently has a degraded appearance as a consequence of the removal of vegetation that had colonised the site since a series of agricultural buildings were removed many years previously. The site has a series of trees around its perimeter, most notably a copse of Austrian Pines that are alongside the western boundary but also a series of Ash and Sycamore trees to the northern and eastern boundaries. There is a dwelling to the west and a site with planning permission for residential development on the opposite side of Kirkham Road to the south, with open agricultural land to the north and east.

The site benefits from an outline planning permission for the erection of 3 dwellings which was allowed on appeal following the refusal of the application by officers under delegated powers. The refusal related to the site's designation as Countryside in the Fylde Borough Local Plan and was made prior to the adoption of the Fylde Local Plan to 2032, with the Countryside allocation carried through into that plan.

The application is for all the reserved matters of access, layout, appearance, landscaping and scale. The scheme has been revised a number of times since first submission and has been supported with additional information since that time including a renewed arboricultural assessment and additional planning and design statements.

The dwellings proposed are two-storey but are large with each providing 5 bedrooms and a double garage, although two of the properties have integral garages. Each dwelling has its own individual access to the road. This arrangement is an inevitable consequence of the number of dwellings permitted on the site and its scale, with the Inspector's decision letter recognising that but opining that she felt the development could be successfully accommodated into the site. This was to be achieved through the scale and spacing of the properties being such that the trees around the site were respected and views through the site to the 'fieldscape' beyond were retained. The scheme has been amended a number of times in an attempt to achieve that, and officers are now satisfied that it does so within the parameters established by the outline planning permission.

The scheme involves the removal of a number of individual trees, and groups of younger trees, from the northern boundary. This is a consequence of their quality, their expected life, and to enable the comprehensive landscaping scheme to be implemented. This scheme includes a reestablishment of a tree line along the site frontage, the introduction of new trees to the rear, the laying of the roadside and eastern field boundary hedges, and the soft landscaping of the front gardens to the dwellings.

The dwellings themselves are designed with features that are typical of rural areas such as lowered eaves and timber detailing and are to be mainly built in brick to reflect the principal local material. Their access points provide appropriate width, turning and visibility to allow safe use.

The principles of the development are established by the outline planning permission but taking the elements that are to be considered as part of this reserved matters submission together, it is considered that the scheme provides an effective development on the site. It will bring forward a high-quality and appropriate form of residential development that will successfully assimilate into the village character, particularly as the replacement tree cover becomes established over time.

Reason for Reporting to Committee

The scheme has attracted objections from the Parish Council in their comments to the earliest version of the application plans. Since then, there has been an active dialogue with the Parish Council regarding their concerns, but at the time of writing this report their final comments were outstanding. This is due to the timing of the submissions of the final version of the plans. Against this background, and with the significance of the scheme in the centre of the village, the Head of Planning and Housing resolved that the application would be most appropriately presented to the Planning Committee for a decision.

Site Description and Location

The application site is a generally rectangular area of land that is situated to the northern side of Kirkham Road which is the main road running through the village of Treales. It has a frontage width of circa 90m and a depth of circa 50m and is generally flat and at a level with the road and other neighbouring land. The site is currently an area of overgrown scrub with some trees and hedges to the perimeter and the remnants of long-demolished buildings within the site.

To the west is a detached dwelling 'Orchard Dene' which is separated from the site by a copse of trees. To the north and east is a large open field in active agricultural use, and to the south across Kirkham Road is Smithy Farm and Smithy Cottage which are both detached dwellings, with the land

between benefitting from an unimplemented planning permission for the erection of 4 dwellings.

As with the remainder of Treales village the site is washed over by the Countryside designation set out in Policy GD4 of the Fylde Local Plan to 2032. There are a number of trees on the site which are protected by TPO 1989 No. 12 on the west of the site and TPO 1989 No. 11 to the rear eastern corner and Sycamore that is central on the road frontage.

Details of Proposal

The application is submitted for all reserved matters of access, appearance, landscaping, layout and scale and relates to an outline planning permission that was granted on appeal for the erection of 3 detached dwellings. This followed the refusal of that application by Fylde Council. Alongside this application is application 20/0308 which relates to the discharge of the details required to satisfy a series of conditions associated with the outline planning permission.

With regards to the details proposed the submitted plans indicate that 3 detached dwellings are proposed, each of which has two storeys of accommodation and a double garage. The properties each have their own driveway access to Kirkham Road with a turning area to the driveway, a front garden area behind a new hedge line and a rear garden which bounds to the agricultural land behind. More specifically:

- Plot 1 – this provides 5 bedrooms with the double garage being integral to the front of the dwelling. The dwelling has a deep form with forward and rearward projections from a central section with accommodation at two storey throughout. The property is to be built in brick.
- Plot 2 – this is also a 5-bedroom property but with its double garage being located to the side and detached from it. The property has a more rectangular form and sits wider on the plot as a result. It has a central porch around the front door and is built with brick to the ground floor and rendered upper floor.
- Plot 3 – this is a handed version of plot 1.

In addition to the housetype details the application is supported with a levels plan, landscaping plan and tree protection details. These have been revised following initial concerns expressed by consultees and officers over aspects of the scheme.

The current proposal is the latest of several revisions to the scheme that was originally presented. These changes have sought to address concerns expressed by officers and consultees, principally regarding the scale of the dwellings and their impact on the rural character of the village. Further consultation took place with neighbours and other consultees on these revisions, with the Parish Council consulted on the final revised scheme.

Relevant Planning History

Application No.	Development	Decision	Date
16/0433	OUTLINE APPLICATION FOR ERECTION OF THREE DWELLINGHOUSES WITH ALL MATTERS RESERVED	Refused	04/05/2017
15/0366	OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR THE ERECTION OF UP TO 8 DWELLINGS	Refused	04/09/2015

Relevant Planning Appeals History

Application No.	Development	Decision	Date
16/0433	OUTLINE APPLICATION FOR ERECTION OF THREE DWELLINGHOUSES WITH ALL MATTERS RESERVED	Allowed	02/05/2018

Parish/Town Council Observations

Treales, Roseacre & Wharles Parish Council have been consulted and involved in various discussions regarding the development.

They were notified of the original proposal and provided extensive comments that explained their objection to that form of development.

Following the receipt of a second scheme, the Parish Council were again invited to comment and responded with a detailed letter of objection which is dated 20 November 2020. That letter is enclosed below in full and is the latest comments from the Parish Council at the time of the drafting of this report. However, the Parish Council have been actively involved in discussions over the design and other elements of the proposals. Their comments on the final revisions under consideration at Committee have been sought, but as these plans were only received around the time that the agenda was compiled it was not logistically possible for their comments on that scheme to be included in the agenda papers. Those comments will therefore be circulated as part of the Late Observations Schedule.

November 2020 Comments

“Treales Roseacre and Wharles Parish Council objects to the above application. This is because the proposed development creates significant material adverse impacts on the rural character of the area and therefore fails to comply with the Fylde Local Plan (FLP32) policies GD7, GD4 and ENV1 for the following reasons.

The location is in designated countryside outside the former settlement boundary of Treales. On 3 sides are woodland, open countryside and the orchard of Smithy Farm with its group of protected trees and heritage design thatched Smithy Cottage. The setting is rural in character.

These revised plans continue to create an overbearing mass in the countryside and in fact the houses are no smaller in roadside footprint than the last proposals. The proposal will create an uncharacteristic large mass of housing in an urbanised ribbon form. GD4 requires “Minor Infill” development to be of a scale and use that does not have a material impact on the rural character of area, which this clearly does.

The revised site plan drawings and revised street scene do not match; the street scene shows far more space in between the properties than it is possible to achieve from the locations shown on the plan view. This is important to highlight to the Planning Committee in the event that this is referred for their consideration.

To be compliant with GD4 and ENV1, the properties are not sufficiently screened from the road. The revised plans show less trees and screening than the first plans, which were also inadequate in the number and species of trees.

Of severe concern to the parish council is the threat to the 2 separate groups of trees protected by TPOs (W2 woodland to the west and G1 to the north & east) this is highlighted by the Tree Officer in his report. The revised plans threaten all these trees and the building of plots 1 and 3 does not appear to be even achievable without compromising the trees and/or the safety of the houses and their occupants once built. This is a serious concern as the parish has already been subject to the loss of multiple trees supposedly protected by TPOs which has adversely affected the rural character of Treales and the habitat for wildlife.

The parish council acknowledges that the planning committee refused this development and that planning permission was granted on Appeal when the inspector referred to both FBC and the Appellant agreeing that the site in the countryside had had minor infill characteristics as referred to in the emergent plan at the time. This is despite FBC still not providing a definition of its invention of minor infill in the countryside. It is noted that recent appeals in rural Fylde proposing minor infill in the countryside have been refused as they fail to demonstrate that they are sustainable development. We wish to work with planning officers to achieve a development that is sustainable and does not harm the rural character of Treales.

There are many design and building solutions that would enable this development to be acceptable and sustainable and complement its rural setting adequately distant from the existing trees and screened from the road with local tree types. For example, the creation of a farm yard linked barn arrangement; smaller houses in accordance with population forecast demands with integral garages, or garages set back behind the houses. These plots are long and narrow so narrower deeper houses would allow for more distance between properties. The outline permission made no recognition of TPO constraints, so there are no constraints on the form of delivering up to three dwellings arising from that outline permission. We would therefore ask that revised plans are again submitted that show smaller mass of dwellings set much further away from TPO trees, an irregular road side scene, the houses with set back or integral garages, more in accord with the plans used to support the initial outline planning permission. All groups of TPO trees must be fully protected during development, for their lifetime and for substantially more trees at the front of the development to screen it from the road in accord with GD4, GD7 and ENV1.

The Parish Council believe the above will then help to create a development that meets the requirements of the intent and letter of FLP32 to achieve sustainable development for the constituents of FBC and the residents of the Fylde. We therefore ask that the views of the parish council be given due weight in the determination process. For avoidance of doubt, the Parish Council is willing to reassess revised, correct and complete plans that deliver sustainable development. Should FBC have criteria that leads to a conclusion at variance to that of the Parish Council, the Parish Council will be pleased to reconsider its assessment using such criteria; this will potentially save time and the expense of unaligned views and contribute to continuous improvement for all.

In addition, we would request that the TPOs for the tree groups identified above are reinforced to include all of the trees within the TPO groups and not just a small number of individual trees. This will ensure the character of the area is protected as new trees are added through the life-cycle of the area. Please advise if separate action is required and confirm that this has been initiated, or what support is required to complete this. The Parish Council would be pleased to assist."

Statutory Consultees and Observations of Other Interested Parties

Regeneration Team (Trees)

The Tree Officer reviewed the initial layout which was supported with a Tree Protection

Plan and a landscaping scheme. He raised several issues relating to its compliance with guidance, the proximity of the development to the trees on site, the effectiveness of the tree protection measures, and the quality of the replacement planting and other landscaping.

Since those comments were made, a further arboricultural survey of the trees has been undertaken and submitted with a revised landscaping plan and a revised tree retention / protection plan. The tree officer has not provided further formal comments on the scheme but has actively been involved in discussions over the revisions to the development. His views are summarised as follows:

- The revised scheme provides appropriate separation to the Austrian Pines to the west
- The revised scheme correctly identifies that a Sycamore tree to the site frontage is dead and should be removed as a priority on safety grounds
- The proposed retention of the larger trees around the northern and eastern perimeter is appropriate given their scale, quality and local landmark value
- The proposed removal of the groups of smaller Ash and Sycamore trees to the northern boundary is appropriate. That is because these trees are competing with each other for light and nutrients and so will not thrive. The Ash are also susceptible to Ash Die Back disease and so could have a limited life expectancy. It would be preferable to remove these to provide space for new planting to be undertaken.
- There is a group of Sycamore tree, individual Sycamores and an Ash to the eastern boundary that could also be removed on arboricultural grounds as they also have limited quality and life expectancy. However, it would also be possible to retain these trees given the position of the dwellings in the revised scheme to ensure that they provide an on-going planted screen to the development.
- The proposed planting for the northern and southern boundaries is appropriate and will deliver a more varied but native tree cover than currently exists.
- Conditions should be imposed to ensure the implementation of tree protection measures and the planting and maintenance of the replacement trees that are identified.

Lancashire County Council - Highway Authority

"LCC Highways does not have any objections regarding the proposed reserved matters application 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.

Drawing Number PH/0401/006 Rev B Access Plan shows the requested sightlines and grass verge as previously requested. This is acceptable. The sightlines are recommended to be conditioned to maintain the visibility splays.

The applicant has received technical approval for the drawing from the s278 officer and the s278 agreement is being progressed."

Conditions are then suggested which are intended to ensure that the development is undertaken in a manner that will protect highway safety.

Neighbour Observations

Neighbours notified:	15 May 2020
Amended plans notified:	31 March 2021
Site Notice Date:	18 May 2020
Number of Responses	2 (from same resident)
Summary of Comments	<p>He raises objection to the development as originally proposed and as revised on the following grounds:</p> <ul style="list-style-type: none">• The local plan indicates that there is no need for further development in Treales until 2032• The village has no access to sustainable facilities such as mains drainage, gas supply and public transport• The house designs do not meet all needs• The development will remove open views enjoyed by residents and visitors• The land is outside of the village boundary and the styles of development do not reflect the existing properties in the village• The development will compound parking issues in the village

Relevant Planning Policy

Fylde Local Plan to 2032:

S1	The Proposed Settlement Hierarchy
DLF1	Development Locations for Fylde
GD4	Development in the Countryside
H2	Density and Mix of New Residential Development
GD7	Achieving Good Design in Development
ENV1	Landscape
ENV2	Biodiversity
CL2	Surface Water Run-Off and Sustainable Drainage

Other Relevant Policy:

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

Site Constraints

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

Policy Background and Principle of Development

The application site is located in the Countryside as designated under Policy GD4 of the Fylde Local Plan to 2032 and so is in an area where new residential development is restricted to the limited exceptions set out in that Policy. However, with this being an application for reserved matters pursuant to an existing outline planning permission the principle of the development is established

by that decision providing that the proposal complies with the plans that were approved on appeal and the conditions that the Inspector imposed when issuing her decision. Those aspects will be discussed in the following section of this report.

For context, the appeal was allowed prior to the adoption of the Fylde Local Plan to 2032 and was therefore considered against the policies of the Fylde Borough Local Plan which also designated the site as Countryside through Policy SP2. However, the Council was unable to deliver the required housing supply at the time of the consideration of the appeal through the Fylde Borough Local Plan. This meant that those policies which related to housing supply (and so countryside protection) were 'out of date' and hence the Inspector gave them reduced weight.

Moving forward, it is also the case that the Partial Review of the Fylde Local Plan to 2032 has no impact on the determination of this application as the policy elements that are relevant to the determination of this application are unchanged through that review process, which is incomplete in any event.

The outline permission reserves all matters for later consideration. These are principally to be assessed against the requirements of Policy GD7 which gives direction over the design standards for new development in general, and is supported by other policies on key issues such as Policy ENV1 relating to landscape impacts and tree protection, and Policy ENV2 relating to biodiversity matters.

Compliance with Appeal Decision

The outline planning permission established the principle of the erection of the 3 dwellings but was submitted as outline with all matters reserved. This means that all elements of the scheme that is presented are for consideration in this decision, other than the principle. It is the case that the assessment of this application should comply with the outline decision. This imposes some conditions that must be complied with, and there is commentary in the decision letter that gives guidance on the matters that supported the Inspector's conclusions which will be discussed further in the relevant section of this report.

The conditions that are relevant to the assessment of the scheme are condition 4 which limits the dwellings to a two-storey scale, and condition 6 which specifies the access visibility requirements for each dwelling. The other conditions are the subject of further 'condition discharge' applications or are to be complied with in the construction of the dwellings.

The descriptive sections of the decision letter that are of most relevance to the format of the scheme are:

- Para 6 refers to the setting of the site as being in a ribbon of intermittent properties. This implies that the development should reflect that character by also presenting as intermittent properties rather than a single mass of building
- Para 7 refers to the trees that surround the perimeter of the site and highlight that these are a prominent feature from both Kirkham Road and from Church Road. This implies that they have a positive contribution to the area in both aspects which should be respected in the development. The same point is made in para 9
- Para 8 recognises that the properties in the indicative layout are large, but also describes the layout as a spacious one with views available to the fieldscape beyond. This implies that the actual development of the site should respect those characteristics. Reference is made here again to the intermittent nature of development in the area
- Para 10 refers to the retention of all the trees as part of the development of the site and so would serve to partially screen the development in views across the landscape to the site, with

reference made to landscaping provided to the front. This implies that the site can only be successfully developed if the landscaping that exists is retained and enhanced so that it is able to effectively offer some screening to the development that takes place

- Para 11 places weight on all these factors in the decision that there is the potential to develop the site without causing harm to the setting and character of the village. This conclusion is therefore key as it ensures that the reserved matters submission must satisfy these descriptive assessments in order to be considered in accordance with the outline planning permission.

These details set the context for the assessment of the reserved matters submission and so are considered in the further assessments set out in this report.

Scale and Layout of Dwellings

In terms of the reserved matters application this relates to the *“height, width and length of each building proposed within the development in relation to its surroundings”* as defined in the Development Management Procedure Order. As set out above, the Inspector’s decision includes a condition that clarifies that the scale cannot exceed two storeys in height, and whilst there is no condition to control the other parameters of the scale of the dwelling the guidance extracted from the decision letter gives a clear indication of how the Inspector saw the site being developed with regards to the scale of the three dwellings.

The original submission was for the erection of three large detached dwellings with detached double garages to the side. These occupied the available plot to a large extent with minimal views through available, and so your officers have sought revisions that better reflected the appeal decision commentary, and which would have a more sympathetic appearance in the local context. This context is established, particularly on the northern side of Kirkham Road by irregularly spaced dwellings that are separated by areas of agricultural land, and which allow views between to the countryside behind.

It is considered that the latest scheme achieves that appropriate scale. Whilst the dwellings remain large, the inclusion of two with integral garage allows a greater spacing between the properties than was initially proposed. The dwellings have also been reduced in scale and are reflective of the scale of the dwellings indicated on the illustrative layout presented with the outline application. This is referenced in the supporting planning statement which calculates the footprint of the dwellings which were shown on the illustrative plan with the outline at around 1,800sqft each to give a total of around 5,400sqft. This is compared to dwellings in the original scheme submitted under this application which were around 2,400 sqft each to give a total of 7,300 sqft. The final revised scheme has two at 2,100 sqft and one at 2,000 sqft to give a total on site of 6,200 sqft. This is around 800 sqft overall greater than that shown in the illustrative outline, but in itself this is not an overriding concern.

The scale of the dwellings is to be considered in the context of the layout. The revisions since first submission have allowed for separation to be provided between the properties and to the side boundaries of the site. This is particularly important given the references to the importance of providing an intermittent form of development with views through the plots to the trees and fieldscape beyond the site. The revised scheme is considered to deliver that and so reflects the stated intentions of the Inspector when granting planning permission and meeting the obligations of criteria b) and d) of Policy HGD7 of the Fylde Local Plan to 2032.

Design and Appearance of Dwellings

The appeal decision does not give any guidance on the design approach to be taken, which is not unexpected given that it is a pure outline with all matters reserved. However, the policy position is

that new development is to reflect its local context as set out in the requirements of Policy GD7. With that in mind Treales is clearly a rural settlement and whilst there are some considerable variations in the design approach and materials used as the village as developed organically over time, there are consistencies in the two storey scale and the traditional form of the dwellings.

The proposed dwellings on this site are larger than others in the village but reflect that traditional form and utilise an overall design approach that retains coherence between them. They provide rural features with lowered eaves, timber porches, predominant use of brick, hedge boundaries, etc. They are constructed using a range of materials with 2 being brick and 1 rendered to add variety to that aspect of the development.

The properties are adequately separated from others in the village to allow their design approach to be an acceptable one, with the landscaping around them key to ensuring the complete package of the development is not harmful to the village environment. Further details of this are provided in the next section of this report, but with regards the design of the dwellings one of the key elements of consideration during the determination of the application has been to ensure that their aspect to Kirkham Road is as sympathetic as possible. The scheme under consideration achieves this through the use of narrowed driveways, a reduced extent of hard surfacing to the frontage to allow a lawn area to be created in each case, the establishment of a boundary hedge treatment to the site frontage, and a clear planting scheme to restore the tree cover which forms a key characteristic along Kirkham Road.

The overall position with regards the design is that the scheme is considered to fully accord with the requirements of criteria b), d), h), and i) of Policy GD7 of the Fylde Local Plan to 2032.

Tree and Landscaping Issues

With the site being located in a rural part of the borough and containing a number of trees protected by Tree Preservation Orders the relationship of the development to those trees and the landscaping of the site is a key element in the consideration of the scheme.

The existing trees on site are around the rear and both side boundaries, with those to the western boundary with the dwelling at Orchard Dene being mainly Austrian Pines, and those to the rear and eastern side boundary being a mixture of Ash and Sycamore. A single Sycamore stands on the front boundary but is clearly dead and is to be removed.

The applicant commissioned a tree survey earlier in 2021 which has been used to inform the revised layout now under consideration and the landscaping proposals. The approach taken is to:

- Retain the Austrian Pines to the west of the site and provide a suitable separation distance from them to the dwelling on plot 1.
- Retain the larger well-established trees to the northern boundary, with these being 3 Ash.
- Remove the groups of smaller trees along that boundary. These are groups of Sycamore and Ash trees that are effectively competing with each other to become established and so are less likely to individually thrive, with the Ash also susceptible to Ash Die Back disease.
- Replant the spaces created from the removal of the trees on the northern boundary with a series of 5 Sessile Oak trees to allow these to provide succession planting on that boundary as they mature.
- Remove some of the poorer trees on the eastern boundary but retain those that are situated where they will be alongside the dwelling on plot 3. The tree report identifies that these are C category (i.e. the lowest quality that should not be immediately removed) but it is considered that their retention is helpful in the landscaping of the site.

- Remove the dead Sycamore to the front (southern) boundary and plant a series of new trees to re-establish a landscaped frontage to the site, with these shown as being Oaks, Limes and Silver Birch.
- Lay the hedges to the eastern boundary and plant new hedges to the front boundary.
- Plant a number of garden specimen trees within the site.

The present appearance of the site is degraded as a consequence of the lack of sympathetic maintenance it has received in recent years with the trees that are present surrounded by ivy in some cases and in need of management in others. This scheme provides a comprehensive approach to the management of the tree cover on site and the landscaping of the site around the development. The retention of the best quality trees around the permitter is a welcome feature and will help assimilate the dwellings into the landscape whilst the planting that is proposed will complement these and add to the variety of species that the site provides with the proposed planting of Oaks, Limes and Silver Birch.

The retention of the trees to the eastern boundary is important as this is an open aspect of the site across the agricultural land to that side of the site and so affords longer range views that are valuable in other direction. The scheme also enhances the northern boundary which is important given the views that are available from Church Road.

As an overall view the scheme is considered to provide a well-conceived and sympathetic approach to the management of the tree cover on the site and its future landscaping. This will provide an effective treatment for the landscape impacts of the development and is considered to accord with the requirements of Policy GD7 and ENV1 in that respect. Conditions are appropriate to ensure that the trees are to be removed / protected as set out above, that the hedges are laid, that the landscaping scheme is implemented and that the landscaping is managed in the future. With these controls, the development will prove to be beneficial as opposed to the existing situation with the site appearing degraded.

Access and Parking

The scheme proposes that each of the dwellings is provided with its own access point to Kirkham Road. This is consistent with the indicative layout shown on the scheme that was presented at appeal and reflects the pattern of development in the vicinity where the majority of properties have private driveways.

The local highway authority initially confirmed that they have no objection to this subject to a revision to the plan to confirm that a 2m wide verge is maintained across the site frontage to ensure that the visibility from these access points is kept free of obstructions. This plan has been received, with the provision of this verge and the associated visibility splays a matter that can be secured by condition.

The local highway authority then refer to the imposition of a series of conditions, including ones to protect this sightline, and others to maintain on-site turning, the surfacing of the driveways, and that the garages are retained for parking.

The access conditions are reasonable and will be included in a revised form to reflect the appropriate method of drafting conditions. The layout of the hard surfaced driveways has been slightly revised to ensure it provides ample parking and turning areas for at least the 3 vehicles indicated for a dwelling of the scale proposed here so there is no need to impose conditions on these. The outline planning permission includes a condition requiring the agreement of a construction management plan to secure that the contractors' vehicles are parked considerately and

safely given the rural nature of the site alongside other operational controls over the construction phase.

The surrounding highway network is clearly capable of supporting the additional vehicle movements that would be generated by the proposed development, and the access points provide a safe access to that highway with conditions suitable to ensure that the required visibility is maintained over the highway.

With regards to pedestrian connections there is a footway on the southern side of Kirkham Road through the village that connects to Kirkham in the west and other parts of the village. There is no footway to the north and no connection was included as part of the application. With the clear visibility that is available at the access points and the rural village character of the road it is considered that there are appropriate opportunities to access the existing footway on the opposite side of Kirkham Road without the need to add the urbanising character of a footway to the development side.

The access and highway arrangements set out here therefore demonstrate that a safe and suitable means of access is achievable for the development and can be controlled through the imposition of appropriate conditions. Therefore, the proposal accords with the requirements of Policy GD7 in that regard.

Residential Amenity

With regards to the amenity of existing neighbours the nearest properties are those at Orchard Dene to the west of the site and those on the southern side of Kirkham Road facing it. The nearest dwelling to Orchard Dene has intervening woodland and whilst there are a series of first floor windows that face that property these serve ensuite windows or secondary windows to bedrooms but are adequately separated to avoid any potential overlooking of this property or its garden. Angled views of parts of the garden will be achieved from the rear facing windows but these are not so clear that an undue loss of privacy will exist.

The properties on the opposite side of Kirkham Road are separated by circa 24m from the front boundary of those properties and so around 40m from the existing property at Smithy Cottage. One of the dwellings on the unimplemented planning permission opposite (ref: 19/0300) is to be sited forward of this position and will be around 32m from the front of plot 2 on the application scheme. These distances are adequate to avoid any undue overlooking with a minimum of 21m usually sought and so is far exceeded.

The occupiers of the dwellings will have a suitable private garden area to meet their reasonable needs, and the design of the properties has been amended so that there are no clear bedroom windows that face sideways and so overlook the neighbours within the development. There are a number of non-habitable windows at first floor and so a standard obscured glazing condition is appropriate to ensure that the relationship does not lead to any harmful privacy implications.

As an overall view it is considered that the proposal provides appropriate residential amenity for all occupiers and accords with the requirements of Policy GD7 in that regard.

Other Matters

The outline planning permission included a series of planning conditions that required further details to be discharged prior to works commencing, including matters such as drainage, materials, levels, etc that are typical of a residential scheme. An application was submitted to discharge these details at around the time that this application was first made. This has not been actively

progressed as work was focussed on the resolution of the issues that prevented this application being favourably progressed, but it is expected that progress will be made on that application following the determination of this reserved matters application.

Notwithstanding the list of conditions on the outline planning permission, the specifics of this decision have resulted in a number of other areas arising where conditions are appropriate and so those will be included as part of the recommendation here.

The views expressed by the resident are generally indicating their opposition to the principle of the development, which is established by the outline, rather than the details of the reserved matters under consideration here. The views of the Parish Council on the final scheme are not available but the normal officer commentary on these will be provided as part of the late observations.

Conclusions

The application site is a generally rectangular area of land that fronts onto Kirkham Road in Treales. It is undeveloped and currently has a degraded appearance as a consequence of the removal of vegetation that had colonised the site since a series of agricultural buildings were removed many years previously.

The site benefits from an outline planning permission for the erection of 3 dwellings which was allowed on appeal following the refusal of the application by officers under delegated powers. The application is for all the reserved matters of access, layout, appearance, landscaping and scale. The scheme has been revised a number of times since first submission and has been supported with additional information since that time including a renewed arboricultural assessment and additional planning and design statements.

The dwellings proposed are two-storey but are large with each providing 5 bedrooms and a double garage, although two of the properties have integral garages. The scale and spacing of the properties is such that the trees around the site are respected and views through the site to the 'fieldscape' beyond are retained. The scheme has been amended a number of times in an attempt to achieve that, and officers are now satisfied that it does so within the parameters established by the outline planning permission.

The principles of the development are established by the outline planning permission but taking the elements that are to be considered as part of this reserved matters submission together, it is considered that the scheme provides an effective development on the site. It will bring forward a high-quality and appropriate form of residential development that will successfully assimilate into the village character, particularly as the replacement tree cover becomes established over time.

Recommendation

That Reserved Matters Approval be GRANTED subject to the following conditions: **(as updated via the Late Observations Schedule where referenced)**

1. **NOTE: PLAN REFERENCES TO BE UPDATED ON RECEIPT OF FINAL SCHEME**

This permission relates to the following plans:

- Location Plan - CFM Drawing PH/04701/001
- Proposed Site Plan - CFM Drawing PH/04701/003 Rev C

- Boundary Treatment Plan - CFM Drawing PH/04701/004 Rev B
- Access and Levels Plan - CFM Drawing PH/04701/006 Rev CB
- Proposed Elevations Plot 1 - CFM Drawing PH/04701/010 Rev A
- Ground Floor Plan Plot 1 - CFM Drawing PH/04701/011 Rev A
- First Floor Plan Plot 1 - CFM Drawing PH/04701/012 Rev A
- Elevations Plot 2 - CFM Drawing PH/04701/013 Rev A
- Ground Floor Plan Plot 2 - CFM Drawing PH/04701/015 Rev A
- First Floor Plan Plot 2 - CFM Drawing PH/04701/016 Rev A
- Elevations Plot 3 - CFM Drawing PH/04701/014 Rev C
- Ground Floor Plan Plot 3 - CFM Drawing PH/04701/016 Rev A
- First Floor Plan Plot 1 - CFM Drawing PH/04701/017 Rev A
- Landscaping Proposals Plan - ReLandscape Plan 206.4.01
- Planting Plan - ReLandscape Plan 206.4.02 Version 4
- Tree Impact Plan - Bowland Plan BTC2145-TIP Rev A
- Tree Planting Plan - Bowland Plan BTC2145-TPP Rev A

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. Notwithstanding any description of materials in the application and the requirements of condition 1 of this permission, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the dwellings and the hard surface areas within the site have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

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. 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 the Landscape Plan listed in condition 1 to this reserved matters approval shall be carried out during the first planting season that occurs after the dwelling on each associated plot is first occupied.

The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with a maintenance scheme which has been submitted to and approved in writing by the local planning authority before any of the dwellings are first occupied. 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.

4. The development shall be carried out in strict accordance with the tree and hedgerow protection measures detailed in the Arboricultural Impact Assessment Overview by Bowland Tree Consultancy dated March 2021 and updated Tree Impact Plan reference BTC2145-TPP Rev A

NEED TO INSERT UPDATED REFERENCE

The identified tree and hedgerow 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 and hedgerows which are to be retained as part of the development before any construction works commence in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV1.

5. With the exception of those specimens identified on Bowland Tree Consultancy Plan BTC2145-TPP Rev A

NEED TO UPDATE REFERENCE

, 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 replacement planting which includes details of the number, size, species, siting, planting distances/densities 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 replacement 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 and any replacement 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 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 a result 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 green infrastructure networks in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2.

6. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, boundary treatments to each plot shall be erected in accordance with the details (including their type, siting, height, design, materials and finish) shown on the boundary treatment plan listed in condition 1 of this reserved matters approval before the dwelling on that plot is first occupied, and shall be retained as such thereafter.

Notwithstanding the provisions of Schedule 2, Part 2, Class A 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), where this plan confirms that the boundary treatment shall be formed with a hedge only then there shall be no other form of fixed boundary treatment installed or erected in that location.

Reason: In the interests of the security of future occupiers, to ensure adequate levels of privacy between neighbouring dwellings and to achieve an acceptable appearance in the street scene in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National

Planning Policy Framework.

7. Prior to the first occupation of each of the dwellings hereby approved the access arrangements for that property as shown on the Access and Levels Plan listed in condition 1 of this reserved matters approval shall have been implemented in full accordance with that plan, in particular the development shall have made provision for:
- a) minimum visibility splays of 2.4 metres x 43 metres (measured along the centre line of the proposed new driveway from the continuation of the nearer edge of the existing carriageway of Kirkham Road in both directions
 - b) that part of the access extending from the highway boundary for a minimum distance of 5 metres into the site to be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.
 - c) that part of the access to not exceed the widths shown on the Access and Levels Plan listed in condition 1 of this reserved matters approval
 - d) any gates erected across the access to be positioned at least 5 metres behind the back edge of the footway and for the gates to open away from the highway.
 - e) the dwelling to be provided with on-site parking and turning areas as shown on the approved Access and Levels Plan listed in condition 1 of this reserved matters approval

The site access and any associated gates shall be constructed in accordance with the duly approved details and made available for use before the dwelling on the respective plot is 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 in a) shall thereafter be kept free of any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction) over 1 metre in height.

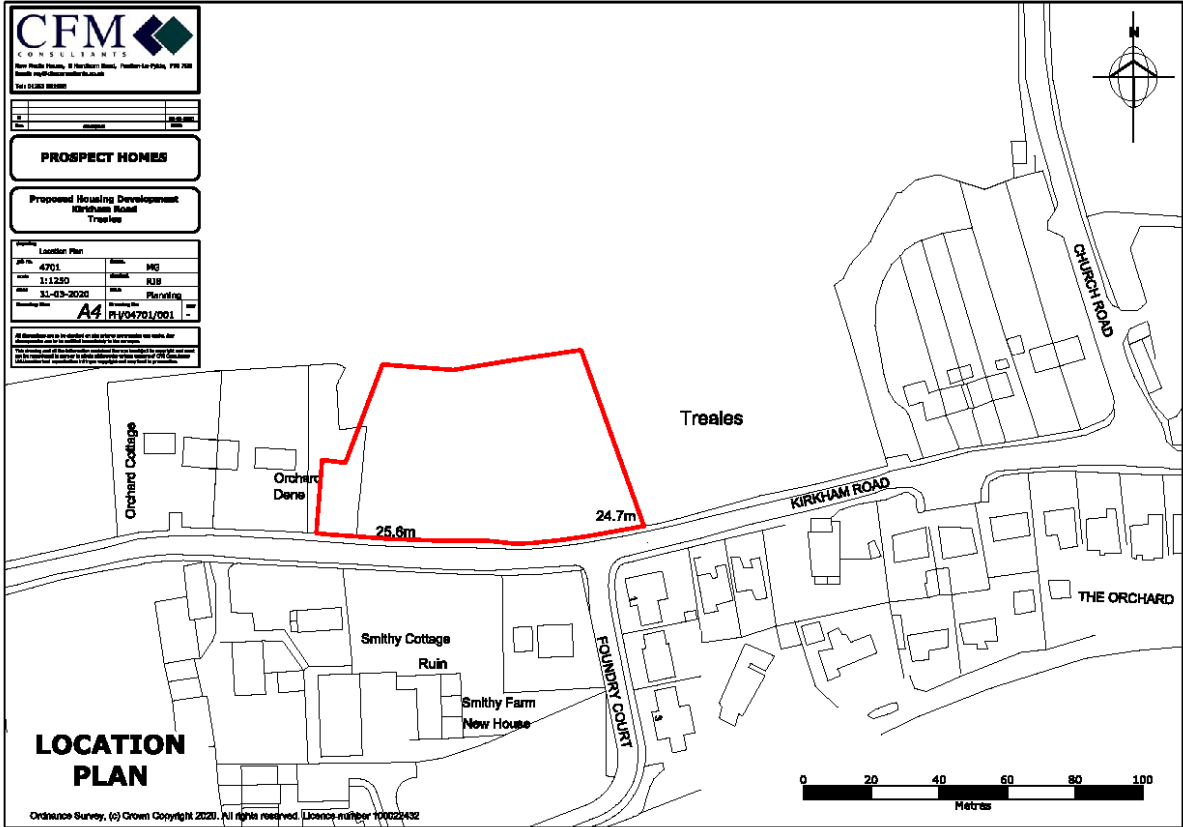
Reason: To ensure a suitable and safe means of access to the site for vehicular traffic and to achieve a satisfactory standard of engineering works in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

8. Notwithstanding the provisions of Schedule 2, Part 1, Class A 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 following fenestration 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) before the extensions hereby approved are first occupied:
- a) The first-floor windows on the east facing side elevation of plot 1
 - b) The first-floor windows on the west facing side elevation of plot 3

The duly installed obscured glazing shall be retained as such thereafter.

Reason: To ensure that appropriate measures are put in place to limit the potential for overlooking between future occupiers of the approved dwellings and existing properties in order to ensure a high 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.

Site Location Plan provided with application 20/0324



Item Number: 2

Committee Date: 19 May 2021

Application Reference:	21/0199	Type of Application:	Variation of Condition
Applicant:	Mr H Barnes	Agent :	
Location:	7 JUBILEE WAY, LYTHAM ST ANNES, FY8 3TT		
Proposal:	MINOR MATERIAL AMENDMENT TO PLANNING PERMISSION 20/0525 FOR ALTERATIONS TO APPROVED REPLACEMENT DWELLING INCLUDING: 1) 1 METRE INCREASE IN LENGTH OF TWO STOREY REAR OUTRIGGER; 2) ADDITION OF 0.6 METRE LONG LEAN-TO AT GROUND FLOOR LEVEL TO REAR OF KITCHEN; 3) INCREASE IN WIDTH AND RIDGE HEIGHT OF PROJECTING FACING GABLE TO FRONT ELEVATION; AND 4) INSTALLATION OF OBSCURELY GLAZED FIRST FLOOR STAIRWAY WINDOW TO NORTH FACING SIDE ELEVATION		
Ward:	PARK	Parish:	
Weeks on Hand:	11	Case Officer:	Alan Pinder
Reason for Delay:	Need to determine at Committee		
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 site is a detached two storey dwelling that is located in a row of 4 dwellings of that design within a residential area of Lytham St Annes settlement. The application proposes the construction of a replacement dwelling on the site of a larger scale and different design to the existing.

Planning permission was granted for a replacement dwelling in 2020, and this application is submitted as a variation to that planning permission. The variation involves a 1m increase in the depth of the property at two storey, a smaller increase in a separate single storey element and other minor changes to the dwelling.

The officer view is that the amendments sought would not unduly impact on the character of the area, on the amenity of the occupiers of neighbouring dwellings, or otherwise result in an unacceptable development. Accordingly, the proposed amendments are considered acceptable and in accordance with the relevant policies of the Fylde Local Plan to 2032 and the NPPF. The application is therefore recommended for approval.

Reason for Reporting to Committee

The officer recommendation for approval conflicts with the views of the Town Council. It is also a variation of a planning permission that was approved by Committee following the Town Council's objection to an earlier application. As such it is necessary to present the application to the Planning Committee for a decision.

Site Description and Location

The application site is a detached two storey dwelling located within a wholly residential area of Lytham St Annes. The property is one of a row of four dwellings of matching design and appearance located on the western side of Jubilee Way and which have staggered frontages due to a bend in the road.

Details of Proposal

Planning permission (ref. 20/0525) was granted in October 2020 for the construction of a replacement two storey dwelling at 7 Jubilee Way, Lytham St Annes. This application is submitted pursuant to the provisions of S73 of the Town and Country Planning Act 1990 (as amended) and seeks to vary condition 2 of 20/525, which lists the approved plans, and thus seek minor material amendments to the approved development. The amendments proposed are:

- Extending the single storey rear kitchen by a further 0.6 metres
- Extending the two-storey rear outrigger by a further 1 metre
- Increasing the width of the front facing gable by 0.72 metres and the gable's ridge height to match that of the main roof
- Insertion of a first-floor window in the north facing side elevation of the approved dwelling

All other elements of the replacement dwelling approved under 20/0525 would remain as approved.

Relevant Planning History

Application No.	Development	Decision	Date
20/0525	ERECTION OF REPLACEMENT TWO STOREY DWELLING FOLLOWING DEMOLITION OF EXISTING HOUSE AND GARAGE - RESUBMISSION OF APPLICATION 20/0221	Granted	09/10/2020
20/0221	ERECTION OF REPLACEMENT TWO STOREY DWELLING FOLLOWING DEMOLITION OF EXISTING HOUSE AND GARAGE	Withdrawn by Applicant	11/05/2020

Relevant Planning Appeals History

None

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 08 March 2022.

The Town Council object to the proposal, citing the same reasons as previously put forward for the earlier approval of a replacement dwelling under planning permission ref. 20/0525, these being:

Overdevelopment of plot. The Scale in both width and depth, Relation to adjacent dwellings. Impact on the existing street scene. Out of character with the neighbourhood and we concur with local residential objections.

The property is out of proportion with neighbouring properties and exceeds the footprint of the

original dwelling. The properties are staggered along the curvature of the road so overlooking issues are less of an issue than the overall effect of such a dominant house building amongst properties as originally intended. See Proposed Elevation – Left side. The development conflicts with Neighbourhood Plan policy DH1 in creating a distinctive St. Anne's.

They also clarify the issues in respect of the current application as follows:

Our objection reasoning is to prevent overdevelopment of the site, which is to ensure that satisfactory provision of outdoor amenity space for the dwelling house is maintained and to safeguard the amenities of the occupiers of adjacent dwellings in accordance with the requirements of policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

Object to the increase of length of 2 storey outrigger – Increased Bulk/Scale (Overdevelopment) and: reduced outdoor amenity space (against condition 5 of the recent full Planning Permission 20/0525).

Statutory Consultees and Observations of Other Interested Parties

N/A

Neighbour Observations

Neighbours notified:	08 March 2021
Number of Responses	One
Summary of Comments	The occupiers of No.9 Jubilee Way object to the application on the grounds that the further extension of the two storey rear outrigger will block light to their rear garden until mid-day, particularly in the winter months when the sun is lower in the sky.

Relevant Planning Policy

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
S1	The Proposed Settlement Hierarchy
DLF1	Development Locations for Fylde

Other Relevant Policy:

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
STANP	St Annes on Sea Neighbourhood Plan

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 replacement dwelling

The application is submitted as a 'minor material amendment' application under s73 which proposes a variation of the plans that were approved under a previous planning decision. The effect of an

approval to this application would be to establish a second planning permission that sits alongside the existing one which was granted at Planning Committee in October 2020. Against this background the principle of the erection of a replacement dwelling has already been established by that earlier planning permission (ref. 20/0525) which remains extant and so can be implemented at any time. Hence the principal issues to consider in the determination of this application relate only to visual impact on the character of the approved development and any potential neighbour amenity impacts that may result from the proposed amendments.

Visual impact

The proposed amendments would increase the depth of the approved replacement dwelling by 1 metre along its northern elevation and 0.6 metres along its southern elevation and increase the width and height of the front facing feature gable by 0.72 metres and 0.3 metres respectively. These increments are considered to be sufficiently limited as to not result in a harmful increase in the scale and bulk of the approved dwelling both on its site and in the context of the local streetscene.

The overall width of the property is unchanged from that previously approved, and the overall height of it is also as approved. The front gable changes will make a minor change to its appearance but in the context of the varied designs around Jubilee Way these changes are not of any concern.

Accordingly this aspect of the proposed amendments are considered to accord with the criteria of policy GD7 relevant to the development's visual impact.

Neighbour amenity

The only neighbouring properties potentially impacted by the proposal are those directly to either side, namely No's 5 and 9 Jubilee Way.

With respect to No. 5, the ground floor element of the approved replacement dwelling would project 6.85 metres beyond its main rear elevation of No.5 Jubilee Way. The proposed amendment would increase the rearward projection of the ground floor by a further 0.6 metres to a total of 7.45 metres. No.5 Jubilee Way lies directly to the south of the application site and as such the proposal would not cause any additional loss of direct sunlight to the rear of No.5. There will be an increase in massing, but the key massing impact is caused by the element of the property that is existing, and that which is approved as part of the existing planning permission, not by the additional limited single storey projection now proposed. Accordingly, the additional 0.6 metre projection would not create a materially bulkier or dominant structure when viewed from No.5's rear garden.

With respect to No. 9, they have objected to the further 1 metre extension of the rear two storey outrigger on the grounds that the resulting development would cause an unacceptable loss of morning sunlight to their rear garden. The application site is located directly to the south of No.9 and so there is a potential impact on sunlight. However, the proposed additional rearward extension to the rear outrigger is limited to 1 metre, and critically would not project beyond the main rear elevation of No.9. The resulting spatial relationship would be typical of many detached two storey dwellings that have been built alongside each other, and any resulting increase in overshadowing of No.9's rear garden would be negligible, and insufficient to justify a refusal of permission in this context.

The proposed additional first floor window in the north facing side elevation of the approved dwelling would have the potential to allow views into the front elevation windows of No.9. This

proposed additional window would serve an internal stairway and is shown on the submitted drawings as being obscurely glazed. Obscuration of this window would adequately mitigate against any potential overlooking and can be ensured by an appropriate condition to the permission.

The occupier of No.9 objected to the original application (ref. 20/0525) for a replacement dwelling on the grounds that it would overshadow their first floor, side facing bathroom window and increase the potential for overlooking of their rear garden. The proposed amendment would create no additional impact in respect of these previously raised concerns as No.9's bathroom is a non-habitable room and the window that serves it is obscurely glazed, and the 1 metre increase in rearward projection of the outrigger would only further reduce potential overlooking of No.9's rear garden due to the narrower angle of view towards the rear garden area that would result.

Accordingly it is considered that the proposed amendments would accord with the criteria of policy GD7 that relate to neighbour amenity.

Other Matters

The remaining elements of the scheme are as previously approved in all respects and there are no concerns over the design, parking, access or other implications of the revisions.

The Town Council highlight the increased scale of the dwelling will result in an overdevelopment of the plot. Clearly with the increase in the scale of the dwelling from that previously approved there is a consequential reduction in the level of outdoor amenity space that will be available. The rear boundary is tapered in relation to the rear of the property with the result that the distance from the rear of the rearmost part of the proposed dwelling varies from 6.5m to 18.5m. As a standard garden depth on a modern development is 10m the extent provided here is proportionate to that and so it is not considered that the scheme results in the overdevelopment of the plot. Notwithstanding that view the previous decision included a condition to remove permitted development rights to ensure that the council retained control over any future extensions to the property, and with the increased scale of the dwelling now proposed it would be appropriate for that approach to be taken with this decision.

With the property being in St Annes the policies of the St Annes Neighbourhood Plan are relevant to its determination. Whilst the Town Council highlight areas of concerns where they feel the scheme conflicts with policies in that plan, the assessment set out in this report leads officers to conclude that the scheme actual accords with that Plan.

Conclusions

The application relates to the variation of the approved plans for the construction of a replacement dwelling at No.7 Jubilee Way in the settlement of Lytham St Annes to approve minor material amendments to the dwelling approved by planning permission ref. 20/0525. These amendments have been examined and any resulting impacts are considered acceptable and in accordance with the relevant policies of the Fylde Local Plan to 2032 and the NPPF. The application is therefore recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission relates to the following plans:

- Location Plan
- Proposed Elevations - Drawing no. 1216 PL BAR A.5
- Proposed Ground Floor Plan - Drawing no. 1216 PL BAR A.1
- Proposed First Floor Plan - Drawing no. 1216 PL BAR A.2

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 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.

4. Notwithstanding the provisions of Schedule 2, Part 1, Class A 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), before the dwelling hereby approved is first occupied the first floor bathroom window shown on the south facing side elevation and the stairway first floor window shown on the north facing side elevation of the dwellinghouse hereby approved 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) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed. The duly installed window shall be retained as such thereafter.

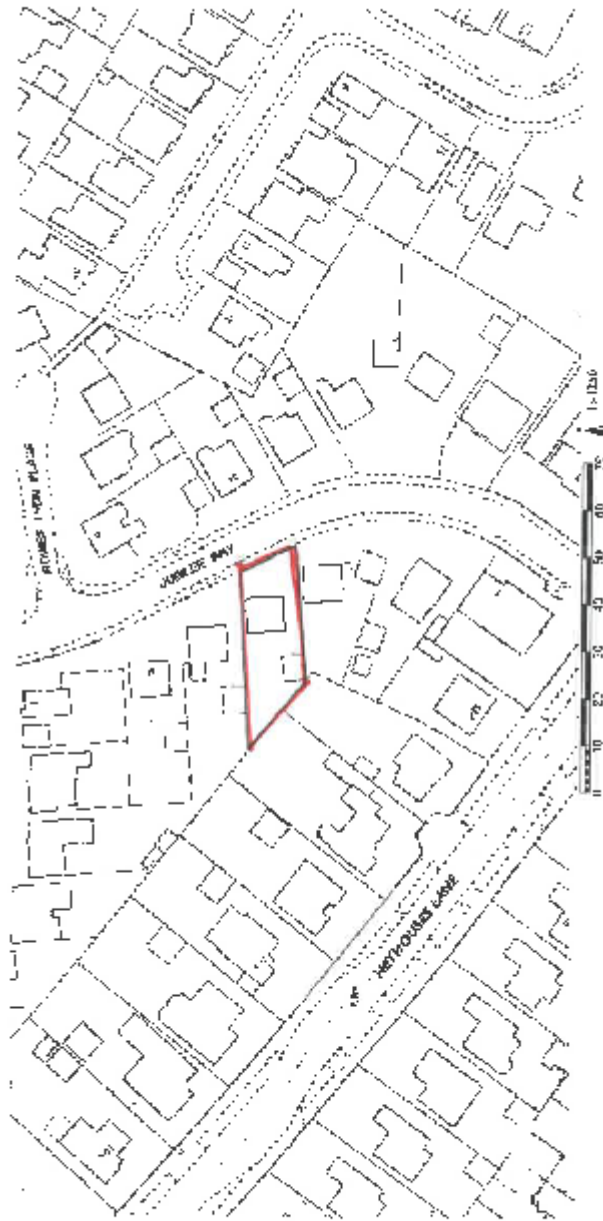
Reason: To ensure that appropriate measures are put in place to limit the potential for overlooking between the development and No's 5 & 9 Jubilee Way in order to preserve the privacy of the occupiers of No's 5 & 9 Jubilee Way in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

5. Notwithstanding the provisions of Schedule 2, Part 1, Class A 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 dwelling hereby approved shall not be altered or extended.

Reason: In order to prevent overdevelopment of the site, to ensure that satisfactory provision of outdoor amenity space for the dwellinghouse is maintained and to safeguard the amenities of the occupiers of adjacent dwellings in accordance with the requirements of policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework

6. No site preparation, delivery of materials or construction works, other than quiet internal building operations such as plastering and electrical installation, shall take place other than between 08:00 hours and 18:00 hours Monday-Friday and between 08:00 hours and 13:00 hours on Saturdays. No delivery of materials or construction work shall take place on Sundays.

Reason: To safeguard the amenities of occupiers of surrounding properties during the course of construction of the development and to limit the potential for unacceptable noise and disturbance at unsocial hours in accordance with the requirements of Fylde Borough Local Plan policy EP27 and the National Planning Policy Framework.





DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	19 MAY 2021	5
EDUCATION CONTRIBUTION RELATING TO SECTION 106 AGREEMENT FOR DEVELOPMENT AT THE FORMER GOVERNMENT OFFICES SITE, HEYHOUSES LANE, LYTHAM ST ANNES			

PUBLIC ITEM

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

SUMMARY

This report requests the transfer of Section 106 funds originally paid to Fylde Borough Council as a contribution towards the provision of additional primary school places in relation to planning application 12/0465, (Land at the former EDS site, Heyhouses Lane, St Annes) approved 1st October 2012. Lancashire County Council, in their role as local education authority, have requested that part of the money that has been paid to Fylde Council by the developer of the site now be paid to fund the provision of additional primary school places to serve the needs of the development in accordance with the terms of the agreement.

RECOMMENDATION

1. To recommend to Council approval of a fully funded revenue budget increase of £393,089 fully funded from the S106 contribution (application 12/0465) and to authorise the sum of £278,792 be paid to Lancashire County Council and £114,297 be paid direct to Clifton Primary School for the provision of additional school places at Clifton Primary School in accordance with the terms of the agreement, subject to the approval of the fully funded budget increase by Council.

SUMMARY OF PREVIOUS DECISIONS

Non further to the approval of application 12/0465.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

REPORT

1. Permission was granted for the development of 250 dwellings, a food superstore and a restaurant/public house on this previously developed site in October 2012. The planning permission was subject to a Section 106 agreement that secured a range of contributions to ensure that local infrastructure was able to meet the needs of the development. The education contribution was required *"to be used towards the funding of additional primary school place provision to serve the needs of the residents of the Development"*.
2. Development for 2 of the 3 phases has now been completed and the developer has paid Fylde Council the agreed contributions in 2 amounts, £325,760 in phase 1 and a further £215,137.71 for phase 2. Since the assessment of the impacts of the development on school provision was originally carried out by LCC, there have been changes in demand for primary school resulting a general surplus of places. There has, however, been an increase in demand at Clifton Primary School which LCC have needed to address and so they have requested the funds are now paid over to them to address this issue. The education authority have confirmed that £393,089 is required to meet the costs of providing 25 additional places, on a temporary basis, to address an increase in the number of children admitted at reception year at Clifton Primary School in September 2015 when the intake rose from 35 to 60 pupils. Demand for spaces returned to its previous level in subsequent intake years, but the additional capacity will be required as the children move through their primary education. Accordingly, accommodation for the additional 25 places will only be needed for a period of 7 years and takes the form of an extension at the school to provide an additional class base. It is considered that the provision of these temporary arrangements will be in accordance with the requirements of the agreement.
3. As some of the cost of providing the additional places has been met by the school itself, it is proposed to pay part of the monies to LCC and part to Clifton Primary School. This money cannot be used other than to ensure education provision in accordance with the terms of the S106 Agreement. Consequently, Fylde Council will continue to ensure that the terms of any S106 reflect the requirements for appropriate education provision in the borough.

IMPLICATIONS	
Finance	The report recommends to Council approval of a fully funded revenue budget increase of £393,089 to be met in full by Section 106 monies held by the Council for this purpose and to authorise the sum of £278,792 be paid to Lancashire County Council and £114,297 be paid direct to Clifton Primary School for the provision of additional school places at Clifton Primary School in accordance with the terms of the agreement.
Legal	The use of the funds for the purposes set out in the report are considered to be in line with the purposes set out in the Section 106 agreement.
Community Safety	There are no implications
Human Rights and Equalities	There are no implications
Sustainability and Environmental Impact	There are no implications
Health & Safety and Risk Management	There are no implications

LEAD AUTHOR	CONTACT DETAILS	DATE
Karen Hodgkiss	karenh@fylde.gov.uk & Tel 01253 658515	28/04/2021

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Planning permission 12/0465	1 October 2012	www.fylde.gov.uk



DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	19 MAY 2021	6
EXAMINATION OF THE PARTIAL REVIEW OF THE FYLDE LOCAL PLAN TO 2032 – POST HEARING LETTER			

PUBLIC ITEM

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

SUMMARY

Members will be aware that hearing sessions for the examination of the Partial Review of the Fylde Local Plan to 2032 (PRFLP32) were held on 17 and 18 March 2021. On Friday 30th April the Council received a letter from the Inspector which directs the Council with respect to the Housing Need, the Housing Requirement, and sets out next steps. The letter is provided as Appendix 1 to this report. The Inspector is satisfied that the local housing need is 275 dwellings per annum (dpa) or 6,895 dwellings overall. However, she also considers that the council should seek to assist in the delivery of Wyre's current unmet housing need which is 380 dwellings during the plan period. When this is aggregated (30dpa) and added to Fylde's assessed need (275 dpa), this results in a minimum housing requirement of 305 dpa or 7,275 dwellings for the plan period 2019/20 to 2031/32.

The Inspector recommends that the Council provide draft main modifications in line with her directions. These modifications are required for the plan to be found sound. The adopted Fylde Local Plan to 2032 already allocates enough housing land to deliver 415 dpa. The Inspector concludes that this provides appropriate flexibility to ensure that the revised housing need figure is met and also more than enough supply to meet Wyre Council's current unmet need.

Once the revised local plan is adopted, the minimum housing requirement figure of 305 dpa would be used to calculate the five-year land supply and this would help to deliver a robust five-year housing land supply.

RECOMMENDATIONS

1. That Members accept the directions of the Inspector as set out in her letter included at Appendix 1.
2. Members request that Draft Main modifications which set out these changes directed by the Inspector are drafted and consulted up on, in order that the PRFLP32 can progress towards adoption.

SUMMARY OF PREVIOUS DECISIONS

On 11th March 2020 the Planning Committee agreed to approve the Partial Review, supporting documents and technical assessments for Publication in accordance with Regulation 19/20 of the Town and Country Planning (Local Planning) (England) Regulations 2012; to approve those documents together with the responses to the Regulation 19/20 consultation for submission to the Secretary of State; and that officers be asked to continue to liaise with Wyre Council in order to seek to address the issue of unmet housing need in Wyre.

On 22nd January 2020 the Planning Committee agreed the Council's responses to the Regulation 18 consultation,

the scope of the Partial Review and that technical assessments be carried out.

On 14th October 2020 the Planning Committee approved the Partial Review, supporting documents, technical assessments and responses to the Regulation 19/20 consultation for submission to the Secretary of State.

CORPORATE PRIORITIES

Economy – To create a vibrant and healthy economy	
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

REPORT

Examination of the Partial Review of the Fylde Local Plan – Post Hearing Letter

1. Hearing sessions for the examination of the Partial Review of the Fylde Local Plan to 2032 (PRFLP32) were held on 17 and 18 March 2021. On Friday 30th April the Council received a letter from the Inspector which directs the Council with respect to housing matters. The letter is provided as Appendix 1 to this report.

Housing Need

2. The Inspector concludes that the standard method is the appropriate method for establishing local housing need and that there is no justification for an alternative approach. This results in the minimum local housing need of 275 dwellings per annum (dpa). No further uplift is needed to this base figure.
3. There follows an analysis of the issue of Wyre's unmet need, resulting in the conclusion, at the end of paragraph 11, that the PRFLP32 does not address the fact that there is existing need that should be accommodated now.

Housing Requirement

4. Currently, Policy DLF1 in the adopted plan sets the minimum housing requirement as 8,715 new homes over the plan period, with Policy H1 setting the minimum annual housing requirement as 415dpa. The PRFLP32 amends both policies to identify the housing requirement as a range. Policy DLF1 provides for a minimum of 6,895-8,715 new homes over the plan period and Policy H1 identifies a range of 275-415dpa for the period 2019/20-2031/32. The Inspector concludes that the range lacks clarity, and accordingly that it is necessary for the housing requirement to be identified as a single minimum figure.
5. Therefore, as the Inspector has already determined that 275dpa is the local housing need, Wyre's unmet need of 380 dwellings (in total, not dpa) is added to 275, which, when spread over the period 2019/20-2031 giving a housing requirement figure of 305dpa and 7,275 dwellings overall.
6. The adopted Local Plan provides for 8,819 dwellings over the plan period; therefore, the housing land supply significantly exceeds the minimum requirement of 7,275 dwellings by just over 1,500 dwellings. The Inspector is satisfied that this provides appropriate flexibility should land not come forward as envisaged and also provides for Wyre's current unmet need of 380 dwellings. The Inspector requests main modifications to uplift the minimum housing requirement to meet Wyre's unmet housing need as set out above.
7. The Inspector concludes that her concerns about Wyre's unmet housing need and the housing requirement (as a range) are fundamental to the Partial Review. These modifications are required in order to make the PRFLP32 sound.

Options Available to the Council

8. There are three options available to the Council.
 - Ask the Inspector to continue on the basis of the submitted version of the PRFLP32

The Inspector has made it clear in her letter that the PRFLP32 would not be found sound if the housing requirement was to be set out as a range as this lacks clarity and does not meet Wyre's current unmet need. This would leave the Council with its current housing requirement figure of 415dpa, and associated figure of 479dpa when the figure is adjusted to address the backlog from the early years of the plan. On the basis of 479 dpa, The Council is currently able to demonstrate a housing supply equivalent to 5.13 years as calculated in the Annual Position Statement 2020.

- **Withdraw the PRFLP32**

As above, this would leave the Council with its current housing requirement figure of 415dpa, and associated figure of 479dpa including backlog. The Council has a five-year supply of 5.13 years, up until 31st October 2021 as calculated in the Annual Position Statement 2020. This option may leave the council open to challenge that the plan as a whole is not up to date and so weaken other key policies in the plan.

- **Propose main modifications as the Inspector recommends in her letter**

This option satisfies the Inspector's recommendations allowing the examination of the PRFLP32 to progress. It would reduce the housing requirement figure to 305dpa. This will give the Council a much more robust five-year housing supply. This also allows the PRFLP32 to proceed to adoption giving the Council an up-to-date Local Plan that accords with NPPF19.

Conclusion

9. The Inspector's recommended change of having a single figure of 305dpa does provide clarity and meet Wyre's current unmet need. These matters have to be addressed in order for the PRFLP32 to be found sound. The housing requirement figure of 305dpa can be used to calculate the five year land supply once the PRFLP32 is adopted and gives a residual requirement of 368 dpa (using the Liverpool method as before) which is significantly lower than the figure of 479dpa which currently has to be used. This will give the Council a more robust five-year land supply, ensuring that future planning applications may be determined in line with the council's development strategy. Therefore, it is recommended that the Council accept the Inspector's directions and make the recommended modifications to the PRFLP32.

Next Steps

10. Officers will draft main modifications for submission to the Inspector. The Main Modifications will then be screened for any Sustainability/Habitats Regulations implications. Any comments received will be presented to planning committee prior to a six-week consultation on the modifications. Comments made will then be submitted to the Inspector who will take them into account when drafting her Report. Once the Report is received it will be presented to the Council to consider whether to accept the findings and adopt the PRFLP32. It is anticipated this will be in the Autumn of this year.

IMPLICATIONS	
Finance	The submission and examination in public have incurred costs which at present are unquantified but it is anticipated that these will be met from existing approved revenue budgets. The Partial Review will be carried out by the existing policy team at the Council at no additional cost.
Legal	The Partial Review will follow the process set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. Sustainability Appraisal will be carried out in accordance with the Environmental Assessment of Plans and Programmes 2004.
Community Safety	There are no implications for Community Safety.

Human Rights and Equalities	There are no implications for Human Rights and Equality. A Health Impact Screening has been subject to consultation alongside the Partial Review of the FLP32
Sustainability and Environmental Impact	A Sustainability Appraisal has been subject to consultation alongside the Partial Review of the FLP32.
Health & Safety and Risk Management	There are no health and safety implications.

LEAD AUTHOR	CONTACT DETAILS	DATE
Julie Glaister	Julie.glaister@fylde.gov.uk	19 th May 2021

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Partial Review of the Fylde Local Plan to 2032		Partial Review of the Fylde Local Plan to 2032 (FLP32)

Attached documents

Appendix 1 - Examination of the Partial Review of the Fylde Local Plan – Post Hearing Letter

EXAMINATION OF THE PARTIAL REVIEW OF THE FYLDE LOCAL PLAN

Inspector: Mrs Yvonne Wright BSc (Hons) DipTP MSc DMS MRTPI

Programme Officer: Mr Tony Blackburn
Tel: 01254 260286 Email: Tony.Blackburn@fylde.gov.uk

30 April 2021

Ms Julie Glaister
Planning Policy Manager
Fylde Council

By email only

Dear Ms Glaister

EXAMINATION OF THE PARTIAL REVIEW OF THE FYLDE LOCAL PLAN – POST HEARING LETTER

1. Further to the hearing sessions held on 17 and 18 March 2021 for the examination of the Partial Review of the Fylde Local Plan, this letter sets out my concerns on key matters relating to housing need and the housing requirement. It also identifies the way forward for the examination.
2. This letter does not cover other matters that were debated at the hearing sessions. Other actions on these matters have been noted and potential main modifications are currently being considered by the Council.
3. My comments are based on the submitted evidence and representations, including all that I heard at the hearing sessions. However, as the examination is still open and consultation on main modifications has yet to take place, my views in this letter are without prejudice to my final conclusions on the Partial Review.

Housing need

4. The 2018 adopted Fylde Local Plan identifies the objectively assessed housing need to be a range between 410 and 430 dwellings per annum [dpa]. This is based on the 2014 *Fylde Coast Strategic Housing Market Assessment* and its three Addendums [SHMA], which included a series of specific uplifts in respect of change in household formation rates, increased in-migration, and market signals.
5. Through the Partial Review process, and as detailed within the *Housing Needs and Requirement Background Paper* [EDPR04], the Council establishes a revised local housing need using the standard method, in accordance with paragraph 60 of the 2019 National Planning Policy Framework [the Framework]. This results in the minimum local housing need being 275 dpa.

In determining this figure the Council has followed the formula set out in the Planning Practice Guidance [PPG], which addresses projected household growth and historic under-supply. Based on the evidence that is before me, there is no justification for the use of an alternative approach for assessing local housing need, so the standard method is appropriate.

6. Paragraph 010 of the PPG identifies other circumstances when it may be appropriate to plan for a higher housing need figure than the standard method indicates. Whilst I acknowledge that the adopted Plan's objectively assessed housing need is higher than the standard method figure, this is based on assessments which were produced prior to the revised Framework and the new approach. Furthermore, the affordability adjustment within the standard method takes account of people moving into an area for economic reasons. There is also significant economic uncertainty at present, and there are no specific growth strategies or strategic infrastructure improvements that would justify an uplift to the standard method figure. I am therefore of the view that there is no justification for a higher housing need figure in this regard.
7. In relation to unmet housing need, paragraph 60 of the Framework clearly states that *'In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for'*. It is undisputed that Wyre Council has a total unmet housing need of 380 dwellings, following the adoption of the Wyre Local Plan on 28 February 2019. Notwithstanding that the Wyre Local Plan includes Policy LPR1 which states that the *"Local Planning Authority will bring forward a partial review of the plan with the objective of meeting the Full Objectively Assessed Housing Needs"* to be submitted by early 2022, an identified unmet need exists now.
8. There is limited assessment as to how the identified unmet need in Wyre is to be accommodated, other than potentially through Wyre Council's own partial review of its adopted plan. I recognise that Wyre Council is currently in the process of preparing this, but it will not be submitted for examination until early 2022.
9. The adopted Fylde Local Plan states that any housing need that remains unmet following the adoption of the Wyre Local Plan will need to be addressed. One of the purposes of the Partial Review is to consider this unmet need and the process provides an opportunity to address this need now.
10. However, the Partial Review does not provide for this unmet need, and instead it only includes an updated position within its introductory supporting text. This specifies that the amount of any unmet need and how this should be accommodated in Wyre should be determined through Wyre Council's partial review of its local plan, in accordance with its adopted Local Plan Policy LPR1. Indeed the Fylde Partial Review goes further by calculating a local housing need for Wyre using the standard method which is lower than the assessed need set out in the adopted Wyre Local Plan. Accordingly, by using this approach, the Partial Review concludes that Wyre Council will be able to fully meet its own needs.

11. However, I am concerned with this approach, as the partial review of Wyre Council's Local Plan is still in preparation and it is yet unknown what the revised local housing need will be. Wyre Council reiterates this point in its 6 March 2020 letter, stating that the calculation of housing need using the standard method is *"a starting point and it cannot be assumed that this will represent the final position for Wyre"*, nor is it clear whether it will be able to meet housing needs in full within the borough through its partial review process. The approach in Fylde's Partial Review does not address the fact that there is an existing need that should be accommodated now.
12. I note the agreed statement of common ground between the Fylde, Wyre and Blackpool Councils that form the housing market area [SDPR05a] and that Wyre Council has not formally requested that Fylde Council meets its unmet need. However, this does not mean that it should not be addressed now. In a letter to Fylde Council, dated 6 March 2020, Wyre Council has raised concerns about the need to *"work together to identify where the unmet need should be accommodated, and our plan processes need to be properly aligned to accommodate this"*. [Appendix 2 of SDPR10]. It is clear that the local plan review processes have not been aligned to assist this. Nevertheless this does not prevent this unmet housing need from being accommodated now.
13. The updated position on unmet housing need in the Fylde Partial Review also includes a statement that if any housing need cannot be met in Wyre, as established through Wyre's partial review, this can be provided for in Fylde through the new housing requirement range. However, it does not specifically state that the Partial Review is meeting Wyre's unmet housing need. I now provide my comments on this and determine what the housing requirement should be.

Housing requirement

14. Policy DLF1 in the adopted Plan sets the minimum housing requirement as 8,715 new homes over the plan period. Policy H1 sets the minimum annual requirement as 415 dwellings.
15. The Partial Review amends both policies to identify the housing requirement as a range. Policy DLF1 provides for a minimum of 6,895-8,715 new homes over the plan period and Policy H1 identifies a range of 275-415 dpa for the period 2019/20-2031/32, with the earlier years remaining at 415 dpa. In my view, a range lacks clarity and implies there is a maximum housing need figure which is not the case. Whilst I note that the Council does not set the top of the range as a ceiling, it is not clear what the higher figure does represent and it is critical that the housing requirement is set out unambiguously within the Partial Review policies. Accordingly it is necessary for the housing requirement to be identified as a single minimum figure within the Partial Review for the period 2019/20 to 2031/32.
16. I have already determined that the use of the standard method for calculating Fylde's local housing need is a sound approach and that, except for unmet housing need, there is no justification for any uplifts to the figure of 275 dpa or 6,895 dwellings overall. By adding Wyre Council's unmet

housing need of 380 dwellings (in total, not dpa), the minimum requirement increases to 305 dpa and 7,275 dwellings overall for the period between 2019/20 and 2031/32.

17. The Partial Review does not make any revisions to the existing housing land supply set out in the adopted Plan. This provides for 8,819 houses over the plan period and is fully justified, having been found sound in 2018. The housing land supply therefore significantly exceeds the minimum requirement of 7,275 dwellings by just over 1,500 dwellings. Moreover, this supply provides for appropriate flexibility to ensure that the revised housing need figure is met in the event that some housing does not come forward as envisaged. The Council therefore has more than enough supply to meet Wyre Council's undisputed and current unmet need of 380 dwellings.
18. Accordingly, for the Partial Review to be sound and given the Council's ability, through its existing housing land supply, to more than meet the identified unmet housing need of 380 dwellings over the plan period, I recommend main modifications to Policies DLF1, H1 and the supporting text to uplift the minimum housing requirement to meet Wyre's unmet housing need as set out above.

Next steps

19. My concerns on unmet housing need and the housing requirement are fundamental to the soundness of the Partial Review. I would be most grateful therefore if the Council could provide draft main modifications on these matters, as soon as possible. Confirmation as to when these will be available should be provided to the Programme Officer. Should the Council not wish to adopt the Partial Review on the basis of these modifications please inform me, through the Programme Officer, without delay in order that I can consider how best to proceed with the examination. However, at the present time, it is not clear to me what other modifications would make the plan sound.
20. Please note that this letter is addressed to the Council and I am not inviting, nor envisage accepting, a response from parties other than the Council on its contents.

Yours Sincerely

Y Wright
Inspector

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PLANNING COMMITTEE	19 MAY 2021	7
WELCOME BACK FUND			

PUBLIC ITEM

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

SUMMARY

The Government has introduced the “Welcome Back Fund” to support town centres in their recovery from the economic effects of the pandemic. This report proposes administrative arrangements to enable relevant funding to be applied for, managed and allocated.

RECOMMENDATIONS

1. Delegate the following powers to the Director of Development Services:
 Power to enter into all administrative arrangements necessary for the council to claim and receive funding from the Welcome Back Fund and the Reopening High Streets Safely Fund, including entering into a grant funding agreement
2. Delegate the following powers to the Director of Development Services, to be exercised following consultation with the Leader of the Council and the Chairman of the committee
 Power, after appropriate consultations with relevant stakeholders and consideration by the Town Centres Working Group to develop and implement plans and projects to be funded from the Welcome Back Fund and the Reopening High Streets Safely Fund.
3. Recommend to Finance and Democracy Committee a revenue budget increase of up to £243,516 in 2021/22 fully funded from the government grant funding streams as detailed in the report.

SUMMARY OF PREVIOUS DECISIONS

None

CORPORATE PRIORITIES

Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	
Efficiency – By spending money in the most efficient way	
Tourism – To create a great place to live and visit	✓

REPORT

THE WELCOME BACK FUND

1. Councils across England have been allocated £56m of European Regional Development Fund funding to support town centres in their recovery from the economic effects of the pandemic. The funding is known as the “Welcome Back Fund” and builds on the £50m Reopening High Street Safely Fund (‘RHSSF’) allocated to councils in 2020. The fund forms part of wider government support to communities and businesses.
2. Fylde’s allocation under the Welcome Back Fund is £171,758. The allocation under RHSSF was £71,758, making a total funding package of £243,516 for Fylde.
3. The Government has issued [guidance](#) on the scope of the fund and how it is to be managed. The guidance sets out six strands of activity that the fund is intended to support. The strands are:
 - Support to develop an action plan for how the local authority may begin to safely reopen their local economies.
 - Communications and public information activity to ensure that reopening of local economies can be managed successfully and safely.
 - Business-facing awareness raising activities to ensure that reopening of local economies can be managed successfully and safely.
 - Temporary public realm changes to ensure that reopening of local economies can be managed successfully and safely.
 - Support to promote a safe public environment for a local area’s visitor economy.
 - Support for local authorities to develop plans for responding to the medium-term impact of Covid-19 including trialling new ideas particularly where these relate to the High Street.
4. The funding may not be used to support grants to businesses or capital expenditure. This means that it cannot finance permanent infrastructure or works. All uses of the fund must be additional: in other words, the fund can’t be used to subsidise spending that the authority would have incurred in any event. Proposals to be funded need to be agreed with the Ministry of Housing, Communities and Local Government.

DECISION-MAKING ARRANGEMENTS

5. Delivery of grants is through the mechanism of a grant funding agreement that recipient councils must enter into with the Government. Councils are expected to engage with local businesses, business organisations, lower tier authorities (such as town and parish councils) and other relevant stakeholders as part of the development of Welcome Back Fund plans. However, the Government acknowledges that that different areas will prioritise different activities according to local need and that it is for local authorities to assess the best mechanism by which to do this.
6. The purpose of the fund is to assist town centres during the next few months and beyond as they emerge from the economic dislocation caused by the coronavirus pandemic. Developing plans for using the funding, engaging with stakeholders and working up proposals in that timeframe is likely to sit uncomfortably with the council’s committee timetables. Delegation arrangements are therefore needed to enable support to be targeted to where it is merited, when it is needed.
7. It is therefore proposed that the following powers be delegated to the Director of Development Services:
 - a. Power to enter into all administrative arrangements necessary for the council to claim and receive funding from the Welcome Back Fund and the Reopening High Streets Safely Fund, including entering into a grant funding agreementand for the following to be delegated to the same officer, following consultation with the Leader of the Council and the chairman of the committee
 - b. Power, after appropriate consultations with relevant stakeholders and consideration by the Town Centres Working Group to develop and implement plans and projects to be funded from the Welcome Back Fund and the Reopening High Streets Safely Fund.

8. The Council's financial regulations, which form part of the constitution, require funded budget increases to be approved. The level of approval depends on the expenditure. Increases of up to £50,000 may be approved by the Chief Financial Officer (following consultation with the Chairman of the Finance and Democracy Committee). Increases of between £50,000 and £250,000 require approval by the Finance and Democracy Committee, following consideration by the relevant programme committee. Increases above £250,000 require approval by the council.

IMPLICATIONS	
Finance	The report recommends that Finance and Democracy Committee approve a revenue budget increase of up to £243,516 in 2021/22 fully funded from the government grant funding streams as detailed in the report.
Legal	The council needs to put in place accountable and transparent arrangements in relation to its decisions on how the fund is used.
Community Safety	There are no implications
Human Rights and Equalities	There are no implications
Sustainability and Environmental Impact	There are no implications
Health & Safety and Risk Management	There are no implications

LEAD AUTHOR	CONTACT DETAILS	DATE
Ian Curtis	ian.curtis@fylde.gov.uk & Tel 01253 658506	6 May 2021

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Welcome Back Fund - Guidance	16 April 2021	Link



INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	19 MAY 2021	8
LIST OF APPEALS DECIDED			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

There were no appeal decisions received between 16/04/2021 and 07/05/2021.

SOURCE OF INFORMATION

Development Services

INFORMATION

N/a - no appeal decisions received

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

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

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473