



# Agenda

## Planning Committee

|                    |  |
|--------------------|--|
| Date:              | Wednesday, 3 November 2021 at 10:00 am   |
| Venue:             | Town Hall, St Annes, FY8 1LW   |
| Committee members: | <p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Tim Armit, Gavin Harrison, 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](#).

|   | PROCEDURAL ITEMS:   | PAGE    |
|---|---|---------|
| 1 | <b>Declarations of Interest:</b><br>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 | <b>Confirmation of Minutes:</b><br>To confirm the minutes, as previously circulated, of the meeting held on <a href="#">6 October 2021</a> as a correct record.   | 1       |
| 3 | <b>Substitute Members:</b><br>Details of any substitute members notified in accordance with council procedure rule 24.  | 1       |
|   | <b>DECISION ITEMS:</b>  |         |
| 4 | <b>Planning Matters</b>   | 3 - 14  |
| 5 | <b>Reserve Planning Members</b>   | 14 - 14 |

Contact: Lyndsey Lacey-Simone - Telephone: (01253) 658504 – Email: [democracy@fylde.gov.uk](mailto:democracy@fylde.gov.uk)

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

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## 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 2021
- 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](http://www.fylde.gov.uk/resident/planning)

# Planning Committee Schedule

## 03 November 2021

Item Number: 1

Committee Date: 03 November 2021

|  |  |   |                                   |
|--|--|---|-----------------------------------|
| <b>Application Reference:</b>                                  | 20/0835  | <b>Type of Application:</b>                               | Outline Planning Permission       |
| <b>Applicant:</b>  | Mr MacDonald   | <b>Agent :</b>  | Smith & Love Planning Consultants |
| <b>Location:</b>   | LITTLE TARNBRICK FARM, BLACKPOOL ROAD, KIRKHAM, PRESTON, PR4 2RE   |   |                                   |
| <b>Proposal:</b>   | OUTLINE APPLICATION FOR THE ERECTION OF 3 RESIDENTIAL DWELLINGS, AND A DETACHED GARAGE FOR EXISTING DWELLING (ACCESS AND LAYOUT APPLIED FOR WITH ALL OTHER MATTERS RESERVED) |   |                                   |
| <b>Ward:</b>   | KIRKHAM NORTH  | <b>Parish:</b>  | Kirkham                           |
| <b>Weeks on Hand:</b>  | 49   | <b>Case Officer:</b>                                      | Alan Pinder                       |
| <b>Reason for Delay:</b>                                       | Design Improvements  |   |                                   |
| <a href="#">Click Here</a> for application site on Google Maps |  | <a href="#">Click here</a> for application on FBC website |                                   |

**Summary of Recommended Decision:** Grant

### Summary of Officer Recommendation

The application site is the former farmhouse at Little Tarnbrick Farm, its garden and a small paddock area. The site is located within the settlement area of Kirkham at the western end of the 'Kirkham Triangle' site where Blackpool Road passes over the railway line, and is accessed from Blackpool Road via an existing well-established access that has served the farm when in agricultural use.

The proposal was originally presented as an outline application for the erection of 7 dwellings, but has been revised to propose the erection of 3 dwellings and a garage for the farmhouse with the access and layout of these for consideration at this stage.

With the site being located in the settlement under Policy GD1 of the Fylde Local Plan to 2032 there is strong policy support for the principle of residential development to ensure that the housing needs of the borough are met in the more accessible and so sustainable locations. The scheme now proposed offers a more relaxed density of development than is envisaged in the Plan, but this is considered necessary to ensure that it reflects the location of the site at the very edge of the settlement with the surrounding countryside, and to respect the relationship with the surrounding properties and the pattern of existing development fronting Blackpool Road. The scale of the dwellings is to be restricted to no more than 2 storeys in height to ensure their compatibility with all the other properties in the area. On this basis the layout of the development that is now proposed is an acceptable one.

The access is to be from the existing access point to Blackpool Road. This provides good visibility in both directions and is capable of accommodating the vehicle movements that would be associated with a development of this scale without any impact on the capacity of the road network. The internal road is appropriate in its routeing and the properties can readily be provided with the appropriate levels of parking, which is a critical element here given the highway safety harm that would be caused by any parking on Blackpool Road itself if that were to arise from the scheme.

There are no ecological, arboricultural, or other issues that will impact on the development. It is noted that comments have been received which express concerns over the potential for the development to exacerbate existing concerns regarding the capacity of the drainage network serving The Spinnings residential development. However the comments from United Utilities on this application confirm that they have no objections to the development as their comments are limited to requesting that details of the surface and foul water drainage arrangements are submitted for approval prior to development commencing. This is a standard approach to new development schemes, but mindful of the concerns that are expressed by the Town Councils and residents it is proposed that these details be submitted as part of the reserved matters approval.

As an overall summary the development provides an appropriately scaled residential development to complete the Kirkham Triangle development as envisaged by its incorporation within the settlement of Kirkham in the Local Plan. The application is therefore recommended for approval subject to a standard series of conditions for a development of this nature and scale.

#### **Reason for Reporting to Committee**

The officer recommendation for approval conflicts with the views of the Town Council on the revised scheme and so it is necessary for the application to be presented to Committee for a decision in accordance with the scheme of officer delegation.

#### **Site Description and Location**

The application relates to an irregularly shaped parcel of land extending to an area of approximately 0.4 hectares and which forms the curtilage of a former farmhouse (now single dwelling) known as 'Little Tarnbrick Farm'. Little Tarnbrick Farm is located on the northern side of Blackpool Road (A583) approximately 650 metres west of the A583 / Kirkham Wesham by-pass roundabout, and comprises one dwelling, a detached 'granny annex' building, a timber shed, and a grassed 'paddock' area to the east.

The site is bounded by a rail line to the west, the A583 to the south, and the 'The Spinnings' residential development to the east and north. The site contains a series of trees to the road frontage which are protected by TPO 2016 No. 1.

#### **Details of Proposal**

This application under consideration seeks outline planning permission for the construction of three detached dwellings (one with detached garage) and a detached garage for the existing dwelling. Access and layout are applied for with scale, appearance and landscaping reserved for later

consideration.

#### Access

The proposed dwellings would be accessed via the existing access that serves Little Tarnbrick Farm from the A583, and a new internal access road (with turning area) which runs parallel to Blackpool Road inside the site to serve the two of the dwellings that are located to the east of the farmhouse. A short footpath would also be formed to provide a pedestrian link to the footpath that runs along the northern side of the A583.

#### Layout

The submitted layout shows 2No. detached dwellings (plots 2 & 3) to be constructed in the 'paddock' area to the east of the existing dwelling and the third dwelling with detached garage (plot 1) to be built in the north west corner of the site, adjacent to the rail line. A detached single garage to serve the existing dwelling is to be built to its side / rear.

#### Original Scheme

As originally presented the application proposed the erection of 7 dwellings and was submitted with access being the only matter for consideration. Officers felt that this scheme was overly intensive for the site and so sought to secure a reduction in the number of dwellings, as well as requiring that layout was considered at this stage to allow a fuller assessment of the impact of the development on the character of the area and the relationship to neighbouring dwellings. It is this revised scheme that is under consideration.

#### Relevant Planning History

| <b>Application No.</b> | <b>Development</b>  | <b>Decision</b> | <b>Date</b> |
|------------------------|---|-----------------|-------------|
| 09/0654                | PROPOSED VEHICULAR ACCESS TO BLACKPOOL ROAD   | Refused         | 09/12/2009  |
| 09/0439                | VARIATION OF CONDITION 11 ON PLANNING PERMISSION 05/0878 RELATING TO CLOSURE OF SITE ACCESS TO HIGHWAY IN CONNECTION WITH PLANNING PERMISSION FOR TOURING CARAVAN SITE, MANAGERS ACCOMMODATION AND ANCILLARY STORAGE BUILDING | Refused         | 09/12/2009  |
| 08/0357                | APPLICATION FOR TOURING CARAVAN PARK, MANAGER'S ACCOMMODATION & ANCILLARY STORAGE WITHOUT COMPLIANCE WITH CONDITION NO. 11 OF APPLICATION NO. 05/0878.  | Refused         | 06/08/2008  |
| 06/0859                | CONVERSION OF EXISTING GARAGE INTO GRANNY FLAT  | Granted         | 01/11/2006  |
| 05/0878                | TOURING CARAVAN PARK, MANAGERS ACCOMMODATION AND ANCILLARY STORAGE  | Refused         | 07/11/2005  |
| 05/0317                | PROPOSED TOURING CARAVAN PARK, MANAGERS ACCOMMODATION AND ANCILLARY STORAGE   | Refused         | 14/07/2005  |
| 01/0520                | DETACHED GARAGE AND STABLES TO SIDE OF DWELLING   | Granted         | 05/09/2001  |



### **Relevant Planning Appeals History**

| <b>Application No.</b> | <b>Development</b>  | <b>Decision</b> | <b>Date</b> |
|------------------------|---|-----------------|-------------|
| 09/0439                | VARIATION OF CONDITION 11 ON PLANNING PERMISSION 05/0878 RELATING TO CLOSURE OF SITE ACCESS TO HIGHWAY IN CONNECTION WITH PLANNING PERMISSION FOR TOURING CARAVAN SITE, MANAGERS ACCOMMODATION AND ANCILLARY STORAGE BUILDING | Allowed         | 27/04/2010  |
| 08/0357                | APPLICATION FOR TOURING CARAVAN PARK, MANAGER'S ACCOMMODATION & ANCILLARY STORAGE WITHOUT COMPLIANCE WITH CONDITION NO. 11 OF APPLICATION NO. 05/0878.  | Dismiss         | 26/05/2009  |
| 05/0878                | TOURING CARAVAN PARK, MANAGERS ACCOMMODATION AND ANCILLARY STORAGE  | Allowed         | 16/03/2006  |

### **Parish/Town Council Observations**

The site is located within the area of **Kirkham Town Council** who have provided comments on the original and revised schemes.

With regards the original scheme for 7 dwellings their comments dated 15 December 2020 state *"The Town Council has no objection to the above application"*

With regards the revised scheme for 3 dwellings their comments dated 26 May 2021 state *"Kirkham Town Council object to this planning application due to concerns regarding flooding, sewage and another entrance onto a very busy road."*

Comments have also been received from **Wesham Town Council** in respect of the original scheme. These are dated 11 January 2021 and comments:

*"Although not requested specifically to comment, Medlar-with-Wesham Town Council agreed to respond expressing concerns regarding drainage issues and concerns that any further development may add to current flooding issues in the area.*

*This application is for further development in an area which has suffered serious flooding in recent months. Should the outline approval be given there is the need for a strategy which provides sufficient drainage to cope with the development and the insufficient drainage on nearby developments.*

*Medlar-with-Wesham Town Council would like assurance from the developer. Lancashire CC and United Utilities that any drainage strategy for this proposed this development:-*

- 1. is sufficient not to create flooding on this development or the wider surrounding areas*
- 2. the drainage system would be installed as per plans and works correctly*
- 3. that the infrastructure that this drainage would be linked to is sufficient and working correctly"*

## **Statutory Consultees and Observations of Other Interested Parties**

### **Lancashire County Council - Highway Authority**

#### **"Summary**

*Highways understands the current planning application is an outline application except for access and layout. The Highways comments below considers the principle of the development; capacity and safety impact on local highway network; sustainability to the site and the internal highway proposals for the site.*

*Highways do not have any objections to the proposed three dwellings, with revised access and turning area and are of the opinion the proposed development will not have a detrimental impact on highway safety, capacity or amenity in the immediate vicinity of the site. With this said Highways are recommending the footpath link to Blackpool Road is removed.*

#### **Introduction**

*The site will be accessed via an existing access on to Blackpool Road. Blackpool Road is classified as the A583 road and is categorised as a Strategic Route with a speed limit of 50mph fronting the site access.*

*A 3m wide verge fronts the site (near the access), the carriageway width is 11.7m and the opposite side of the road has a 3.6m footway. The road benefits from street lighting and various right turn lanes to serve various accesses.*

*From our mapping system "Mapzone", the proposed development does not affect any public rights of way.*

#### **Highway Capacity**

*TRICS is the national standard system used to predict trip generation and analysis of various types of development. Using a typical TRICS report for a privately owned housing development, the proposed 3 dwellings will generate an estimated 18 two-way vehicular additional movements a day with an estimated am and pm peak flow of 2 two-way additional vehicle movements.*

*Highways are of the opinion that the proposed 7 dwellings will not have a severe impact on highway capacity or congestion in the immediate vicinity of the site.*

#### **Site access**

*Highways have checked the recorded Personal Injury Accident (PIA) from the Lancashire County Councils five year data base and Crashmap on the 16th December 2020. The data bases indicate there has not been any reported incidents near the existing site access.*

*The data bases indicate there has been three incidents to the east of the site access and these include:-*

- 1. Cyclist crossing central reservation and misjudging speed of oncoming vehicle.*
- 2. Rear shunt on vehicle slowing to enter car sales area.*
- 3. Vehicle exiting car sales area misjudging speed of oncoming vehicle*

*Whilst any accident is regrettable, the highway network surrounding the site is considered to have an accident record for the classification of road. Providing a safe*

*access and egress is provided the development should not exacerbate highway safety near the site.*

*Lancashire County Council commissioned a full week traffic count, beginning on the 7 October 2019. The traffic study indicates the 85th percentile traffic speeds are 45.7mph for east bound traffic and 47mph for west bound traffic. The traffic count was carried out about 230m east of the site access.*

*The basic formula for calculating Stopping Sight Distances (SSD) is based on the figures in table 10.1 from Manual for Streets 2, the addition of 2.4m and the recorded 85th percentile speeds. The sight lines from the site access to the west to be a minimum of 2.4 x 127m and the sight lines from the site access to the east to be a minimum of 2.4 x 133m.*

*The calculations to determine the recommended sight line distance is attached at the end of this report*

*Highways are of the opinion that shown 2.4x160m sight lines from the site access are fully achievable over the existing adopted highway and a sight line condition is not required.*

*The applicant has now provided accurate swept path analysis at the site access and within the site, for a twin axel refuse vehicle (11.2m long), which demonstrates how refuse and fire appliances can enter and exit the site safely in a forward gear.*

*Highways have issue with the shown new footway, through the hedge mainly:-*

- 1. The footpath connections through the hedge will encourage on road parking on Blackpool Road, especially for visitors or dropping off.*
- 2. Where the footpath connections through the hedge are used to collect refuse, or for deliveries etc.*

*Both of these issues will impact on highway safety and congestion on Blackpool Road. Additional safety and congestion issues due to the location of the refuse island. Vehicles would not be able to pass the waiting vehicles without crossing into on-coming traffic at the detriment to highway safety.*

*The site access works to modify the existing site access will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Community Services before works begin on site. Please contact [developer@lancashire.gov.uk](mailto:developer@lancashire.gov.uk) for further information and advice.*

#### *Sustainable links*

*Highways are of the opinion that the existing footpaths leading to the site are suitable for this location and no improvements are required. In addition the use of a shared surface to access the new and existing properties is acceptable for the size of development*

#### *Internal Highway Layout*

*Highways are of the opinion that the internal highway layout conforms with the current*

*guidelines; recommendations; the philosophy of Manual for Streets; Creating Civilised Streets; the National Planning Policy Framework; the Joint Lancashire Structure Plan. As part of any reserved matters application, the applicant is advised to consider the following provisional recommendations:-*

- Two to three bedroom properties to have 2 off-road car parking spaces.
- Four to five bedroom properties to have 3 off-road car parking spaces.
- The recommended minimum internal single garage size to be 6x3m and this includes integral garages”

The officer then requests a series of standard conditions relating to issues such as a construction management plan, the provision of the requested parking levels and the construction of the highway to adoptable standards.

#### **Environment Agency**

No comments received.

#### **United Utilities**

No objections. Standard comments relating to SUDS hierarchy for surface water drainage and separate system for foul water disposal.

#### **Regeneration Team (Trees)**

No objection but initial concern raised in respect of impacts of internal access road on the RPA of Tree T1 and request for additional tree planting along the site frontage.

(Note: As a result of the tree officer's comments the site layout has been revised to move the internal road further from tree T1, and provide 3No. additional trees along the site frontage between trees T2 and T3.)

#### **Network Rail**

No objections subject to a series of safety measures being imposed on the development relating to controls over matters such as piling, scaffolding, boundary fences, etc given the proximity of the site to the active rail line.

#### **Neighbour Observations**

|                                |   |
|--------------------------------|---|
| <b>Neighbours notified:</b>    | 01 December 2020  |
| <b>Amended plans notified:</b> | 20 May 2021   |
| <b>Site Notice Date:</b>       | 11 December 2020  |
| <b>Number of Responses</b>     | Five neighbour objections   |
| <b>Summary of Comments</b>     | <ul style="list-style-type: none"><li>• The existing surface and foul water drainage systems are already unacceptably overloaded by the properties of The Spinnings residential development. These additional dwellings will only exacerbate the problem</li><li>• Plots 2 &amp; 3 would overlook the rear of the dwellings of Parkinson Lane and overshadow their rear gardens</li><li>• The additional traffic generated by the proposed new houses and using the existing Little Tarnbrick Farm access onto the A583 would increase the risk of vehicle collisions and accidents</li></ul> |

## **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                       |
| H1   | Housing Delivery and the Allocation of Housing Land   |
| H2   | Density and Mix of New Residential Development        |
| CL1  | Flood Alleviation, Water Quality and Water Efficiency |
| CL2  | Surface Water Run-Off and Sustainable Drainage        |
| INF1 | Service Accessibility and Infrastructure              |
| T4   | Enhancing Sustainable Transport Choice                |
| T5   | Parking Standards                                     |

### **Other Relevant Policy:**

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

## **Environmental Impact Assessment**

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

## **Comment and Analysis**

### **Principle of development**

The site falls within the settlement boundary of Kirkham as defined by Policy GD1 of the Fylde Local Plan to 2032, and which extends to the rail line. Policy DLF1 of the Fylde Local Plan to 2032 (FLP32) identifies Kirkham as one of four strategic locations for new residential development and supports the development of 'windfall sites', which are small non-allocated sites for housing that can occur throughout the borough, provided they are compliant with other relevant policies of the FLP32. Further support is provided by policy GD1 of the FLP32, which is permissive of development on sites within settlement boundaries, and policy H2 which supports development within the domestic curtilage of existing dwellings subject to compliance with all other relevant policies of the FLP32.

The land that now forms The Spinnings development and so bounds this site to the north and east is allocated for residential development in the Fylde Local Plan to 2032 under Policy H1. This is seemingly a reflection of the planning permission that was in place on that site at the time that the Local Plan allocations were being finalised. Whilst this application site is not allocated for housing, its incorporation within the settlement boundary and the existence of residential development on three sides and the rail line on the other ensures that it is entirely appropriate that it be brought forward for residential development.

For the reasons set out above, the principle of residential development on the site is acceptable subject to accordance with criteria set out in other relevant policies of the FLP32.

### **Site Layout & Visual Impact**

The application is in outline with design and scale being matters reserved for later consideration, hence at this time only the layout of the proposed dwellings is for consideration. The application is for three new detached dwellings sited within the curtilage of the former farmhouse (and now single

dwelling) 'Little Tarnbrick Farm'. The application site is an irregular shaped area of land that lies between the recent newly constructed residential development known as 'The Spinnings' and the A583 Kirkham by-pass.

The plot 1 dwelling would be sited within the north west corner of the site and adjacent to the rail line that forms the western site boundary, where it would be largely screened from view by the tree lined boundaries to the south and along the rail line to the west, and by the existing built development within the site.

Plots 2 & 3 would be sited within the open grassed 'paddock' area to the east of the existing dwelling. The density of development within the paddock area is spacious and less than that of The Spinnings development that neighbours to the north and east. However this is necessary to ensure that plots 2 & 3 have frontages facing onto Blackpool Road, do not project beyond the established building line between the existing properties on The Spinnings development to the east and the farmhouse to the west, and have sufficient back-to-back separation with the properties on Parkinson Lane (part of The Spinnings) to avoid causing undue harm to neighbour amenity by way of overlooking. It also allows for the retention of the mature tree located towards the eastern end of the site and which contributes positively to the visual amenity of the area.

In terms of visual impact the proposed dwellings would be viewed against the backdrop of The Spinnings residential development, and set behind the roadside hedge which is to be retained. The Spinnings exclusively comprises two storey dwellings and so whilst the matter of scale has not been applied for it is considered that in the interests of ensuring visual coherence a condition requiring the proposed dwellings to be no more than two storeys in height should be attached to the outline permission if granted.

On this basis the principle of the residential development and the layout that is proposed are both considered to be acceptable and all for this undeveloped part of the Kirkham Triangle site within the settlement of Kirkham to deliver residential development without causing any undue visual harm to the character of the area. In doing so it is in accordance with the requirements of criteria b), d), h) and k) of Policy GD7 of the Fylde Local Plan to 2032.

#### Relationship with Neighbouring Dwellings

The site has existing residential neighbours on all sides and so it is necessary to assess the relationships to each in the consideration of the application. Properties on Parkinson Lane in The Spinnings back on to the site, Little Tarnbrick Farm itself is to one side, No.1 Danson Drive neighbours to the other, and there are properties across Blackpool Road. The scheme was revised to ensure that the layout of the development was for consideration to enable certainly over this important impact to be gained at this stage.

*Parkinson Lane* - Objections received from two residents of Parkinson Lane refer to loss of privacy / overlooking, and overshadowing of rear gardens. The shortest back-to-back separation distance between the proposed dwellings and those on Parkinson Lane is 22 metres, which exceeds the minimum 21 metre distance required by Design Note 1D of the council's adopted SPD on householder development. Design Note 1D also requires first floor habitable room windows that overlook neighbouring gardens to be 10.5 metres from the boundary they face. The dwellings on plots 2 and 3 reflect this guidance, and plot 1 would have a side facing aspect that is well in excess of any minimum separation to address possible massing impacts. Accordingly the proposed layout does not raise any undue concerns in respect of the amenity of Parkinson Lane residents.

*No.1 Danson Drive* - Plot 3 would be circa 23 metres to the west of No.1 and its rear elevation would

project only nominally beyond the rear elevation of No.1. This spatial relationship is such that No.1's amenity would not be prejudiced by the proposal.

*Little Tarnbrick Farm (LTF)* - This is the applicant's own dwelling which would have a separation distance of *circa* 42 metres to plot 2 in the east. Plot 1 would be *circa* 17 metres to the west of LTF however it would be oriented so that its side elevation faces towards the front elevation of LTF and so a design that features no upper floor windows in this elevation would ensure that LTF's amenity is not prejudiced.

*Blackpool Road* – The dwelling on plot 1 would be over 40m from the dwellings on Whinfield Terrace which is on the opposite side of Blackpool Road to the site. The dwelling on Plot 3 is similarly separated from the nearest properties that lie across Blackpool Road to its location, with these being on a slight off-set to further reduce possible impacts.

Accordingly the proposed relationships are all entirely compatible with the relevant guidance on neighbouring relationships. The scale and appearance of the dwellings is for consideration as part of any reserved matters submission, but given the separations available at this stage the development will satisfy the requirements of criteria c) and h) of Policy GD7.

#### Access & Parking

It is noted that the most recent comments of Kirkham Town Council raise objection to the development on the basis that the scheme involves 'another access onto a very busy road'. This is incorrect, as the proposal is to utilise the existing vehicular access off Blackpool Road that currently serves the dwelling at Little Tarnbrick Farm, and previously served its agricultural requirements. This access will lead to a new internal drive, and turning head, formed to link this access to plots 2 & 3. A short pedestrian footway was proposed to the front of plot 2 to connect with the existing footpath that runs along the northern side of Blackpool Road.

Lancashire County Council have been consulted on the access arrangements as local highway authority, and have provided detailed comments which are quoted in full earlier in this report. They raise no objection to the development either as originally presented for 7 dwellings, or now for 3, with their views being that the site access to Blackpool Road has adequate visibility, that the local highway network is able to accommodate the additional vehicle movements, and that the internal road layout is appropriate.

The local highway officers do recommend that the footway be removed from the scheme on the grounds that it would encourage vehicles to park on the existing footpath of Blackpool Road and thus impact on highway safety and congestion on Blackpool Road. Whilst their concerns on this point are noted, this feature has been retained in the scheme as it provides the only opportunity for a footpath connection from the site to secure a safe pedestrian route for occupiers of the proposed dwellings along Blackpool Road to Kirkham without damage to mature trees. The close proximity of the footpath connection to the existing refuge island would discourage vehicles from parking on Blackpool Road, and so it is felt that the views of the local highway authority on this are overly cautious.

Conditions are required to ensure that the road layout and other highway matters are appropriately delivered in the scheme, but subject to that the proposal is in accordance with the requirements of criteria j) and k) of Policy GD7

#### Proposed Garage

The application includes provision for the erection of a detached garage to serve the needs of Little

Tarnbrick Farm given that some of the existing parking and domestic storage areas available to this property are to be lost through this development. The single garage is shown adjacent to the rear boundary of the site alongside 20 Parkinson Lane.

The outline nature of the application ensures that there are no details of the scale or appearance of this structure, but it is appropriate in its location and scale, and it is not expected that the reserved matters elements of this part of the development proposal will generate any concerns. A condition to ensure it is provided to maintain the amenity requirements of the farmhouse is appropriate.

### Other Matters

*Ecology* - The application is supported by an ecological survey carried out by ERAP Consultant Ecologists Ltd, which asserts that the timber shed (to be removed) and trees within the site were inspected for evidence of bats but no bat droppings or other signs/potential roost features were found and thus concluded there is negligible suitability for use by roosting bats. It also concludes that the site is unlikely to be used by foraging bats due to the limited size and the extent of hard surfaced yard area and amenity grassland. These findings are acceptable, and it is a reasonable assumption that there will be no ecological harm arising from the development given the nature and location of the site. A condition to secure bat and bird nesting opportunities in the development is appropriate to accord with the requirements of Policy ENV2 relating to biodiversity.

*Trees* - There are three trees on the site's Blackpool Road boundary that are subject to a tree preservation order (2016 No.1) and trees within the site that are not protected. An Arboricultural Impact Assessment (AIA) has been submitted in support of the application and which identifies that all trees are to be retained apart from one (T8) which was deemed to be unworthy of retention due to decay present in its stem together with visible fungal brackets. The council's tree officer has examined the AIA and visited the site to assess the trees. As a result the original scheme has been amended to move the internal access drive away from the RPA of one protected tree (T1) and provide additional tree planting along the site's Blackpool Road boundary to enhance the street scene.

*Drainage* - United Utilities (UU) have been consulted on the application and have raised no objections stating only that surface water drainage should follow the SUDS hierarchy and that foul and surface water should drain on separate systems. Several residents have objected to the application on the grounds that the existing surface and foul water drainage provisions for The Spinnings development are already overloaded and frequently cause flooding of Blackpool Road and sewage overflow within the Spinnings estate. Both Kirkham and Wesham Town Council's also highlight this issue. They opine that an additional three dwellings would further exacerbate these problems and so should not be permitted. The objector's concerns are noted but it is the case that the organisation responsible for the provision and management of that drainage system (United Utilities) do not share those concerns and so there is no reason to suspect that an appropriate and acceptable surface and foul water drainage scheme will not be delivered, and that will not impact on or further exacerbate The Spinning's existing situation. An appropriate drainage condition to require that this forms part of the reserved matters submission should be attached to the outline permission if granted so that it is investigated at an early stage.

### Conclusions

The application site is the former farmhouse at Little Tarnbrick Farm, its garden and a small paddock area. The site is located within the settlement area of Kirkham at the western end of the 'Kirkham Triangle' site where Blackpool Road passes over the railway line, and is accessed from Blackpool



Road via an existing well-established access that has served the farm when in agricultural use.

The proposal was originally presented as an outline application for the erection of 7 dwellings, but has been revised to propose the erection of 3 dwellings and a garage for the farmhouse with the access and layout of these for consideration at this stage.

With the site being located in the settlement under Policy GD1 of the Fylde Local Plan to 2032 there is strong policy support for the principle of residential development to ensure that the housing needs of the borough are met in the more accessible and so sustainable locations. The scheme now proposed offers a more relaxed density of development than is envisaged in the Plan, but this is considered necessary to ensure that it reflects the location of the site at the very edge of the settlement with the surrounding countryside, and to respect the relationship with the surrounding properties and the pattern of existing development fronting Blackpool Road. The scale of the dwellings is to be restricted to no more than 2 stories in height to ensure their compatibility with all the other properties in the area. On this basis the layout of the development that is now proposed is an acceptable one.

The access is to be from the existing access point to Blackpool Road. This provides good visibility in both directions and is capable of accommodating the vehicle movements that would be associated with a development of this scale without any impact on the capacity of the road network. The internal road is appropriate in its routing and the properties can readily be provided with the appropriate levels of parking, which is a critical element here given the highway safety harm that would be caused by any parking on Blackpool Road itself if that were to arise from the scheme.

There are no ecological, arboricultural, or other issues that will impact on the development. It is noted that comments have been received which express concerns over the potential for the development to exacerbate existing concerns regarding the capacity of the drainage network serving The Spinnings residential development. However the comments from United Utilities on this application confirm that they have no objections to the development as their comments are limited to requesting that details of the surface and foul water drainage arrangements are submitted for approval prior to development commencing. This is a standard approach to new development schemes, but mindful of the concerns that are expressed by the Town Councils and residents it is proposed that these details be submitted as part of the reserved matters approval.

As an overall summary the development provides an appropriately scaled residential development to complete the Kirkham Triangle development as envisaged in its incorporation within the settlement of Kirkham. The application is therefore recommended for approval subject to a standard series of conditions for a development of this nature and scale.

### **Recommendation**

That Outline Planning Permission be GRANTED subject to the following conditions:

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

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approval of the local planning authority shall be sought in respect of the following matters (hereinafter referred to as the “reserved matters”) before any development takes place:- scale, appearance and landscaping of the development.

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

3. This permission relates to the following plans:

- Location Plan - Drawing no. 1967 | 1.1
- Proposed Site Layout - Drawing no. 1967 | 2.6F

Any application for approval of reserved matters submitted pursuant to condition 1 of this permission shall accord with the details shown on the approved plans insofar as they relate to the site area, scale, and layout of the development and the means of access to it and shall not exceed the maximum number of dwellings applied for.

Reason: The application is granted in outline only in accordance with the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission.

4. Any application which seeks approval for the reserved matter of appearance pursuant to condition 2 of this permission shall include full details of all materials to be used on the external surfaces of the dwellings and buildings hereby approved.

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

5. Any application which seeks approval for the reserved matter of landscaping pursuant to condition 2 of this permission shall include a landscaping scheme that provides details of:

- (i) any trees, hedgerows and any other vegetation on the site to be retained;
- (ii) compensatory tree planting to replace any trees removed and which shall be a minimum of extra heavy standard 14-16cm girth at 1 metre from ground level and a height of 3.5 metres or greater;
- (iii) the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i) or (ii);
- (iv) the type, size, species, siting, planting distances and the programme of planting of hedges, trees and shrubs; and
- (v) Mitigation measures taken in accordance with BS5837:2012 to protect trees outside of, but in close proximity to, the boundary of the application site.

The duly approved landscaping scheme shall be carried out during the first planting season following the first occupation of the dwelling or the completion of the development, whichever is the sooner; and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure suitable retention and strengthening of existing landscaping on the site in the

interests of visual amenity and to secure appropriate biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV1, and the National Planning Policy Framework.

6. Any application which seeks approval for the reserved matter of scale pursuant to condition 2 of this permission shall ensure that none of the dwellings exceed two storeys in height.

Reason: To ensure that the scale of development is compatible with surrounding buildings in order to achieve a satisfactory appearance in the street scene and an acceptable relationship with surrounding properties in the interests of good design and the amenity of neighbouring occupiers in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

7. Any application which seeks approval for the reserved matter of landscaping pursuant to condition 2 of this permission shall include details of the siting, height, design, materials and finish of all boundary treatments to the site.

Reason: To ensure a satisfactory finish to the development in the streetscene in accordance with the requirements of Policy GD7 of the Fylde Local Plan to 2032.

8. Any application which seeks approval for the reserved matter of scale pursuant to condition 2 of this permission shall include full details of the finished levels above ordnance datum, for the proposed buildings and external areas of the site in relation to existing ground levels.

Reason: To ensure a satisfactory relationship between the dwellinghouses and surrounding buildings and establish site levels in the interests of residential and visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

9. Any application which seeks approval for the reserved matter of scale pursuant to condition 2 of this permission shall include a scheme for the disposal of foul and surface water from the development. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- a) separate systems for the disposal of foul and surface water;
- b) an investigation of surface water drainage options which follow the hierarchy set out in the Planning Practice Guidance, including evidence of an assessment of ground conditions and the potential for surface water to be disposed of through infiltration;
- c) details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development discharge rate does not exceed the pre-development rate (including an appropriate allowance for climate change);
- d) details of any necessary flow attenuation measures, including the use of SUDS where appropriate; and
- e) details of how the scheme will be maintained and managed after completion.

The duly approved scheme shall be implemented before any of the approved dwellings are first occupied and shall be managed and maintained as such thereafter.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Fylde Local Plan to 2032 policies CL1 and CL2 and the National Planning Policy Framework.

10. Any application which seeks approval for the reserved matter of scale pursuant to condition 2 of this permission shall include a scheme for the design, construction and drainage of the new internal access road (including any traffic calming features) and associated footways shown on drawing no. 1967|2.6F. The scheme shall include full engineering, drainage, street lighting and constructional details, and include off street parking provision of 3No. spaces for each approved new dwelling.

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

11. The garage hereby approved as part of this permission shall be built and available for use by the occupiers of the existing Little Tarnbrick Farm dwelling prior to the commencement of any construction works for the dwelling on plot 1 (as shown on the approved proposed site plan - drawing no. 1967|2.6F).

Reason: To ensure that sufficient on site parking is retained and available to serve the occupiers of Little Tarnbrick Farm

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

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

13. The development hereby approved shall be carried out in full accordance with the mitigation measures identified in section 5 of the submitted 'Ecological Survey and Assessment' document produced' by ERAP (Consultant Ecologists) Ltd, dated November 2020 and referenced 2020-296.

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

14. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C 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 dwellings hereby approved for plots 2 and 3 (as shown on the approved site layout) shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

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

policies GD7 and H2.

15. Prior to the commencement of any development hereby approved a scheme for the design, construction and drainage of the new site access and road (the position of which is shown on drawing no. 1967 | 2.6F) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for a minimum visibility splay of 2.4 metres x 127 metres to the west and 2.4 metres x 133 metres to the east at the junction of the site access with Blackpool Road (A583) and include the provision of tactile paving. The site access and road shall be constructed in accordance with the duly approved scheme before any of the dwellings to be served by the access and road are first occupied, except that final surfacing of the road shall not take place until the final dwelling has been substantially completed. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent order following the revocation or re-enactment thereof (with or without modification), the visibility splay shall thereafter be kept free of any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction).

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

16. The development shall be carried out in strict accordance with the tree and hedgerow protection measures detailed in section 4 of the submitted '501A Arboricultural Impact Assessment & Method Statement' and its associated 'Tree Retention, Removals & Protection' plan (drawing no. 101 Rev A) prepared by TPM Landscape Ltd, dated November 2020. 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.

17. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:
- a) hours of work for site preparation, delivery of materials and construction;
  - b) arrangements for the parking of vehicles for site operatives and visitors;
  - c) details of areas designated for the loading, unloading and storage of plant and materials;
  - d) arrangements for the provision of wheel washing and road sweeping facilities, including details of how, when and where the facilities are to be used;
  - e) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
  - f) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
  - g) measures to ensure that construction and delivery vehicles do not impede access to adjoining properties;
  - h) measures to control the emission of dust and dirt during construction;

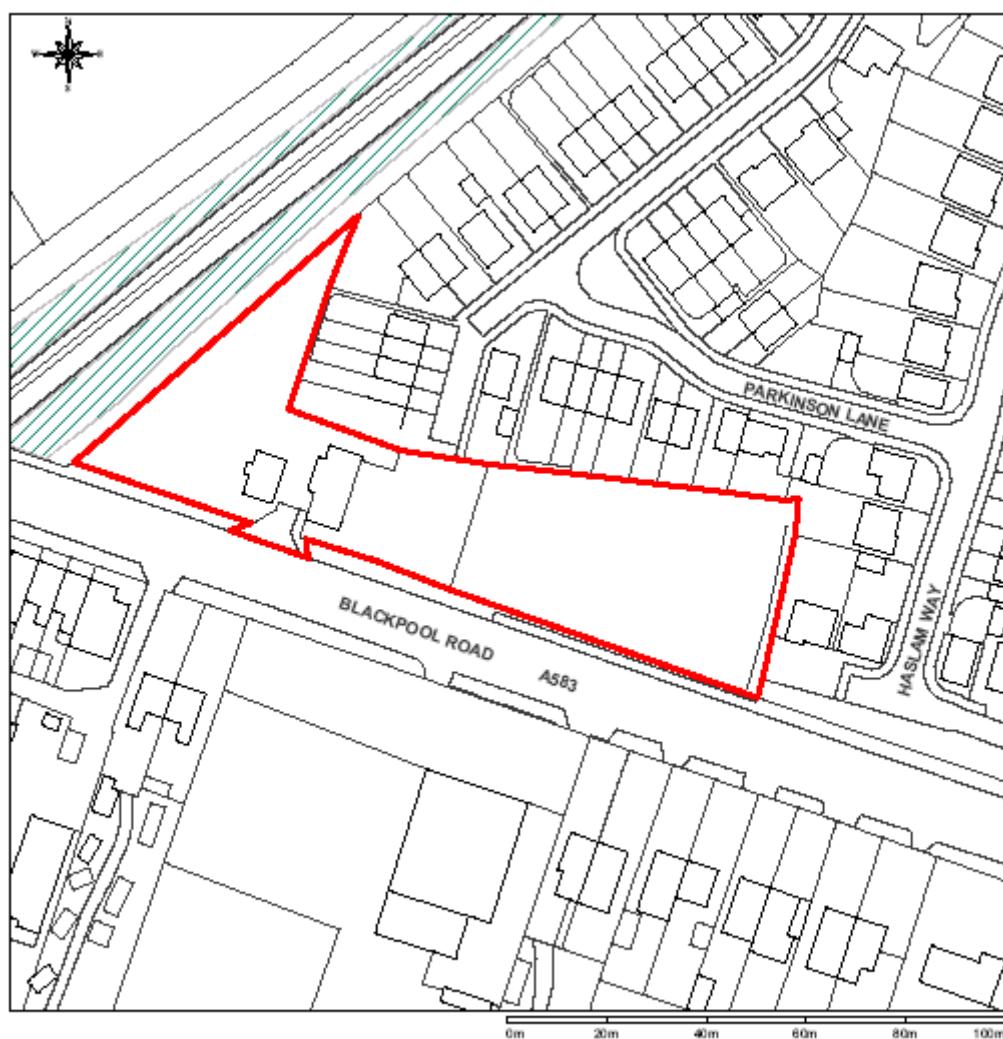
Development shall thereafter be carried out in full accordance with the duly approved CMS.

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

18. Prior to the use of any vibro-impact works on site, a risk assessment and method statement shall

be submitted and approved in writing by the Local Planning Authority. These works shall thereafter only be undertaken in accordance with any requirements of this method statement.

Reason: To prevent any piling works and vibration from de-stabilising or impacting the railway.



**Item Number:** 2

**Committee Date:** 03 November 2021

|  |  |   |                           |
|--|--|---|---------------------------|
| <b>Application Reference:</b>                                  | 21/0611  | <b>Type of Application:</b>                               | Full Planning Permission  |
| <b>Applicant:</b>  | Ribby Hall Village   | <b>Agent :</b>  | Fletcher Smith Architects |
| <b>Location:</b>   | BROWNS FARM, BROWNS LANE, RIBBY WITH WREA, PRESTON, PR4 3PQ  |   |                           |
| <b>Proposal:</b>   | CHANGE OF USE OF AGRICULTURAL LAND AND BUILDINGS TO PROVIDE SHORT TERM HOLIDAY ACCOMMODATION DEVELOPMENT INCLUDING: 1) DEMOLITION, CONVERSION AND/OR EXTENSION OF EXISTING BUILDINGS TO PROVIDE FOUR HOLIDAY COTTAGES AND CAR PORT; 2) ERECTION OF REPLACEMENT DETACHED GARAGE FOR FARMHOUSE; 3) CREATION OF ADDITIONAL VEHICLE ACCESS FROM BROWNS LANE; 4) FORMATION OF ADDITIONAL CAR PARKING AREAS AND 5) PROVISION OF SOFT LANDSCAPING |   |                           |
| <b>Ward:</b>   | RIBBY WITH WREA  | <b>Parish:</b>  | Ribby with Wrea           |
| <b>Weeks on Hand:</b>  | 16   | <b>Case Officer:</b>                                      | Matthew Taylor            |
| <b>Reason for Delay:</b>                                       | Design Improvements  |   |                           |
| <a href="#">Click Here</a> for application site on Google Maps |  | <a href="#">Click here</a> for application on FBC website |                           |

**Summary of Recommended Decision:** Grant

**Summary of Officer Recommendation**

The application relates to the site of Browns Farm – a broadly rectangular parcel of land extending to approximately 4,230 square metres on the west side of Browns Lane, off Ribby Road, Wrea Green. The site falls within the Area of Separation (AoS) between Kirkham and Wrea Green and to the west of Ribby Hall Leisure Village. The farm presently comprises a dwelling to the northern end of the site and a collection of three agricultural buildings arranged around a courtyard to the southeast of the farmhouse.

The application is submitted on behalf of Ribby Hall Leisure Village and seeks permission to change the use of the three existing agricultural buildings, and surrounding land within their curtilage, to provide four holiday cottages along with associated garden areas, parking spaces and re-configured accesses from Browns Lane. The scheme also includes a modified access and driveway arrangement from Browns Lane for the retained farmhouse to the northern end of the site, along with the erection of a replacement detached garage for that dwelling.

The proposed development, when taken as a whole, satisfies the limitations in parts a), b) and/or c) of Fylde Local Plan to 2032 policy GD3 where development can, in principle, be permitted within the AoS. Moreover, as the principal elements of the scheme involve the conversion (in the case of the agricultural buildings) and/or replacement (in the case of the detached garage for the farmhouse) of existing buildings within the site, the proposal would not extend the existing building envelope further into the AoS. Accordingly, the proposed development would not undermine or compromise the objectives of including land within the AoS – which are to preserve the effectiveness of the gap between settlements, prevent



settlements coalescing and to protect the identity and distinctiveness of those settlements.

The proposed external alterations to the existing agricultural buildings required to facilitate their conversion to holiday cottages are limited to the insertion of additional window and door openings within the buildings and the installation of a cantilevered canopy extension to the rear of one building. There would, however, be an overall reduction in the footprint and volume of built development at the site arising from the scheme due to the demolition of some of the buildings' existing elements and the number, size and proportions of new openings would be sympathetic to their simplistic, rural character in materials and design, while also introducing a contemporary aesthetic. The treatment of external spaces with hard and soft landscaping would preserve existing important landscape features (including trees) and supplement these through the provision of new landscaping to ensure a sympathetic assimilation of the development into the surrounding landscape.

The replacement garage to the farmhouse would be marginally (4.25 sqm) larger than the existing detached garage and would have the same eaves and ridge height, with the new building being located closer to the farmhouse. Accordingly, it would have no appreciably greater impact on the AoS or the surrounding landscape in comparison to the current arrangement. Moreover, the revised access arrangements to the farmhouse from Browns Lane would not cause greater harm to the rural character and appearance of the area when compared with the existing situation.

The development's relationship with the retained farmhouse to the north – with respect to its spacing, orientation, massing, window and garden arrangements in relation to that property – would ensure that it has no undue effects on the amenity of existing occupiers through added noise and disturbance, loss of outlook, overshadowing or overlooking. An appropriate standard of amenity would also be achieved for future occupiers of the proposed holiday cottages, commensurate with the communal nature of the proposed land use. A safe and suitable means of access for the development as a whole would be achieved, along with the provision of adequate off-road parking, and the number of trips generated by the development would not have a severe residual, cumulative impact on the capacity of the surrounding highway network. Accordingly, the proposal would have no unacceptable effects on road safety.

The development would not adversely affect the favourable conservation status of any protected species and suitable biodiversity enhancements would be made as part of the scheme. The proposal would not undermine the operation of existing hazardous installations nearby (specifically the Kirkham/Marton Major Accident Hazard Pipeline) and represents a suitable use of land within the buffers surrounding those installations. Appropriate measures can also be put in place to ensure that the proposal would have no adverse effects with respect to tree impacts, flood risk and drainage. Therefore, the proposal is considered to represent sustainable development in accordance with the relevant policies of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

#### **Reason for Reporting to Committee**

Ribby-with-Wrea Parish Council have objected to the application and the officer recommendation is for approval.

## Site Description and Location

The application relates to the site of Browns Farm – a broadly rectangular parcel of land extending to approximately 4,230 square metres in area on the west side of Browns Lane – a private, unadopted road which branches in a southerly direction off Ribby Road, Wrea Green. The site falls within the Area of Separation (AoS) between Kirkham and Wrea Green as defined on the Fylde Local Plan to 2032 Policies Map.

The site includes a two-storey farmhouse to the northwest corner which has a separate access from Browns Lane to the east and a detached, single-storey garage to the southwest of the property. The farmhouse has a long side garden to the east which includes a row of mature trees flanking the northern perimeter. Additional gardens are located to the rear (south), front (north) and side (west) of the dwelling. Although the farmhouse itself is not within the red line boundary of the application site, it is shown to fall within the applicant's ownership.

Surrounding the farmhouse are a collection of agricultural buildings within a tightly-grouped, C-shaped cluster organised around a central courtyard. The agricultural buildings comprise three distinct elements (hereafter referred to as 'buildings 1, 2 and 3') which include:

- **Building 1** – A single-storey, L-shaped stable building to the northeast of the group flanking Browns Lane along its eastern elevation (9.6m in length) and the access drive to the farmhouse along its northern elevation (12.5m in length). The external walls of the building are finished in brick and both elements of the roof are dual-pitched with a cement-fibre covering. While there is a consistent eaves height across the building (2.45m), the eastern portion has a taller ridge (at 4.6m) than the northern portion (at 4m).
- **Building 2** – A split level two (on the north side) and single (on the south side) storey brick-built barn to the west of the cluster. The two-storey section of the barn is rectangular in shape and measures 18.9m in length and 9.9m in width, with a dual-pitched roof reaching 4.4m to eaves and 7.1m to ridge. The northern part of the barn has been converted to a one-bed residential annex to the farmhouse pursuant to planning permission 97/0065 and has white UPVC windows and doors to the front, side and rear elevations. Within the remainder of the barn, a tall arched opening is located centrally on the east-facing elevation alongside two single-storey, lean-to enlargements which protrude into the yard. In contrast, the single-storey element of the barn has an irregular 'U' shape comprising a long outrigger with a steep, monopitch roof protruding 4.8m to the front of the barn on the attached side which returns into a lower, dual-pitch roofed section to the southern portion.
- **Building 3** – A single-storey, portal-framed agricultural building to the southeast of the group. The building occupies a rectangular footprint measuring 17m in length and 6m in width with a dual pitched roof reaching 2.4m to eaves and 4.5m to ridge. The building is clad in timber boarding above a blockwork plinth and has a cement-fibre roof covering. It forms an elongated outrigger attached to the southeast corner of Building 2 by a linking brick section of the barn.

The remainder of the site comprises a combination of concrete hardstanding and rough grassland surrounding the agricultural buildings and manicured gardens for the farmhouse. A combination of brick boundary wall *circa* 1.5m in height and hedgerows mark the eastern boundary with Browns Lane. Other boundaries with adjoining land include a combination of landscaping and lower post-and-rail fencing.

The highway of Browns Lane to the east of the site is a private, unadopted road of single-track width along much of its length, though this widens into a bell-mouth junction with Ribby Road at the northern end. Browns Lane is also a designated Public Right of Way – Footpath 5-10-FP 7 – and is flanked by narrow grass verges on both sides which widen outside Browns Farm where parts of the

eastern boundary are set away from the roadside to create a layby and passing place. There are presently three separate, gated accesses into the site from Browns Lane. These include: i) an access to the farmhouse to the northeast of Building 1; ii) a central access into the courtyard fronting Building 2; and iii) an access into the area of overgrown hardstanding to the south of Building 3.

Aside from Browns Lane to the east, the site is bordered by open fields on three sides (north, west and south). Screening from these fields is provided by linear belts of mature tree planting alongside each boundary, and within the neighbouring field to the west. An area of rough grassland occupied by low-level self-seeded trees and bushes falls within the applicant's ownership to the immediate south of the site before it meets the field beyond, but this is outside the red line boundary for this application. The closest neighbouring uses outside Browns Farm include Ribby Hall Leisure village to the east located beyond a shelterbelt of tree planting on the opposite side of Browns Lane, and dwellings to the north (The Cottage) and south (Woodside Cottage) located 80m and 160m away from the site boundary respectively.

### **Details of Proposal**

The application is submitted on behalf of Ribby Hall Leisure Village and seeks full planning permission to change the use of the three existing agricultural buildings (including the residential annex that has been created within Building 2) to the southeast of the farmhouse to provide four holiday cottages offered for short term lets. Three of the cottages – all of which have 4 bedrooms – would be provided within the barn (Building 2) and a fourth – 2-bed – cottage would be contained within the stables (Building 1). The existing portal-framed structure to the south of the group (Building 3) would be retained as a car port providing 4 parking spaces under cover.

The external areas surrounding the buildings would be used to form a combination of private and communal gardens bordering each cottage, with a further 5 parking spaces provided within a communal courtyard to the south side of Buildings 2 and 3. This courtyard would be accessed from Browns Lane via the existing opening to the south side of Building 3. The central opening into the communal courtyard area in front of Building 2 would be a pedestrian only access.

The application includes the following building operations in connection with the change of use to four holiday cottages:

- **Demolition** – Four forward-projecting, single-storey elements of the existing barn (Building 2) would be demolished as part of the scheme to create a flat facade to the front (eastern) elevation of Building 2. In addition, the upper section of the steep monopitch roof of the attached outrigger on the south side of the two-storey barn would be dismantled to create a lower, dual-pitched roof above this element forming facing gables to the front and rear.
- **Building 1** – While the eastern elevation fronting Browns Lane would remain blank, external changes are proposed to the northern (the insertion of two small windows and a fully glazed face to the north-eastern gable), western (the insertion of one window and one door) and southern (the insertion of two windows) elevations. A private, enclosed garden area would be created to the north side of Building 1 over the current access and part of the garden of the farmhouse. The existing cement fibre roof covering is to be replaced with slate.
- **Building 2** – The arched opening on the front of the barn would be infilled with curtain wall glazing, including an entrance lobby to the ground floor. While a collection of three existing windows and doors on the northeast corner of the barn that serve the annex would be re-used (though replaced with new frames), a total of 9 new openings (8 windows and a further glazed entrance) are proposed across the front elevation. On the north side there are a collection of five white UPVC framed windows for the annex. One of these is to be infilled and the remainder replaced with aluminium windows in dark grey frames. To the rear, four new

narrow windows are proposed at first floor along with four sets of equal-width bi-fold doors to the ground floor below on the two-storey element. Further bi-folding doors are proposed to the rear of the single-storey element, along with two windows and a set of patio doors. A cantilevered, lean-to canopy with a glazed roof would project 2.1m to the rear of the two-storey barn and span its full width (18.9m) to provide covered outdoor seating areas for two of the cottages separated by narrow brick walls between each. The cement fibre roof of the barn is also to be replaced with a slate covering.

- **Building 3** – The external walls on the north, east and west elevations of the portal-framed building would be re-clad in horizontal timber boarding to replace the current vertical Yorkshire boarding and concrete plinth. The southern wall of the car port would be open to the access yard and its cement fibre roof would be replaced with corrugated metal finished dark green.

In addition to the above works associated with the conversion of the existing agricultural buildings, the application also includes the demolition of the existing detached double garage to the southwest of the Farmhouse (previously granted by planning permission 90/0446) and its replacement with a slightly larger garage located further north (and closer to the rear wall of the farmhouse) of its current position.

The replacement garage would measure 7m x 7m (being some 4.25 sqm larger in footprint than the existing garage) and would have the same eaves (2.7m) and ridge (4.4m) height as the existing outbuilding. The existing vehicle access to the farmhouse which flanks the northern wall of Building 1 is also to be stopped up (to create a private garden for that cottage) and re-positioned approximately 12m further north of its current location to open onto Browns Lane. A 3.6m wide driveway would run from this access through the garden area to the east side of the farmhouse and emerge into the existing rear courtyard approaching the replacement garage.

#### **Relevant Planning History**

| <b>Application No.</b> | <b>Development</b>   | <b>Decision</b> | <b>Date</b> |
|------------------------|--|-----------------|-------------|
| 04/1100                | FRONT AND REAR DORMER EXTENSIONS                           | Granted         | 25/11/2004  |
| 97/0065                | CONVERSION OF PART OF SHIPPON TO FORM 1 BED GRANNY ANNEXE. | Granted         | 07/03/1997  |
| 90/0446                | DETACHED DOUBLE GARAGE                                     | Granted         | 18/07/1990  |

#### **Relevant Planning Appeals History**

None

#### **Parish/Town Council Observations**

**Ribby-with-Wrea Parish Council:** Notified of the application on 15.07.21 and commented on 11.08.21 as follows: It was resolved to “strongly recommend refusal” on the following grounds:

- *Over-development of the existing site.*
- *The properties are possibly not holiday homes due to their size.*
- *Access and egress and permissions on a private road.*
- *Located within the area of separation.*
- *Diversification and change of use of property not within the same planning category – agricultural to leisure.*
- *This proposal if approved may set a precedent for future development across the surrounding open land.*

- *The area is already a serious flooding concern and any further development will directly affect drainage detrimentally.*

In addition to the above comments from the Parish Council, Councillor Frank Andrews submitted the following comments on 15.07.21:

- “Please note that Ribby Holiday Village is the main cause of repeated flooding in Wrea Green. Water from the Holiday Village flows directly onto Browns lane where it cascades down to Ribby Road, it then floods numerous homes on Ribby Road and indeed St Nicholas Grove too. Browns Farm on Browns Lane is in the direct path for a proposed relief/alternative system. I believe the planning approval must indicate how the surface water from the Holiday Leisure Village and the proposal itself is going to be handled. The Holiday Village is very aware of this problem and have seemed happy to help.”

### **Statutory Consultees and Observations of Other Interested Parties**

*Cadent Gas* – Comments 27.08.21 as follows: Formally object to the proposal as it has the potential to impact Cadent’s gas apparatus as follows:

- Cadent Gas has a Major Accident Hazard Pipeline in the vicinity of the site (Kirkham/Marton). The minimum Building Proximity Distance (BPD) for the pipeline and associated installations is 8 metres. The BPD is taken from The Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5, which is the standard applicable to steel pipelines and associated installations for high pressure gas transmission and IGEM/TD/3 Edition 5 Steel and PE pipelines for gas distribution. The current plans should be amended to factor in these minimum distance requirements.
- If the application affects one of our high-pressure pipelines, it is a statutory requirement that you input the details into the HSE’s Planning Advice Web App. The HSE may wish to apply more stringent criteria for building proximity after assessment. Please ensure that you formally consult with them before you proceed.
- In addition to the BPD, a Deed of Grant of Easement covers the route of the pipeline through the said land. Cadent confirms they are the party who are statutory successor and as such has interest in the said Deed of Grant. The terms of the easement mean that there are certain restrictions on what can be done on the land and rights that Cadent has over the land.

*Greater Manchester Ecology Unit (GMEU)* – Comments 05.08.21 and 19.08.21 as follows:

- **Summary** – The developer’s ecological consultant identified no significant ecological issues. Clarification is however required on the bat roosting potential of the existing garage.
- **Bats** – The buildings to be converted and demolished for the holiday cottage element of the development were assessed for bats and one emergence survey carried out. No evidence of bats roosting was identified. I have no reason to doubt the findings of the report. As individual bats can on occasion turn up in unexpected locations I recommend an informative note be applied to any permission. The garage to be demolished was not however included in the assessment. This is likely of negligible potential but it should be still assessed prior to determination.
- **Great crested Newts** – There are a number of ponds within 250m of the development, potential great crested newt breeding habitat. The nearest are approximately 150m away. The site is however primarily hard standing and buildings and the scale of the works around 0.1ha. When put through Natural England’s rapid risk assessment, the chance of an offence is regarded as very unlikely even if GCN were present. I am satisfied that no further information or measures are required.
- **Barn owls and nesting birds** – The buildings were assessed for barn owl and other nesting birds. No evidence of barn owl was found, but some evidence of passerines identified in one

of the buildings. The development will also remove some bird nesting habitat as part of the new access. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. I recommend a condition be imposed on any permission restricting the clearance of vegetation and carrying out of building works during the bird nesting season unless nesting birds are shown to be absent.

- **Biodiversity enhancement** – The NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment. The only ecological impacts appear to be loss of bird nesting habitat and some vegetation associated with the new access. I am satisfied that mitigation can be achieved on site. Details of biodiversity enhancement measures (which should include mitigation for loss of trees, shrubs and bird nesting habitat) can be conditioned.
- **Comments 19.08.21 following submission of updated bat survey** – The consultants have confirmed that the garage has negligible bat roosting potential. There are no further ecological issues with this proposal and the recommendations of 05.08.21 still apply.

*Health and Safety Executive (via Planning Advice Web App)* – Do not advise, on safety grounds, against the granting of planning permission in this case.

*LCC Highways* – Comments 02.08.21 as follows:

- LCC Highways does not have any objections and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
- The proposed development will have direct access along definitive footpath FP7. I have forwarded details of this planning application to Lancashire County Councils Public Rights of Way Section and asked them to contact you directly regarding any comments they may like to make.
- Browns Lane is a private road and is not subject to any future adoption agreement. The applicant should check with their solicitor that they have rights over this road and rights to make alterations to the private access to form the site access.
- It is requested to maintain the sightlines for the northerly access which serves the farmhouse, the vegetation does not exceed the height of the wall. For the existing field gate access which is upgraded for domestic cars it is requested that all vegetation within the red edge is maintained at 1m in height. This is to ensure that all road users have inter-visibility.
- A further condition should be imposed to ensure that the development includes provisions to enable vehicles to enter and leave the highway in forward gear.

*Lancashire Fire and Rescue Service* – No objections. Comments as follows:

- It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'. If Document B, Part B5 cannot be fully complied with then, in certain circumstances, the installation of a residential sprinkler system may be used as a compensatory feature, but professional advice should be sought in such cases.

### **Neighbour Observations**

|                                |  |
|--------------------------------|--|
| <b>Neighbours notified:</b>    | 15.07.21   |
| <b>Site notice posted:</b>     | 30.07.21   |
| <b>Press notice:</b>           | 22.07.21   |
| <b>Amended plans notified:</b> | N/A. Amended plans submitted during the course of the application have dealt with matters of aesthetics to the buildings' elevations which have not altered the scheme in a manner requiring further |

public consultation.

**No. Of Responses Received:** Two

**Nature of comments made:** One objection from a neighbouring resident and one representation from Councillor Andrews.

The appropriate neighbouring properties were notified of the application by letter on 15.07.21. In addition, as the development is considered to affect a Public Right of Way (Browns Lane), notices have also been posted on site and in the local press. Two letters of representation have been received in connection with the application. One of these is from Councillor Frank Andrews and is cited alongside the Parish Council's comments above. The second is from a member of the public and the points made in the letter are summarised as follows:

***Highways:***

- Access to and from Browns Lane is hazardous because of the bend in Ribby Road and the single track width. Further development would increase the amount of traffic using the junction on Browns Lane, possibly incurring more accidents. It is already busy with residents, agricultural and Ribby Hall traffic using the Lane.

***Flooding and drainage:***

- During heavy and prolonged rainfall it is not unusual for Browns Lane and Ribby Road to be flooded due to excess water coming from Ribby Hall Village and inefficient or blocked underground drainage. The flooding problem has never been rectified since Ribby Hall Village evolved. Further development would surely create a bigger problem.

**Relevant Planning Policy**

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

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

***Fylde Local Plan to 2032:***

|      |   |
|------|---|
| S1   | The Proposed Settlement Hierarchy                     |
| DLF1 | Development Locations for Fylde                       |
| GD3  | Areas of Separation                                   |
| GD7  | Achieving Good Design in Development                  |
| EC6  | Leisure, Culture and Tourism Development              |
| H3   | Conversions and Change of Use to Residential          |
| H7   | Replacements and Extensions in Countryside            |
| T4   | Enhancing Sustainable Transport Choice                |
| T5   | Parking Standards                                     |
| CL1  | Flood Alleviation, Water Quality and Water Efficiency |
| CL2  | Surface Water Run-Off and Sustainable Drainage        |
| ENV1 | Landscape   |
| ENV2 | Biodiversity  |
| ENV3 | Protecting Existing Open Space                        |

**Other Relevant Policy:**

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

**Other relevant guidance:**

National Design Guide  
National Model Design Code

**Site Constraints**

Pipelines

**Environmental Impact Assessment**

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

**Comment and Analysis****Policy context and main issues:**

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

- c) approving development proposals that accord with and up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 12 of the NPPF makes clear that “the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

Having regard to the nature of the development proposed, the designations applicable to the site and the responses received in respect of the application, the main issues in this case are:

- The principle of development, including whether it represents an appropriate form of development within the AoS.
- The development’s effects on the character and appearance of the area.
- The scheme’s impact on the amenity of surrounding occupiers and land uses.



- The development's effects on the surrounding highway network.
- Other matters relevant to the decision, including those relating to ecology, flood risk and impacts on hazardous installations.

Principle of development:

***Nature of proposed use and loss of existing agricultural use:***

FLP policy EC6 includes a subsection relating to rural tourism. This states that “the promotion and enhancement of rural tourism will be encouraged through rural diversification to create small-scale, sensitively designed visitor attractions” in accordance with five objectives. Of particular relevance in this case is the second objective of the policy which is to “encourage the reuse, rehabilitation and conversion of existing permanent and substantial buildings in rural areas to support the visitor economy”.

In addition, parts a) – c) in paragraph 84 of the NPPF state that planning decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses; and
- c) sustainable rural tourism and leisure developments which respect the character of the countryside.

The site presently includes a detached farmhouse to the northern end which also benefits from an ancillary residential annex within the northern portion of the adjacent barn (Building 2). The established use of the farmhouse falls within use class C3 (dwelling houses) of the Town and Country Planning (Use Classes) Order 1987 (as amended). However, the applicant's supporting statement indicates that the farmhouse and annex currently provide “rental accommodation on a short term holiday let basis”, rather than permanent residential accommodation. Nevertheless, the use of the farmhouse and annex as short-term holiday accommodation may also fall within use class C3 and so, in the absence of any material change of use, no permission would be required to use the farmhouse in this manner.

As with the farmhouse, the four holiday cottages to be created by this development would provide holiday accommodation for tourists on short-term lets. In particular, the development is intended to expand the provision of holiday accommodation already in place at the neighbouring Ribby Hall Leisure village and the application is made on behalf of that operator. Accordingly, while the proposed holiday cottages are considered to fall within use class C3, the nature of the use applied for in this case would restrict their occupation to holidaymakers on short-term lets rather than as permanent residential accommodation. A condition has been recommended to restrict the future occupation of the proposed holiday cottages for tourism purposes only to ensure this.

As a result, the policies of the FLP relating to the provision of new housing are not directly applicable in this case and the principle of development is, instead, to be assessed in the context of policies concerning the provision of tourist accommodation.

With the exception of the annex within the northern part of Building 2, all existing former agricultural buildings on the site are vacant. The applicant indicates that these buildings have been vacant for an extended period, though no specific date is given. However, it was observed during the site visit that all the buildings are empty and have not been used for some time. Moreover, the surrounding land – especially that to the southern part of the site – is now heavily overgrown, indicating that the site has

not been used for agricultural purposes in the recent past. There is also no 'agricultural tie' attached to the original farmhouse at Browns Farm to limit its occupation by an agricultural worker. It is also apparent from the ownership boundary shown on the location that the applicant has acquired the land at Browns Farm as a separate entity to the surrounding agricultural fields (which appear to be farmed independently). When these factors are taken in combination, it is clear that Browns Farm is now a redundant agricultural enterprise and so its loss to an alternative use which, in itself, would also contribute to the growth of a business in a rural area, would not undermine the vitality and viability of the rural economy.

### ***Effects on the AoS:***

The site falls within the AoS between Kirkham and Wrea Green and so is outside any of the settlements identified in FLP policy S1. It is not, however, the case that the FLP restricts development to areas within the settlement boundaries identified on the Policies Map. In particular, FLP policy S1 indicates that, within the rural areas, "development will be restricted to the Tier 1: and Tier 2: Larger and Smaller Rural Settlements, **except where [it] is allowed by Policy GD2, GD3 or GD4 as applicable**" (emphasis added).

FLP policy GD3 relates to development within the AoS. The policy states that "development will be assessed in terms of its impact upon the [AoS], including any **harm to the to the effectiveness of the gap between the settlements** and, in particular, **the degree to which the development proposed would compromise the function of the [AoS] in protecting the identity and distinctiveness of settlements**" (emphasis added). Policy GD3 indicates that development within the AoS will be limited to that falling within the following categories (criteria a)-f)):

- a) that needed for purposes of agriculture, horticulture or forestry; or other uses appropriate to a rural area, including uses which would help to diversify the rural economy, of a type and scale which would not harm the effectiveness of the gap between the settlements in protecting the identity and distinctiveness of settlements;
- b) the re-use or rehabilitation of existing permanent and substantial buildings;
- c) extensions to existing dwellings and other buildings in accordance with Policy H7;
- d) development essentially needed for the continuation of an existing enterprise, facility or operation, of a type and scale which would not harm the effectiveness of the gap between the settlements in protecting the identity and distinctiveness of settlements;
- e) isolated new homes in the countryside which meet the criteria set out in Policy H6.
- f) minor infill development, of a scale and use that does not have a material impact on the rural character of the area and does not conflict with the provisions of policy ENV3, providing that it would not result in any harm to the effectiveness of the gap between the settlements or compromise the function of the Area(s) of Separation in protecting the identity and distinctiveness of settlements.

The AoS is a bespoke designation in the FLP which is not referred to explicitly in the NPPF. However, paragraph 7.4 of the local plan sets out the hierarchy of designations for land located outside settlement boundaries. Specifically, paragraph 7.4 identifies that "all land outside settlement boundaries in Fylde is within either the Green Belt or the Areas of Separation or the Countryside. The greatest level of protection [will be] offered to the Green Belt, followed by Areas of Separation and finally the Countryside." In addition, paragraphs 7.9 and 7.10 of the FLP state as follows with respect to the purpose of the AoS:

- In order to help maintain the openness of areas outside the Green Belt and the identity and distinctiveness of individual settlements, policy GD3 proposes that Areas of Separation are defined. An Area of Separation is different to Green Belt, and tends to be of a significantly smaller scale and located between settlements boundaries that are relatively close and at risk of merging.

- An Area of Separation is designed to preserve the character and distinctiveness of individual settlements by restricting inappropriate development that would result in the coalescence of two distinct and separate settlements.

In this case, the proposal involves three principal elements as follows: 1) the conversion of the existing vacant agricultural buildings (including the annex within the barn) to four holiday cottages; 2) the erection of a replacement detached garage for the farmhouse; and 3) external hard and soft landscaping works required to facilitate those developments. Accordingly, the categories of development mentioned in criteria a), b) and c) of policy GD3 are of greatest relevance in this case. Each element of the scheme is considered in turn below:

#### ***Conversion of agricultural buildings to holiday cottages:***

The limitation in policy GD3 b) makes an allowance for developments involving “the re-use or rehabilitation of existing permanent and substantial buildings”.

The application is accompanied by a structural survey. This concludes that neither Buildings 1 nor 2 have any major structural defects which would necessitate significant rebuilding works to facilitate their conversion to residential use. While some large cracks are evident on both buildings, any movement can be remedied through the construction of new internal liner walls (built on new foundations) to be tied back to the external walls for stability. Other cracks are minor and most of the external walls are generally vertical with no signs of foundation movement. Internal, 6m high partition walls within Building 2 exhibit bulging at mid-height and are deemed “too high for their slenderness and will require reconstruction. Propping of the roof will be required to facilitate the remedial work”. Vegetation has penetrated parts of the southern outrigger to Building 2 and requires further investigation as to the extent of repair needed to the walls. Weathering of mortar joints and frost damage to brickwork are evident across both buildings and the structural report recommends re-pointing of all masonry walls and saline treatment to masonry to correct this. Roof structures are considered capable of supporting the loading of new insulated roof coverings, though the use of a lightweight roof covering (e.g. slate) is advised. A new floor will be required within part of Building 2 and, as the foundation depth to existing walls is currently unknown, trial pits will be required to ensure that any excavation work does not undermine foundations.

Buildings 1 and 2 are substantial, brick-built barns that would accommodate the four holiday cottages. As set out in the conclusions of the structural report, these buildings are suitable for conversion to residential use following remedial actions which, while involving some repairs and strengthening, would preserve their existing structural elements (e.g. walls and roofs). It is not, therefore, the case that major demolition and rebuilding works would be required to facilitate their conversion to residential use. Indeed, the only elements of these existing buildings which would be demolished include the single-storey lean-tos and outriggers on the front of Building 2 (though these are not being replaced).

In contrast, Building 3 is a portal-framed structure with a concrete plinth and timber clad walls which is incapable of conversion to habitable living accommodation without the need for major/complete re-construction due to the absence of any load-bearing walls. Accordingly, this building is not proposed to be converted to habitable living accommodation and is, instead, to be re-faced in timber cladding and a new lightweight roof covering to allow its use as a car port and storage shed. It would be detached from the holiday cottages within Building 2 following the demolition of part of an existing brick outrigger which presently joins it to the barn.

As set out above, the existing permanent and substantial buildings on the site (Buildings 1 and 2)

would be re-used in connection with their change their use to holiday cottages, without the need for major re-building works. Where this is not possible in the case of Building 3, this structure would be rehabilitated to form an ancillary car port/store on the same footprint around the existing portal frame, but would not provide habitable living accommodation. Accordingly, the proposed conversion of the existing agricultural buildings on the site involves the re-use or rehabilitation of existing permanent and substantial buildings in accordance with the allowance in policy GD3 b).

While the re-use of Buildings 1, 2 and 3 as part of the development would not necessitate the construction of any masonry extensions, it is proposed to erect a cantilevered canopy across the rear two-thirds of Building 2 to provide a sheltered outside seating area to the rear of these two cottages. This canopy would, however, be open on three sides and forms a lightweight, lean-to structure with a glazed roof against the two-storey backdrop of the barn. It would have an overall area of 39.7 sqm. In contrast, the solid, lean-to outriggers on the front of the building which are to be demolished as part of the scheme have a combined floor area of approximately 78sqm. In addition, the ridge of the monopitched roof to the outrigger flanking the southern side of the two-storey barn is to be lowered from 5.9m to a dual-pitched roof with a ridge at 4m, resulting in a volume reduction of *circa* 105 cubic metres across the full length of the outrigger.

In terms of this aspect of the development's effects on the AoS in visual terms, as the building operations proposed in connection with the change of the use of Buildings 1, 2 and 3 would result in an overall reduction in the footprint and volume of built development across the site without altering the current position of each building, there would be no greater impact upon the AoS with respect to preserving the effectiveness of the gap between the settlements of Kirkham and Wrea Green, nor would there be any harm to the identity and distinctiveness of these settlements.

In order to ensure that this remains the case, and to avoid the uncontrolled extension of the proposed cottages (including any increases in height, roof-level massing and/or the erection of large outbuildings within their gardens) which might otherwise undermine the rationale for allowing the development to proceed in the first place, it is considered expedient to withdraw the permitted development rights conferred by Schedule 2, Part 1, Classes A, AA, B, C and E of the GPDO for all of the properties in this case.

#### ***Replacement detached garage for farmhouse:***

The limitation in policy GD3 c) makes an allowance for developments involving "extensions to existing dwellings **and other buildings** in accordance with Policy H7" (emphasis added). In turn, policy H7 states that proposals to extend an existing home in the countryside will be permitted where the following criteria (a) and b)) are met:

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

In this case, as the proposal involves the erection of a replacement outbuilding which is detached from the farmhouse (rather than an extension to the dwelling), the quantitative test in part a) of policy H7 is not of direct relevance. Instead, the qualitative test in part b) takes primacy. In this respect, paragraphs 9.85 and 9.86 of the Local Plan clarify as follows with respect to the objectives of the test in policy H7 b):

- The policy itself has a two-pronged approach which considers both the size and appearance of the proposal.

- Most importantly, the impact on the rural landscape must be considered. Large homes are often overbearing in appearance, they dominate the landscape and are surrounded by suburban style gardens with ornate walls, gates and floodlighting. The overall impact is to make the appearance of the rural area more suburban.

The farmhouse presently benefits from a detached double garage located to the rear (southwest) of the property on the edge of its garden area. This garage was granted by planning permission 90/0446 and has a floor area of 44.25 sqm. The proposal seeks to demolish this garage and replace it on a slightly larger footprint in a new location closer to the rear elevation of the farmhouse in order to more clearly define and avoid obstruction of the communal garden area to be created for the holiday cottages at the rear of Building 2. The replacement garage would have a floor area of 49 sqm (an increase of 4.75 sqm above and beyond the existing outbuilding) and would have the same eaves (2.7m) and ridge (4.4m) heights, along with a matching roof profile.

Given the modest increase in the floor area of the replacement garage, combined with its matching roof height and profile in relation to the existing outbuilding and its closer proximity to the dwellinghouse, the replacement outbuilding would have no greater impact on the rural character of the surrounding area in comparison with the existing outbuilding and would continue to respect the character of the host dwelling in terms of its scale, siting, materials and design. Accordingly, there would be no conflict with the objectives of FLP policy GD3 c) or policy H7 b) with respect to this element of the scheme.

***Associated hard and soft landscaping works:***

In addition to the change of use and building operations referred to above, the application also includes the provision of hard and soft landscaping works in association with those aspects of the development. In particular, these include: i) the formation of a new (re-located) vehicle access onto Browns Lane for the farmhouse; ii) the provision of an access road and off-street parking within a communal courtyard to the southern end of the site; and iii) other associated hard and soft landscaping works within the external areas of the site, including the provision of new boundary treatments. However, these landscaping works do not fall comfortably within the limitations in parts b) and c) of policy GD3. Nevertheless, the limitation in policy GD3 a) makes an allowance for developments involving, amongst other things, “other uses appropriate to a rural area, including uses which would help to diversify the rural economy, of a type and scale which would not harm the effectiveness of the gap between the settlements in protecting the identity and distinctiveness of settlements”.

The proposed external works to the site are required in connection with the delivery of the tourism development, which is a use that would help to diversify the rural economy. Therefore, the main issue to consider in assessing the impact of these works on the AoS is whether they are “of a type and scale which would not harm the effectiveness of the gap between the settlements in protecting the identity and distinctiveness of settlements.”

The re-located access and driveway for the farmhouse would replace existing features of the same character in a more northerly position. The new driveway would meander through the long side garden of the farmhouse (as opposed to the straight, linear route that presently flanks the north side of Building 1), but it would not be notably wider or more prominent in views from Browns Lane. Moreover, views of the access would be screened extensively by the mature tree line which is retained on its north side and the soft garden borders on each side of the driveway would be supplemented with additional planting.

The access road and courtyard to the southern end of the site would utilise an existing vehicle access onto Browns Lane. Recent aerial photographs from 2009 show that this access previously opened onto a wide area of hardstanding surfaced in gravel/shale which has now become overgrown scrubland. The remains of this hardstanding are visible at the site. The proposed access drive would follow a linear route of 6m in width to provide access and manoeuvring areas to the communal car port and a row of 5 additional parking spaces. An enclosed strip to the side of Building 2 would provide a private garden for the southern most cottage in the group. Existing landscaping within the adjoining land further south (including a dense roadside hedge and taller tree planting along the site's southern perimeter) would provide extensive screening of this area and the works themselves would improve the current unkempt appearance of this part of the site without introducing overtly dominant, large or imposing urbanising features.

Other external landscaping works include the replacement of the existing concrete base in the central courtyard with paving, ground-level decked areas to the rear of each cottage, boundary enclosures to create private gardens for two of the cottages and scattered areas of soft landscaping within raised beds and greenspace. The site's current roadside boundary to Browns Lane includes a combination of brick walls (*circa* 1.5m in height) and hedgerows set behind narrow grass verges. While no specific details of the proposed boundary treatments have been submitted at this stage, there is no reason why enclosures of a similar height and character would be inappropriate to the site's rural context and so a condition has been imposed to require further details prior to the holiday cottages being occupied. The re-paving of the courtyard in an aesthetically superior material to the concrete hardstanding that presently exists would create a communal pedestrian-only outdoor space with soft landscaped borders which would improve the farmyard's current appearance while maintaining a sense of rural character. Areas of timber decking would be concealed to the rear of each cottage and so would not be prominent in public views from Browns Lane. An overall increase in the coverage of planting would occur across the site within both communal and private areas to supplement mature shelterbelts of woodland planting along the site perimeter.

### ***Summary:***

For the reasons set out above the proposed development, when taken as a whole, meets the limitations in parts a), b) and/or c) of FLP policy GD3 where development can be permitted within the AoS. In addition, the scale, siting, layout and appearance of the development would not harm the effectiveness of the gap between the settlements of Wrea Green and Kirkham, nor would it compromise the function of the AoS in protecting the identity and distinctiveness of those settlements. In turn, the development would not have any harmful effects on the function of AoS and the purposes of including land within that designation. Therefore, the principle of development accords with the provisions of the development plan.

### **Character and appearance:**

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

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

In addition, FLP policy H3 indicates that, when considering proposals for residential conversions, careful attention should be paid to the character of the immediate area and the promotion of good design.

Paragraph 130 of the NPPF sets out six general principles of good design (a – f) and paragraph 131 states that “planning [decisions] should ensure that [...] opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible”. Paragraph 134 of the NPPF indicates that “development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design [contained in the National Design Guide and National Model Design Code]”. In addition, paragraph 174 b) of the NPPF requires that the intrinsic character and beauty of the countryside is recognised.

The principal aspect of the scheme involves the conversion of the existing agricultural buildings to holiday accommodation and associated ancillary facilities. Building 1 is a former stables and, aside from the annex that has been created within its northern portion, Building 2 is a former barn. Historical photographs indicate the buildings are *circa* late 19<sup>th</sup> century (Building 2) and inter-war (Building 1) in era. They are typical rural vernacular brick barns with simple, relatively plain elevations and, with the exception of the arched barn door on the front of Building 2, existing apertures are limited in number and of a modest size. Roofs are mostly dual-pitched and a cement-fibre covering (which does not appear to be original) is consistent across all existing buildings. The external appearance of the buildings has been altered over time through the erection of extensions, infilling of openings, remedial patchwork repairs to brickwork and the insertion of new windows – especially to the annex in the north side of Building 2 where these windows are in white UPVC. Building 3 is notably different in character from Buildings 1 and 2 in that it is a portal-framed structure with a concrete plinth and clad in Yorkshire boarding above.

The proposed development would rationalise the size and shape of the existing buildings to adapt them to the new holiday cottage use. This includes demolishing the later lean-to additions to the front of Building 2 (including that which links Buildings 2 and 3) to create additional communal space and greater separation between buildings fronting the courtyard, along with a more regimented building line to the barn. These later additions to the front of the building are, however, functional enlargements which do not contribute positively to its character and presently give Building 2 a disjointed appearance. The demolition of these elements would return Building 2 closer to its original, rectangular shape while also reducing its overall massing. No alterations are proposed to the dimensions of Building 1.

Elevational changes to both buildings are associated primarily with the insertion of new door and window openings. These introduce a combination of larger areas of curtain wall and floor-to-ceiling glazing along with bi-fold doors to give a lightweight appearance to larger openings, alongside a series of smaller windows arranged in a consistent size and regular alignment to give a strong sense of rhythm, symmetry and legibility to the elevations. A cantilevered, lean-to canopy with a glazed roof is also proposed across two-thirds of the rear elevation to Building 2 and the roofs of both buildings are to be finished a slate covering to replace the current cement fibre. Windows are to be finished in dark grey aluminium frames with side-opening casements.

The proposed alterations to Buildings 1 and 2 would respect their rural vernacular while introducing contemporary design features. In particular, the rationalised size and shape of Building 2 would simplify its composition and the addition of the canopy to the rear would be seen as a lightweight, visually-permeable addition of glazing without introducing heavy bulk and massing. Window and door

openings would combine large, open areas of glazing which emphasise entrances (and, in the case of the barn, re-use the existing arched, double-height opening on the front elevation) with smaller, simple openings that are limited in number and present an ordered façade. The existing white UPVC windows to the annex in the northern part of Building 2 would be replaced with dark grey aluminium in the same treatment as the new openings for consistency. The slender profile and dark colour of window frames would ensure these blend sympathetically into the existing brickwork. The addition of slate roofs to both buildings would also have a positive aesthetic appearance in comparison to the current roof covering.

The external alterations to Building 3 would be limited to re-cladding parts of its walls in timber (though much of the western elevation would be open to allow access to parking spaces under cover) and replacing the cement fibre roof with corrugated metal in dark green. There would be no enlargement to the current portal-framed building. Accordingly, while its materials and use would change, there would be little consequential visual impact arising as a result. Similarly, the replacement garage to the farmhouse would not be readily distinguishable from the existing outbuilding by reason of its size, height or materials – all of which would be substantially the same as the existing. While the location of the garage would change, this would bring the building closer to the farmhouse rather than pushing it further away towards the countryside boundary. Accordingly, it would be viewed in closer association with the existing dwelling.

As set out in the previous chapter of the report, external landscaping works would preserve and/or enhance the site's rural setting and would not result in an increased encroachment of urbanisation into the countryside. All existing mature tree planting within and surrounding the site – having particular regard to the linear shelterbelts alongside the northern, southern and western perimeters with adjoining open fields – would be retained. A single tree would be removed within the side garden to the east of the farmhouse, but this is an immature specimen of limited value and its loss would be compensated for through the introduction of new tree, hedge and shrub planting elsewhere within the site. A construction exclusion zone would be formed around the root protection areas of retained trees through the installation of protective fencing to BS 5837 during the construction period and the new driveway to the east of the farmhouse would be a 'no-dig' drive composed of a cellweb base with rein-bound or block-paved surface where it crosses the root protection area of a single mature tree within the northern perimeter group. Appropriate conditions have been recommended to secure these mitigation measures.

For the reasons set out above the proposed development would be sympathetic to the character of the existing buildings in terms of its size, scale, materials and design, while also respecting the rural vernacular of their surroundings, making use of existing features within the site (including the retention of existing trees where possible) and improving/strengthening areas of hard and soft landscaping. Accordingly, the proposed development is considered to represent good design that would not adversely affect the character and appearance of the area and complies with the requirements of FLP policies GD7, EC6, ENV1 and H3, and paragraphs 84, 130, 131, 134 and 174 b) of the NPPF (including parts of associated national design guidance referred to within the Framework which are relevant to this scheme).

#### Effects on surrounding occupiers:

Criteria c) and o) of FLP policy GD7 require that development proposals facilitate good design by ensuring:

- That amenity will not be adversely affected by neighbouring uses, both existing and proposed.
- All new housing developments should result in a high standard of amenity for occupiers. The standard of amenity for occupiers should not be compromised by inadequate space, poor



layout, poor or lacking outlook or inconvenient arrangements for waste, access or cycle storage. Developments should include adequate outside amenity space for the needs of residents.

In addition, FLP policy H3 indicates that, when considering proposals for residential conversions, careful attention should be paid to the amenity of nearby residents. Residential conversions should protect existing amenity space and should not result in any of the homes relying on what was previously a front garden for all of their private amenity space.

Furthermore, paragraph 130 f) of the NPPF indicates that planning decisions should ensure developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

Paragraph 185 of the NPPF states that planning decisions should “ensure new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development”. This includes, in part a) of the paragraph, a need to “mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life [as set out in the Noise Policy Statement for England].”

#### *Existing occupiers:*

The closest neighbouring building to the site is the farmhouse to the northwest of the agricultural buildings. While this dwelling itself is outside the red line boundary, it is within the applicant's ownership (as indicated by a blue line on the location plan) and the applicant has indicated that it is already used for the purpose of providing holiday accommodation for tourists. The proposal includes the provision of a replacement detached garage to the southwest (rear) corner of the farmhouse and a new access to the east side. Given these features and its existing use as a holiday cottage, the farmhouse will form an element of the overall tourism offer on the site, albeit while having a greater sense of self-containment from the four cottages proposed in this case. Importantly, however, future occupiers of the farmhouse will visit the site as holidaymakers for the same purposes as the occupiers of the cottages proposed by this application and so would not experience disturbance from the adjacent tourism use in the same way that independent occupiers of permanent residential accommodation in such close proximity may otherwise do so.

The farmhouse occupies an offset location to the northwest of the neighbouring agricultural buildings with its front elevation facing in a northerly direction away from these uses and its rear elevation looking south towards them. A spacing distance of *circa* 9m would be retained between the rear of the farmhouse and the side of Building 2, though the offset position of the farmhouse means that views from its rear-facing windows would be over the communal rear garden area of the closest holiday cottage (presently in use as an annex) rather than its external walls. Accordingly, and in the same way as the existing situation, views from the rear-facing windows of the farmhouse would not be obscured by the siting of Building 2, nor would there be any direct overlooking between opposing windows given the oblique angle between these buildings. The replacement garage at the farmhouse would be set further away and be offset from the rear of Building 2 in order that it does not appear as a dominant or imposing feature in the outlook from those cottages.

Other dwellings outside the site are located to the north at the junction of Brows Lane with Ribby Road (The Cottage) and to the south further along Browns Lane (Woodside Cottage) some 80m and 160m away from the site boundary respectively. Both these dwellings are located close to the

boundaries of Ribby Hall Leisure Village which lies to the east and, given their extensive separation with and screening from the site, the occupiers of these properties would not experience any adverse amenity impacts from the proposed development by reason of noise disturbance, loss of outlook, overshadowing, overlooking or any other nuisance.

*Future occupiers:*

The four holiday cottages would, in addition to the existing farmhouse, form part of a collective, tightly-clustered group of short-term holiday lets. Although two of the cottages would have private garden areas, the concept is largely based around the communal use of outdoor spaces by occupiers with a common reason for visiting the site which is different to that of permanent residential occupiers. Accordingly, a different standard of amenity would be expected given this context.

While the rear-facing windows of the farmhouse would have direct views into the garden area to the rear of Building 2 over a relatively short distance (9m), some screening would be provided through the introduction of intervening landscaping and as this garden area is for communal use it will provide a shared space where mutual overlooking between occupiers would be commonplace. Similarly, the front-facing ground and first floor windows in the eastern elevation of the cottage in 'unit 4' would face the rear garden area and windows in 'unit 1' over distances between 4m and 10m.

Although these arrangements would not provide suitable privacy levels for permanent residential occupiers, it is considered appropriate for the proposed collective use of the buildings and site as tourism accommodation where holidaymakers do not expect to experience the same levels of privacy as permanently occupied dwellings. These levels of privacy are, however, also the principal reason why a condition restricting the use of the buildings for holiday accommodation only is required.

Effects on the highway network:

Criteria p), q) and r) of FLP policy GD7 require developments to ensure that:

- The needs of non-motorised users, such as pedestrians and cyclists, should be prioritised over other road users, through design measures.
- The development should not prejudice highway safety, pedestrian safety, and the efficient and convenient movement of all highway users (including bus passengers, cyclists, pedestrians and horse riders).
- All development proposals will need to show that appropriate provision is made for public transport services; appropriate measures are provided to facilitate access on cycle or foot; where practicable, ensure existing pedestrian, cycle and equestrian routes are protected and extended; and the needs of specific groups in the community such as the elderly and those with disabilities are fully provided for.

Paragraph 110 of the NPPF indicates that, in assessing applications for development, it should be ensured that:

- appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- safe and suitable access to the site can be achieved for all users;
- the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 111 of the Framework stipulates that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.” Paragraph 112 of the Framework indicates that, within this context, applications for development should:

- give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

FLP policy T4 a) requires developments to protect and enhance the existing public rights of way network and policy ENV3 f) states that “Fylde’s Public Rights of Way network, comprising footpaths, byways, cycleways and bridleways will be protected and opportunities to extend the network will be safeguarded from development and supported where this improves access to key Green Infrastructure assets, including [...] the two Areas of Separation”.

FLP Policy T5 relates to parking provision and indicates that “a flexible approach [will be applied] to the level of car parking provision, dependent on the location of the development”. Paragraph 11.61 of the local plan indicates that the Council “will prepare a Supplementary Planning Document (SPD) on parking standards”. However, as this has not yet been adopted the standards contained in the Joint Lancashire Structure Plan (JLSP) are of greatest relevance in this case. Table A of the JLSP includes the following baseline parking standards for individual dwellings based on the number of bedrooms they provide:

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

In addition, FLP policy H3 indicates that, when considering proposals for residential conversions, careful attention should be paid to parking provision.

Browns Farm presently has three access points into the site from Browns Lane – a private, unadopted road which is also a Public Right of Way (PRoW). These include: i) a driveway to the farmhouse; ii) a central access to the concrete courtyard; and iii) an access into the hardstanding area to the south of Building 3. The proposed development seeks to re-locate the access in i) approximately 12m north of its current position; close the access in ii) to vehicle traffic to create a pedestrian-only route; and re-use the access in iii) to provide a new entrance and courtyard to a communal parking area.

Objectors have raised issues with the development taking access along Browns Lane due to its narrow width, the limited passing places available and also question the safety of its junction with Ribby Road. These concerns are not, however, shared by the Local Highway Authority, who make observations only with respect to: i) the need to maintain vegetation within the red line boundary to each side of the southerly access at a height of 1m; and ii) to provide a turning area which allow vehicles to enter and exit the site in forward gear.

The submitted site plan show the provision of a turning head to the front of the replacement garage within the rear garden of the farmhouse to allow vehicles to enter and exit in forward gear. The length of reversing space available to the rear of parking bays (6m) within the communal parking area to the south of the site would also ensure sufficient manoeuvring space for vehicles using this area to enter and exit the courtyard in forward gear. While it is appreciated that Browns Lane is a single-track route with limited passing places, the stretch of Browns Lane leading up to Browns Farm from the junction with Ribby Road is a straight length of road with good, long-range forward visibility for vehicles. There is also a passing place on its east side approximately halfway between the Ribby Road junction and the site of Browns Farm, where the road widens a second time immediately outside the site to allow vehicles travelling in opposite directions to pass one another. The width of the bell-mouth junction onto Ribby Road also increases to allow two-way traffic flow around this junction. It is also the case that the level of traffic generated by the four additional holiday cottages would be limited and, certainly, could not be considered to have a “severe” impact on the capacity of the highway network for the purposes of NPPF paragraph 111. Moreover, given these factors and the absence of any objection from the Local Highway Authority, there is no reason to conclude that the development would have an unacceptable impact on highway safety.

While the proposal seeks to alter the means of access to the existing farmhouse and to replace its current double garage with a similar-sized structure, it would not alter the current level of parking provision available to that property. The four additional holiday cottages would benefit from a total of nine communal parking spaces (four within the car port and five externally) shared between them. While the maximum standards in the JLSP would require a total of 11 spaces given the bedroom mix of the cottages (3 x 4-bed and 1 x 2-bed), the nature of tourist accommodation means that shared trips in a single vehicle by all users are much more likely to occur compared to permanently occupied dwellings. The Local Highway Authority have not raised any issues relating to a lack of parking provision and there is also sufficient space available within the courtyard to provide additional parking at a later date should this be required.

Browns Lane is a PRoW which provides access to a limited number of properties before linking up with other rights of way to the south of Ribby Hall further to the southeast away from the site. Aside from the development taking access from Browns Lane (which, for the reasons given above, would ensure a safe and suitable means of access for the scheme), the proposal would have no direct impact on the existing PRoW which would conflict with the objectives in FLP policies T4 and ENV3.

For the reasons set out above, the proposed development would achieve a safe and suitable means of access for all users, would not have an unacceptable impact on highway safety, would not have a severe residual cumulative impact on the surrounding road network, makes adequate provision for vehicle parking and would not obstruct any PRoW. The scheme is therefore in accordance with the objectives of FLP policies GD7, T4, T5 and ENV3, and the NPPF.

#### Other matters:

#### ***Ecology:***

Section 1 of FLP policy ENV2 a) identifies a hierarchy of nature conservation sites falling within three tiers including International, National and Local designations. Criterion b) sets out a list of five principles that must be followed for developments within or affecting designated nature conservation sites. Criterion c) of the policy defines what will constitute damage to nature conservation sites in assessing developments. Section 2 of policy ENV2 indicates the protection that will be afforded to priority species. Paragraph 174 d) of the NPPF requires developments to minimise impacts on and

provide net gains for biodiversity.

The land does not form part of any designated nature conservation site, nor are there any nearby. An ecology survey submitted with the application concludes, as a result of roosting surveys, that there is no current or historical evidence of roosting bats or barn owls within the buildings to be converted and/or demolished and that the risk to these species will remain low in order that no additional survey work is required. The survey does, however, recommend that further nesting bird surveys are undertaken if work commences during the period between March and September.

GMEU have commented on the submitted ecology survey and agree with the findings in relation an absence of evidence of protected species on the site. In line with mitigation measures set out the ecology report, conditions are recommended to: i) restrict building works and vegetation clearance during the bird nesting season unless birds are shown to be absent through an updated survey; and ii) require the submission of a biodiversity enhancement plan to provide mitigation for the loss of trees, shrubs and bird nesting habitat. Accordingly, the development would not conflict with the requirements of FLP policy ENV2 and appropriate avoidance/enhancement measures can be secured through the imposition of planning conditions.

#### ***Flood risk:***

FLP policy CL1 requires that planning decisions follow the sequential, risk-based approach to the location of development required by the NPPF (paragraph 161). Policy CL1 indicates that all new development is required to minimise flood risk impacts on the environment, retain water quality and water efficiency, and mitigate against the likely effects of climate change on present and future generations in accordance with 10 criteria (a-j).

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

The site falls within Flood Zone 1 as indicated on the Flood Map for Planning and is, therefore, within the area at lowest risk from fluvial and tidal flooding. Objectors have, however, raised concerns with localised surface water flooding in the area and the development's potential to exacerbate these issues by creating additional run-off. Objectors also opine that this development represents an opportunity to resolve existing drainage issues surrounding the site, including those perceived to be caused by Ribby Hall Leisure Village.

As the application site is under 1 hectare in area there is no requirement for the scheme to be accompanied by a flood risk assessment. It is also not classed as "major" development and so the Lead Local Flood Authority are not a statutory consultee. It is unclear how existing foul and surface water at the site is disposed of. While the application form indicates that surface water from the development is to be disposed of via the mains sewer, no specific details of this infrastructure are provided with the application and, in accordance with the hierarchy in FLP policy CL2, there would be an expectation for surface water to be disposed of by other, sustainable means (e.g. a soakaway or to a watercourse) before discharge to a sewer is considered. The requirement for these further investigations can, however, be required by condition.

As the proposal does not involve an increase in the footprint of buildings and/or hardstandings across the site (indeed, there is an overall decrease in this respect due to the demolition of existing elements of the buildings and the reconfiguration of hardstanding areas), there should be no increase in impermeable area across the site which would lead to the development generating increased surface water run-off onto surrounding land above and beyond the current situation. Moreover, if there is an absence of formalised drainage infrastructure at the site at present, the current situation would be improved through the introduction of such systems as part of the development.

It is an established principle of the planning system that each application must be considered on its own merits. In that respect, it is not the role of the applicant in this case (regardless of whether they also have ownership of surrounding land uses which are perceived to cause surface water drainage issues) to resolve other, pre-existing problems on surrounding land which occur outside the boundaries of this site. Instead, the test is whether this development would give rise to any unacceptable effects which could not be adequately mitigated as part of the scheme, including through the imposition of appropriate planning conditions. As set out above, there is no reason or evidence to conclude that the development proposed in this case would increase the risk of surface water flooding locally and/or that suitable foul and surface water drainage systems could not be secured through condition in accordance with the objectives of FLP policies CL1 and CL2, and the NPPF.

#### ***Hazardous installations:***

FLP policy DLF1 states that development will not be permitted which would prevent or undermine the operation of existing land uses, including hazardous installations. In addition, paragraph 45 of the NPPF states that “local planning authorities should consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipelines, or for development around them.”

Cadent Gas have indicated that there is a Major Accident Hazard Pipeline (MAHP) in the vicinity of the site – ‘Kirkham/Marton’. A map provided with Cadent’s response dated 27.08.21 shows that this pipeline runs through Ribby Hall Leisure Village before crossing over Browns Lane at a point to the northeast of the site and then turning in a northerly direction away from the site towards Ribby Road. Dimensions on the map show that, at its closest point, the edge of the pipeline is located 9.1m away from the northern edge of the application site boundary.

Cadent’s response dated 27.08.21 indicates that they “must formally object to your proposal, as it has the potential to impact our gas apparatus” and advises to “amend and resubmit your plans, factoring in the minimum distance requirements detailed below [(which, in turn, refers to a building proximity distance of 8m for the MAHP)]. Cadent’s response also refers to a “Deed of Grant of Easement” covering the route of the pipeline and highlights the need for consultation with the Health and Safety Executive (HSE) via their Planning Advice Web App.

While Cadent Gas have indicated an objection to the scheme, they do not give any precise reasons for that stance. Instead, their response suggests that the current plans must be amended to factor in the building proximity distance (BPD) of 8m for the MAHP. However, Cadent’s response fails to take account of the following:

- The map supplied by Cadent indicates that the closest part of the pipeline is already 9.1m away from the application site boundary and so the area of the application site already appears to be entirely outside the 8m BPD.
- The proposed site plan shows that no buildings are to be located on the land to the northeast corner of the site, which is the closest point to the MAHP. Instead, this part of the site is occupied by a row of existing trees which flank the southern edge of the pipeline and are to

be retained as part of the scheme. Therefore, there would be no extension of built development closer to the route of the pipeline (notwithstanding that the whole of the site appears to be outside the 8m BPD in any case). While a new driveway is to be created to the east of the existing farmhouse, the location of this is well outside (some 11m away from) the edge of the BPD that surrounds the MAHP.

- As the application is seeking permission principally to change of use of existing buildings on the site rather than the construction of any new buildings – except a replacement garage to the southwest of the existing farmhouse which is some distance away from the MAHP – there would be no further encroachment of built development towards the MAHP or within the BPD in comparison to the current scenario.
- HSE's comments on the application generated through their web app confirm that they do not advise against the granting of planning permission on safety grounds.

The local planning authority has raised these points with Cadent Gas by correspondence dated 27.08.21 and 11.10.21, including requesting clarification of their stance and the reasons for this. However, no response has been received to date. Any comments received prior to the committee meeting will be reported as late observations.

Notwithstanding the absence of any follow up response from Cadent Gas, given the factors set out in the four bullet points above, the vagueness and lack of any specific reasons for Cadent's objection within their response dated 27.08.21 and the absence of any objection from the HSE, it is considered that there are no justifiable grounds to conclude that the proposed development would prevent or undermine the operation of existing hazardous installations, nor would those installations pose an unacceptable risk to future users of the development.

## **Conclusions**

The application relates to the site of Browns Farm – a broadly rectangular parcel of land extending to approximately 4,230 square metres on the west side of Browns Lane, off Ribby Road, Wrea Green. The site falls within the Area of Separation (AoS) between Kirkham and Wrea Green and to the west of Ribby Hall Leisure Village. The farm presently comprises a dwelling to the northern end of the site and a collection of three agricultural buildings arranged around a courtyard to the southeast of the farmhouse.

The application is submitted on behalf of Ribby Hall Leisure Village and seeks permission to change the use of the three existing agricultural buildings, and surrounding land within their curtilage, to provide four holiday cottages along with associated garden areas, parking spaces and re-configured accesses from Browns Lane. The scheme also includes a modified access and driveway arrangement from Browns Lane for the retained farmhouse to the northern end of the site, along with the erection of a replacement detached garage for that dwelling.

The proposed development, when taken as a whole, satisfies the limitations in parts a), b) and/or c) of Fylde Local Plan to 2032 policy GD3 where development can, in principle, be permitted within the AoS. Moreover, as the principal elements of the scheme involve the conversion (in the case of the agricultural buildings) and/or replacement (in the case of the detached garage for the farmhouse) of existing buildings within the site, the proposal would not extend the existing building envelope further into the AoS. Accordingly, the proposed development would not undermine or compromise the objectives of including land within the AoS – which are to preserve the effectiveness of the gap between settlements, prevent settlements coalescing and to protect the identity and distinctiveness of those settlements.

The proposed external alterations to the existing agricultural buildings required to facilitate their conversion to holiday cottages are limited to the insertion of additional window and door openings within the buildings and the installation of a cantilevered canopy extension to the rear of one building. There would, however, be an overall reduction in the footprint and volume of built development at the site arising from the scheme due to the demolition of some of the buildings' existing elements and the number, size and proportions of new openings would be sympathetic to their simplistic, rural character in materials and design, while also introducing a contemporary aesthetic. The treatment of external spaces with hard and soft landscaping would preserve existing important landscape features (including trees) and supplement these through the provision of new landscaping to ensure a sympathetic assimilation of the development into the surrounding landscape.

The replacement garage to the farmhouse would be marginally (4.25 sqm) larger than the existing detached garage and would have the same eaves and ridge height, with the new building being located closer to the farmhouse. Accordingly, it would have no appreciably greater impact on the AoS or the surrounding landscape in comparison to the current arrangement. Moreover, the revised access arrangements to the farmhouse from Browns Lane would not cause greater harm to the rural character and appearance of the area when compared with the existing situation.

The development's relationship with the retained farmhouse to the north – with respect to its spacing, orientation, massing, window and garden arrangements in relation to that property – would ensure that it has no undue effects on the amenity of existing occupiers through added noise and disturbance, loss of outlook, overshadowing or overlooking. An appropriate standard of amenity would also be achieved for future occupiers of the proposed holiday cottages, commensurate with the communal nature of the proposed land use. A safe and suitable means of access for the development as a whole would be achieved, along with the provision of adequate off-road parking, and the number of trips generated by the development would not have a severe residual, cumulative impact on the capacity of the surrounding highway network. Accordingly, the proposal would have no unacceptable effects on road safety.

The development would not adversely affect the favourable conservation status of any protected species and suitable biodiversity enhancements would be made as part of the scheme. The proposal would not undermine the operation of existing hazardous installations nearby (specifically the Kirkham/Marton Major Accident Hazard Pipeline) and represents a suitable use of land within the buffers surrounding those installations. Appropriate measures can also be put in place to ensure that the proposal would have no adverse effects with respect to tree impacts, flood risk and drainage. Therefore, the proposal is considered to represent sustainable development in accordance with the relevant policies of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission relates to the following plans:

Drawing no. 2327-067-01 'P3' – Location plan.

Drawing no. 2327-067-013 'P1' – Demolition site plan.



Drawing no. 2327-067-008 'P4' – Proposed site plan.  
Drawing no. 2327-067-010 'P4' – Proposed floor plans (barn and cottage).  
Drawing no. 2327-067-011 'P3' – Proposed elevations (barn and cottage).  
Drawing no. 2327-067-012 'P3' – Proposed elevations (car port).  
Drawing no. 2327-067-014 'P1' – Proposed farmhouse garage plans and elevations.  
Drawing no. TCP/4322/Y/300 – Tree retention and protection.

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

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

3. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification), the cottages hereby approved shall be used as holiday accommodation only and shall not be let, sold or otherwise occupied as permanent residential accommodation or for any other purpose (including any other use falling within Class C3 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument amending or replacing that Order).

Reason: The development's layout has been permitted on the basis that the cottages and their communal external spaces are to be occupied for holiday use only. The spacing distances and window arrangements between cottages and their garden areas would not provide levels of privacy and amenity for future occupiers of the cottages that would be suitable for permanent residential occupiers. Accordingly, it would be inappropriate for the cottages to be occupied as permanent residential accommodation as this would fail to achieve a high standard of amenity for such occupiers. Therefore, the occupancy restriction is required to prevent permanent residential occupation of the cottages in accordance with the provisions of Fylde Local Plan to 2032 policies GD7 and H3, and the National Planning Policy Framework.

4. No development shall take place until a method statement detailing the process and phasing for the works of dismantling, repair and/or reconstruction to each building which is to be converted to the new use(s) hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

- plans indicating the parts of each building to be dismantled, repaired and/or reconstructed;
- details of all materials to be used on the external surfaces of those parts of each building to be repaired and/or reconstructed; and
- a) details of the means by which those parts of each building to remain will be physically supported during the process of dismantling, repair and/or reconstruction.

Other than those areas identified on the plans submitted in a), no parts of each building shall be dismantled, repaired and/or reconstructed and all works of dismantling, repair and/or reconstruction shall be carried out in accordance with the details contained in the duly approved method statement.

Reason: To limit the extent of rebuilding works to ensure that the conversion of existing buildings takes place without the need for their major or complete reconstruction in order that the existing buildings are re-used and rehabilitated in accordance with the requirements of Fylde Local Plan to 2032 policies H3 and GD3.

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

Reason: To ensure use of appropriate materials which are sympathetic to the rural character of the host buildings, the site and its surroundings in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policies GD3, GD7 and H7, and the National Planning Policy Framework.

6. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, no new and/or replacement windows or doors shall be installed in any of the buildings unless and until details of their design, materials (including frames, sill and lintel treatments), finishes, colour treatment, reveals and opening profile have first been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the duly approved details before any of the cottages are first occupied, and shall be retained as such thereafter.

Reason: To ensure use of appropriate materials which are sympathetic to the rural character of the host buildings, the site and its surroundings in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policies GD3 and GD7, and the National Planning Policy Framework.

7. None of the cottages hereby approved shall be occupied until a scheme for the design and construction of all hard surfaced areas within the development (including both new and replacement hard surfaced areas) has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the construction specification of all hard surfaced areas, including sub layers and surfacing materials. The hard surfaced areas shall thereafter be laid out in full and made available for use in accordance with the duly approved scheme before any of the cottages hereby approved are first occupied.

Reason: To ensure the satisfactory treatment of hard surfaced areas and an appropriate standard of engineering works in the interests of visual amenity and the amenity of future occupiers of the development in accordance with the requirements of Fylde Local Plan to 2032 policies GD3 and GD7.

8. The new vehicle access and “no dig drive” for the farmhouse hereby approved shall be constructed in their entirety in accordance with the details and specification shown on drawing nos. 2327-067-008 ‘P4’, ARB/4322/Y/200 and identified in Appendix B (pages 21-23) of the document titled “Arboricultural Report” by ACS Consulting dated July 2021 (report reference 4322/DR.21) and shall be made available for use before any development associated with the cottage labelled “Unit 1” on drawing no. 2327-067-008 ‘P4’ first takes place. The new vehicle access and “no dig drive” for the farmhouse shall be retained as such thereafter.

Reason: The external works to provide the holiday cottage within Unit 1 (including its garden area) require the stopping up of the existing vehicle access and driveway to the farmhouse. Therefore, the new (re-located) access to the farmhouse must be put in place before any development associated with Unit 1 takes place in order to ensure that a safe and suitable means of access to the farmhouse is provided prior to the existing access being stopped up. The driveway to the farmhouse is to be a “no dig” specification as part of this route falls within the root protection area and construction exclusion zone of a group of mature trees which are to be retained within the site to the north of the proposed driveway. Therefore, the condition is required in the interests of highway safety and to ensure appropriate measures are put in place to protect existing trees that are to be retained as part of the development in accordance with the objectives of Fylde Local Plan to 2032 policies GD7

and ENV1, and the National Planning Policy Framework.

9. The upgraded vehicle access to the southeast corner of the site which opens onto Browns Lane (the location of which is labelled "Existing Vehicle Access Retained" on drawing no. 2327-067-008 'P4') shall be constructed and made available for use before any of the cottages hereby approved are first occupied. All vegetation falling within a visibility splay of 2.4 metres x 43 metres measured in both directions at the junction of the upgraded vehicle access with Browns Lane shall thereafter be maintained at a height not exceeding 1 metre.

Reason: To ensure a safe and suitable means of access to the development for all users in the interests of highway safety in accordance with the objectives of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

10. The vehicle parking and manoeuvring areas shown on drawing no. 2327-067-008 'P4' shall be constructed and made available for use in accordance with the details approved pursuant to condition 7 of this permission before any of the cottages hereby approved are first occupied, and shall be retained as such thereafter.

Reason: To ensure that satisfactory provision is made for vehicles to be parked clear of the highway of Browns Lane, to avoid obstruction of Browns Lane to passing traffic and to allow vehicles to enter and exit the site in forward gear in the interests of highway safety in accordance with the objectives of Fylde Local Plan to 2032 policies T5 and GD7 and the National Planning Policy Framework.

11. None of the cottages hereby approved shall be occupied until a scheme for the siting, layout, height, design, materials and finish of barriers and/or any other means of enclosure to prevent vehicle access to the communal "Courtyard Area" identified on drawing no. 2327-067-008 'P4' has been submitted to and approved in writing by the Local Planning Authority. The barriers and/or enclosures shall be installed in accordance with the duly approved scheme before any of the cottages hereby approved are first occupied, and shall be retained as such thereafter.

Reason: To ensure that measures are put in place to prevent inappropriate vehicle access within the Courtyard Area which is shown to be accessible by pedestrians only in order to secure the exclusive use of this shared space by pedestrians in the interests of the safety and amenity of future occupiers of the development in accordance with the requirements of Fylde Local Plan to 2032 policy GD7.

12. Before any of the cottages hereby approved are first occupied a soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with the extent and principles of soft landscaping indicated on drawing no. 2327-067-008 'P4' and shall include details of the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs. The duly approved soft landscaping scheme shall be carried out during the first planting season after the cottages are first occupied and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to compensate for the loss of existing planting within the site and to provide biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

13. No development shall take place until a Construction Exclusion Zone has been formed around the Root Protection Areas of those trees identified as being retained on drawing no. TCP/4322/Y/300. The Construction Exclusion Zone shall be provided in the form of protective fencing of a height and design which accords with the specification in BS 5837: 2012 and shall be installed in the positions indicated by a solid green line on drawing no. TCP/4322/Y/300. The Construction Exclusion Zone shall be maintained in the duly installed positions during the entirety of the construction period.

insofar as it relates to the affected area of the site.

Reason: To ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence in order to safeguard existing natural assets at the site in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV1, and the National Planning Policy Framework.

14. With the exception of the single specimen identified on drawing no. TCP/4322/Y/300, 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, and the National Planning Policy Framework.

15. None of the cottages hereby approved shall be first occupied until details of the height, design, materials and finish of all boundary treatments within the development (the siting of which are shown on drawing no. 2327-067-008 'P4') have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in accordance with the duly approved details before each associated cottage is first occupied, and shall be retained as such thereafter.

Reason: To ensure clear demarcation of public and private areas and to ensure that the design of boundary treatments is sympathetic to the character and appearance of the area in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

16. No development shall take place until a scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- a) separate systems for the disposal of foul and surface water;
- b) details of the siting, size, capacity, design and operation of any sewage treatment plant(s);
- c) an investigation of surface water drainage options which follow the hierarchy set out in the Planning Practice Guidance, including evidence of an assessment of ground conditions and the potential for surface water to be disposed of through infiltration;
- d) details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development run-off rate reduces discharge to greenfield run-off rates (including an appropriate allowance for climate change);
- e) details of the size, siting and design of any necessary flow attenuation measures, including the use of Sustainable Drainage Systems where practical; and
- f) details of how the scheme will be maintained and managed after completion.

The duly approved scheme shall be implemented before any of the cottages hereby approved are first occupied, and shall be managed and maintained as such thereafter.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Fylde Local Plan to 2032 policies CL1 and CL2 and the National Planning Policy Framework.

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

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

18. None of the cottages hereby approved shall be occupied until a Biodiversity Enhancement Plan (BEP) for the development has been submitted to and approved in writing by the Local Planning Authority. The BEP shall include the incorporation of the following biodiversity enhancement measures (including details of their number, location and specification) into the development and a timetable for their provision:

- a) The installation of bat boxes.
- b) The installation of bird boxes.
- c) The introduction of native tree planting as part of the soft landscaping scheme required by condition 12 of this permission.

The duly approved BEP shall thereafter be implemented in full accordance with the details and timetable contained therein.

Reason: To ensure that the development delivers appropriate biodiversity enhancements in accordance with the objectives of Fylde Local Plan to 2032 policy ENV2 and the National Planning Policy Framework.

19. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- a) hours of work for site preparation, delivery of materials and construction;
- b) arrangements for the parking of vehicles for site operatives and visitors off the highway of Browns Lane;
- c) details of areas designated for the loading, unloading and storage of plant and materials;
- d) arrangements for the provision of wheel washing and road sweeping facilities, including details of how, when and where the facilities are to be used;
- e) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
- f) measures to ensure that construction and delivery vehicles do not impede access to adjoining properties;
- g) measures to control the emission of dust and dirt during construction;

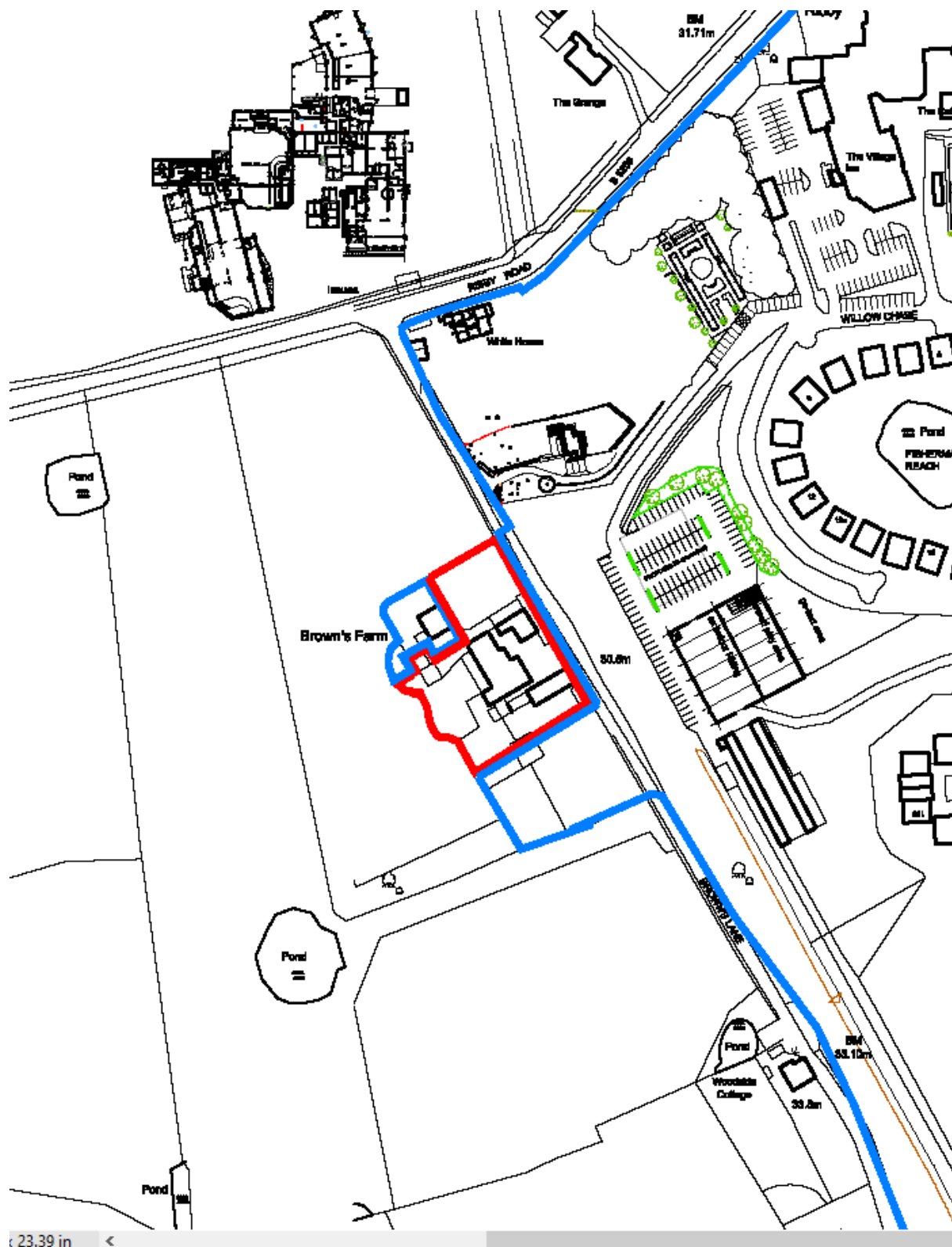
Development shall thereafter be carried out in full accordance with the duly approved CMS.

Reason: In order to ensure that appropriate measures are put in place before any development

commences to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties and to avoid obstruction of the surrounding highway network during the construction of the development in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any equivalent Order following the revocation and re-enactment thereof, with or without modification), no development permitted in Schedule 2, Part 1, Classes A, AA, B, C and E shall be carried out to any of the cottages hereby approved.

Reason: The development has been permitted within the Area of Separation on the basis that the proposed change of use would have no greater impact on the function and purposes of designating land within the Area of Separation in comparison to the existing use. Accordingly, it is necessary to withdraw those permitted development rights that would otherwise allow the construction of large extensions, alterations to roof space and/or the erection of large outbuildings within the curtilages of the cottages in order to ensure that such development would not undermine the function and purposes of the Area of Separation in accordance with the requirements of Fylde Local Plan to 2032 policies GD3 and H7.



Item Number: 3

Committee Date: 03 November 2021

|  |  |   |                          |
|--|--|---|--------------------------|
| <b>Application Reference:</b> 21/0661                          |  | <b>Type of Application:</b> Variation of Condition        |                          |
| <b>Applicant:</b>  | Lancaster  | <b>Agent :</b>  | HPA Chartered Architects |
| <b>Location:</b>   | DONKEY CREEK FARM CARAVAN PARK, NAZE LANE EAST, FRECKLETON, PRESTON, PR4 1UN   |   |                          |
| <b>Proposal:</b>   | VARIATION OF CONDITION 8 OF PLANNING PERMISSION 19/0170 TO PERMIT SEASONAL SITING OF TOURING CARAVANS ON THE WHOLE OF PHASE 2 PART OF SITE BETWEEN 1ST MARCH AND 7TH JANUARY THE FOLLOWING YEAR, AND STORAGE OF TOURING CARAVANS ON PITCHES 54-75 ONLY (SOUTH PART OF PHASE 2 SITE) THROUGHOUT THE YEAR. |   |                          |
| <b>Ward:</b>   | FRECKLETON EAST  | <b>Parish:</b>  | Freckleton               |
| <b>Weeks on Hand:</b>  | 16   | <b>Case Officer:</b>                                      | Ruth Thow                |
| <b>Reason for Delay:</b>                                       | Need to determine at Committee   |   |                          |
| <a href="#">Click Here</a> for application site on Google Maps |  | <a href="#">Click here</a> for application on FBC website |                          |

**Summary of Recommended Decision:** Grant

#### **Summary of Officer Recommendation**

The application is submitted under s73 and proposes the variation of a planning condition imposed on planning permission 19/0170 which relates to the establishment of a Phase 2 to the Donkey Creek Caravan Site in Freckleton. This site is located in the countryside outside of Freckleton and to the south of the Warton runway. The phase 2 site is currently under development and will provide an additional 39 holiday touring caravan pitches (and other development) to the site. The planning permission condition restricts the use of the pitches so that they are only occupied for 14 days by any single visitor. The application proposes that this be varied to allow seasonal use of those pitches, with the use of a number of them available for the storage of caravans throughout the year.

Given the type of the application its assessment is limited to whether the reason for the imposition of that condition remains sound when considered against the local and national policy basis for its introduction, and any other material planning considerations. In this case the condition was imposed with the intention of bringing a reduction in the visual harm caused by the caravans by creating the potential for there to be periods between visitors when the pitches would be vacant and so the overall harm caused by the number of caravans on the site would be reduced. That remains a valid concern and the condition remains a valid approach to mitigate that concern.

However, having re-visited the site and the key vantage points it is accepted that there is possibility that the concerns of officers, that were accepted by Members when the planning permission was granted, were overstated. The area of this part of the site is relatively discreet from the highway on Naze Lane East, and the scheme includes a landscaping scheme to provide additional planting around the edges of the site and in an intervening 25m wide buffer that separates the pitches from the users of the public right of way that is adjacent to



the site. Whilst this landscaping has yet to be implemented as the site is under development, it is accepted that it will serve to soften the visual impact of the caravans to a degree.

The application includes a supporting statement that sets out some economic arguments in favour of the proposal, but these are not particularly compelling as they can only provide general economic information about the spending from the caravan sector, although they do refer to the extensive enquiries about seasonal pitches at the site indicating that the application would be of value to the business.

Given the recent nature of the decision to impose the condition (July 2019), the fact that the development it relates to is not operational, and that there have been no changes to the site or its surrounding since then, it would normally be the case that a consistent approach to the assessment of the application would be made. That would lead to a refusal of this application.

However, it is considered that the level of harm established by the siting of the same caravan on a pitch for more than 14 days may have been overstated in the assessment of that application. Accordingly, it is accepted that the variation the condition to permit seasonal use of the phase 2 site, and the storage use during the closure period in some pitches can be permitted without creating undue harm to the rural area. The application also provides the opportunity to introduce a control to ensure that the more sensitive parts of the site are kept free from caravans during the winter months, which provides a balance to the decision and ensures a lack of conflict with Policy GD4, ENV1 and GD7 and so the application to vary the condition proposed here can be supported.

### **Reason for Reporting to Committee**

The application seeks to vary the conditions that form part of a planning permission which was granted by the Planning Committee, and as such the terms of the Scheme of Delegation require that the application is determined by the Planning Committee.

### **Site Description and Location**

The application site is known as 'Donkey Creek Farm', Naze Lane East, Freckleton. It is now a touring caravan site that is situated to the south side of Naze Lane East and the BAE Systems runway. The caravan site has been operational since around 2017 with 36 pitches available for holiday touring use. A second phase of the site for a further 39 pitches and 4 glamping pods is currently under construction following a planning permission that was granted in 2019.

The overall site area extends to circa 3.2 Hectares with just over half of this operational for the siting of caravans. The neighbouring land uses are generally open land that is available for agriculture with the BAE site over Naze Lane East a key feature in the landscape. Other neighbours are the Ribble Boat Yard, which is used largely for storage of boats, immediately to the east with Freckleton Creek and Poolside Boat Yard further to the east. The Ribble coastal public right of way runs immediately to the eastern boundary of the site.

The land is designated as Countryside under Policy GD4 of the Fylde Local Plan to 2032 and is within the buffer zone of the Ribble Estuary Site of Special Scientific Interest (SSSI) and part of the Ribble & Alt Estuaries Special Protection Area (SPA) and RAMSAR site

## **Details of Proposal**

This application is submitted under Section 73 of the Town and Country Planning Act 1990 which allows for the consideration of development proposals that vary the conditions on an existing planning permission. In this case the proposal is to vary condition 8 of planning permission 19/0170 with the intention of permitting the seasonal siting of touring caravans on the whole of the phase 2 part of site between 1 March and 7 January the following year, and the storage of touring caravans on pitches 54-75 only (south part of phase 2 site) throughout the year to include the months when the site is closed to visitors. No change to the controls over the phase 1 element are proposed.

Condition 8 of planning permission 19/0170 currently states:

*That the site shall be used as a touring caravan site only, with no caravan remaining on the site for a period of in excess of 14 days, and then that caravan shall not return for a period of a further 14 days (with the exception of the Warden's caravan). There shall be no storage of caravans on any part of the site.*

*Reasons: To ensure that the site operates as a touring caravans site only so as to limit the visual impact of the development upon the character of the countryside in accordance by providing opportunities for vacant pitches to occur from time to time in accordance with Policies GD7 and EC6 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.*

The application includes a Supporting Statement that explains the reasons for the request is as follows:

- *Donkey Creek Farm Caravan Park is a 5\* award winning site which opened in 2018. The first phase (completed) contains 36 pitches, and work has recently begun on the creation of an additional 39 pitches (as per Planning Approval 19/0170).*
- *Since the Covid-19 Pandemic started in 2020, there has been a decrease in outbound UK travel, and an increase in domestic tourism (see Visit Britain Report from 7th May 2021 – Appendix A). This has led to an increase in the Caravan Sector.*
- *During the Covid-19 Pandemic, Donkey Creek Farm Caravan Park received a number of enquiries (136 on waiting list as of 11th July 2021) asking for seasonal pitches (this data is available on request, but cannot be released into the public domain due to GDPR restrictions).*
- *Donkey Creek have also had similar requests for off season storage of caravans.*
- *This proposal to allow seasonal pitches is a direct response to current demand.*
- *The proposal in this request does not seek to change the layout of the site.*

## **Relevant Planning History**

| Application No. | Development   | Decision      | Date       |
|-----------------|---|---------------|------------|
| 20/0270         | APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS ON PLANNING PERMISSION 19/0170 CONDITION 9 (SOFT AND HARD LANDSCAPING) CONDITIONS 11 AND 12 (DRAINAGE MANAGEMENT AND MAINTENANCE STRATEGY) CONDITION 15 (VISITORS PACK ENVIRONMENT STATEMENT) | Advice Issued | 08/06/2020 |
| 19/0170         | CHANGE OF USE OF LAND TO FORM EXTENSION   | Granted       | 22/10/2019 |

|         |  |               |            |
|---------|--|---------------|------------|
|         | OF EXISTING HOLIDAY CARAVAN SITE TO<br>CREATE AN ADDITIONAL 39 NO. TOURING<br>PITCHES AND 4 NO GLAMPING PODS,<br>RELOCATION OF WARDENS ACCOMMODATION,<br>PROVISION OF CHILDREN'S PLAYGROUND WITH<br>ASSOCIATED SERVICES AND AMENITIES.   |               |            |
| 19/0091 | APPLICATION TO DISCHARGE DETAILS<br>ASSOCIATED WITH CONDITIONS ON PLANNING<br>PERMISSION 18/0549 CONDITION 2<br>(LANDSCAPING)  | Advice Issued | 14/03/2019 |
| 18/0602 | RETROSPECTIVE APPLICATION FOR<br>ADVERTISEMENT CONSENT FOR ONE NON<br>ILLUMINATED, STATIC SIGN TO THE BOUNDARY<br>FENCE AT THE SITE ENTRANCE.  | Granted       | 20/09/2018 |
| 18/0549 | RETROSPECTIVE APPLICATION FOR 1.8M HIGH<br>ENTRANCE GATES AND RAILINGS   | Granted       | 24/08/2018 |
| 17/0041 | APPLICATION TO DISCHARGE DETAILS<br>ASSOCIATED WITH CONDITIONS TO PLANNING<br>PERMISSION 16/0306 - CONDITION 3<br>(MATERIALS), CONDITION 14 (DRAINAGE),<br>CONDITION 16 (TREE PROTECTION), CONDITION<br>18 (BIODIVERSITY MEASURES)   | Advice Issued | 06/03/2017 |
| 16/0954 | NON MATERIAL AMENDMENT TO PLANNING<br>PERMISSION 16/0306 TO REVISE APPEARANCE<br>OF RECEPTION/WC BLOCK BUILDING WITH<br>ADDITION OF CANOPY AND ALTERATIONS TO<br>WINDOWS AND DOORS   | Granted       | 16/12/2016 |
| 16/0741 | APPLICATION TO DISCHARGE DETAILS<br>ASSOCIATED WITH CONDITIONS ON PLANNING<br>PERMISSION 16/0306 - CONDITION 11<br>(FENCING DETAIL), 12 (LANDSCAPING), 16<br>(HEDGEROWS), CONDITION 18 (FENCING)   | Advice Issued | 15/11/2016 |
| 16/0306 | RE-SUBMISSION OF 15/0842 - CHANGE OF USE<br>OF AGRICULTURAL LAND TO FORM 36 PITCH<br>HOLIDAY TOURING CARAVAN SITE WITH<br>ASSOCIATED EXTENSION TO INTERNAL ACCESS<br>ROAD, ERECTION OF FACILITIES / RECEPTION<br>BUILDING, SITING OF STATIC CARAVAN FOR<br>WARDEN'S ACCOMMODATION AND USE OF<br>PREVIOUSLY APPROVED BARN FOR GENERAL<br>AGRICULTURAL USE | Granted       | 15/09/2016 |
| 15/0842 | CHANGE OF USE OF AGRICULTURAL LAND TO<br>FORM 36 PITCH HOLIDAY TOURING CARAVAN<br>SITE WITH ASSOCIATED EXTENSION TO<br>INTERNAL ACCESS ROAD, ERECTION OF<br>WARDENS LODGE AND ERECTION OF FACILITIES<br>BUILDING AND OTHER ANCILLARY<br>DEVELOPMENT  | Refused       | 10/03/2016 |
| 14/0151 | CHANGE OF USE OF AGRICULTURAL LAND TO<br>FORM A 25 PITCH TOURING CARAVAN AND 15<br>PITCH CAMPING SITE WITH ASSOCIATED<br>EXTENSION TO INTERNAL ROAD AND ERECTION<br>OF A FACILITIES BUILDING - (RE-SUBMISSION OF<br>WITHDRAWN APPLICATION 13/0717).  | Granted       | 14/04/2015 |
| 11/0828 | PROPOSED ERECTION OF AGRICULTURAL<br>STORAGE BARN AND TIMBER DONKEY STABLES  | Granted       | 05/03/2012 |

### **Relevant Planning Appeals History**

None

### **Parish/Town Council Observations**

**Freckleton Parish Council** notified on 20 July 2021 and comment:

*“The Parish Council are currently unable to pass comment due to there being insufficient information and also the concerns from the fire services around access, water availability and overhead cables.”*

Clarification of these comments has been sought from the Parish Clerk to assist Committee, and will be provided as part of the Late Observations Schedule in the event it is received in time for Committee consideration.

### **Statutory Consultees and Observations of Other Interested Parties**

#### **BAE Systems**

No comments have been received.

#### **Ministry of Defence - Safeguarding**

No safeguarding objections.

#### **National Grid (now cadent gas)**

No comments have been received.

#### **Regeneration Team (Landscape and Urban Design)**

No comments have been received.

#### **Lancashire Fire and Rescue Service**

Have provided standard comments about the layout of the site being suitable to allow access b a fire service vehicle.

### **Neighbour Observations**

#### **Neighbours notified:**

20 July 2021

#### **Site Notice Date:**

03 August 2021

#### **Number of Responses**

4 letters received

#### **Summary of Comments**

- recently an electric cable was cut through, leaving residents without power
- had an increase in vermin
- litter on park and around the land
- the dike around site not cleaned out an residents were flooded in August 2020
- increase in traffic through Freckleton
- speeding on lane
- village is not able to manage with extra housing and no extra amenities
- access owned by another party and has not been properly

- developed
- entrance is on blind bend and unlit
- no signage to give warning to pedestrians
- likely to be a net increase in traffic movements
- sewerage system is at capacity more people cause strain on system
- developer blocked access to properties and damage surface water drainage
- lack of care exercised by developer how can we rely on sense of responsibility
- lights are very intrusive especially in winter months
- noise cause for concern
- ignorance of airfield activities, flying kites dangerous and drone activity should be forbidden
- residential caravans accepted by FBC 'laissez-faire' attitude to enforcement encourages creeping development
- poorly managed site with little input from FBC or LCC
- who will be responsible in case of a further accident
- how many caravan storage site does Freckleton need
- 11kv cable must affect layout
- bund created run-off could inundate and destabilise public footpath
- do caravans remain hooked up to services
- ulterior motive for further expansion
- lack of drainage care at the eastern end could have a significant effect on the RAMSAR, SSSI and SPA, as well as the public footpath.
- removed trees and hedges in nesting season
- argument that the pandemic has caused an increased demand for pitches should not be a consideration in a long-term planning strategy and business plan
- FBC silence on sensitive issues
- no definitive plan for offsite drainage of contaminated surface run off
- drawing shows a network of surface drains on the site, but where does it all go once the soakaways are saturated
- ignorance of the lie of the land and the run of drainage resulted in flood water surrounding the new electrical installation, fields and the road, businesses
- failure to interrogate local experience and knowledge

### **Relevant Planning Policy**

#### **Fylde Local Plan to 2032:**

|     |   |
|-----|---|
| GD4 | Development in the Countryside                        |
| GD7 | Achieving Good Design in Development                  |
| EC6 | Leisure, Culture and Tourism Development              |
| EC7 | Tourism Accommodation                                 |
| CL1 | Flood Alleviation, Water Quality and Water Efficiency |

|      |  |
|------|--|
| CL2  | Surface Water Run-Off and Sustainable Drainage |
| ENV1 | Landscape                                      |
| ENV2 | Biodiversity                                   |

**Other Relevant Policy:**

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

**Site Constraints**

**Environmental Impact Assessment**

The scheme is within Part 12 of Schedule II as a tourism and leisure project, and specifically Part 12(e) which relates to permanent camp sites and caravan sites for projects of over 1 Hectare and therefore the scale of this site exceeds the threshold where a Screening Opinion is required.

A Screening Opinion was carried out at the time of the assessment of application 19/0170 and concluded that as a result of the characteristics of the development, the location and the potential impacts of the development were such that an EIA was not required to allow the development proposal to be properly considered. That remains valid for this application.

**Comment and Analysis**

**Planning History and Scope of the assessment**

The phase 1 element of the Donkey Creek site operates under planning permission 16/0306 which has conditions that restrict its use to holiday touring pitches, and that those pitches can only be occupied by the same caravans for a 14 day period. The reason for this is to ensure there is a turnover of occupiers on site which is likely to result in the site not being fully occupied and so provide some reduced visual impact from the impact of caravans in the rural landscape. It is also likely to result in increased local spending by visitors who come for shorter trips. The site can remain open year round. There is no proposal to alter the controls over this Phase 1 part of the site.

The phase 2 element has yet to be completed, but will operate under the conditions imposed to planning permission 19/0170. These reflect the approach taken in phase 1 and so permit year-round holiday stays but only for a 14-day duration by each visitor. This application seeks to vary that in two ways:

- To allow a touring caravan to remain on site and be used for holiday purposes across the whole of the phase 2 element between 1 March and 7 January the following year. These are described as 'seasonal pitches' and allow the caravan visitor to come and go as they please during the majority of the year without the need to tow their caravan to the site at each visit.
- To allow touring caravans to remain on a series of specified pitches, which are the southern part of the site, throughout the year. The effect of this would be to create a caravan storage use on those pitches between 8 January and end of February when the site would be shut for holiday visitors, before opening again for holiday purposes on 1 March

The application seeks this change thorough a variation of condition 8 to planning permission

19/0170 and so the assessment of the merits of the application is limited to the reasons and implications of that condition. The submission is made as a 's73 application', which is the legislation that permits planning conditions to be varied, and if approved would result in a new planning permission that sits alongside the original.

On that basis there is no need to assess matters such as the principle of the caravan use of the site, the highway safety implications, or the drainage or other technical matters. Rather, the scope of the assessment is limited to the implications of the revised occupation only, with that directed by the reason that the condition in question was imposed. This is:

*Reason: To ensure that the site operates as a touring caravans site only so as to limit the visual impact of the development upon the character of the countryside by providing opportunities for vacant pitches to occur from time to time in accordance with Policies GD7 and EC6 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.*

#### Impact on visual amenity

As set out above the reasoning for the imposition of the condition was to reduce the visual impact of the development on the character of the countryside. Caravans have a strong visual presence in a rural landscape by virtue of their colour, the typically tight spacing of them, and the associated development such as roadways, amenity blocks, play areas, refuse areas, and other supporting facilities. In this case the planning permission was recently granted, was assessed against the current local and national planning policy background, and there have been no physical changes to the site other than works are on-going to implement the planning permission with the roadways and pitches being under construction at officer site visits. In this context it is reasonable to conclude that the visual impact of the development remains the same as was the case in 2019 when Committee accepted the officer advice on the application and imposed this condition. This means that there is strong support for it remaining in place to ensure a consistent approach to the decision.

However, the submission of the application requires a re-assessment of the visual impact of the development as that was the reason for the imposition of the condition. This has involved a visit to the site itself where work on the infrastructure for the development approved under application 19/0170 is well advanced, and a visit to the public right of way which runs along the eastern boundary of the site.

There are two key vantage point where the phase 2 part of the site will be seen. One of these is from Naze Lane East where there is a wide and open entrance point to the site and other developments including Poolside Boatyard, Ribble Boatyard, and other dwellings. From this vantage point the site will be visible but will be seen in the context of the wider site, and the views of the caravans themselves will be restricted by a modern agricultural building that serves as a storage facility for the maintenance needs of the site, the wardens lodge and other supporting facilities.

The other key vantage point is from the right of way which is immediately against the site boundary and is at the top of the slope down to the estuary level where there is good vegetation that provides a pleasantly enclosed experience for users. Whilst there is some hedging on the boundary of the site, this is limited in its density allowing clear views into the site along much of the shared boundary, although views are limited on the approach by the vegetation to the south and the Ribble Boatyard to the north.

At present the views into the site are masked by a bund of earth immediately inside this boundary

that is around 1m above caravan site level and around 2m above footpath level. This is formed from the material that has been scraped off the site as part of the development of the pitches. The residents who have commented on the application refer to the harmful visual impact of this feature, and they are correct as it presents as an unnatural feature that harmfully encloses the right of way and is visually unattractive. Whilst it is currently masking views of the development works it is not a feature that is shown on the submitted landscaping plans, and is not a feature that can be allowed to remain. Instead, the area in question is to be landscaped with tree planting and grass provided to ensure a more effective visual screen between the right of way and the closest caravan pitches to the right of way which are set around 25m in from that boundary to facilitate the provision of this planting area.

In discussions with the applicant, he explains that the mound is to be used to fill holes / depressions and for general grading on the site. This will allow the landscaping scheme that is approved under the planning permission to be implemented with the existing hedge bolstered by additional native planting and with the provision of landscape buffer to the south east part of the site. As this feature is not shown on the landscaping plans that support that permission then this is work to be undertaken during that development.

Having undertaken this reassessment it is now officer view that the level of the visual impact of the development will not be as severe as was thought at the time that application 19/0170 was under consideration. This is helped by the revisions that were made to its layout during its consideration which grouped the pitches in a more central location and away from the sensitive view points described, particularly that along the line of the public footpath.

This applies to both aspects of the current proposal with the pitches that are proposed to be available for storage during the 'closed season' being located along the southern parcel of the phase 2 site where there is a robust hedge to three sides and will be supported by the landscaping to the footpath side that is included within that permission. This more robust screening will ensure this is a more secluded part of the site from public views and so it is acceptable to have the year round storage in this area.

The more exposed north parcel, which is visible from Naze Lane East to a greater degree, will not be used for storage. This application provides an opportunity to bring an improvement to the visual impact of the development by requiring that these more sensitive pitches are not used for holiday purposes during the majority of January and February. This provides a balance to the visual impact of the site and will ensure that the most exposed area is kept free of caravans at the time of year when natural screening of the caravans will be reduced.

The proposal does not increase the number of caravans permitted on the site. It involves an enhancement of the existing landscaping, and provides an opportunity to introduce a closure period over part of the site that does not currently exist. Taking these factors into account, on balance, it is considered that the proposed variation would not be so significantly detrimental to the visual amenity to warrant a refusal of the application on landscape harm grounds.

#### Economic Benefits

The application includes a supporting statement that sets out that the application is presented to bring economic benefits to the borough's rural economy as well as to the applicant. This is a factor that weighed in favour of the application when this was previously presented to Members, and is a key reason why the Local Plan promotes rural tourism activity in Policy GD4 and elsewhere.



The supporting statement advises that the operators have received requests for seasonal pitches and storage as a result of the Covid pandemic and the increase in domestic tourism. The seasonal pitches would allow visitors to stay in the borough for longer than the 14 days with the possibility that this would result in extended investment in the local economy, although it is unclear how this differs from a series of different visitors to the site in the same period, and there is no local evidence provided to support this view. There is clear evidence that holidays in the UK have increased recently though as a result of COVID travel restrictions, and possibly as travellers are more influenced by the climate change concerns of air travel, but the link to longer stays is uncertain.

It is possible that the availability of the storage use will allow the owners of caravans that are on site to attend earlier in the year than they would if they had to bring their caravan to the site, and may attend more frequently during the year without the rigmarole of loading and towing the caravan. Although as a counter to that their caravan is occupying a pitch when they are not present that could be occupied by other visitors.

It is accepted that the proposal will provide the site operator with a more balanced mix across the site: there will be 37 touring pitches on phase 1 with restricted occupancy to 14 days, 38 pitches that are available for seasonal occupancy on phase 2, and 22 of the 38 phase 2 pitches that are available for storage use over the closure period. However, the economic benefits of this to the rural economy of Freckleton or the borough are not clear.

#### Other Matters

- Ecology – The site itself is not designated for any ecological importance, but lies in close proximity to the Ribble Estuary Site of Special Scientific Interest (SSSI), Ribble & Alt Estuaries Special Protection Area (SPA) and Ramsar site. The estuary also contains a locally designated Biological Heritage Site and the site contains habitat in the grassland, pond and hedges that could support protected and other species. These are given national and international protection and have local protection through Policy ENV2. The implications for this were assessed during the consideration of application 19/0170 and a Habitat Regulation Assessment was adopted by the council as part of that decision. The proposal here does not change the site physically and any changes in the level or timing of activity that could cause ‘recreational disturbance’ to the wildlife will be negligible. Therefore, it is not considered that the proposal generates the need for any further ecological assessments.
- Parish Council – Their views are indistinct in this case with regards to the merits of the application. They refer to the views of the Fire Service, which are not directly relevant to the assessment of this application as they relate to the layout of the development which is unchanged from the approved layout. However, clarity on their views has been sought and will be provided to Members at the Committee meeting should it be received.
- Neighbour comments – The majority of these relate to matters that are not relevant planning considerations (construction damage to a power line, competency of developer, future plans of developer, that visitors may fly kites/drones near airfield) or are not relevant to this application as they were considered as part of the original permission (access arrangements, impact of lighting of site, ecological disturbance, etc). The comments raised regarding the visual impact of the development and the prospect of changing a recent planning permission are assessed in this report.
- Conditions – The effect of a grant of a s73 application such as this is to create a second planning permission that sits alongside the original. It is therefore necessary to repeat the conditions

that were imposed and which remain relevant, along with any additional conditions that are appropriate. In this case there were a number of conditions that required details to be discharged prior to works commencing, and as that has been done then those conditions are to be reworded to reflect that progress. Others that related to implementation of development would simply be reimposed. As the work has commenced on the development the time condition is omitted and so the condition numbers do not reflect their equivalent on the original permission.

## **Conclusions**

The application is submitted under s73 and proposes the variation of a planning condition imposed on planning permission 19/0170 which relates to the establishment of a Phase 2 to the Donkey Creek Caravan Site in Freckleton. This site is located in the countryside outside of Freckleton and to the south of the Warton runway. The phase 2 site is currently under development and will provide an additional 39 holiday touring caravan pitches (and other development) to the site. The planning permission condition restricts the use of the pitches so that they are only occupied for 14 days by any single visitor. The application proposes that this be varied to allow seasonal use of those pitches, with the use of a number of them available for the storage of caravans throughout the year.

Given the type of the application its assessment is limited to whether the reason for the imposition of that condition remains sound when considered against the local and national policy basis for its introduction, and any other material planning considerations. In this case the condition was imposed with the intention of bringing a reduction in the visual harm caused by the caravans by creating the potential for there to be periods between visitors when the pitches would be vacant and so the overall harm caused by the number of caravans on the site would be reduced. That remains a valid concern and the condition remains a valid approach to mitigate that concern.

However, having re-visited the site and the key vantage points it is accepted that there is possibility that the concerns of officers, that were accepted by Members when the planning permission was granted, were overstated. The area of this part of the site is relatively discreet from the highway on Naze Lane East, and the scheme includes a landscaping scheme to provide additional planting around the edges of the site and in an intervening 25m wide buffer that separates the pitches from the users of the public right of way that is adjacent to the site. Whilst this landscaping has yet to be implemented as the site is under development, it is accepted that it will serve to soften the visual impact of the caravans to a degree.

The application includes a supporting statement that sets out some economic arguments in favour of the proposal, but these are not particularly compelling as they can only provide general economic information about the spending from the caravan sector, although they do refer to the extensive enquiries about seasonal pitches at the site indicating that the application would be of value to the business.

Given the recent nature of the decision to impose the condition (July 2019), the fact that the development it relates to is not operational, and that there have been no changes to the site or its surrounding since then, it would normally be the case that a consistent approach to the assessment of the application would be made. That would lead to a refusal of this application.

However, it is considered that the level of harm established by the siting of the same caravan on a pitch for more than 14 days may have been overstated in the assessment of that application. Accordingly, it is accepted that the variation the condition to permit seasonal use of the phase 2 site,

and the storage use during the closure period in some pitches can be permitted without creating undue harm to the rural area. The application also provides the opportunity to introduce a control to ensure that the more sensitive parts of the site are kept free from caravans during the winter months, which provides a balance to the decision and ensures a lack of conflict with Policy GD4, ENV1 and GD7 and so the application to vary the condition proposed here can be supported.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

1. This permission relates to the following plans:

- Location Plan - Drawing no. 2064-002 REV. A
- Proposed Site Layout Plan - Drawing no. 2064-020 REV. F
- Proposed Drainage Layout Plan - Drawing no. 2064-021 REV. F
- Proposed Drainage Details - Drawing no. 2064-030 REV. A
- Proposed permeable hardstanding Plans - Drawing no. 2064-30 REV. A
- Proposed Glamping pod and shower pod floor and Elevation plans - Drawing no. 2064-023 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. The finished materials of construction of the glamping pods and the facilities building shall be as shown on drawing no.s 2064-023 REV. A listed in condition no. 1 of this permission; thereafter those agreed materials shall be retained unless any modifications or substitutions of the agreed materials is agreed with the Local Planning Authority in writing prior to any substitution.

Reason: In the interests of visual amenity in a countryside area, in accordance with Policies GD4 and GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

3. The caravan site hereby approved shall be laid out only in as shown on drawing no. 2064-20 Revision F as listed in condition no. 1 of this planning permission.

Reason: To define the permission and layout of the site in the interests of clarity and the character and visual amenity of the area. In accordance with Policies GD4, GD7, ENV1 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

4. The proposed toilet block building hereby approved shall be used only for uses incidental to the use as a caravan site and not for any other purpose.

Reason: To avoid any operation in a countryside area which would not normally be permitted. In accordance with Policies GD4, GD7, ENV1 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

5. The warden's accommodation shall be sited as indicated on drawing no. 2064-20 REV. F, shall comprise of a single static caravan, and shall only be occupied by persons employed in the on-site management of the touring caravan park and their dependant', and shall not at any time be occupied by any other persons.

Reasons: In the interests of visual amenity in this countryside location, in accordance with Policies GD4, GD7, contained in the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

6. That the site area hereby approved shall be used to provide pitches for touring holiday caravan use only, with no vehicle, motorhome, caravan, or other form of accommodation (other than the Warden's caravan) occupied as a persons permanent, sole or main place of residence.

Reason: To ensure that the site operates as a touring caravan site only in accordance with Policies GD7 and ENV1 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

7. The pitches hereby approved shall only be available for use as follows:

- All pitches covered by this planning permission (pitches 38-75 inclusive on drawing 2064-020 Rev F) shall be available for seasonal holiday use by any vehicle, motorhome, caravan or other form of accommodation during the period of 1 March to 7 January the following year
- Pitches numbered 54-75 inclusive shall also be available for seasonal holiday use by any vehicle, motorhome, caravan or other form of accommodation and for the storage of such accommodation during the period of 8 January to 28/29 February in any year
- Pitches numbered 38-53 inclusive shall be vacant and so not be occupied by any vehicle, motorhome, caravan or other form of accommodation during the period of 8 January to 28/29 February in any year

Reasons: To limit the area where touring caravans can be sited during winter months where the natural vegetation screening them from public vantage points is likely to be reduced, and so to reduce the impact of the use on the rural character of the surrounding area in accordance with Policies GD7 and ENV1 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

8. Soft and hard landscaping of the site shall be carried out and preserved in accordance with the details identified in Harrison Pitt Architects drawing no. 2064-020 Revision F. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting as set out in the decision to condition discharge application 20/0270 but shall be undertaken no later than the next available planting season following the completion of the development of the site.

Reasons: To enhance the quality of the development in the interests of the amenities of the locality, in accordance with Policies GD7, ENV1 and ENV2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

9. The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current sylvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary.

Reasons: To ensure a satisfactory standard of development and in the interest of visual amenity in the locality in accordance with Policies GD7, ENV1 and ENV2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

10. The approved drainage scheme as shown on condition discharge decision 20/0270 shall be implemented in accordance with the approved details prior to first use of the site for holiday purposes. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reasons: To ensure that the final drainage designs are appropriate following detailed design investigation, to ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off the site resulting from the proposed development. In accordance with Policies GD7, CL1 and CL2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

11. The approved foul drainage scheme for the site as set out in the decision to condition discharge application 20/0270 shall be implemented during the development of the site and made operational prior to its first use as a holiday site.

Reason: To ensure that the final drainage designs are appropriate and will prevent no flood risk or potential for contamination in accordance with policies GD7, CL1 and CL2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

12. No removal of or works to any trees, shrubs or hedges shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a suitably qualified ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

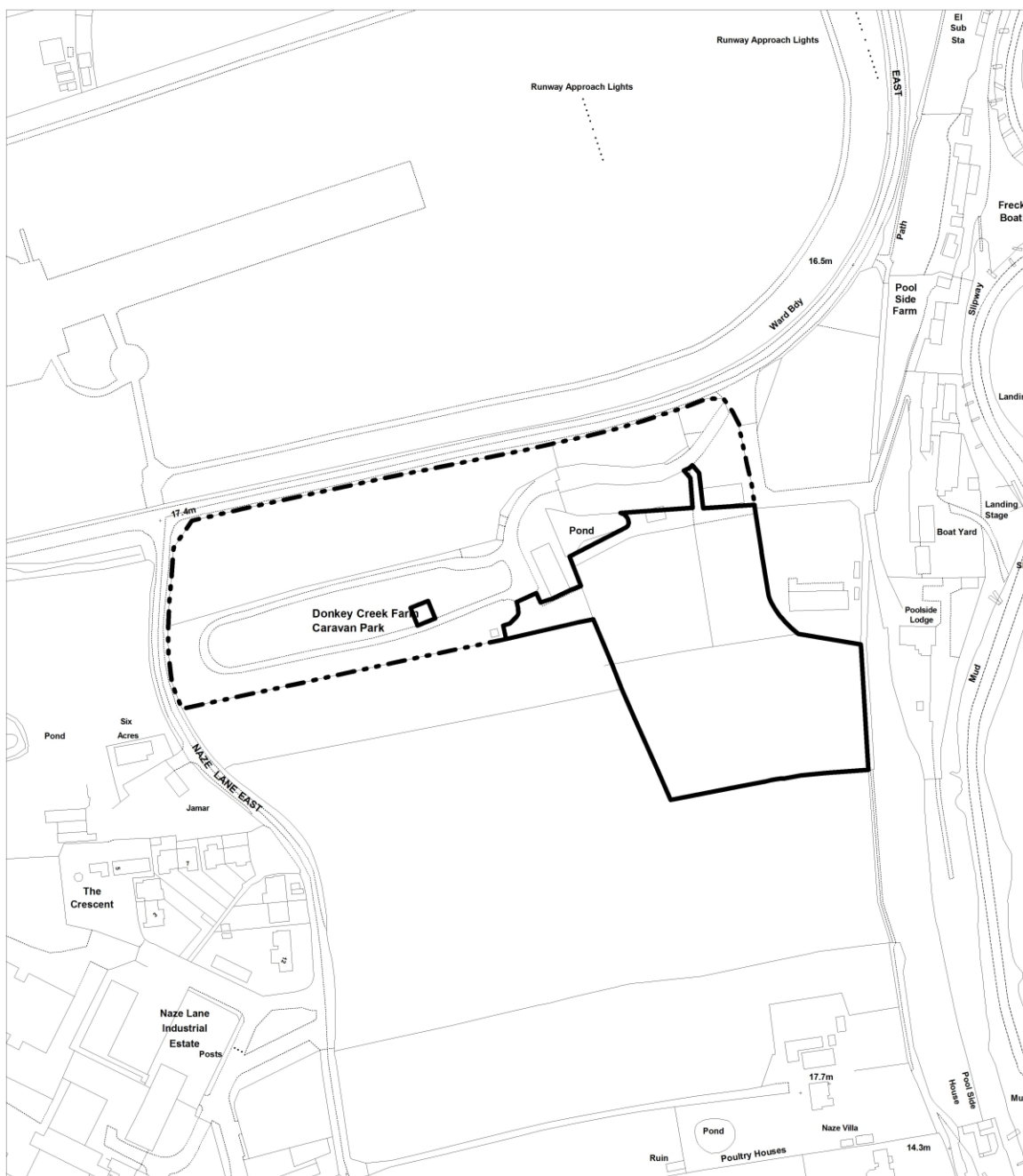
Reason: In compliance with the Wildlife and Countryside Act 1981 (as amended) and Policy ENV2 of the Fylde Borough Plan to 2032 and the National Planning Policy Framework.


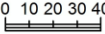
13. The applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill Great Crested Newts. If a Great Crested Newt is found during the development all work should cease immediately and a suitably licensed amphibian ecologist employed to assess how best to safeguard the newt(s). Natural England should also be informed.

Reasons: To ensure the protection of Great Crested Newts and other amphibians under the EC Habitats Directive and Schedule 2 of the Conservation (natural habitats) Regulations 201 and Schedule 5 of the Wildlife and Countryside Act 1981 and in accordance with Policy ENV2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

14. The 'visitors pack' as approved under condition discharge application 20/0270 shall be distributed to all visitors to the site on arrival, and made available at all times. This pack is designed to highlight the location and extent of the Ribble Estuary to the site, the statutory protections that this area benefits from, the implications for these to users of the site due to the sensitivity of the Estuary and its wildlife to recreational disturbance, and the availability of alternative recreational opportunities in the vicinity.

Reason: In the interests of the protection of the special designated sites in accordance with Policies ENV1 and ENV2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.



|   |  |  |   |
|---|--|--|---|
|  |  | (c) Crown Copyright and database right (2019).<br>Ordnance Survey (100006084). |   |
| Application No.<br>5/19/0170  | Address<br>Donkey Creek Farm Caravan Park,<br>Naze Lane East, Freckleton | Grid Ref.<br>E.3432 : N.4281   | Scale<br>0 10 20 30 40 m<br> |

Item Number: 4

Committee Date: 03 November 2021

|  |   |   |                          |
|--|---|---|--------------------------|
| <b>Application Reference:</b>                                  | 21/0685   | <b>Type of Application:</b>                               | Full Planning Permission |
| <b>Applicant:</b>  | Corbenyah Properties Limited  | <b>Agent :</b>  | WBD                      |
| <b>Location:</b>   | FORMER JR TAYLOR PREMISES, 4-12 GARDEN STREET, LYTHAM ST ANNES, FY8 2AA   |   |                          |
| <b>Proposal:</b>   | CHANGE OF USE OF BUILDING FROM RETAIL (USE CLASS E(A)) AND OFFICES (USE CLASS E(G)(I)) TO A MIXED USE COMPRISING A SPA (USE CLASS SUI GENERIS) AT BASEMENT LEVEL; A RESTAURANT AND BAR (USE CLASSES E(B) AND SUI GENERIS) AT GROUND FLOOR; MEDICAL TREATMENT AND MASSAGE ROOMS (USE CLASSES E(E) AND SUI GENERIS) AT FIRST FLOOR; A FOUR SUITE HOTEL (USE CLASS C1) AT SECOND FLOOR; AND ROOF TOP BAR (USE CLASS SUI GENERIS) AT THIRD FLOOR, INCLUDING THE FOLLOWING EXTERNAL ALTERATIONS: 1) INSTALLATION OF GLAZED ENCLOSURE AND THIRD FLOOR EXTENSION TO CORNER TURRET; 2) REPLACEMENT OF EXISTING HIPPED ROOF WITH GLAZED FLAT ROOF AND CURVED CANOPY TO ROOF TOP BAR; 3) ALTERATIONS TO EXISTING GROUND FLOOR EXTENSION, SHOP FRONT AND CANOPY TO CREATE NEW ENTRANCES; 4) FORMATION OF FIRST AND SECOND FLOOR BALCONIES TO SIDE ELEVATION; 5) REPLACEMENT OF FIRST FLOOR TIMBER WINDOWS ON FRONT, SIDE AND REAR ELEVATIONS WITH UPVC WINDOWS; 6) BLOCKING UP OF EXISTING WINDOWS AND PARTIAL OVERCLADDING OF EXTERNAL WALL TO REAR ELEVATION; 7) CONSTRUCTION OF ROOF-LEVEL ACOUSTIC PLANT ENCLOSURE; AND 8) CREATION OF BIN STORE TO REAR |   |                          |
| <b>Ward:</b>   | ASHTON  | <b>Parish:</b>  |                          |
| <b>Weeks on Hand:</b>  | 13  | <b>Case Officer:</b>                                      | Rob Buffham              |
| <b>Reason for Delay:</b>                                       | Not applicable  |   |                          |
| <a href="#">Click Here</a> for application site on Google Maps |   | <a href="#">Click here</a> for application on FBC website |                          |

**Summary of Recommended Decision:** Grant

**Summary of Officer Recommendation**

The proposal relates to the former JR Taylor building which has lain vacant since January 2015. It is a prominent 3 storey building located within St Annes Town Centre at the junction of St Annes Road West and Garden Street. The building is showing signs of falling into a state of disrepair over the period of vacancy and as a consequence its condition and vacancy detracts from the vitality of the Centre.

This application seeks consent for a refurbishment, extension and re-purposing of the whole building. The scheme includes a roof-top extension as well as external alterations to facilitate a total refurbishment of the building for use as a spa, a bar and restaurant, and 4 bedroom aparthotel.

The application site is located within St Annes Town Centre and designated within the St Annes Town Centre Conservation Area, as defined by the adopted Fylde Local Plan to 2032.

The land uses proposed are all defined as 'town centre uses' by the NPPF and are therefore acceptable in principle as they accord with the Fylde Local Plan to 2032, the St Annes on the Sea Neighbourhood Development Plan, and the National Planning Policy Framework.

The roof top extension and external alterations are modern in appearance, but are designed to be sympathetic to the historic architectural characteristics of the building. This allows the changes to be made to the building without it detracting from the street scene, and are considered to conserve the Conservation Area and the setting of an adjacent listed building, especially when considering the existing appearance of the building.

The development provides for an acceptable relationship to the commercial and residential neighbours, subject to the imposition of planning conditions, and would have no adverse impact on highway safety.

The scheme is a multi-million pound redevelopment investment to St Annes Town Centre that will have significant regeneration benefits, encouraging the occupation of a focal building that has stood vacant for a number of years, and so increase the occupancy and footfall in the town centre. Investment in the building is a sign that market confidence is returning and it is hoped that the redevelopment will have a positive impact for the wider town centre, acting as a catalyst for other regeneration projects.

The proposal therefore represents sustainable development, and the officer recommendation is that Members grant planning permission.

### **Reason for Reporting to Committee**

The Head of Planning and Housing considers that the application is of significant borough-wide interest and importance and so has elected to present the application to the Planning Committee for determination.

### **Site Description and Location**

This proposal relates to a former retail unit, locally known as JR Taylors, that has lain vacant since January 2015. The building is centrally located within St Annes Town Centre, maintaining a prominent corner plot that has a dual aspect overlooking St Annes Square (St Annes Road West) and a side street from the Square (Garden Street).

The building itself is 3 storeys in height with a basement, level having projecting bay windows to the upper floors, constructed of red brick with contrasting stone surrounds to the windows and doors and ornate brick/ stone eaves level detail. The building has been altered through the addition of an extensive ground floor open sided canopy that wraps around the front and side elevation, having a black fascia, with black steel supports and railed perimeter. Extraction units are visible above this canopy to the front elevation of the building, and there are numerous other items located on the rear elevation visible from Garden Street.

The premises is within the St Annes Town Centre Conservation Area and the St Anne's Porritt Houses/ Ashton Gardens Conservation Area lies immediately to the north. The property is within an area of Primary Shopping Frontage in the adopted Fylde Local Plan to 2032, and the St Annes on the Sea Neighbourhood Development Plan - this includes the frontage to St Annes Road West as well as that to Garden Street.



### **Details of Proposal**

Planning consent is sought for extension and external alteration of the building to facilitate change of use to a mixed use that includes Spa (basement), bar and restaurant (ground), Spa treatment/ medical rooms (first), 4 bedroom aparthotel (second) and rooftop bar. The external changes are summarised as follows:

- Replacement roof with glazed flat/ curved roof canopy to form roof top bar.
- Externally glazed clad corner turret feature.
- Alteration to ground floor canopy to enhance building entrances.
- First and second floor balconies on garden Street.
- Replacement of timber windows with mock upvc sash windows.
- Partial cladding of the rear elevation.
- Roof level acoustic plant enclosure.

### **Relevant Planning History**

| <b>Application No.</b> | <b>Development</b>   | <b>Decision</b> | <b>Date</b> |
|------------------------|--|-----------------|-------------|
| 06/0227                | CHANGE OF USE TO CHARITY SHOP.   | Invalid         | 11/04/2006  |
| 02/0911                | NEW SHOP FRONT/ ENCLOSED VERANDAH.   | Granted         | 05/12/2002  |
| 00/0143                | PROPOSED LIFT, TO ENABLE EXISTING LIFT TO TAKE PASSENGERS TO EXISTING THIRD FLOOR.   | Granted         | 19/04/2000  |
| 87/0421                | REPOSITIONING OF 2 ENTRANCE DOORS.   | Granted         | 12/08/1987  |
| 81/0510                | THIRD FLOOR STORE ROOM   | Granted         | 22/07/1981  |
| 77/0022                | EXTENSION OF THIRD FLOOR FOR RETAIL SALES  | Granted         | 20/04/1977  |
| 75/0692                | NEW SHOP FRONT AND ALTERATIONS TO FORECOURT  | Granted         | 17/09/1975  |
| 75/0371                | NEW SHOP FRONT AND ALTERATIONS TO PRIVATE FORECOURT  | Refused         | 23/07/1975  |
| 74/0185                | NEW SHOP FRONT & ALTERATIONS TO PRIVATE FORECOURT TO COMPLY WITH CONDITIONS AND PREVIOUSLY APPROVED APPLICATION NO 3/2/9078. | Granted         | 11/06/1974  |

### **Relevant Planning Appeals History**

None

### **Parish/Town Council Observations**

**St Annes on the Sea Town Council** notified on 03 August 2021 and comment:

*"We would like to Support this application in the Town Centre Conservation Area. Bringing an empty double fronted property in the Prime shopping area, back into use will boost the Local Economy and create employment in St. Annes. The contemporary design is sympathetic with the architecture of this and surrounding buildings, with its use of facing materials and architectural Victorian and Edwardian styles.*

*As ward councillors we wholeheartedly support the proposals.*

*It's an exciting opportunity for the town and should be just what we need to kickstart the*

*regeneration of St Annes. If this goes through, hopefully we will be able to attract other developers with similarly attractive proposals to make St Annes a destination of choice."*

## **Statutory Consultees and Observations of Other Interested Parties**

### **Regeneration Team**

The council's Regeneration Manager has been heavily involved in the design of the scheme and has provide an extensive critique of the main issue s that the design raises. To help Members with this key aspect of the assessment of the application these comments are included in full as follows:

*The proposed development has been the subject of considerable dialogue between the applicant's agent, notably WBD, and the applicant/developer himself. This has proved to be of exceptional value and suggestions, discussion and the development of design options have been an integral part of the resulting proposals. This is a very sensitive location on a pivotal site within St Anne's Square at its junction with Garden Street. The visual envelope that fixes from where the development will be potentially viewed from, was examined at a very early stage, such that the additions to the building could be properly assessed. This principle of this type of assessment is contained within the adopted St. Anne's Urban Design Guide.*

*In addition to Local and National Policy, the two documents that are taken into account in the consideration of the development are the adopted 'St. Anne's Urban Design Guide' referenced above, and the 'Good place Guide' that forms part of the Councils adopted Heritage Strategy'. This response implicitly assesses the proposed development in the context of these documents.*

### **Location**

*The site and building is well known and is of a classical 'baroque revival' style extending to three storeys, pivoted at the junction of The Square and Garden Street. It is very prominent. In addition to this part of the building, the adjoining Victorian frontage with bay window and gable faced in a buff brick is an integral part of the site. The building has an open canopy, with the principal section facing Garden Street (with a shorter section fronting The Square.) Over the years, the building has been the subject of alterations and additions both internal and external, including the frontage canopy, the loss of the corner turret cupola (dome), shop façade alterations and largely uncoordinated alterations to the rear elevation, which are nonetheless visible from Garden Street. To facilitate its former use as a department store, the original compartmentalisation of the interior has resulted in floorspace amalgamation and structural alterations, which now have an impact on how the building can now be reconfigured.*

*The proposed alterations and additions to the building are complex so for the purposes of the report, the impact of the development will be summarised with conclusions drawn at each stage along with an overall conclusion at the end of the report.*

### **Regeneration Benefits**

*The DM report will no doubt explain that the site has been vacant for several years. The potential for redevelopment was thwarted by an ongoing legal issue between various parties. The site has more recently been purchased by the applicant. This is an imaginative scheme and proposes the reconfiguration of the building to a new repurposed use. With the widely acknowledged decline in high street retail, this*

*repurposing will add an attractive new use that will provide additional variety and activity. The proposed use in this location accords with national planning policy and guidance and meets the objectives of the Good Place Guide : Principal 2, that encourages mixed uses, vitality and an ambience appropriate to the town centre and designated conservation area. The character of this part of the St. Anne's on Sea Conservation Area should be one of promoting a vibrancy within buildings and adjoining public spaces and this development will achieve these objectives. From a Regeneration and investment perspective, the scheme is strongly supported.*

#### Conservation and Heritage Matters

*As outlined, the site lies within the St. Anne's on Sea Conservation Area, designated in 1999. This is in view of the fact that St. Anne's is a uniquely planned Victorian resort with a dramatic and impressive grid iron street pattern and resulting perimeter blocks. The site is also visible from and set in the context of the Ashton Gardens/Porrirt Houses Conservation Area, which was declared at an earlier date.*

*Impressive groups of buildings developed to an 'adaptive' (buildings of varying styles) arrangement presents an attractive mix of development that are unified as a result of (and including) the building line configuration, height, scale, roofscape, narrow plot frontages, vertical proportion of façade design elements including shop frontages and upper floor openings. Taken together, the wide streets provide important views and vistas, building groupings all of which have been enhanced by landscaping, art installations and paved enclaves as a result of the regeneration programme. However, the present site is somewhat of a visual blight since its location is significant as it is such a large prominent building.*

*Whilst the former JR Taylor building has previously been altered, its essential style, which evokes the era in which it - and the town was created - remains. It is important that this overall character is retained and enhanced.*

*The Good Place Guide : Principal 2 seeks to protect and enhance important buildings through a series of specified criteria. The scheme that has emerged has been developed with this objective in mind.*

*The other issue that has been carefully considered is the impact of the development on the adjoining HSBC Grade II listed building, of a classical design with a decorated stone façade, large pedimented gable and clock tower.*

#### Design Philosophy of the Proposals

*As a general principle, the building owner/developer wishes to produce what may be regarded or seen as a contemporary statement within the town centre location, reflecting the new use. The redevelopment, in respect of its essential viability, requires the appropriate level of floorspace to incorporate the type – and mix - of uses that the concept proposes.*

*The experience of using buildings does, undoubtedly, have a lasting impression on the perception of the quality of a place as a whole, in addition to the overall character of its streets and spaces. However, a careful balance is needed to ensure that the internal uses and contemporary qualities relating to the building as a whole are well related and balanced with the historic importance and architectural qualities of the building and its setting.*

*Taking these matters into account the following comments can be made on the proposals themselves.*

#### *Additional Loft Storey*

*The description of the development in the case officer's report includes a description of the proposed uses. Integral to the development, is the addition of an additional storey to provide a roof top bar and restaurant facility. It has been important to accommodate the floorspace requirements of creating a viable use and at the same time assimilate the development, not only to the building façade, but also to the wider townscape and the adjoining listed building. Following the exploration of design options, the proposed design solution has resolved these issues.*

*The glazed façade of the new top storey is to be recessed behind the upper decorative parapet of the existing building that is considered important to the historic style and overall character of the building. This is a creative solution. The amended 'setting in' of the extension from the 'Square' outer frontage wall has minimised the effect of its massing on the adjoining listed building.*

*Overall, the additional storey will sit into the outer definition of the building as expressed by its solid masonry walling and will appear as a lightweight glazed addition. When viewed from further afield, the top storey will naturally appear to have a greater bulk but nonetheless, will appear ancillary to the principal facades of the building. As the new storey will, proportionately, be far less tall than the existing storey heights, this will emphasise its more ancillary nature and in turn pronounce the importance of the lower floors and emphasise the principal visual component of the building. Computer generated images will be made available to demonstrate this effect.*

*The roofscape of the grouping of the buildings within the block of properties that the application site relates, is varied and so the flat horizontal roofline of this additional storey will sit in satisfactorily with its neighbours. The tinted glazed frontage, internally illuminated and containing an active use within, would make a significant enhancement to the building. Whilst unmistakably contemporary, the roof addition will replace the rather present awkwardly shaped roof over the existing building and as a result, enhance the building and its setting, without any detrimental effect on adjoining buildings, the broader townscape nor the adjoining listed building.*

#### *Corner Turret*

*The present building of Edwardian vintage contains a corner turret that links the two frontages of Garden Street and The Square. This is a typical feature of buildings of this era. Original (and again in common with many buildings around the town) these turrets had lead domed cupolas over the masonry sections (There are also a variety of other roof features). This building had a domed feature which, unfortunately, was removed many decades ago. The domed turrets of St. Anne's are echoed in the pavilions in St. Anne's Square.*

*The applicant has sought from an early stage of the discussion to clad the corner turret in glass to create a temporary design intervention. Reservations were expressed in this regard, partly questioning the need for it but importantly the means of supporting the weight of the glass. A heavy framed solution would have been inappropriate. As a result of considerable research, the design proposes a glazed solution that will be supported by*

*glazed 'fins' which should appear lightweight and not unduly detract from the masonry construction of the turret itself. The glazing will incorporate subtle signage, such that it will appear as having a design purpose. The 'cupola' to the top of the turret has been considered at length with a solution proffered to the developer and his architect which now relates well to the turret and importantly to the new glazed top floor. This area will offer usable floor area as an extension to the roof top restaurant/bar area. It will have feature stone pillars supporting a shallow pyramidal roof. The whole area will be illuminated and should provide an attractive enhanced corner feature. In view of the additional glazed storey, the turret top, as proposed, is considered to be preferable to a simple lead domed replacement.*

*Whilst the corner is glazed it should echo to some degree, and sit in with, the proposed top storey lightweight roof addition.*

#### *Garden Street Entrance*

*One of the problems associated with the former department store was the understated entrance under the later added solid roofed canopy. The suggestion made to break the canopy line and create a new visible entrance to the building has been taken and a new glazed projecting canopy with added signage along its length will create a focal point of access to the building. It will also have the added advantage of 'splitting' the rather austere length of the full solid roofed canopy along the Garden Street frontage. This will also have a tiled ground floor façade around the entrance. A stone-coloured tiled surround would have been preferred to match the material of the main façade of the building, but, as the overall area is confined to the ground floor, this is considered to be acceptable. As part of a new entrance, it will positively enhancing the contribution of the building to the street scene and character of the conservation area. The incorporated signage will also emphasis the entrance in a satisfactory way.*

#### *External Balconies to the Garden Street frontage*

*To the Garden Street frontage at the first and second floors, the internal areas will be used as accommodation and to this end, the developer wishes to include balconies to provide for external access. Concern was expressed that the balconies would detract and visually weaken the dominance of the vertical canted (angled) bay windows which counterbalance the long horizontal length of the Garden Street frontage. The design solution is one of setting in the balconies from the front façade of the outer bay such that these bays remain the formal visual element. The balcony floors will be relatively lightweight in the case of the upper level and the first-floor balconies will utilise the surface of the recessed section of the flat canopy. The balcony parapets will be glazed. Overall, therefore, glazed balconies will echo the horizontal emphasis of the new top storey (also being highly glazed) and the corner turret, without compromising the solidity and dominance of the principal façade of the original building.*

#### *Materials*

*These have been discussed in general with respect to the use of glazing. The brick and stone of the original building will remain as the main structural material for the building. The balconies, turret and top storey as proposed, being 'lightweight' additions, will act as secondary, but complimentary elements. The ground floor tiled material is discussed above. In respect of the existing upstand capping surround, set behind the ground floor canopy, it was suggested that it be faced with either a stone or brick coloured tile, but the proposals suggest a grey 'neutral' facing material. This is not the preference, but since it retains what is in effect there at present, it would be difficult to prescribe the*

*alternative finish.*

*Overall, the material finishes are considered acceptable.*

#### *Rear Service Street*

*This is the 'third' elevation facing the rear street although it is nonetheless visible. It was requested that this elevation be improved, and this is now proposed, primarily tidying up extraneous installations, blocking up windows and re-facing a section of building façade.*

#### *Window Replacement*

*The existing building presently contains a variety of windows to the principal elevations. Some are original or replacement sliding sash, some casements and a bay window. In the case of other new developments in the conservation area – the Aldi scheme being a more recent example – sliding sash windows have been specified, primarily since they reflect the traditional format of fenestration and better relate to the vertical proportion of the window openings. They are also more elegant. In the case of this building, the Edwardian baroque character is still the most important element. There is a variety of brick and stone bay windows and it is proposed to introduce doorways to access the external balconies. It is noted that some window replacements are proposed to be top hung casements which seek to resemble the traditional sash. They don't achieve this, most obviously when in an open position. The window details have been the subject of much discussion and given the details now submitted, this requires further consideration. It is suggested that the window detailing be reserved by condition so that this matter can be considered further. A narrow-framed sash design and casements, in the case of the bay windows, along with door framing is an essential element for consideration as these details will have a considerable bearing on the overall aesthetic effect of the development.*

#### *Building illumination and Advertisements*

*These matters have, again, been discussed and are incorporated into the design elements rather than considered as an afterthought. It would be sensible, however, to seek to require precise detailing of the fixtures and fittings of the adverts to ensure that they relate to the backdrop to which they will relate, notably the ducting and fixing associated with their installation. The building frontage is to be illuminated, which is supported and meets with the objective of town centre design guidance.*

#### *Overall Conclusion*

*As outlined, the design proposals for this development site have been under discussion for some time with options considered at various stages. This is a very prominent site. Its demise has been seen as a barometer of the economic health of the town centre and whilst not entirely true, the reasoning behind this perception is understandable. That being the case, its redevelopment should have a catalytic effect on positive regeneration and may well in turn attract further complimentary investment.*

*The alterations are somewhat 'cutting edge' but restrained enough so as not to detract unacceptably on the historic character of the original building – in many ways enhancing it.*

*The investment is welcomed. The iterative process between the parties has been invaluable as the design proposals have been developed.*

*The scheme fits well with the principles of conservation policy as highlighted and the considerable investment to this key site is to be welcomed.*

**Lancashire County Council - Highway Authority**

No objection subject to a condition requiring construction traffic management plan.

The proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

The site is located on a corner plot of Garden Street and St Annes Road West. There are various waiting restrictions in the town centre and within close vicinity there are bus stops and the railway station. There are also car parks in the vicinity which are open 24 hours.

St Georges Street is a narrow adopted street which serves the rear of the shops fronting St Annes Road West and St Georges Road. It is expected that the refuse collections and large delivery wagons which do not fit in the loading bay on Garden Street will use the St Georges Street. This is acceptable.

The site offers no off street car parking for the staff or guests/ patrons of the proposed development. As the site is within a sustainable location with the bus stops and railway station within close vicinity and the multi-story car park on St Georges Street and long stay parking on North Promenade along with short stay parking on the surrounding streets, no off street parking is required.

For the construction of the proposed development it is requested that a Traffic Management Plan is submitted to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.

**Environmental Protection (Pollution)**

No objection subject to condition requiring detail of external plant/ equipment and odour extraction, closure of all windows/doors/retractable roof when music above background levels is played within the 3rd floor roof bar, and live music to cease at 23:00.

**Lancashire CC Flood Risk Management Team**

No comment to make.

**Lytham St Annes Civic Society**

No comments received at the time of writing.

**Neighbour Observations**

|                                |                |
|--------------------------------|----------------|
| <b>Neighbours notified:</b>    | 03 August 2021 |
| <b>Amended plans notified:</b> | n/a            |
| <b>Site Notice Date:</b>       | 18 August 2021 |
| <b>Press Notice Date:</b>      | 19 August 2021 |
| <b>Number of Responses</b>     | n/a            |
| <b>Summary of Comments</b>     | n/a            |

## **Relevant Planning Policy**

### **Fylde Local Plan to 2032:**

|      |  |
|------|--|
| S1   | The Proposed Settlement Hierarchy        |
| DLF1 | Development Locations for Fylde          |
| GD1  | Settlement Boundaries                    |
| GD7  | Achieving Good Design in Development     |
| EC2  | Employment Opportunities                 |
| EC5  | Vibrant Town, District and Local Centres |
| EC6  | Leisure, Culture and Tourism Development |
| HW1  | Health and Wellbeing                     |
| T5   | Parking Standards                        |
| ENV5 | Historic Environment                     |

### **Saint Anne's on the Sea Neighbourhood Development Plan 2016-2031 (SANDP)**

GP1 – Settlement boundary  
DH1 – Creating a distinctive St Annes  
E1 – The Town Centre and Town Centre Development  
E2 – Primary Shopping Frontages.  
E6 – Leisure, Culture, and Tourism.

### **Other Relevant Policy:**

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

### **Site Constraints**

Conservation area site

## **Environmental Impact Assessment**

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

## **Comment and Analysis**

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

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

- The principle of development,
- Design, bearing in mind the site's location within St Annes Town Centre Conservation Area,



- Amenity, and,
- Highways.

Taking each matter in turn.

### **Principle of Development**

The application site is located within St Annes Town Centre and the ground floor of the premises is designated as a Primary Shopping Frontage.

FLP Policy S1 identifies St Annes as 1 of 3 Key Service Centres within the Fylde, stating that the role of these Centre will be maintained, existing services and facilities will be enhanced, a range of housing and employment opportunities will be promoted and delivered, as well as retail and other community services, to serve the wider catchment. Policy DLF1 encourages the majority of future growth toward 4 sustainable Strategic Locations for Development, which includes St Annes, and states that development within such locations is key to delivery of the Development Strategy advocated in the FLP.

GP1 of the SANDP encourages development to within the settlement boundary of St Anne's.

Locationally, the development therefore accords with the FLP development strategy and SANDP.

FLP Policy EC5 seeks to ensure vitality and vibrancy within the designated Town Centres, encouraging and retaining appropriate town centre land uses including restaurants, drinking establishments, hotels and leisure uses. FLP Policy EC6 e) encourages these uses also. FLP Policy EC5 provides guidance on designated Primary Shopping Frontages offering support for retail, finance/ professional services and restaurant/ cafes, since these uses retain ground floor active frontages throughout the day and/ or night times. Alternative town centre uses, such as drinking establishments, will be supported provided that development proposals incorporate provision of shop fronts with windows and displays, and are open throughout the day where possible.

In addition, the SANDP has its own retail policies. Similar to the FLP, SANDP Policy E1 and E6 encourage a diversity of main town centre uses to support vitality and vibrance of the centre. The policy encourages restaurants/ cafes/ drinking establishments to within the Wood Street Café Quarter area, though as worded, does not discount such from the wider Town Centre. SANDP Policy E2 states that primary shopping frontages will be maintained predominantly for retail uses, and that loss of ground floor A1 will be considered against 4 criteria:

- a) effect on, or contribution to, the character, diversity, vitality and viability of the centre, and
- b) prevent the introduction of excessive concentrations of other uses. Proposals must retain at least 75% of the frontage in an unbroken run of primary frontage in A1 retail use, and
- c) the viability of retaining that use, unless the proposed use is a use falling within Class A, and
- d) the need for the frontages of the premises themselves to be treated in a fashion appropriate to a shopping area.

Whilst the proposal will result in loss of retail floor space from the Town Centre, the proposal provides for alternative town centre uses that are accepted by both national and FLP retail policies. A mixed bar/ restaurant use is proposed at ground floor level which retains the existing shop front arrangement and will be open for use throughout the day thereby encouraging an active frontage to accord with Policy EC5.

The SANDP Policy E1 requirements to safeguard the retail function of Primary Shopping Frontages is acknowledged, and it should be noted that the proposal will result in 4/17 (76%) non retail ground floor units within the frontage. In the circumstances of this proposal it is considered that there are also mitigating circumstances in support of the proposal irrespective of the retail policies of the SANDP. Indeed this is acknowledged by St Annes Town Council whom offer support for the proposal on grounds that it will benefit the local economy, job creation and regeneration.

The premises is a landmark building within St Annes Town Centre, that has stood vacant for a prolonged period of time. The building has deteriorated and painted up windows combine to impinge on the building and its contribution toward town centre vibrance. Approval will therefore have significant regeneration benefit for both the building itself, but more importantly vitality and vibrance of St Annes Town Centre.

The applicant has confirmed that approximately 70 staff will be directly employed as a consequence of the land uses proposed. There will also be increased employment associated to the servicing and supply chains of the development. In addition there will also be additional employment associated to the construction process. The development will provide for increased employment opportunities that are easily accessible to local residents and therefore contributes toward the job creation objectives of Policy EC2.

Given the above, the site is a suitable location for the proposed mix of uses and the principle of development is supported, in accordance with the provisions of FLP policy EC5, EC6, SANDP Policy E1 and E6.

### **Design and Heritage Impacts**

FLP policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 15 guiding principles (a - o). Those of relevance to the proposal are identified below:

- f) Conserving and enhancing the historic environment.
- h) Being sympathetic to surrounding land uses and occupiers and avoiding demonstrable harm to the visual amenities of the local area.
- i) Taking the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies.

FLP Policy ENV5 requires that development within conservation areas should conserve or enhance those elements that make a positive contribution to the special character, appearance and setting of the Area. Criteria is provided to meet these objectives, those relevant to the current proposal are:

- a. Be appropriate to their context including setting, scale, density and physical characteristics;
- b. Preserve or enhance features making a positive contribution. In particular, design, massing and height of any building should closely relate to adjacent buildings and should not have an unacceptable impact on townscape and landscape;
- c. Not have an unacceptable impact on historic street patterns or roofscape;
- e. Retain individual features of interest, e.g. doorways, cobbles, trees, hedges, railings and garden walls;

f. Reinforce distinctiveness of the area, reflecting the local pallet of materials and local building styles.

Policy ENV5 also states that the setting of Listed Buildings will be conserved, and where appropriate, enhanced. Development that results in harm to the setting of a listed building should be refused.

SANDP Policy DH1 reiterates provisions of ENV5 stating that design must be of high quality, sympathetic to the character of the Town, and must preserve or enhance the character or appearance of conservation areas, listed buildings and their setting(s).

NPPF paragraph 195 requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal. Paragraph 199 requires great weight to be given to the asset's conservation. Paragraph 206 encourages development to enhance or better reveal the significance of Conservation Areas and supports development that meets this aim. Paragraph 201 states that local planning authorities should refuse development that results in substantial harm to designated heritage assets.

The application site is in a highly prominent location on St Annes Town Square to the junction of St Annes Road West and Garden Street. The building has architectural merit to its upper floors, with a prominent corner turret feature and projecting bays windows, complete with stone surrounds and detailing to eaves. This merit has been devalued overtime through provision of an extensive ground floor canopy, extraction equipment and insensitive additions to the roof. The building lies within the St Annes Town Centre Conservation Area (STCA) and is also visible from and adjoins the Ashton Gardens/ Porritt Houses Conservation Area. The application site is viewed against the backdrop of the adjacent HSBC and clock tower building which is a Grade II Listed structure.

The application site is a designated heritage asset by virtue of its location within the STCA. The premises would historically have made a positive contribution to the Conservation Area, though considering the current state of disrepair and vacant appearance, it presently undermines that and the setting of the adjacent listed building. The design of the proposal is therefore a key factor in the planning assessment to ensure a development is delivered that safeguards the visual quality of the street and conserves those heritage assets, as well as encouraging regeneration of the building.

The scheme under consideration has emerged through a series of pre-application meetings between the council's Regeneration Manager and the applicant's team, with continued dialogue during assessment of the planning application. The Regeneration Manager has provided detailed comments on the application as outlined above. As a summary position the comments received are supportive of the development proposed with regards to visual appearance and heritage impact, with just a single area of outstanding concern expressed which relates to the design of the replacement windows.

A summary of comments provided for each element of the proposal is given below:

Replacement roof with glazed flat/ curved roof canopy to form roof-top bar

The additional storey will appear as a lightweight glazed addition. The existing roofscape for this group of buildings is varied, and so the flat roof line will sit satisfactorily with its neighbours. Whilst unmistakably contemporary, the roof addition will replace the awkwardly shaped roof over the existing building and as a result will enhance the building and its setting without any detrimental effect on adjoining buildings, the broader townscape, or the adjoining listed building.

### Corner turret feature

The current building contains a corner turret feature at first and second floor levels that links the two frontages of Garden Street and St Annes Road West. Originally the turret was topped by a domed cupola feature that was removed decades ago. The applicant seeks to clad the corner turret in glass to create a contemporary intervention and reinstate the cupola. Reservations to this were originally made with regards the potential for the framing needed to support the weight of glazing being so substantial that it detracted from the architectural quality of the feature. The applicant has revised this design to provide a glazed solution that is supported by glazed fins which appear as more lightweight supports and so address these concerns. The cupola located to the top of the turret has been considered at length and has been redesigned accordingly. The revised design relates better to the glazed top floor, incorporating stone pillars and continuation of the glazed clad turret beneath. In view of the additional glazed storey, the turret top, as proposed, is considered to be preferable to a simple lead domed replacement, and this element is now felt to be acceptable.

### Garden Street Entrance

The proposal seeks to break the canopy line on Garden Street to better define the entrance to the building. The signage along the canopy length will also break to create a focal point of access to the building which brings the added advantage of 'splitting' the rather austere length of the full solid roofed canopy along the Garden Street frontage. This will also have a tiled ground floor façade around the entrance and will positively enhance the contribution of the building to the street scene and character of the conservation area.

### External Balconies

External balconies are to be provided to first and second floor levels overlooking Garden Street. Access to the balconies is formed through the alteration of existing window openings to form doors from the rooms. These are also features that have been revised during the consideration of the application to overcome initial concern that the balconies would detract from the vertically emphasised bay windows, with a set back of the balcony from the bay introduced so that the bay remains dominant in views of the elevation. The balconies will echo the horizontal emphasis of the new top storey and the corner turret, without compromising the solidity and dominance of the principal façade of the original building.

### Window Replacement

The building currently contains a variety of window designs and materials. Some are original or replacement sliding sash, and some are upvc framed. For other new developments in the conservation area (Aldi being a recent example) sliding sash windows have been specified whereas in this scheme a number of the window replacements are proposed to be top hung casements. The intention of this is to resemble the traditional sash in appearance, and whilst superficially this can be done when the windows are closed the frames are often much thicker, they don't have the same depth of frame, and when the windows are in an open position the appearance is dramatically different. The use of casement opening windows on a building of this scale and importance is inappropriate due to the poor quality appearance that they present, and whilst officers have sought to secure the required revisions to the scheme prior to presenting the application to Committee the scheme that is currently under consideration is not of an acceptable quality.

Officers believe that there are two options for progressing this: to refuse the application on the basis that the scheme as presented does not provide an acceptable quality of design due to the continued use of casement windows in the proposal, or to impose a condition that requires the details of the window works to be submitted for approval prior to the scheme progressing to construction. With the clear regeneration benefits of the development, and the overall acceptability of the remainder of the refurbishment and extension works officers are of the view that a refusal of the application on

this basis would be a lost opportunity. Officers are mindful of the positive collaborative work that has been evident throughout the pre-application and application discussions over the design details of the scheme, and so are optimistic that this will continue to allow agreement to be reached over a suitable design for the windows across the building. As such the approach to impose a condition requiring the details of the window scheme to be submitted for approval is out to members in this report.

#### Other Works

The development also proposes to remove unsightly external plant and equipment located above the ground floor canopy and to the rear elevation of the building. Removal will tidy the appearance of the building and the provision of new within a roof top element will ensure that the infrastructure is hidden from view.

#### Summary

In the conclusion to his assessment of the scheme the council's Regeneration Manager explains that he believes that the scheme is cutting edge but sufficiently restrained so as not to impact unacceptably on the historic character of the original building, and so that the scheme fits well with the principles of conservation policy. It is accepted that the modern approach to the design allows the extensions and alterations that are proposed to relate well to the existing building, to retain the scale of its built form without dominating its neighbours, and so will sit comfortably in the street scene.

The development will have significant regeneration benefits, encouraging the occupation of a focal building that has stood vacant for a number of years within the Town Centre. Investment in the building is a sign that market confidence is returning and it is hoped that the redevelopment will have a positive impact for the wider town centre, acting as a catalyst for other regeneration projects.

The conservation area location of the building ensures that it is a designated heritage asset and so there is a need to assess whether there is any harm to the asset, and if so to weigh that against the public benefits of the development as set out in para 202 of NPPF21. In this case, and assuming that the outstanding window issue is resolved through the use of more sensitive windows, then the scheme will not create any heritage harms as it enhances the building. Even if it were adjudged that the final scheme is harmful it seems likely that the public benefits from the repurposing of the building and so the regeneration of the town centre it supports will be public benefits of significant weight. Given the present appearance of the building, the proposal would at a minimum conserve, arguably enhance, the character and appearance of the conservation area and setting of the listed building, in accordance with FLP Policies GD7 and ENV5, SANDP Policy DH1 and the NPPF.

#### **Amenity**

FLP Policy GD7 h) requires high standards of design which, amongst other criteria, ensure that new development is sympathetic to surrounding land uses and occupiers (amenity). This amenity impact includes that relative to the physical works proposed including effects upon privacy, dominance, loss of light or over shadowing, as well as those land uses proposed including noise, odour and light disturbance. Policy E1 of the SANDP supports development within the town centre that would not adversely affect amenity if adjoining or nearby properties.

It is not evident from the physical characteristics of neighbouring properties as to whether there are any residential uses within proximity of the site. Council tax records indicate that there is a residential use above the former Edinburgh Woollen Mill, though it should be noted that this

property and units above are within ownership of the applicant as per revised drawings issued. In addition, it has been confirmed that there is a flat within the Masonic Lodge located to the rear of the application site.

It is not considered that the physical works proposed to the building itself would undermine the amenity of any neighbouring properties. The main areas of concern are linked to the land uses proposed namely:

- the affect on privacy to neighbours on Garden Street/ Masonic Lodge,
- odour disturbance from the restaurant use,
- general noise disturbance from the uses proposed,
- light pollution.

Members will recognise that the application site is located within St Annes Town Centre where ambient noise and odour levels are much higher than those within a residential area. Historic settlement patterns also dictate that separation distances between buildings are traditionally lower than that required by modern day design standards.

There is potential opportunity for the overlooking of premises to the opposing side of Garden Street from the proposed balconies that serve the Spa treatment rooms, the living accommodation and balconies that serve the aparthotel, as well as frequenters of the roof top bar. Interface distance between buildings is approximately 22.5m and there is also an intervening line of street trees that acts to break up sight lines.

The submitted acoustic report considers noise impact of the proposed use upon closest sensitive receptors on Garden Street and within the Masonic Lodge. The assessment concludes that required noise levels can be achieved, for neighbours as well as those whom will frequent the development, through the provision of suitable mitigation which includes the sound proofing of the roof top enclosure where plant and equipment is to be sited. The Report does confirm that additional fixed plant and equipment may be needed though the details of such are not known and recommends that this infrastructure is also housed within the roof top enclosure. The Environmental Protection officer agrees with the report findings but does request that details of all external plant and equipment be agreed by condition since the true extent of infrastructure is not known. In addition, to control late night disturbance from the playing of live music, a condition is proposed to restrict hours to 23:00 and for retractable roof, windows and doors to be closed during such activities.

The applicant has submitted an odour report which demonstrates that odour escape associated to the restaurant use can be mitigated in order to provide an acceptable relationship to neighbours. The report concludes that a high level of odour control is require which is to be provided through the provision of flue dispersions and abatement in the form of filtration (carbon filters or UV ozone system). The Environmental Protection Officer has no objection to the report findings, subject to implementation of the suggested mitigation. A condition can be imposed to secure these details and to ensure that they don't create any harmful visual impacts.

The applicant has confirmed that the building will be externally illuminated, though the submission has not provided any detail of such. It is unlikely that external illumination will be of such a degree as to cause nuisance to neighbours and is likely to be mitigated by distance between buildings and the tree line. Notwithstanding, in the absence of any details it is considered necessary to condition the submission and approval of external lighting so as to ensure that the relationship to neighbours is acceptable.

There is also residential use to the upper floors of retail units on the opposite side of St Annes Road West though these are some 50m from the application site. This distance is sufficient to minimise amenity impact from the proposal.

It is inevitable that there will be some disruption during construction of the development. Notwithstanding, certain controls can be imposed on the developer to minimise disruption for residents on the locality. On this basis it is advised that construction hours restriction are imposed by condition of any subsequent approval notice.

It is considered that the proposal would not significantly harm the amenity of neighbouring properties, in accordance with FLP Policies GD7 and SANDP Policy E1. As per submitted reports, appropriate mitigation can be incorporated into the scheme design to safeguard the amenity of neighbours and should be required by condition.

### **Highways**

FLP policy GD7 supports good design that prioritises non-motorised users (p), would not prejudice highway or pedestrian safety, and the efficient and convenient movement of all highway user (q), and, encourages alternative modes of transport including walking and cycling (r). Policy E1 of the SANDP supports development within the town centre that would not adversely affect highway safety.

Policy T5 relates to parking provision and indicates that a flexible approach to the level of car parking provision will be applied dependent on the location of the development. Paragraph 11.61 of the FLP indicates that the Council will prepare a Supplementary Planning Document (SPD) on parking standards. The SPD has not yet been adopted and standards contained in the Joint Lancashire Structure Plan (JLSP) are therefore still applicable, in this circumstance the relevant standard is based upon that for a Nursing Home with 1 parking space per 5 residents being required.

Paragraph 32 of the NPPF states that decision makers should take account of whether safe and suitable access to the site can be achieved for all people, and, improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal makes no provision for car parking, being reliant upon existing on street parking within the town centre, or the various short and long term car parks that are present within the locality. Reference is made to a valet service making use of the multi storey car park on St Georges Road. Level access into the building is provided as per existing arrangement. Servicing of the development will be from a loading bay on Garden Street, this is located close to existing service doors to the rear elevation of the building that will provide direct access to an internal bin store and cellar. It is likely that waste collection will be undertaken from the back street.

The site is located in a highly accessible and sustainable location, with a bus interchange and railway station within walking distance of the property, acting to encourage alternative modes of transport as means of access. Whilst there is no dedicated car parking proposed, there is availability on the street and within short and long stay car parks within the locality. Members should also note that the parking and servicing arrangements are no different to those of the former retail use of the building, or for the vast majority of other businesses within St Annes Town Centre or indeed for any other Town or City Centre.

The Highway Authority has no objection to the proposal stating that servicing from the street is acceptable and that off street parking is not required for the development given the sustainable location and car parking availability in the locality.

The development will not therefore have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. Accordingly, the proposal is in compliance with the objectives of SANDP policy TR3, policies GD7, T4 and T5 of the FLP, and the NPPF.

### **Conclusions**

The application relates to the extension and external alteration of the former JR Taylor building in order to facilitate a change of use to a Spa, restaurant and bar, and 4 bed aparthotel.

The principle of the change of use is acceptable in this town centre location and the design of the extension and external alterations proposed would conserve the character and appearance of the St Annes Town Centre Conservation Area and setting of an adjacent Listed Building. The proposal would have no unacceptable impact on the amenity of neighbouring properties, nor would it prejudice highway or pedestrian safety, and the efficient and convenient movement of all highway user.

The development is in accordance with all relevant policies of the Development Plan, Neighbourhood Plan and NPPF, representing sustainable development and is therefore recommended for approval.

### **Recommendation**

Planning permission be GRANTED subject to the following conditions:

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

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

2. This consent relates to the following details:

#### **Approved plans:**

- Location and Existing Site Plan - 104 00120 rev B.
- Proposed basement, Ground & First Floor plans - 202 00120 rev A.
- Proposed second, third Floor Plan - 203 00120 rev A.
- Proposed elevations - 204 00120 rev C.
- Existing and proposed roof plan - 205 00120 rev B.

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

3. Notwithstanding any details shown on the approved plans listed in condition 2 of this permission, no windows or doors shall be installed in either the Garden Street facing elevation or the St Annes Street West facing elevation until details of their design, materials, finishes, colour treatment, reveals, thickness of frame and glazing bars, glazing bar arrangement and opening profile have first been submitted to and approved in writing by the Local Planning Authority.



The windows and doors introduced to these elevations shall thereafter be installed in full accordance with the duly approved details and shall be retained as such thereafter.

Reason: To ensure that these critical elements of the external appearance of the building are constructed of a material and have design details and opening styles that are sympathetic to the host building and its contribution to the street scene and the conservation area. This is to accord with Policy GD7 of the Fylde Local Plan to 2032, Policy DH1 of the St Annes on the Sea Neighbourhood Plan, and the National Planning Policy Framework.

4. Prior to commencement of the development hereby approved, a Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority. The CMS shall include details of the following: -

- a) confirmation of construction hours to be 08:00-18:00 Monday to Friday, 09:00-13:00 Saturday, with no on site works Sundays or Bank Holidays.
- b) the location of areas to be used for the parking of vehicles of site operatives and visitors during construction
- c) hours of delivery and the location of loading and unloading of plant and materials.
- d) Location for the storage of plant and materials used in constructing the development.
- e) location of the provision of any portacabins on the site.
- f) Design and routeing of the erection and maintenance of security hoarding.
- g) Confirmation of any periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made).
- h) Routes to be used by vehicles carrying plant and materials to and from the site.
- i) Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
- j) the location and operation of wheel wash facilities or other arrangements to prevent mud and debris from the site accessing the surrounding roads
- k) Measures to control noise, dust and vibration.

The duly approved CMS shall be adhered to throughout the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings during the construction of the development, in accordance with Policy GD7 of the Fylde Local Plan to 2032, Policy E1 of the St Annes on the Sea Neighbourhood Plan, and the National Planning Policy Framework.

5. Prior to the implementation of any system(s) for mechanical ventilation, refrigeration, air conditioning and/or the extraction and filtration of cooking odours is required in connection with the development hereby approved, a scheme including the following details of that system(s) shall be submitted to and approved in writing by the Local Planning Authority. The submitted information shall take into consideration the conclusions and recommendations as detailed within the submitted Noise (Miller Goodall, 102674-NA-R01, 18/10/2021) and Odour Assessments (Miller Goodall, 102674, 11/10/2021).

- a) the siting, design and finish (including colour treatment) of any external plant and/or flue(s);
- b) measures to attenuate noise and minimise vibration arising from its operation;
- c) measures for the treatment and filtration of cooking odours;
- d) manufacturer's operating instructions; and
- e) a programme of equipment servicing/maintenance.

The system(s) for mechanical ventilation, refrigeration, air conditioning and/or the extraction and filtration of cooking odours shall be installed in full accordance with the duly approved scheme and the equipment shall thereafter be operated, maintained and where necessary repaired in accordance with the manufacturer's instructions and programme of equipment servicing/maintenance.

Reason: In order to control noise and odour emissions from the development in the interests of safeguarding the amenity of neighbouring occupiers, and to ensure that any ventilation flues/ducting can be accommodated without detriment to the character and appearance of the host building and surrounding area in accordance with Policy GD7 of the Fylde Local Plan to 2032, Policy E1 of the St Annes on the Sea Neighbourhood Plan, and the National Planning Policy Framework.

6. Prior to the installation of any external lighting on the building itself or to illuminate its facade, details of the lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a) position and height on the building of any lighting.
  - b) the expected spillage, luminance and angle of installation.
  - a) design and scope of any shields or hoods to be fixed to the lights to direct the lighting and restrict spillage

Any external lighting shall only be installed in accordance with the duly approved scheme.

Reason: To ensure that any external lighting to be installed at the site does not cause a nuisance to surrounding occupiers or detract from visual amenity in the surrounding area as a result of light pollution in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

7. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, external cladding to the rear elevation of the building as per drawing reference 204 00120 rev C shall not be installed until samples or full details of the cladding has 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.

8. The ground floor 'Holding Bar and 'Restaurant' and 'Roof Top Bar' as detailed on drawing numbers 202 00120 rev A and 203 00120 rev A, shall only be open to customers between the hours of:

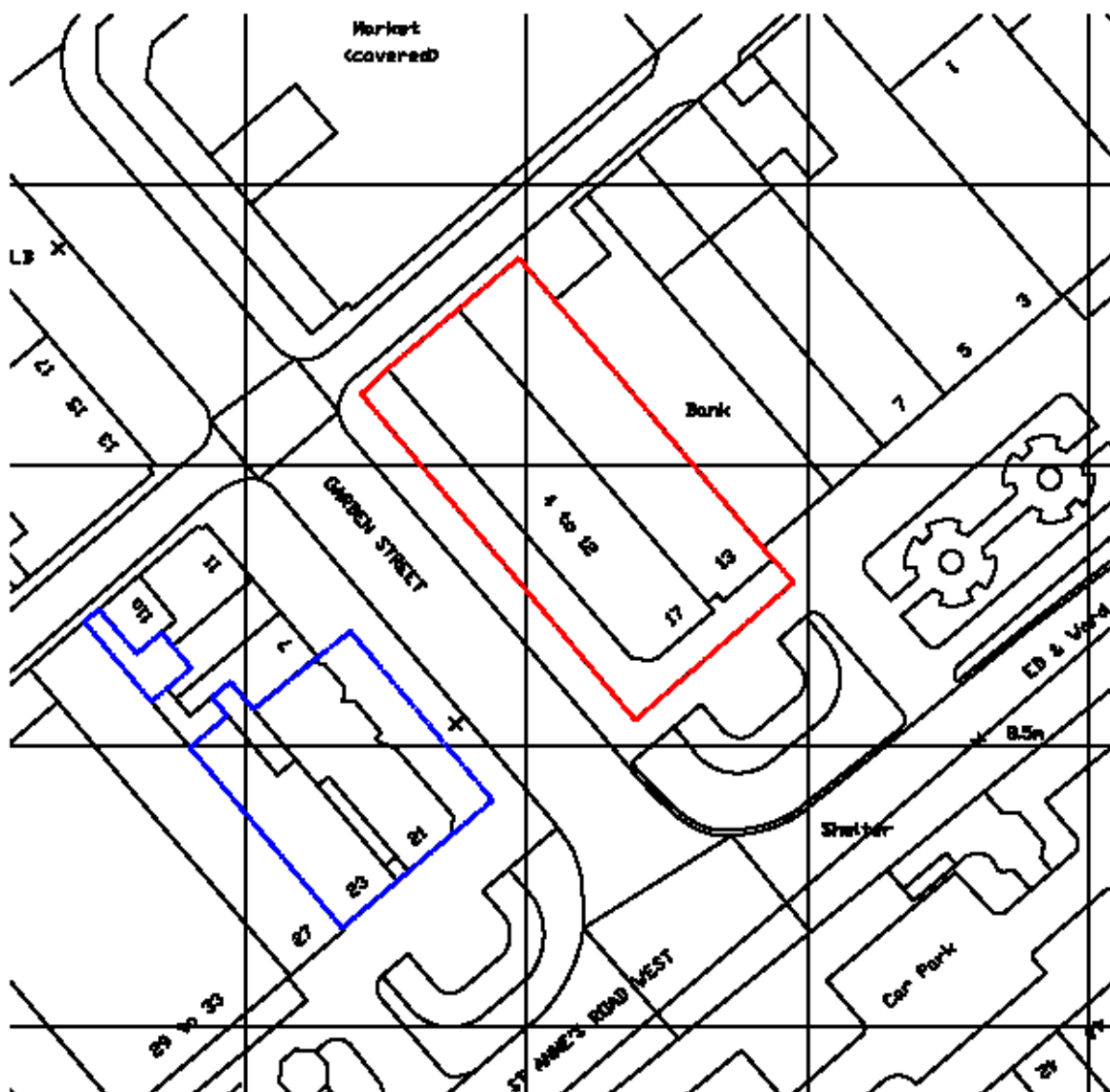
12.00 hours and 00.00 hours – Monday to Sunday.

and

amplified music or other amplified entertainment performed within the premises shall only take place between the hours of 12:00 hours and 23.00 hours on any day.

The windows, doors and retractable roof of the 'Roof Top Bar' as detailed on drawing number 203 00120 rev A, shall remain closed whilst any live or amplified music or other amplified entertainment is being played from within the Roof Top Bar.

Reason: To provide appropriate control over the use of the premises in the interests of safeguarding the amenity of the occupiers of nearby residential properties and the general area, in accordance with Policy GD7 of the Fylde Local Plan to 2032, Policy E1 of the St Annes on the Sea Neighbourhood Plan, and the National Planning Policy Framework.



# Location Plan

Item Number: 5

Committee Date: 03 November 2021

|  |   |   |                          |
|--|---|---|--------------------------|
| <b>Application Reference:</b>                                  | 21/0694   | <b>Type of Application:</b>                               | Full Planning Permission |
| <b>Applicant:</b>  | Mr Pete Marquis   | <b>Agent :</b>  | Strategic Development    |
| <b>Location:</b>   | WESTWYNDE, CLIFTON LANE, NEWTON WITH CLIFTON, PRESTON, PR4 0YE  |   |                          |
| <b>Proposal:</b>   | RETROSPECTIVE APPLICATION FOR ERECTION OF SINGLE STOREY BUILDING TO REAR TO PROVIDE STORAGE FOR PRIVATE MOTOR VEHICLE COLLECTION AND EXTENDED DONKEY SHELTER, ERECTION OF BRIDGE TO LAKE ISLAND, AND ERECTION OF SUMMER HOUSE ON ISLAND |   |                          |
| <b>Ward:</b>   | NEWTON WITH TREALES   | <b>Parish:</b>  | Newton with Clifton      |
| <b>Weeks on Hand:</b>  | 12  | <b>Case Officer:</b>                                      | Ruth Thow                |
| <b>Reason for Delay:</b>                                       | Need to determine at Committee  |   |                          |
| <a href="#">Click Here</a> for application site on Google Maps |   | <a href="#">Click here</a> for application on FBC website |                          |

**Summary of Recommended Decision:** Grant

#### **Summary of Officer Recommendation**

The application site is Westwynde, Clifton Lane, Clifton which is a site consisting of a large detached dwelling with a series of out-buildings situated within the domestic curtilage. The site is located at the junction of Clifton Lane with Deepdale Lane and is opposite the Windmill Inn pub and the Springfields site. In addition to the dwelling and its curtilage the applicant owns an area of land to the immediate south of the property that is a 'nature area' and includes a large pond with a central island within a setting of mature trees.

The proposal relates to the erection of a two new metal clad buildings to the rear of the nature area when viewed from Clifton Lane that are used for vehicle storage. In addition it relates to a timber bridge which has been constructed to allow access to the island in the pond where a summerhouse has been constructed. The development is all intended to be for the applicant's personal use, and has all been completed and therefore the application is applied for retrospectively.

The site is located in the countryside where Policy GD4 applies and is restrictive of new development unless it accords with one of a limited number of exceptions set out in the policy. With regards domestic structures these are not addressed in the policy, and so it is appropriate to assess how they relate to the overarching aim of the policy which is to preserve the rural character of the countryside areas of the borough. In this case the summerhouse and bridge are relatively modest structures in the context of the 'nature area' as a whole and are discreetly sited and rustic in appearance. The storage building is more extensive in its area but has the appearance and form of a modern agricultural building and is also sited in a location where it has very limited impact on the public views of the site despite its size.

In the absence of any demonstrable harm from this development it is considered to be acceptable in the countryside. As such the application is in compliance with the requirements of Policies GD4, ENV1 and GD7 of the Fylde Local Plan to 2032 and the aims of the NPPF. It is therefore recommended for approval, subject to conditions, principally to ensure that the structures are used to support the residential occupation of the site and not for any commercial purposes as that would require a different policy assessment.

### **Reason for Reporting to Committee**

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

### **Site Description and Location**

The application site relates to a site to the east side of Clifton Lane and to the south of Deepdale Lane and forming part of the property at 'Westwynde', Clifton Lane, Clifton. The property is a large two storey detached dwelling with a series of outbuildings situated to the rear of the property with a landscaped 'nature area' located to the south side of the dwelling.

The site is opposite The Windmill Inn (a public house, currently closed) and a pair of semi-detached dwellings at 'Alderfield' and 'Sunnybank' which are located to the west side of Clifton Lane. To the north of the dwelling and forming part of the applicant's property is a small field, further north is BNFL Springfield Works, to the east of the site is a large solar farm, with a wooded area to the south side.

The site is within countryside, as designated in the Fylde Local Plan to 2032 by Policy GD4.

### **Details of Proposal**

This application seeks approval for two single storey buildings situated to the rear of the dwelling, one is proposed to provide storage for the applicant's private motor vehicle collection, and the other as a shelter for his donkeys. The application also seeks approval for a timber bridge and timber summer house which have been constructed within the nature area.

Both the donkey shelter and the storage building are of an irregular shape and have been constructed in green metal profiled sheeting with roller shutter doors. The donkey shelter measures 18 metres in overall width by 12.1 metres in depth with an overall height of 3 metres. The storage building measures 47.6 metres in overall length by 20.38 metres at the widest points with eaves at 3 metres in height and with an overall height of 4.9 metres.

The timber summer house measures 5.4 metres in depth by 4.6 metres in width, which includes an overhanging roof over a decked area. The building is designed with a dual pitched roof with an overall height of 3.8 metres. The summer house is situated in the middle of an island in the pond, which is now connected to the surrounding land by a timber bridge that is 5.8 metres long with railings at 1.05 metres high on either side of the bridge.

The development has all been carried out and therefore the application is submitted retrospectively.

### **Relevant Planning History**

| <b>Application No.</b> | <b>Development</b>  | <b>Decision</b> | <b>Date</b> |
|------------------------|---|-----------------|-------------|
| 06/0461                | CHANGE OF USE OF LAND FROM HORTICULTURE TO CONSERVATION / NATURE AREA                                       | Granted         | 21/08/2006  |
| 06/0455                | CHANGE OF USE OF LAND FROM HORTICULTURE TO DOMESTIC GARDEN CURTILAGE AND ERECTION OF GARAGE (RETROSPECTIVE) | Granted         | 21/08/2006  |
| 06/0198                | TWO STOREY EXTENSION TO SIDE AND ALTERATIONS TO WEST ELEVATION  | Granted         | 23/08/2006  |

### **Relevant Planning Appeals History**

None to report.

### **Parish/Town Council Observations**

**Newton with Clifton Parish Council** notified on 24 August 2021 and comment:

*Support the proposal.*

### **Statutory Consultees and Observations of Other Interested Parties**

#### **National Grid (now cadent gas)**

No comments received.

#### **Health & Safety Executive**

Do not advise against the proposal on safety grounds.

### **Neighbour Observations**

|                             |                   |
|-----------------------------|-------------------|
| <b>Neighbours notified:</b> | 24 August 2021    |
| <b>Site Notice Date:</b>    | 06 September 2021 |
| <b>Press Notice Date:</b>   | 09 September 2021 |
| <b>Number of Responses</b>  | None received     |

### **Relevant Planning Policy**

#### **Fylde Local Plan to 2032:**

|      |                                      |
|------|--------------------------------------|
| GD4  | Development in the Countryside       |
| GD7  | Achieving Good Design in Development |
| ENV1 | Landscape                            |

#### **Other Relevant Policy:**

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

#### **Site Constraints**

Pipelines

## **Environmental Impact Assessment**

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

## **Comment and Analysis**

This application is submitted retrospectively for the erection of a storage building, a building for use as a donkey shelter and a timber summer house and linking bridge.

## **Policies**

As the application proposes development in the countryside, Policies GD4 and GD7 of the Fylde Local Plan to 2032 are relevant to this application together with the aims and guidance of the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) being a material consideration.

Policy GD4 limits the type of development that can take place in the countryside to the following;

- a) that needed for purposes of agriculture, horticulture or forestry; or other uses appropriate to a rural area, including uses which would help to diversify the rural economy, including small-scale tourist accommodation, holiday caravan sites and very exceptionally, larger scale tourism development;*
- b) the re-use or rehabilitation of existing permanent and substantial buildings;*
- c) extensions to existing dwellings and other buildings in accordance with Policy H7;*
- d) development essentially needed for the continuation of an existing enterprise, facility or operation, of a type and scale which would not harm the character of the surrounding countryside;*
- e) isolated new homes in the countryside which meet the criteria set out in Policy H6;*
- f) minor infill development*

## **Principle**

The overarching intention of Policy GD4 seeks to preserve the rural character of the countryside by restricting the type of development that can take place within that designation. One of the exceptions to this restriction is criteria a) of Policy GD4 which requires an assessment as to whether the development complies with the 'other uses' aspect of the policy and whether this is appropriate development for the area.

Policy GD7 refers to 'Achieving Good design in development'. This policy refers to general principles of good design and includes various criteria for which developments need to comply with. These are extensive and not all are relevant for every application, however the following criteria are appropriate and will be used to assess the application;

- c) Ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed.*
- d) Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.*
- h) Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to*

### *the visual amenities of the local area*

Policy ENV1 of the local plan also requires developments to respect the character of the landscape they are located within and sets out requirements for schemes to include appropriate planting to reduce their visual impact on existing landscapes.

As the main thrust of Policy GD4 is to protect the visual amenity of the countryside in considering whether the principle of the scheme is appropriate the balance here is whether each and every aspect of the development has a harmful impact on the visual amenity and character of the countryside.

#### Impact on visual amenity

Planning permission 06/0461 granted approval for a wetland nature area for the land to the south of the dwelling and its domestic curtilage. This nature area includes a large pond with a central island, with both the island and the surrounding edges of the pond being heavily planted with trees.

The applicant has constructed a timber bridge and erected a timber summerhouse on this central island. This is now used as a garden building for his personal use. There are several trees on the island which partially screen the building and the summer house sits within this group. The summerhouse is separated from the highway by approximately 27.5 metres and this separation distance, the trees on the island and the line of trees and hedge on the highway boundary all provide good screening. Whilst views of the summerhouse can be obtained from the highway, the building and the bridge are not immediately obvious to passers-by and are not obtrusive features in the landscape. They have a rustic design with timber materials and are modest in proportion to the scale of the surrounding nature area. Accordingly their impact on the visual amenity of the area is limited.

The storage building has been erected on the rear boundary of the nature area, to the eastern side of the dwelling itself. In this location it is linked to the existing garage complex at the site by a smaller building which is used as an open sided shelter for the applicant's donkeys which graze the field to the north of the applicant's dwelling. The storage building is a substantial building in terms of its extent as it has a length of 47m and a width of 20m. However, it is limited in its height at only 3m and is over 55 metres from the public vantage points on the highway from where it will sit comfortably in the landscape against a backdrop of trees and partially screened from view by the extensive tree planting in front of the buildings. In addition the use of green cladding assists in assimilating the building into the landscape background. As such the building does not have a particularly prominent appearance and so the level of harm it causes to the rural character of the area is consequentially limited.

It is therefore considered that the various buildings that are the subject of this application will not cause any unduly harmful impacts on the rural character and visual amenity of the countryside. As this is the key aim of Policy GD4 then there is considered to be no conflict with that policy despite the lack of any obvious fit with the exceptions to the limits of development that it contains.

#### Impact on neighbours

The nearest residential neighbours are a pair of semi-detached properties situated opposite the site across Clifton Lane. However these are well separated from the development by the road and its junction where there is no potential impact on the amenity of the occupiers from their construction or use.



The larger storage building is used to house the applicant's personal collection of vehicles, but this is used for storage purposes only and the applicant does not carry out any maintenance or repair of the vehicles in this building. Such an activity, particularly in an uninsulated building of this scale, could have a detrimental impact for the occupiers of neighbouring properties and so a condition is required to enforce that storage-only use. The smaller donkey shelter use is clearly for a purpose that is not dissimilar to the keeping of farm animals which is an accepted and expected use in countryside and so is also not a concern.

Considering these points the development will not result in any loss of amenity for the occupiers of nearby residential properties, and the scheme is in accordance with Policy GD7 of the Local Plan to 2032 in this regard.

#### Access and highway matters

The development includes the storage of a collection of agricultural and other vehicles which are stored in the building as part of the applicant's personal collection of vintage and classic vehicles and tractors.

As the building is for the storage of the vehicles there is no increase in the manoeuvring of vehicles onto the highway, thereby the development will not have a detrimental impact on highway users. The site is also well located to the classified road network and so the increase in traffic involved in occasionally moving vehicles to and from the site will not have any material impact on its capacity.

As such, the development complies with the requirements of Policy GD7 of the Fylde Local Plan to 2032 and the aims of the NPPF in respect of highway matters.

#### Conclusions

The development that has been undertaken at these premises is for the applicant's personal use. Whilst the scale of the buildings is significantly larger than domestic garaging Policy GD4 allows for '*other uses appropriate to a rural area*'. In this case the applicant has constructed the buildings in materials which are consistent with numerous rural storage buildings situated about the borough and has been sited on a part of the site which results in minimal visual impact which is further mitigated by extensive mature landscaping in the foreground.

Taking the above matters into account it is considered that the proposal represents a scheme which complies with the policies of the current local plan and is supported by the aims of the NPPF.

In the absence of any demonstrable harm from this development it is supported and recommended for approval subject to conditions.

#### Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This permission relates to the following plans:
  - Location Plan - Drawing no. LP146/21 REV. A
  - Proposed Site Plan - Drawing no. LPMV146/21 REV. A
  - Bridge and Summerhouse plans - Drawing no. PSHB146/21 REV. A
  - Storage Building Elevations - Drawing no. P146/21 REV. A

- Storage Building Plans - Drawing no. P146/21 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. The storage building hereby approved shall be used for the private vehicle storage requirements of the occupier of Westwynde, Clifton Lane, Newton only, and shall not be used for any other purposes including the storage of commercial vehicles, the service/repair of vehicles on a private or commercial basis, or any other commercial activity..

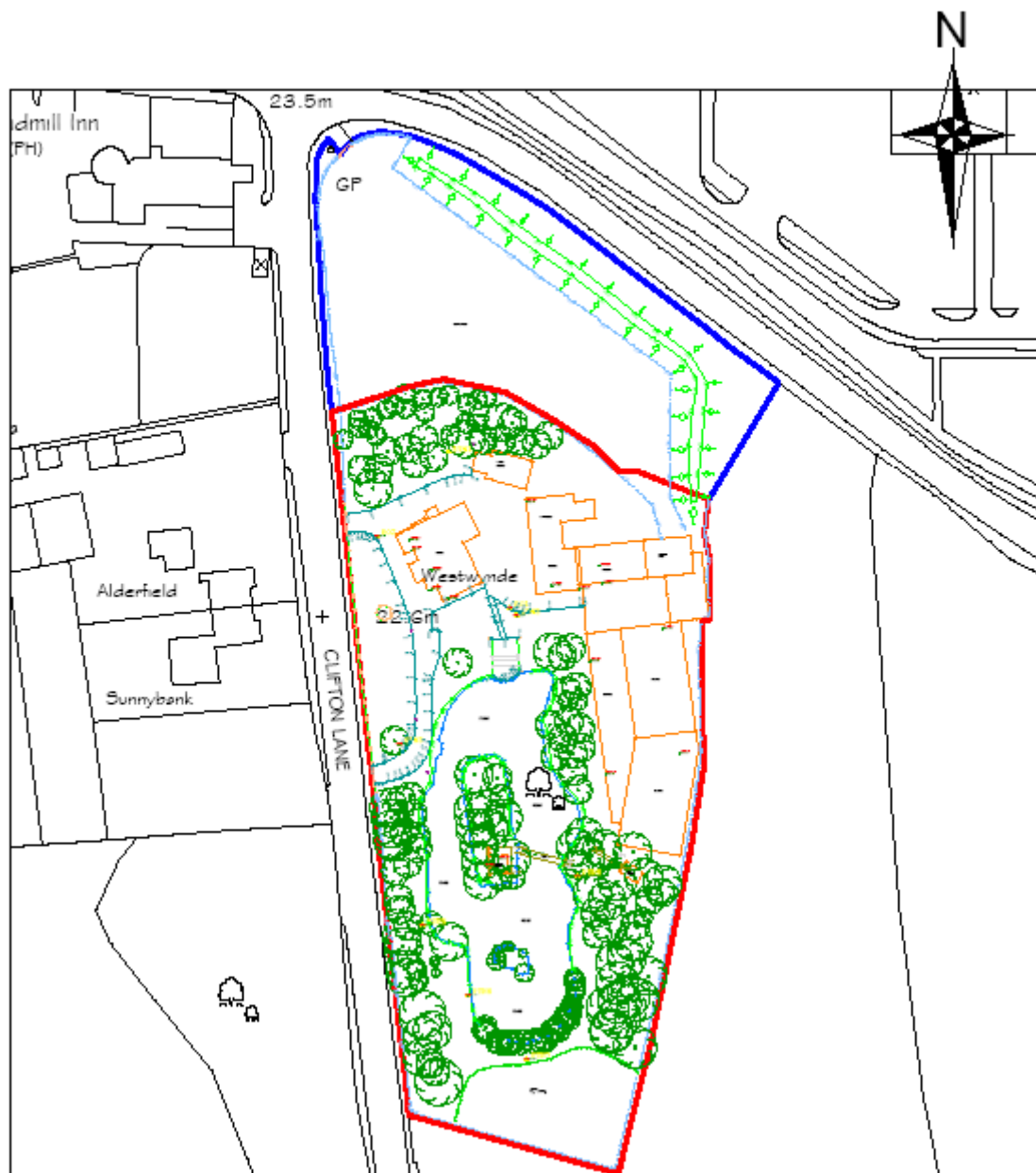
Reason: To limit the scale of the use and so prevent the potential for an intensification of the use which could give rise to harmful effects in terms of traffic generation, and could be harmful to the open character of the countryside and the amenity of neighbouring occupiers in accordance with the requirements of Fylde Local Plan to 2032 policies GD4 and GD7, and the National Planning Policy Framework.

3. The donkey shelter hereby approved shall be for purposes associated with the keeping of donkeys or other such animals as a private hobby use only and shall not be used for any commercial purpose, including as a livery business.

Reason: To limit the potential for any significant increase in additional vehicle movements and traffic generation associated with the use due to the limited capacity of the site access to accommodate increased vehicular traffic in the interests of highway safety in accordance with Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

4. The summerhouse and its associated access bridge shall only be utilised for purposes which are incidental to the residential occupation of the dwelling at Westwynde, Clifton Lane, Newton and shall not be sold, sublet or otherwise occupied independently of the main dwelling .

Reason: To preserve the character and appearance of the area, to ensure that the curtilage of the dwelling is not overdeveloped or subdivided inappropriately and to ensure that the development strategy of the development plan is respected in accordance with the requirements of policies GD4 and GD7 of the Fylde Local Plan to 2032, and the National Planning Policy Framework.



**Item Number:** 6

**Committee Date:** 03 November 2021

|  |   |   |                          |
|--|---|---|--------------------------|
| <b>Application Reference:</b>                                  | 21/0747   | <b>Type of Application:</b>                               | Full Planning Permission |
| <b>Applicant:</b>  | Wareing Buildings Ltd                               | <b>Agent :</b>  | Acland Bracewell         |
| <b>Location:</b>   | WAREINGS, BLACKPOOL ROAD, KIRKHAM, PRESTON, PR4 2RJ |   |                          |
| <b>Proposal:</b>   | ERECTION OF EXTENSION TO EXISTING FABRICATION SHOP  |   |                          |
| <b>Ward:</b>   | WARTON AND WESTBY                                   | <b>Parish:</b>  | Westby with Plumpton     |
| <b>Weeks on Hand:</b>  | 12  | <b>Case Officer:</b>                                      | Andrew Stell             |
| <b>Reason for Delay:</b>                                       | Not applicable                                      |   |                          |
| <a href="#">Click Here</a> for application site on Google Maps |   | <a href="#">Click here</a> for application on FBC website |                          |

**Summary of Recommended Decision:** Grant

#### **Summary of Officer Recommendation**

The application site is 'Wareing Buildings' which is located on Blackpool Road in Westby. The business manufactures and supplies steel framed buildings for the agricultural and industrial sectors and is utilised for Class E(g)(iii), B2 and B8 uses. The established site, an existing employment site as per Policy EC1 of the Fylde Local Plan to 2032, extends to 3.5ha and consists of collection of portal frame buildings, office accommodation and associated areas of hardstanding used for storage, as well as a Heritage Centre. The site is accessed from the A583. The site has a series of hedges and trees along its perimeter on the north, south and west side. Beyond the perimeter planting Blackpool Road runs to the north with the nearest neighbouring dwellings located on the opposite side of Blackpool Road, open fields surround the site to the west and to the south and there is a solar farm immediately to east of the site, followed by open fields.

The site is located within designated Countryside under Policy GD4 of the Fylde Local Plan to 2032 and the associated Policies Map, where development essentially needed for the existing enterprise that is of a type and scale which would not harm the character of the surrounding countryside, is considered appropriate and acceptable. As mentioned, it is also allocated as an Existing Employment Site under Policy EC1 of the Fylde Local Plan to 2032.

Full planning permission is sought for an extension to the existing fabrication building in order for business expansion and to allow current external activities to be undertaken under cover. The site has an extant 2016 permission for the erection of an 583m<sup>2</sup> extension to the initial (pre-2016) fabrication workshop. The proposal in the current application is to extend the existing fabrication workshop located at the southern end of the site by 3379sqm. This combines the 2016 application and the current application. An additional strip of hardstanding is also proposed to improve vehicular access to the proposed extension. Approval of the proposal would improve accuracy and efficiency of the production line by providing the space for updated machinery and would enable the sustainable expansion of a

rural employment site.

The proposal sits wholly within the boundaries of an existing employment site and the development will have the same scale, design, and materials as the existing group of industrial buildings on the site and will integrate well into the group. Although the proposal will result in an extension of the built form in long range views, it is not considered to result in inappropriate or unacceptable impacts on the character or appearance of the wider rural area and would not result in such an increase in traffic levels as to otherwise unduly impact on the wider highway network.

The proposal is considered sustainable and consistent with relevant criteria of Policy EC1 and Policy GD4 and would not undermine countryside character in this locality. On this basis, the principle of the land use proposed is therefore considered acceptable. Approval of the application is therefore recommended.

### **Reason for Reporting to Committee**

The application is for 'major development' and so it is necessary to present the application to the Planning Committee for a decision given that the officer recommendation is to grant planning permission.

### **Site Description and Location**

The application site 'Whinbrick Works' relates to Wareings, an industrial site located immediately south of Blackpool Road (A583). The site is set to a lower land level than Blackpool Road, with standard industrial type buildings formed about the perimeter of a central service yard. There is a single point of vehicular entry providing access to a main car parking area and servicing to the yard area.

The Wareings site itself is a generally rectangular piece of land with a triangular parcel at the southern end, in which a majority of the proposed fabrication building will sit. The application site is currently used for the external cutting and drilling of steel, as the production line extends outdoors at this time. The site is bound by open fields to the south and Blackpool Road to the north, a solar farm is located within an adjacent field to the east, which is used as a power source for the company. Open fields sit between the site and the B5260 Fox Lane Ends, which is located to west.

The site is an Existing Employment Site in the countryside under Policy EC1 and Policy GD4 of the Fylde Local Plan to 2032.

### **Details of Proposal**

The application is submitted for Full Planning Permission for an extension to the fabrication shop building, a proportion of which was granted in the 2016 Permission, to accommodate a new production line and to allow external activities to move inside.

With regards to the details proposed, the submitted plans indicate that the buildings will be located on the southern end of the site, along the western side boundary. More specifically:

- Including an area that has the benefit of an existing planning permission that has not been constructed the overall scale of the development is 3379 m2.

- The eaves and ridge height will remain the same as the 2016 permission at 6.m and 8.8m respectively.
- The proposal will project 86.2m and will adjoin a series of existing buildings, creating a continuous block along the western boundary of the site.
- The proposed structure will be a mixture of cladding (roof and upper section of façade) and blockwork (lower 3.0m of façade). The design, scale, massing and materials of the proposal all match the existing group of buildings on the site.
- The proposal also includes an additional 321 m<sup>2</sup> strip of hardstanding to improve vehicular access to the proposed extension. This will be located towards the eastern edge of the south of the site and adjoin an area of existing hardstanding.

The 2021 proposal is significantly larger than the 2016 approval. The application has been presented for two main reasons. Firstly, the existing machinery is nearing its end of life. The proposal would allow for the implementation of the newest version of this machinery and accommodate a new continuous production line, rather than the current 'U-shaped' line, which would maximise both accuracy and efficiency. Secondly, the current cutting and drilling line is located partly outside, which has recently been the subject of noise complaints from new residential dwellings in Wrea Green. The proposal would accommodate the new steel processing line in its entirety, this full enclosure would significantly reduce the noise impact of the processes that occur in this section of the Wareing's site.

In addition to the planning statement, the application is supported with a landscaping appraisal, a noise assessment, transport and highways technical note, a lighting plan and a surface and water drainage strategy.

#### **Relevant Planning History**

| <b>Application No.</b> | <b>Development</b>   | <b>Decision</b> | <b>Date</b> |
|------------------------|--|-----------------|-------------|
| 17/0831                | ERECTION OF EXTENSION TO STEEL PORTAL FRAMED BUILDING TO BE USED AS HERITAGE CENTRE.   | Granted         | 24/11/2017  |
| 16/0715                | ERECTION OF EXTENSION TO FABRICATION SHOP AND PAINT SHOP, FOLLOWING DEMOLITION OF EXISTING LEAN-TO.  | Granted         | 12/12/2016  |
| 16/0680                | STEEL PORTAL FRAMED BUILDING TO BE USED AS HERITAGE CENTRE   | Granted         | 02/12/2016  |
| 13/0537                | TO INSTALL A GROUND MOUNTED SOLAR PV SYSTEM ON LAND TO THE SIDE  | Granted         | 18/11/2013  |
| 06/0252                | AMENDMENT TO PREVIOUSLY APPROVED APPLICATION FOR THE RE-DEIGN OF FABRICATION BUILDINGS.  | Granted         | 06/06/2006  |
| 04/0801                | INSTALLATION OF 2NO. 5000 LITRE UNDERGROUND DIESEL STORAGE TANKS AND ONE 9000 LITRE UNDERGROUND FORECOURT INTERCEPTOR  | Granted         | 09/09/2004  |
| 03/1018                | CHANGE OF USE OF AGRICULTURAL LAND TO EXTEND INDUSTRIAL SITE, ERECTION OF ANCILLARY FABRICATION SHOP, PAINT STORE, JOINERS WORKSHOP, STORAGE BUILDINGS, WOOD PREP, OFFICES, NEW ACCESS, PARKING AND LANDSCAPING. | Granted         | 23/02/2004  |

#### **Relevant Planning Appeals History**

There is no relevant appeal history to report.

### **Parish/Town Council Observations**

**Westby with Plumpton Parish Council** notified on 11 August 2021 and comment:

*"It was resolved to offer NO OBSERVATIONS"*

### **Statutory Consultees and Observations of Other Interested Parties**

#### **Regeneration Team (Landscape and Urban Design)**

No comments have been received on the application.

#### **Environmental Protection (Pollution)**

*There are no objections to the above proposals in principle. The associated noise assessment and lighting specifications have been read and Environmental Protection confirm they are happy with the findings made.*

#### **Lancashire CC Flood Risk Management Team**

*Lancashire County Council Flood Risk Management Team do not have any objections.*

A request is made for conditions relating to the agreement of the surface water drainage arrangement, its on-going maintenance and the maintenance of drainage during construction. They also highlight that the developer may need to comply with relevant legislation.

#### **Lancashire County Council - Highway Authority**

They refer to the highway matters that they have assessed:

- In support of this application a Highways Note was produced by Vectos, transport consultant.
- It highlights that the development site is located on the A583 which is a busy principal road which has had a relatively poor accident history, although there have been no recorded injury accidents in the vicinity of the site access.
- It comments on the fact the site's access has good sightlines and a dedicated right turn lane for inbound traffic.

*The Highways Authority affirm that these arrangements are adequate to safely accommodate and additional traffic associated with the proposal, including the construction period and as consequently confirm that there are no highway objections to this proposal.*

### **Neighbour Observations**

|                                |                                    |
|--------------------------------|------------------------------------|
| <b>Neighbours notified:</b>    | 11 August 2021                     |
| <b>Amended plans notified:</b> |                                    |
| <b>Site Notice Date:</b>       | 18 August 2021                     |
| <b>Press Notice Date:</b>      | 19 August 2021                     |
| <b>Number of Responses</b>     | 0                                  |
| <b>Summary of Comments</b>     | No neighbourhood comments received |

## **Relevant Planning Policy**

### **Fylde Local Plan to 2032:**

|      |  |
|------|--|
| GD4  | Development in the Countryside                       |
| EC1  | Overall Provision of Empt Land & Existing Empt Sites |
| GD7  | Achieving Good Design in Development                 |
| ENV1 | Landscape  |
| ENV2 | Biodiversity   |

### **Other Relevant Policy:**

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

## **Site Constraints**

The site is located within the Countryside.

## **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**

### **Planning Policy and Site Background**

The application site lies within the Countryside as designated by Policy GD4 of the Fylde Local Plan to 2032. This Policy is a generally restrictive one towards new development, but it does allow for development where it meets one of a limited number of exceptions. One of these is criterion d) *development essentially needed for the continuation of an existing enterprise, facility or operation, of a type and scale which would not harm the character of the surrounding countryside.*

The site is also allocated as an Existing Employment site under Policy EC1 of the Fylde Local Plan to 2032. The site was relocated to its current location in 2004 in order to support its operation. Wareings is a significant local employer, employing just over 70 FTE members of staff. Policy EC1 states that a flexible approach will be taken with regard to existing employment sites such that appropriate enabling development will be supported, in order to retain employment uses on these sites.

Alongside these specific policy assessments are the more general policy tests relating to highways, landscape, drainage, design, etc which are considerations that are common to all planning applications and are addressed under Policy GD7 and other policies of the Fylde Local Plan to 2032 which will be referred to where appropriate in this report.

### **Principle of Development**

In assessing the proposal, it is imperative to establish whether, in principle, the development would be considered acceptable in light of current policy considerations, whilst fully considering the proposal against the aims and objectives of the National Planning Policy Framework (NPPF).



The Fylde Local Plan to 2032 identifies the site as an allocated existing employment site (Policy EC1) within the countryside (Policy GD4). The proposed extension would sit within the defined boundaries of the site. Policy EC1's justification text states that a flexible approach will be taken with regard to existing employment sites such that appropriate enabling development will be supported in order to retain employment uses on this site. In recognition of employment sites in rural areas, Policy EC1 also asserts that sustainable economic growth and expansion of all types of business and enterprise in rural areas is supported provided it accords with other policies within the Local Plan.

Local policies are considered to be consistent with the aims and objectives of the National Planning Policy Framework (NPPF). The NPPF dedicates a specific section to the rural economy and says that Local Plan policies and decisions should the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

Both local and national policies therefore support the expansion of this business which manufactures and supplies steel framed buildings for the agricultural and industrial sectors in principle subject to all other considerations being acceptable.

### **Visual Impact**

The existing buildings are all of a unified character of light brick and olive-green cladding. The profile and the cladding colour detail of the existing buildings mean that they assimilate well into the surrounding landscape context. Whilst the footprint of the proposal is substantial, it is on a site allocated as an existing employment site and therefore Policy EC1 of the Fylde Local Plan is referable. The size and scale of the proposed building will be similar to that of the existing with the cladding and blockwork also matching the existing buildings on site. The proposal is located along the western boundary, at the southern end of the site, where it adjoins the existing buildings. This will create a continuous block along the western edge. Whilst the building will be visible from some public vantage points these measures will ensure the building will appear part of the existing building complex and will not appear incongruous within the landscape.

Additionally, the application is submitted with a Landscape Appraisal which includes the provision of perimeter planting reinforcement around the site boundary. This will support the choice of materials by assisting in softening the boundary of the site. Moreover, it will help strengthen a visual block of the site, which will increase as the planting matures.

It is considered that the effect of the perimeter planting, combined with the choice of materials, the distance between the site and any potentially affected positions, will sufficiently mitigate the development's visual impact in this countryside location.

The proposal also includes an area of hardstanding to the east of the site. This area is currently used for external storage and adjoins the extensive area of existing hardstanding. The existing solar farm is the prominent view to the east, located in the field directly adjacent to the proposed hardstanding, blocking any views from the east towards the site. Given the relatively small increase in size in comparison to the existing hardstanding and its proposed location, the widening of this hardstanding is not considered to have any negative visual impact on the surrounding area.

As such, the visual impact of the development will be minimal and cannot be considered to adversely affect the setting or character of the countryside within which it is located. The development can therefore be considered to comply with Policy GD4 and Policy GD7 of the Fylde Local Plan to 2032.

## **Highway and Parking**

The site has a current industrial use, with an existing access on to Blackpool Road, with good sightlines and a dedicated right turn lane for inbound traffic. The Highway Authority consider that these arrangements are adequate to safely accommodate the additional traffic associated with the proposal, including any additional traffic during the construction period.

The site also benefits from ample parking areas. A condition will be imposed to safeguard current parking provision and to ensure its suitability for a growing business.

On this basis, any effect on the highway network in terms of traffic increase and provision of parking will be minimal and is therefore acceptable when assessing the proposal against the Local Plan and the NPPF.

## **Neighbour relationships**

### Physical Impact

The site is bounded by open fields on three sides and the A583 Blackpool Road on one side. The nearest neighbouring dwellings are located to the north, on the opposite side of Blackpool Road. The proposed development is screened from these properties by the mature hedgerow and trees along the road as well as by the existing buildings of the Whinbrick works site. There are two dwellings, Gilderbridge Cottage and Mere Cottage are located approximately 500 metres to the west of the site on Fox Lane Ends (the B5260) where views of the site are obscured by substantial perimeter planting.

The village of Wrea Green lies to the south of the site. Wrea Green has seen some development in recent years, with new housing developments, including Vicarage Close, North View Fold and Wray Crescent which are distanced from the site by just over 500m. Views of the site from these developments are available over the open fields. Despite the openness of the fields, the screening effect of landform and perimeter planting and hedgerows, the distance between these viewpoints and the Site and the use of materials, scale and design of the development all help to moderate the potential impact. The proposed additional built form will therefore not affect any of the above residents.

### Noise

Wareings, as mentioned, is a manufacturer of steel framed buildings, and thus a certain level of noise is expected as a result of the manufacturing mechanisms.

The planning statement submitted with the application explains that recently the applicant has received their first noise complaints, understood to be from newly constructed houses on Blackpool Road. Currently, part of the steel cutting and drilling line is located outside on the site of the proposed building. Despite the distance between the site and any residential dwelling, any resulting noise made outdoors has an increased potential to carry. The proposed development will allow this activity, as well as all operations on site that are currently undertaken externally, to be carried out in the new building. This would significantly reduce the noise impact on neighbouring properties. Consequently, in terms of noise levels, the proposed development would be a considerable improvement on the existing situation.

Paragraph 85 of the NPPF states that:

*“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

*a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;”*

Policy GD7 Achieving Good Design in Development of the Fylde Local Plan to 2032 sets out the standards of design that a development should follow. Development will be expected to be of a high standard of design taking into account the appearance and character of the local area. The policy includes the following requirement which is highly relevant in this case; criterion c) ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed.

As part of the application process, a Noise Assessment was undertaken in order to assess the potential impacts of the proposed development. It recognised that the properties most likely to be affected by the development are Fox Lane Ends Cottage and the dwellings to the north, on Blackpool Road. The assessment showed that the prevailing background noise levels in both areas was 37 decibels (dB). The increase of machinery in the proposed building from two to five machines is predicted to increase the internal noise level by 4 dB. The cladding and blockwork proposed to construct the dwelling has specific insulation properties. Upon the construction of the proposed development, the noise at Fox Lane Ends cottage receptor is predicted to be 24 dB and the noise level at Blackpool Road receptor is expected to be 27 dB. This is 10 dB below the prevailing background noise level.

The predictions and assessment show that the *“impact of noise from the extended fabrication workshop will be low and therefore noise should not be considered a barrier to the development”* Additionally, Environmental Protection have confirmed that they are happy with the outcome of the Noise Assessment.

To conclude, the application site affords significant separation to the nearest residential dwellings which acts as appropriate mitigation to ensure there would be no adverse noise impact from the proposal once constructed. Additionally, the materials used in construction will aid the absorption of noise from construction activities to further ensure that neighbouring properties will not be negatively impacted in this way. As a result, this element of the proposal complies with Paragraph 185 of the NPPF and Policy GD7 of the Fylde Local Plan to 2032.

## **Drainage**

The site falls within Flood Zone 1 (land having a less than 1 in 1,000 annual probability of river or sea flooding) as defined on the Flood Map for Planning. As a result, there is no requirement for a flood risk assessment to be submitted with the application. Nevertheless, as the proposal involves “major” development, the Lead Local Flood Authority (LLFA) have been consulted. LLFA raised no objections to the application subject to the imposition of conditions relating to the implementation of its findings.

The application has been submitted with a drainage strategy which outlines the current site conditions, considers the proposals for development and proposes a drainage strategy and maintenance. The site comprises pre-existing hard standing, made of hardcore base with planed

road surfacing (chipped tarmacadam). The consequence of the development is that there will be a considerable increase in hard surfaced area and so potential increase in the rate of surface water run-off.

The application is supported with a surface water drainage scheme that refers firstly to there being no increase in the non-permeable surface area, and then to the area being increased as 2,296m<sup>2</sup> which is less than the actual area and does not include the concrete yard area. The scheme then calculates the level of water that could run-off this area (including climate change increase) and refers to the use of storage crates on site to store the water from this area before it is released to the ditch at a rate to mimic that of greenfield run-off. The ditch connects to Wrea brook and then eventually to the estuary at Warton.

The LLFA are comfortable with this approach but request that the final details of the design are submitted and agreed prior to works commencing. Given the inaccuracies with elements of the submission that are evident from a site visit it is considered that this is a prudent precaution and so this condition is included in the agenda papers. The LLFA also request details of how drainage is to be managed during construction which is again an appropriate area to be covered by a condition.

It is therefore considered that adequate measures can be put in place in order to ensure that the development poses no unacceptable risk in terms of flooding in accordance with the Policy CL1 and GD7 of the Fylde Local Plan to 2032 and NPPF.

## **Other Matters**

### Economic Benefits

At the date of the 2016 approval (ref: 16/0715) Wareings employed 60 FTE members of staff. In the past 5 years the business has grown and now employs just over 70 FTE members of staff, a majority of these living in Fylde. As a result, Wareings is both a significant local employer and contributor to the local economy. Over recent years the Council, through its Corporate Plan, has placed increased emphasis on the economic development of the Borough. Additionally, Paragraph 8.14 of the Fylde Local Plan states that “sustainable economic growth and expansion of all types of business and enterprise in rural areas is supported, provided it accords with other policies within the Local Plan”. This approach is supported by Paragraph 81 and 84a of the NPPF which states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Additionally, Paragraph 84 a) and that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings.

The proposal remains wholly within its boundaries as an existing employment allocation and the construction of a building of the scale and design of the proposed would not encroach on the surrounding countryside, or its character. The proposal would enable a more efficient and accurate process and thus, an increased output. In turn, this could lead to increased employment on site.

The proposal therefore aligns with Policy EC1 and Policy GD4 of the Fylde Local Plan and paragraphs 81 and 84a) of the NPPF. It remains the case that the site’s development will enable future sustainable expansion and allow the continuation of Wareings valuable economic contribution within Fylde and beyond.

### Public Right of Way

There are three public footpaths in the vicinity of the application site (FP8, FP9 and FP14). FP9 runs

to the north of the site, providing no views of the proposed development and thus will not be impacted.

FP14 heads south west from the A583 by the railway bridge crossing 550m east of the Wareings site and runs along the south side of the railway cutting where it joins FP8 which runs across the fields between Fox Lane End in the west and Ribby Lane in the east. FP14 and FP8 are the two footpaths that could be potentially impacted by the proposal.

FP8 is distanced from the site by approx. 330m with lateral views available. Views will be more prominent for those walking along the footpath in a westerly direction after they have crossed the railway.

FP14 is further from the site to the east and distanced by approx. 450m with views being more prevalent if walking from east to west.

The Landscape Appraisal submitted with the application confirms that the local landscape is not considered sensitive, and the visibility of the site is limited. The creation of perimeter plantations (trees and hedgerows) has assisted in accommodating any development on site so far and provides a buffer between the site and the surrounding areas, in this case, the public footpaths. The Landscape Appraisal recognises the footpaths as medium to low sensitivity depending on direction of travel but concludes that the magnitude of change is low.

In both cases, views of the site are filtered by intervening hedgerows which would help to absorb the appearance of the new building, meaning footpath users would only have glimpse views of the development, even when walking in the applicable direction. It is appreciated however, that movement across these paths would be slow and there are opportunities for static viewpoints.

To provide an additional level of mitigation from the effect of the development, a planting plan has been proposed (paragraph 6.4 of the Landscape Appraisal). This involves reinforcing the perimeter planting, specifically on the southern and the eastern boundary (the western boundary is already considered highly effective). It is also worth noting that the ability to mitigate the effect of the development will be aided through the continued growth of the existing perimeter planting belts.

Consequently, it is considered that the reinforcement of the perimeter planting, combined with the continuation of the mass, form, and materiality of the buildings will help to assimilate the development into the context, and ensure that it is absorbed well into the local views. Thus, the development is not considered to result in any undue impacts on the users of FP8 and FP14.

### Lighting

The application has been submitted with an external lighting scheme which has been read and confirmed as acceptable by Environmental Protection. The scheme confirms that the lighting proposed will be restricted to the perimeter of the building only and not light the external yard. There will be a slight spill of light over the boundary into the adjacent fields to the south but due to the type of light used this will be minimal. Due the location and design of the proposed building, the topography of the ground, and the substantial distance between the site and the neighbouring properties, there will be no negative impact as a result of the lighting scheme on any of the neighbouring properties.

The proposal has gained local support with Westby Parish Council confirming that they have no objections to the scheme.

## **Conclusions**

The application site 'Whinbrick Works' relates to Wareing Buildings, an industrial site located immediately south of Blackpool Road (A583).

The application seeks Full Planning Permission for an extension to the fabrication shop building, granted in the extant 2016 Permission, to accommodate a new production line and to allow external activities to move inside. An additional strip of hardstanding is also proposed to improve vehicular access to the proposed extension. The site is allocated as an existing employment area and located within a designated countryside area as per the Fylde Local Plan to 2032.

The development is for the expansion of a rural employment site and whilst it is recognised that the proposal will result in the extension of the built form in long range views it is within the boundaries of the defined employment site. There will be no physical encroachment into the countryside. Whilst a sizeable extension to one of the buildings at the southern end of the site is proposed, its design, scale, massing and materials all match the existing group of buildings on the site. The effect on visual amenity will therefore be minimised.

Furthermore, it is not considered that the proposal would have any undue impacts on neighbouring properties, the safe use of the local highway, or on the rural character of the area. Accordingly, the site's development will enable the sustainable expansion of an existing and successful employment site and allow the continuation of the economic contribution already provided by Wareings.

The development accords with policies EC1, GD4, GD7 and ENV1 of the Fylde Local Plan to 2032. 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 – Drawing no. 604.157.001
- Proposed Site Plan – Drawing no. X604.157.001 REV A
- Existing and Proposed Elevations – Drawing no. X604.157.001.PL03
- Proposed Floor Plan – Drawing no. X604.157.001.PL02 REV A
- Proposed Site Block Plan – Drawing no. X604.157.002 REV B
- Proposed External Lighting – Drawing no. 021.58.EPP01 REV P1
- Surface Water Drainage Plan – Drawing no. X604/157/004 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

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 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification) the premises shall only be used for purposes within Class B2 and / or Class B8 and for no other purpose (including any use falling within Class E of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that class in any statutory instrument amending or replacing that Order).

Reason: To ensure that the future use of the premises is limited to one which is appropriate for the site given the nature of the existing use on site, the safe operation of that use, and to confirm the adequacy of the parking arrangements in accordance with the requirements of policies GD7, EC1 and T5 of the Fylde Local Plan to 2032, and the National Planning Policy Framework.

5. 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 landscaping drawing listed in condition 2 shall be carried out during the first planting season following the first use of the building hereby approved.

The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with good arboricultural practice with 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.

6. The vehicle parking, servicing and manoeuvring areas indicated on the site plan listed in condition 2 shall be laid out and made available for use in accordance with the details on that plan shall remain available for their respective purposes whenever the building hereby approved is utilised for employment purposes.

Reason: To ensure that adequate provision for vehicle parking, servicing and manoeuvring, is retained to accommodate the needs of the business operating on site and so avoid any potential off-site parking in the interests of highway safety and visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T5, and the National Planning Policy Framework.

7. No above ground works of development shall take place until a scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the hierarchy of drainage options contained in the Planning Practice Guidance and, where relevant, shall demonstrate compliance with the Non-

Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The scheme shall include:

- a) Separate systems for the disposal of foul and surface water.
- b) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates.
- c) Information about the lifetime of the development design storm period and intensity (1 in 30 and 1 in 100 year, plus allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses.
- d) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- e) Flood water exceedance routes, both on and off site.
- f) Details of water quality controls, where applicable.
- g) A timetable for implementation, including phasing as applicable.
- h) Details of a management and maintenance plan for the drainage system after completion, including any arrangements for adoption by an appropriate public body or statutory undertaker

The duly approved scheme shall be implemented before any of the dwellings are first occupied, or within any other timescale first agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Fylde Local Plan to 2032 policies CL1 and CL2 and the National Planning Policy Framework.

8. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

Those details shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the local planning authority.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall be constructed in accordance with the approved details.

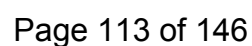
Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere as required by Policy CL1 of the Fylde Local Plan to 2032 and the NPPF.

9. The extension hereby approved shall not be first used for its intended employment purposed until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of



Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Fylde Local Plan to 2032 policies CL1 and CL2 and the National Planning Policy Framework.



**Item Number:** 7

**Committee Date:** 03 November 2021

|  |  |   |                          |
|--|--|---|--------------------------|
| <b>Application Reference:</b>                                  | 21/0752  | <b>Type of Application:</b>                               | Full Planning Permission |
| <b>Applicant:</b>  | LNT Care Developments  | <b>Agent :</b>  | Mr Thorpe                |
| <b>Location:</b>   | WESHAM PARK HOSPITAL, DERBY ROAD, MEDLAR WITH WESHAM, PRESTON, PR4 3AL   |   |                          |
| <b>Proposal:</b>   | ERECTION OF A TWO STOREY 66-BED RESIDENTIAL CARE HOME FOR OLDER PEOPLE (USE CLASS C2) WITH ASSOCIATED PARKING, LANDSCAPING AND COMMUNAL FACILITIES |   |                          |
| <b>Ward:</b>   | MEDLAR WITH WESHAM   | <b>Parish:</b>  | Medlar with Wesham       |
| <b>Weeks on Hand:</b>  | 12   | <b>Case Officer:</b>                                      | Rob Buffham              |
| <b>Reason for Delay:</b>                                       | Not applicable   |   |                          |
| <a href="#">Click Here</a> for application site on Google Maps |  | <a href="#">Click here</a> for application on FBC website |                          |

**Summary of Recommended Decision:** Approve Subj 106

#### **Summary of Officer Recommendation**

The proposal for consideration by Members is a full planning application for the erection of a two storey building to provide specialist accommodation for the elderly consisting of 66 apartments on a part of the site of the former Wesham Park Hospital on Derby Road in Wesham.

This facility is intended to enable older people to retain control over their own lives while receiving the care and support they need, allowing residents to remain independent for as long as possible. Importantly, residents are required to be a minimum of 55 years of age.

The site is located within the urban area of Wesham and has no specific allocation in the adopted Fylde Local Plan to 2032. The principle of the proposed development is acceptable due to the site's location within one of the Strategic Locations for Development as set out in the Plan and so the resultant compliance with the overarching Development Strategy.

The proposal will enhance the appearance of the locality through provision of an appropriately designed development, and partial removal of an unsightly prominent plot. The development provides for satisfactory access to the site and there is sufficient capacity to ensure that the proposal would not have a severe impact on the safe and efficient operation on the local highway network. Appropriate parking for the end user has been demonstrated in the submission. The scheme would result in an acceptable relationship with surrounding uses and would have no adverse impacts in terms of ecology, flood risk and drainage, subject to conditions.

The development makes an important contribution (up to 30% reduction) toward the government's commitment to reduce greenhouse gas emissions through the use of renewable technologies including solar, ground source heating, electric vehicle charging, lighting, water management and construction techniques.

There are no other technical issues which would warrant refusal of the proposal.

The development therefore constitutes sustainable development and should be approved without delay. The officer recommendation is therefore that Members support the application and delegate the decision to approve it to officers once a legal agreement requiring that a contribution towards health care capacity in the area has been concluded.

### **Reason for Reporting to Committee**

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

### **Site Description and Location**

The proposed care home is located on part of the former Wesham Park Hospital which lies within the settlement boundary of Wesham and has no formal allocation in the adopted Fylde Local Plan to 2032 (FLP).

The site is approximately 0.53 hectares in size and forms the northern western parcel of a larger vacant plot following demolition of the hospital buildings. Hardstanding from the building footprint and parking areas is still present, along with tree planting to the site periphery and hidden behind a 3m secure wooden fence line. Vehicular access points to the site are currently via Derby Road and Wesham Park Drive.

The site is located in a residential area, being bound by new build development to the north and west located within the former grounds of the hospital site. These dwellings are constructed of red/buff brick or render, with a mix of 2 and 3 storey height, and variance of house types including apartment, semi-detached and detached dwellings. Land to the south and east forms part of the demolished hospital site and remains vacant and enclosed by wooden fencing.

### **Details of Proposal**

Full planning consent is sought for the construction of a 66 bed residential care facility for residents aged 55 years or older.

The applicant has an extensive understanding of the residential care industry having developed over 130 similar care homes since 2005. Supporting information states that all of their operational care homes are rated as either good or outstanding by the Care Quality Commission (CQC).

The Planning Statement refers to a local need for the care home, estimating that there is currently a deficiency of 36 care beds within a 3 mile radius of the site, increasing to 157 bed spaces within a 5 mile distance. The applicant considers that this demand will increase given the ageing demographic of the local population - 27% of those living within the 3 mile radius are aged 60 or over, and 21% of Kirkham and Wesham population (estimated to be 11915) are aged 45 to 59 years.

The 2 storey building occupies a central position on the site with car parking and landscaped garden areas around, and has a H-shaped footprint. Revision has been received to improve the verticality of the building through removal of a horizontal band of render and incorporation of vertical rendered elements, and inclusion of pitched roofs to the smaller 2 storey gable features. The development

incorporates sustainable technologies including roof mounted photovoltaics, vehicle charging spaces, ground source heating, and encourages alternative modes of transport through provision of cycle parking.

Single room accommodation is provided with ensuite facilities, with the submitted floor plan drawings indicating the provision of communal lounges/ dining rooms and a café/ bar, as well as quiet lounges/ family rooms, and garden room, cinema room, a shop and hair studio. Externally, secure landscaped gardens will be accessible for all occupants.

The facilities provided are especially important to residents who require easy access, activity and familiar settings for a good quality of life. The proposed building will be fully compliant with the National Care Standards Act (2000) and provision of the Health and Social Care Act 2008, both of which reflect improving standards within social care.

The development will create up to 60 jobs employed within the care home and it is anticipated that these jobs will be sourced from the local area. Up to 24 staff will be present on site at any one time due to the required shift patterns that cover a 24hr period. Additional jobs will be created during the construction period with recruitment being sourced from the local area.

The applicant confirms the development will be delivered within a 16 month period following approval of the development.

The applicant states that their investment in the site will equate to over £17m of direct, indirect and induced economic impact that will benefit the wider economy. This figure should be treated as a minimum as, for example, it does not account for revenue to be generated from the operational stage (e.g. from resident, care home and employee spending / taxation) which will further benefit local businesses and the community over the long-term.

#### **Relevant Planning History**

| <b>Application No.</b> | <b>Development</b>   | <b>Decision</b>             | <b>Date</b> |
|------------------------|--|-----------------------------|-------------|
| 19/0887                | OUTLINE APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS AND A RESIDENTIAL DEVELOPMENT OF UP TO 51 DWELLINGS WITH ASSOCIATED INFRASTRUCTURE (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED).                                  | Draft Decision Notice       |             |
| 19/0830                | APPLICATION FOR PRIOR NOTIFICATION FOR PROPOSED DEMOLITION OF EXISTING HOSPITAL BUILDING TO BASEMENT LEVEL, INCLUDING THE REMOVAL OF ALL OBSTRUCTIONS, SLABS AND FOUNDATIONS UNDER PART 11 OF GENERAL PERMITTED DEVELOPMENT ORDER. | Approve Prior Determination | 11/11/2019  |

Extensive planning history relating to former hospital use omitted due to lack of relevance.

#### **Relevant Planning Appeals History**

None

## **Parish/Town Council Observations**

**Medlar with Wesham Town Council** notified on 12 August 2021 and comment:

*Option B – the Council support the application.*

## **Statutory Consultees and Observations of Other Interested Parties**

### **Lancashire County Council - Highway Authority**

No objections, appropriate visibility and junction spacing has been provided. Whilst no footway is provided on the internal access road on its northern side it is not considered essential to make the development acceptable. Landscaping and boundary treatment must ensure that visibility sightlines are not compromised.

Conditions relative to provision of parking and manoeuvring areas, construction management plan, agreement of access design and provision of agreed details, visibility splays to remain free from structures and planting above 1m in height.

### **Greater Manchester Ecology Unit**

The developer's ecological consultant identified no significant ecological issues. Issues relating to proximity to the Ribble and Alt Estuaries SPA, bats, badgers, nesting birds, invasive species and biodiversity enhancement measures can be resolved via condition and or informative.

#### **Ribble & Alt Estuaries SPA**

The development is located within 5km of this SPA. The only likely impact is indirect, resulting from an increase in recreational pressure. I note that Natural England have already responded recommending that an HRA be carried out by the LPA. The ecological consultants have however concluded that the scale of the development and distance from the SPA are such that no likely significant effects are likely. I would agree with the consultants that there is no likely significant effect particularly as the Care Homes target client base is people with general care needs dementia and without access to car. In my opinion there is no likely significant effect an Appropriate Assessment is not required.

#### **Bats**

One tree and two bat boxes were identified as having bat roosting potential with one of the bat boxes showing evidence of use. The tree is currently to be retained and just off site and has one of the bat boxes. The other bat box with evidence of use is located on a tree proposed for removal. A license will therefore be required from Natural England. Given the bat box can be physically moved I am satisfied that there should be no issue in getting a license. A condition requiring submission of a Natural England bat license, or evidence from NE that a license is not needed.

#### **Badgers**

No evidence of badger was found but owing to the presence of this species in the wider environment and its ability to dig new setts over a relatively short period the consultants have recommend a resurvey prior to development. I would assume this recommendation is based on knowledge of a reasonable level of risk that badgers could colonise the site but owing to the environmentally sensitive nature of badgers, this evidence has not been supplied. I therefore recommend that prior to determination the consultant's supply the information they have on badgers as a confidential document for the eyes of the LPA and

their advisors only.

#### Nesting Birds

The development will result in the loss of more trees and shrubs from the site, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. Condition recommended to avoid removal of trees/ shrubs during bird nesting season, unless survey work demonstrates no active bird nests are present.

#### Invasive Species

One species listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended) was located on the wider site a Cotoneaster spp. It will however be avoidable as part of this development. Informative advised relating to actions if invasive species is disturbed during construction.

#### Contributing to and Enhancing the Natural Environment

Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The consultants have carried out a net gain calculation based on the current sites baseline, which has demonstrated that the site will be enhanced. Whilst I would argue that the baseline should be the pre-clearance value given that the site was previously primarily buildings and hardstanding, with the only additional habitat being some small areas of lawn, I am satisfied that a net gain is being achieved. The proposed landscaping can be conditioned. There does not however appear to be any species mitigation for loss of bird nesting habitat. I would therefore recommend that a number of bird boxes are provided too. The details can be conditioned.

### **Natural England**

For residential development in this area, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the Screening stage of the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations').

Under Regulation 63 of the Habitat Regulations the determination of likely significant effect is for the competent authority, in this case the Local Planning Authority. If your authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England.

Where the HRA Screening cannot rule out a likely significant effect on the coastal designated sites then an Appropriate Assessment is required, of which Natural England is a statutory consultee, please consult us again at this stage.

### **NHS Fylde and Wyre CCG**

The site falls within the catchment of Kirkham Health Centre and has the potential to create up to an additional 66 new patients. This need, together with other new development in the area, can only be met through the development of a new practice. Physical constraints of the existing health centre mean that the current premises cannot be extended.

Existing health Financial contribution of £16,347 toward the provision of a new build

primary care centre are therefore requested.

Failure to secure the contribution effectively means that we are objecting to the application.

#### **Lancashire Fire Service**

Advisory comments in relation to Building regulation requirements.

#### **Lancashire CC Flood Risk Management Team**

No objection subject to conditions requiring submission and agreement of surface water drainage design for the care home and during construction of the development, operation/ maintenance plan and verification report of constructed surface water drainage design.

#### **United Utilities**

No objection subject to condition requiring implementation of the submitted drainage strategy.

#### **Environmental Protection (Pollution)**

No objection, subject to conditions relating to implementation of findings within the land contamination, provision of watching brief for land contamination during construction and report of findings if applicable, and air quality report, maximum noise level thresholds, servicing hours restriction (8am to 6pm) and external lighting design.

#### **Neighbour Observations**

|                             |   |
|-----------------------------|---|
| <b>Neighbours notified:</b> | 12 August 2021  |
| <b>Site Notice Date:</b>    | 17 August 2021  |
| <b>Press Notice Date:</b>   | 19 August 2021  |
| <b>Number of Responses</b>  | 1   |
| <b>Summary of Comments</b>  | From a resident on Wesham Park Drive which expresses concerns over the adequacy of that road, and the residential roads leading to it, to accommodate the traffic from the development. Also refers to the potential for overspill parking onto those roads if the on-site parking is inadequate. |

#### **Relevant Planning Policy**

##### **Fylde Local Plan to 2032:**

|      |   |
|------|---|
| S1   | Proposed Settlement Hierarchy                         |
| DLF1 | Development Locations for Fylde                       |
| SL4  | Kirkham and Wesham Strategic Location for Development |
| GD1  | Settlement Boundaries                                 |
| GD7  | Achieving Good Design in Development                  |
| GD9  | Contaminated Land                                     |
| H1   | Housing Delivery and the Allocation of Housing Land   |
| H2   | Density and Mix of New Residential Development        |
| H4   | Affordable Housing                                    |
| HW1  | Health and Wellbeing                                  |
| HW2  | Community Facilities                                  |
| INF1 | Service Accessibility and Infrastructure              |

|      |   |
|------|---|
| INF2 | Developer Contributions                               |
| T5   | Parking Standards                                     |
| CL1  | Flood Alleviation, Water Quality and Water Efficiency |
| CL2  | Surface Water Run-Off and Sustainable Drainage        |
| CL3  | Renewable and Low Carbon Energy Generation            |
| ENV2 | Biodiversity  |
| ENV4 | Provision of New Open Space                           |

**Other Relevant Policy:**

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

**Site Constraints**

N/a

**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**

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

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

- The principle of development,
- Design,
- Amenity,
- Highways,
- Trees,
- Drainage, and,
- Ecology.
- Other matters - affordable housing, health and wellbeing.

Taking each matter in turn.

**Principle of Development**

The site is located with the settlement boundary of Wesham and has no specific allocation in the Fylde Local Plan (FLP). FLP Policy S1 identifies Wesham as 1 of 5 Local Service Centres within the Fylde, stating that the settlement is well placed to provide for future local housing and employment needs. Policy DLF1 encourages the majority of future growth toward 4 sustainable locations, which



includes Kirkham and Wesham, and states that such development is key to delivery of the development strategy advocated in the FLP.

FLP Policy H2 seeks to provide a broad mix of housing, suitable for a range of age groups, specialist accommodation for the elderly is encouraged to meet the needs of an ageing population. Policy H2 states that this type of accommodation will be approved subject to 4 criteria relative to availability of public transport, design, provision of suitable access for emergency services and compliance with other relevant FLP policies. Such matters are discussed in greater detail in the proceeding paragraphs, though in summary it can be confirmed that the development is consistent with the 4 criterion:

- The site is in easy reach to public transport, though given the age and care needs of the end user it is unlikely that residents will require such access.
- The proposal is well designed, avoids unnecessary use of high fencing about the site perimeter, is orientated to the street and provides for short pedestrian routes to the main entrance, provides usable outside landscaped gardens with seating, and the site access/ parking is separated from pedestrian routes where practicable.
- The development complies with all other relevant policies and strategies of the development plan.
- Convenient access is provided for vehicles providing hospital transport. The development provides for a demarcated drop off area for use by transit/ emergency services that is close to the main pedestrian entrance, clinical space is also provided on site for treatment. Ambulances, public transport or private trips (taxi or car) will be utilised to provide access to external health care, being organised by Staff in line with their care duties. Residents will always be accompanied when travelling off site, whether by Staff and/ or relatives.

The site is therefore compliant with the strategic development objectives of the FLP and the principle of developing the site for the purposes applied for is supported.

## **Design**

FLP Policy GD7 requires development to be of a high standard of design, providing a number of criteria for planning applications to be determined against. Appropriate to the current application the following criteria of GD7 are considered relevant:

- a) Development will be expected to deliver strong street frontages,
- b) Development should wherever possible enhance the local character of the surrounding area.
- d) Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.
- e) Taking account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- g) Applying Secured by Design principles to all new developments.
- i) make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.
- j) Ensuring parking areas for cars, bicycles and motorcycles are safe, accessible and sympathetic to the character of the surrounding area and that highway safety is not compromised.
- k) sustainable and inclusive connections between people and places.
- l) Creating safe and accessible environments.
- m) Protect existing landscape features and natural assets.

- n) Provision for the needs of specific groups in the community, such as the elderly.
- r) consideration of measures to mitigate climate change such as energy and water efficiency, waste storage and recycling.
- s) adaptation to climate change through design including orientation of buildings to maximise solar gain, shelter from the elements, natural light and ventilation.

FLP Policy CL3 states that opportunities for renewable and low carbon development should be maximised in support of the Government's long term commitment to reduce greenhouse gas emissions by at least 34% by 2020 and 80% by 2050.

In addition, FLP policy H2 supports 100% specialist accommodation subject to 5 criteria, which includes requirement that:

- the proposal is well designed,
- avoids unnecessary use of high fencing around the perimeter,
- orientated towards the street with an entrance on the street side of the building providing the shortest possible pedestrian access,
- usable outside landscaped gardens with seating, and,
- access and parking for vehicles well separated from pedestrian routes.

Paragraph 126 of the NPPF states that good design is a key aspect of sustainable development, and para 134 requires development that is not well designed to be refused.

The site forms part of a larger plot of land that is located within the residential area, being bound by new housing recently constructed within the Hospital grounds to the north and west, more traditional housing to the south, and public open space to the east. It currently lies vacant following demolition of the former hospital buildings with the hardstanding of the building footprint and car parking areas still evident and mature trees have been retained. A 3m wooden fence has been erected around the perimeter in a bid to secure the site. The application site and wide vacant plot are considered to detract from the local area. This impact is exacerbated by the prominence of the site when viewed from the street and public open space. Redevelopment will therefore greatly improve and enhance the visual quality of the site and locality, subject to an acceptable design solution.

The current proposal seeks consent for a 66 bedroom care home through provision of a single accommodation block that maintains a H-shaped footprint centrally on site. The structure is 2 storey in scale and equates to 3178sqm of internal floor area, providing for single room accommodation with en-suite facilities, and includes day to day amenities for the comforts of its residents such as communal lounges/ dining area, cafe/ bar, quiet lounges/ family rooms garden room, cinema room, a shop and hair studio. Level and amenable access for all is provided throughout. It is purposefully designed to provide residents with a good quality of life and encourage independence, though is set within a safe and secure environment. The proposal will be fully compliant with the National Care Standards Act 2000 and Health and Social Care Act 2008.

Externally, the main building measures approximately 53m x 42m and is enveloped by landscaped grounds, car parking is located to the south and east, with peripheral landscaping to the site boundary. The building is westerly facing, presenting a front facing aspect to the Wesham Park Drive street scene and ensures that all rooms will receive natural light and sunlight at some point over the course of the day. The structure is set back from the road behind peripheral landscaping and parking area, set within landscaped grounds that retain some of the existing trees on site. Ornamental railings are used to provide residents with secure garden space close to the building.

Site boundary treatment include a 1.8m close boarded fence to less prominent elevations that adjoin housing to the north and vacant plot to the east, and a low-level timber knee rail with hedgerow to the more visible south and west. The bin store has a timber surround and is located to a less prominent part of the site and away from the internal living areas. The building itself is to be constructed of a red brick with a contrasting render, with a hipped roof form and 2 storey projections. The applicant has revised the building appearance in order to reflect the more vertical emphasis of new built form adjacent. This includes introduction of 2 storey gables and use of render to emphasise verticality of the gable features which also give depth to the structure. The building scale and mass is large, though the H-shaped footprint, use of 2 storey gable detail and landscaping reduces the visual impact of the development.

The development seeks to retain higher value amenity trees on site where feasible, though 14 trees are to be felled to facilitate the development with some of a poor quality and in poor health. Of these four category C trees are proposed to be removed adjacent to Wesham Park Drive and a further 10 (1 category B and 9 Category C trees) located centrally on the site related to landscaping of the former hospital car park. These trees are less visible in the street as a consequence and are considered to have a lower amenity value which affords justification for their removal, subject to replacement planting. The indicative landscape plan provides for enhanced replacement tree planting (21) that introduces specimens to the Wesham Park Drive frontage of the site and enhances the street scene when compared to existing. The more sensitive southern and western boundaries will also be formed by native hedgerow planting set behind a timber knee roll.

The development incorporates a number of renewable energy technologies which are reported to achieve a 30% reduction in greenhouse gas emissions, including roof mounted solar panels and ground source heating (used for temperature regulation within the care home), as well provision of 2 electric vehicle charging bays. Low energy light bulbs that are motion sensitive, water saving measures including flow control and tap sensors to minimise water loss will also be used. Sustainable principles will be adopted during the construction process including waste management to minimise removal of spoil from the site, waste segregation, and locally sourced materials and labour where possible.

Overall, the development is considered to make a positive contribution to this part of Wesham, particularly when compared to the sites current visual appearance, taking into consideration the character and traits of the locality. Design of the development is therefore considered acceptable, in accordance with the development plan and NPPF.

### **Amenity**

FLP Policy GD7 requires high design standards and supports new development that would be sympathetic to surrounding land uses and occupiers, and that existing uses in the local would not undermine amenity of proposed occupants. This amenity impact includes privacy, dominance, loss of light, over shadowing or disturbance resultant from the development itself on neighbours or those living within the development, or during the construction period.

Existing neighbours which could be affected by the proposal live within new build housing adjoining the application site to the north, north east and west. These dwellings are 2 or 3 storeys in height and have habitable room windows that look out over the application site.

The submitted site plan illustrates separation distances to neighbours. Minimum separation to neighbouring dwellings is shown to be 24.7m to the apartment block located to the north, and between 27.2m to 35.4m to dwellings located to the west. This degree of separation is considered

sufficient to ensure that the development would not have an unacceptable impact on these neighbours.

The proposed vehicular access is to be via Wesham Park Road which provides the single point of entry for both cars and service vehicles. Inevitably there will be some noise disturbance from the passage of vehicles to the site, though it is considered that the level of activity would not be significant to warrant refusal of the proposal and is akin to current vehicle use of the road in any event.

External areas of the site will be illuminated including the car park which opposes dwellings on Wesham Park Road. The type of lighting proposed has not been provided, but likely to be standard lighting columns that are also present to roads and parking areas in the locality. Lighting levels of the car park will be similar to street lighting and therefore unlikely to effect neighbours. The request by the Environmental Protection officer for further details is recognised, but is not considered necessary in this instance.

The layout of the development provides for an acceptable level of amenity space, both internally and externally, through provision of communal areas within the building, landscaped gardens and patio areas. The amenity needs of prospective residents is considered to be catered for within the development.

It is inevitable that there will be some disruption for neighbours during the construction period. This disruption however is temporary, for duration of the build and is therefore acceptable. Conditions will be imposed to reduce this disruption for neighbours including construction hours restriction, wheel wash facility, noise/ dust/ vibration controls.

On this basis it is considered that the development would not unacceptably impinge on the amenity of existing or prospective residents, in accordance with Policy HL2 and GD7.

## **Highways**

FLP policy GD7 supports good design that prioritises non-motorised users (p), would not prejudice highway or pedestrian safety, and the efficient and convenient movement of all highway user (q), and, encourages alternative modes of transport including walking and cycling (r). Similarly Policy T4 also encourages walking and cycling to improve quality of life and reduce the Boroughs carbon footprint.

Policy T5 relates to parking provision and indicates that a flexible approach to the level of car parking provision will be applied dependent on the location of the development. Paragraph 11.61 of the FLP indicates that the Council will prepare a Supplementary Planning Document (SPD) on parking standards. The SPD has not yet been adopted and standards contained in the Joint Lancashire Structure Plan (JLSP) are therefore still applicable, in this circumstance the relevant standard is based upon that for a Nursing Home with 1 parking space per 5 residents being required.

Policy H2 supports new residential development provided satisfactory access and parking arrangements are provided, and do not adversely affect the safe and efficient operation of the highway network, either individually or cumulatively with other permitted developments. Policy TR1 also encourages the improvement of facilities for pedestrians to encourage walking as an alternative means of travel. SV Policy GD7 refers to similar highway safety matters and T5 requires provision of parking on site and that a flexible approach to parking will be applied, dependent on location of the development.

Paragraph 32 of the NPPF states that decision makers should take account of whether safe and suitable access to the site can be achieved for all people, and, improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

A neighbour objection has been received with regards to safety of access location and additional trips created by development, queries if there is sufficient car parking.

Vehicular access to the site is gained via a new entrance from Wesham Park Road, opposite the junction with Hornbeam Close. The existing footpath on Wesham Park Road will be continued into the site. 25 parking spaces are indicated on plan, inclusive of 2 disabled bays and 2 electric vehicle charging spaces, the proposed layout also provides for a drop off point, cycle store and bin store. The internal layout also provides an area to store and charge mobility scooters.

The planning application is accompanied by a Transport Statement (TS) and Travel Plan (TP). The TS identifies that the site is well served by existing pedestrian footpaths that connect with the wider area, its services and facilities, making walking comfortable, convenient and efficient. Whilst there is no cycle network within close proximity, the proposal includes provision of 8 cycle spaces that will be covered and secure. The TS confirms that the development will generate up to 58 staff and confirms that this is not the number of staff present on the site at any one time. Due to shift patterns, the maximum number of staff on site at any one time will be 24, these shifts are timed so that majority of trips to/ from the site avoid peak times. There is also no visiting hour restriction which acts to spread associated vehicle trips throughout the day.

The TS confirms that the amount of car parking proposes is based upon the applicants experience of their operational care homes and is considered sufficient to accommodate staff and resident needs. Residents do not generally have access to a car due to their age and ability. Operational experience also demonstrates that residents, staff and visitors generally come from a 3 mile catchment, which acts to encourage alternative forms of transport, reduce car usage and parking demand.

With regards to servicing, the TS states that the frequency and size of vehicles is low, with an average of one service vehicle per day (7.5 tonne) delivering foodstuffs and perishables.

It must be acknowledged that the development will increase the number of trips on the road network, impact though would be minimal and would not be to such an extent that would make the proposal unacceptable. The TP encourages alternatives forms of transport and will act to reduce vehicular trips to the site if implemented. The operators daily shift pattern largely avoids peak periods and therefore reduces pressure on the network at busier times of day, in addition, the site's sustainable location encourages the use of alternative modes of transport. The proposed parking provision exceeds that of the adopted JLSP standard (1 space per 5 residents = 13 parking spaces for 66 bed scheme), though Policy T5 does provide support for the applicants bespoke and justified approach. Support for additional parking numbers beyond that of the JLSP requirement will also help to reduce any perceived pressure for displacement of car parking to surrounding streets.

The objector refers to safety of the access, trip generation and car parking concerns. These concerns are not, however, shared by the Local Highway Authority who have raised no objections on grounds of the development's access, parking provision, network capacity or highway safety. Instead, conditions are recommended with respect to provision of parking and manoeuvring areas,

construction method statement, approval of design and provision of the access design, and removal of permitted development to ensure visibility splays remain unobstructed. Approval of the access design is not considered necessary given the need for sign off of detailed design through the S278 process.

It is considered that the proposed development would ensure safe and suitable access and circulation arrangements for all road users and a suitable level of parking provision commensurate to the operational experience of the applicant. The development would not have any adverse effects on highway safety or capacity. Accordingly, the proposal is in compliance with the objectives of SANDP policy TR3, policies GD7, T4 and T5 of the FLP, and the NPPF.

## **Trees**

FLP Policy ENV1 (b) encourages development to retain existing landscape features such as trees and encourages like for like replacement as a minimum in the event that the loss of such features is unavoidable (c). Policy GD7 (m) seeks to protect existing landscape features and natural assets as an integral part of the development.

There are a number of trees on the site, none of which are protected by Tree Preservation Order. Those that are located adjacent to Wesham Park Road afford some amenity value for residents and act to soften the appearance of the existing site when viewed externally. Other trees are located more centrally and have more ornamental value to the former car park, with lower amenity value due to their reduced visibility.

The submitted Tree Survey (TS) indicates that 14 trees require removal in order to facilitate the proposal. The majority of these are located within a landscaping strip to the existing car park area, and 4 adjacent to Wesham Park Road. With the exception of one Class B (moderate quality) tree, all other trees to be felled have been classified as Class C (low quality) by the TS. An indicative landscaping scheme has been provided which demonstrates the planting of 21 trees about the site periphery, this is considered to be of enhanced amenity benefit when compared to the existing landscape quality of the site. The TS also identifies protection of retained trees during the construction process.

On balance the loss of trees is supported in order to facilitate redevelopment of the site, subject to replacement planting and protection of trees as per the submitted TS and layout drawing.

On this basis the proposal is considered to accord with Policies ENV1 and GD7, subject to protection of retained trees, and provision of additional tree planting within the development which can be controlled by condition.

## **Ecology**

Policy ENV2 states that the Council is committed to the protection and enhancement of the boroughs biodiversity and geological assets. The strongest protection will be given to sites of international importance (Ramsar, Special Area of Conservation, Special Protection Areas or candidate sites of such). Development affecting sites of local importance will be permitted only where there is an overriding local public need. ENV2 also safeguards protected species and states that development that has any adverse effect will not be supported, unless the benefits of development outweigh the ecological impact, and subject to appropriate mitigation.

The planning application was accompanied by an Ecology Assessment which concluded that

redevelopment of the site would have no potential effect to any statutory or local conservation designations. With regards to protected species it was found that whilst there are no badgers present on the application site, this species has been reported within the locality, and a further badger survey of the site is necessary prior to any works on site commencing. With regards to bats, one tree proposed to be felled was characterised as having low suitability for bat roosting potential and should only be felled under ecological supervision. There are two bat boxes present within trees to be felled on the site, one of these boxes showed evidence of a bat roost being present, a Bat License will be required to relocate the box. The site also has the potential to support nesting bird habitat and removal of such should be done outside of the nesting season. The report indicates that the proposed development will result in a biodiversity net gain on site.

The Council's consultant Ecologist raises no concerns with the report findings and suggests a number of conditions to safeguard ecology as clarified in the proposed conditions below. Whilst the request for a pre-commencement badger survey is acknowledged, it is not considered necessary in this instance given that the site and wider cleared area is presently covered by hardstanding and surrounded by a 3m high fence, presence of badgers on the site is considered to be minimal.

Natural England comment that a proportionate assessment of the recreational disturbance impact on the coastal designated sites is required under the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017. In practical terms this relates to the additional pressure created by the development on the Ribble and Alt Estuaries Special Protection Area with regards, importantly those living on site visiting the SPA area. The applicants Ecologist has responded to this matter, stating that:

*'the average age of residents and age of new residents is over 80 years old. The care / accommodation provided is specialist (general residential and dementia care), it is designed to accommodate individuals who require a greater level of care and are generally less able to live independent lives. Because of this, our residents usually require various levels of assistance and are unable to travel independently. The extensive range of internal and external facilities within the site is provided to address this and resident's recreational needs.'*

The nature of accommodation and end user will act to minimise pressure on the SPA. For these reasons the Ecological Assessment concludes that there would be no impact to the SPA and that HRA is not required for this reason. The Council's consultant Ecologist agrees with this statement confirming that there is no likely significant effect and further assessment is not therefore necessary.

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

## **Drainage**

The site falls entirely within flood zone 1, as defined on the Environment Agency's Flood Map. A Flood Risk Assessment is not therefore required given the FZ1 location and site size being less than 1 ha.

The application was accompanied by a Drainage Strategy which concluded that surface water would drain to the existing sewer network via holding tanks on site. Foul will also discharge to the existing network on Wesham Park Road. Both United Utilities and the Lead Local Flood Authority did not object to the proposal subject to condition, though did query the feasibility of sustainable urban drainage (SUDS) as a surface water solution. To this end, the applicant has undertaken percolation testing at the site and has evidenced that infiltration as a SUDS solution is not feasible, affording support for connection to the existing system. UU have accepted percolation results confirming that infiltration is not feasible and acceptance of the drainage strategy design as submitted. The LLFA have not provided feedback to date .

Notwithstanding, given that the LLFA and UU have not raised objection, subject to condition, it is considered that this matter should not hold up determination. On this basis, it is considered that adequate measures can be put in place in order to ensure appropriate drainage provision and that the development poses no unacceptable risk in terms of flooding in accordance with the development plan and NPPF.

## **Other Matters**

### Affordable Housing

FLP Policy H2 states that affordable housing contributions will not be sought on sites that provide 100% specialist accommodation for the elderly. This exception reflects Paragraph 65 b) of the NPPF which states that development exceptions to affordable housing requirements include '*specialist accommodation for a group of people with specific need (such as purpose built accommodation for the elderly or students).*'

To be classified as specialist accommodation H2 states 6 requirements that the development must be compliant with.

- All areas used by residents will comply with optional technical standard M4(3(2a)) (wheelchair-adaptable dwellings);
- A communal lounge or similar social facility for the exclusive use of all residents is included within the development;
- A shared laundry service is provided for the use of all residents;
- The development will be marketed with a restriction on age for residents of over 55;
- A daily hot meals service is provided either through a central facility on-site or through an outside provider to residents who require it; and
- An emergency alarm call service is provided for all residents.

The applicant has provided a supporting statement to demonstrate compliance with each of the above physical criteria. Importantly, the applicant has also confirmed acceptance of a condition that restricts age of all occupants to 55 years or over. On this basis the development is considered to be 100% specialist accommodation and is not subject to affordable housing requirements. A condition restricting the age of occupants is necessary and the applicant has confirmed acceptance of such.

### Health and Wellbeing

FLP Policy HW1 d) seeks to reduce health inequalities through seeking financial contributions towards new or enhanced facilities where new housing results in a shortfall or worsening of provision. Similarly, FLP Policy INF2 e) requires development to contribute towards the mitigation of its impact on infrastructure, services and the environment and contribute towards the requirements



of the community, including health.

The NHS Blackpool Clinical Commissioning Group comment that the development sits within the catchment area of Kirkham Health Centre and that the pressure resultant of a 66 bedroom care home, along with all other committed development, cannot be accommodated within the existing Kirkham Health Centre either by extension or reconfiguration. Contributions of £16, 347 toward the provision of a new health centre have therefore been requested, with payment made pre-commencement of development to ensure that the additional capacity is created in advance of the population growth.

The development has the potential to draw new residents into the area and impinge upon existing service provision at Kirkham Health Centre as a consequence. The contribution request is therefore valid and consistent with the development plan requirements. The applicant has confirmed acceptance of the contribution amount and a Unilateral Undertaking has been drafted to require payment pre-commencement of the development.

### **Conclusions**

The principle of the proposed development is considered acceptable being located within a Strategic Location for Development.

The development provides for satisfactory access to the site and there is sufficient capacity to ensure that the level of traffic generated by the development would not have a severe impact on the safe and efficient operation of the surrounding highway network. Appropriate car parking is provided, and, design and layout of the scheme is acceptable. The proposal is considered to have an acceptable relationship with neighbours, and the development would have no adverse impacts in terms of ecology, flooding or drainage.

There are no other technical issues which would warrant refusal of the proposal.

The proposal therefore represents sustainable development and is recommended for approval.

### **Recommendation**

That the decision to GRANT Planning Permission be delegated to the Head of Planning and Housing, with that decision being subject to the completion of a Unilateral Undertaking and a schedule of appropriate conditions.

The Unilateral Undertaking is to secure:

- a financial contribution of £16,347 towards the provisions of a new health care centre in the vicinity of the site
- an appropriate contribution towards the monitoring of compliance with the requirements of the obligation.

The suggested Planning Conditions and Reasons are as follows:

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

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

2. This permission relates to the following plans:

- Location Plan drawing reference: PR4 3AL-A-01
- Proposed site plan drawing reference: PR4 3AL-A-03 rev A
- Proposed floor plan drawing reference: PR4 3AL-A-04 rev A
- Proposed elevations drawing reference: PR4 3AL-A-05 rev A

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. There shall be no removal of tree T26 as identified in the Ecological Assessment Report (Tyler Grange ref. 12155\_R04), until the Local Planning Authority has been provided with one of the following, and has confirmed in writing that it addresses the relevant legislation and policy requirements:

a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species

Regulations 2017 authorising the specified activity/development go ahead, or,

b) a statement in writing from the relevant licensing body or LPA to the effect that it does not consider that the specified development will require a license.

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

4. Notwithstanding any details shown on the approved plans, prior to any works above slab level, a hard and soft landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the soft landscaping principles indicated on drawing:

- Proposed site plan drawing reference: PR4 3AL-A-03 rev A

and include additional tree planting adjacent to Wesham Park Road, whilst ensuring retention of all trees identified on drawing:

- Tree Retention and Removal Plan drawing reference number 12155\_P04 (Arboricultural Assessment, Tyler Grange, 26/070/2021)

The soft landscaping scheme shall confirm the type, species, siting, planting distances and the programme of planting.

The duly approved landscaping scheme shall be implemented in accordance with the approved details and shall be retained as landscaped areas thereafter.

Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to

enhance the character of the street scene and to provide biodiversity enhancements, in accordance with Policies GD7 and ENV1 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

5. Prior to commencement of the development hereby approved, a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based upon the site-specific drainage assessment submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

The scheme as a minimum shall include:

- a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), as per the Ciria SuDS Manual for previously developed sites, pre & post development to demonstrate betterment.
- b) Evidence of test results to confirm infiltration rates and groundwater levels in accordance with industry guidance, to determine if infiltration is feasible.

- c) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;
- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels;
- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
- iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL;
- vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
- vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

The scheme shall be implemented in accordance with the approved details.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Fylde Local Plan to 2032 policies CL1 and CL2 and the National Planning Policy Framework.

6. Prior to commencement of the development hereby approved, details of how surface water and pollution prevention will be managed during each construction phase shall be submitted to and approved in writing by the Local Planning Authority. Those details shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall be constructed in accordance with the approved details.

Reason: To minimise risk of flood and pollution during construction of the development, in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, CL1 and CL2 and the National Planning Policy Framework.

7. Prior to occupation of the development hereby approved, a Surface Water Verification Report and Operation and Maintenance Plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme discharged by condition 4 (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that agreed surface water design is implemented so that the development is not at risk of flooding and does not increase flood risk elsewhere, in accordance with the requirements of Fylde Local Plan to 2032 policies CL1 and CL2 and the National Planning Policy Framework.

8. Unless otherwise agreed in writing by the Local Planning Authority through the discharge of this condition, construction of the development hereby approved shall be undertaken in accordance with the Construction Method Statement (ref: LNT Care Developments, October 2021) and site setup drawing (ref: B-07).

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings during the construction of the development, in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

9. Notwithstanding the submitted details, prior to any works above slab level, confirmation of the external construction materials shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be used in construction of the development.

Reason: To provide sufficient clarity over the construction materials and in the interests of visual amenity for the development, in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

10. Unless otherwise agreed in writing by the Local Planning Authority through the discharge of this condition, the development hereby approved shall be constructed in accordance with the finished levels as detailed on drawing:

- Proposed site plan drawing reference: PR4 3AL-A-03 rev B.

Reason: In order to ensure a satisfactory relationship between the care home and its surroundings (including buildings and the street scene), in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

11. Unless otherwise agreed in writing by the Local Planning Authority through the discharge of this condition, the bin store and PV battery store hereby approved shall be constructed in accordance with details indicated on drawing:

- Bin Store Details drawing reference: SDL-033A.
- PV Battery Housing drawing reference: PVH-01.

Reason: To provide sufficient clarity over the construction materials and in the interests of visual amenity for the development, in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

12. Unless otherwise agreed in writing by the Local Planning Authority through the discharge of this condition, the site boundary treatments shall be constructed in accordance with details indicated on drawing:

- Proposed site plan drawing reference: PR4 3AL-A-03 rev A

Reason: To provide sufficient clarity over the construction materials and in the interests of visual amenity for the development, in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

13. No clearance of trees and shrubs in preparation for or during the course of development shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the trees or shrubs to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of trees and shrubs shall take place until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

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

14. The development hereby approved shall be implemented in accordance with the conclusions and recommendations of the Geoenvironmental Appraisal (ref: calabrian, 7132/1, July 2021).

If, during development, contamination which was not previously identified is found to be present on the site then no further development shall take place on the affected part(s) of the site until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

- a survey of the extent, scale and nature of contamination;
- an assessment of the potential risks to:
  - a) human health;

- b) property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
    - adjoining land;
    - groundwaters and surface waters;
    - ecological systems; and
    - archaeological sites and ancient monuments.
    -
- an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the buildings on the affected part(s) of the site are first occupied.

Reason: To prevent pollution of the surrounding environment and to ensure the safe development of the site in the interests of the amenity of future occupiers and other sensitive receptors in accordance with the requirements of Fylde Local Plan to 2032 policy GD9 and the National Planning Policy Framework.

15. Foul and surface water shall be drained on separate systems.

Reason: To ensure that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Fylde Local Plan to 2032 policies CL1 and CL2 and the National Planning Policy Framework.

16. Prior to first occupancy of the development hereby approved, the approved vehicular and pedestrian access points, car parking (including disabled spaces and electric vehicle charging bays), covered cycle store and vehicular manoeuvring areas must be made permanently available for use in accordance with:

Proposed site plan drawing reference: PR4 3AL-A-03 rev A

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

17. The approved renewable energy technologies, including roof mounted photovoltaic cells and ground source heating, as detailed in the submitted Sustainability Statement (LNT Care Developments, August 2021) shall be implemented and made available for use prior to occupation of the development hereby approved.

Reason: In the interests of sustainable development and contribution toward reduction of greenhouse gas emissions, in accordance with Policies GD7 and CL3 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

18. The Travel Plan (ref: Transport Statement and Travel Plan, LNT Care Developments, August 2021) shall be implemented in accordance with the approved details and timetable contained therein for duration of the development hereby approved.

Reason: In order to promote modal shift and increased use of sustainable methods of travel in accordance with the objectives of Fylde Local Plan to 2032 policy T4 and the National Planning Policy Framework.

19. Once the development is operational, deliveries to or from the site, and, refuse collection from the site shall only take place between the hours of 07:00 - 21:00 Monday to Sunday.

Reason: In order to ensure a satisfactory relationship between the care home and its surroundings (including buildings and the street scene), in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent order following the revocation or re-enactment thereof (with or without modification), the visibility splay demonstrated on drawing:

- Vehicle tracking drawing reference PR4 3AL-A-07

shall be kept free of any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction) over 1 metre in height.

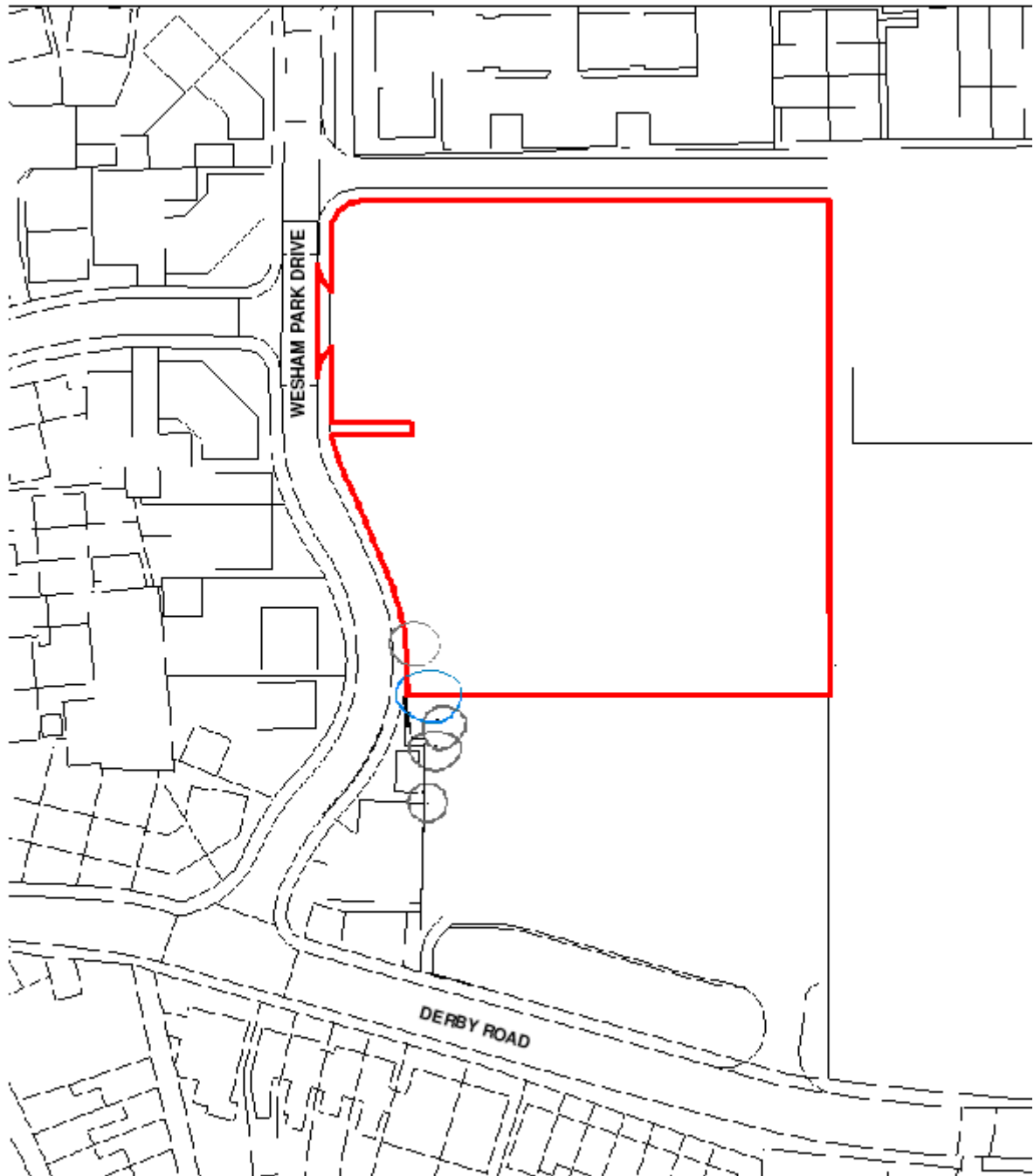
Reason: In the interests of highway safety to ensure appropriate visibility of oncoming traffic and pedestrians when vehicles are exiting the site in accordance with Policy GD7 of the Fylde Local Plan to 2032 (adopted 22/10/2018) and the National Planning Policy Framework.

21. The development hereby approved shall be occupied only by residents aged 55 years or over.

Reason: To ensure that the development operates as specialist accommodation for the elderly, in accordance with Policy H2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

22. Notwithstanding the provisions of Schedule 2, Part 3 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 premises shall be used as an elderly care home only with room use limited to that as indicated on the approved floor plan drawings (ref: PR4 3AL-A-04 rev A) , and for no other purpose (including any other uses falling within class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to those classes in any statutory instrument amending or replacing that Order.

Reason: To ensure that the use of the premises remains compatible with the character of surrounding uses, to ensure that the level of parking provided by the development remains sufficient to serve the use in the interests of highway safety; in accordance with the requirements of policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.





**Item Number:** 8

**Committee Date:** 03 November 2021

|  |  |   |                               |
|--|--|---|-------------------------------|
| <b>Application Reference:</b>                                  | 21/0834  | <b>Type of Application:</b>                               | Full Planning Permission      |
| <b>Applicant:</b>  | Pete Marquis<br>Developments   | <b>Agent :</b>  | Strategic Developments        |
| <b>Location:</b>   | STANLEY LODGE FARM, SALWICK ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SN   |   |                               |
| <b>Proposal:</b>   | FORMATION OF GATED FIELD ACCESS ONTO SALWICK ROAD INCLUDING ASSOCIATED HARDSTANDING AND 1.4 METRE HIGH FENCING - RETROSPECTIVE APPLICATION |   |                               |
| <b>Ward:</b>   | NEWTON WITH<br>TREALES   | <b>Parish:</b>  | Treales, Roseacre and Wharles |
| <b>Weeks on Hand:</b>  | 8  | <b>Case Officer:</b>                                      | Alan Pinder                   |
| <b>Reason for Delay:</b>                                       | Not applicable   |   |                               |
| <a href="#">Click Here</a> for application site on Google Maps |  | <a href="#">Click here</a> for application on FBC website |                               |

**Summary of Recommended Decision:** Grant

**Summary of Officer Recommendation**

The application relates to an access point to an existing agricultural field which lies to the western side of Salwick Road to the north of the M6 and the south of Wharles and HMS Inskip. The access serves a field that has historically been associated with Stanley Lodge Farm, but is now rented out separate to that farm as the agricultural activity undertaken at the farm has ceased and the buildings either demolished or converted to residential use. The site is in the Countryside and is entirely surrounded by other land that is in agricultural use.

The application is submitted retrospectively and involves the widening of a previous single gate width access to one that is double gate width and is recessed from the highway to enable vehicles to pull clear of the road when accessing the field. This involves the formation of a 10m gap in the roadside hedge, with the area between the hedge and the gate now fenced. A plan submitted during the consideration of the application confirms the intention to plant a hedge in front of this fence.

The application is presented to Committee as the Parish Council have raised objection to the development as they believe that the agricultural need for the widened access has not been demonstrated. However, in discussions over the need for the access the applicant has confirmed that the previously existing direct access from the farm itself will not be available once all the dwellings are completed and occupied on safety grounds, and that a widened and recessed access provides an essential improvement to the previous access at this point to permit its safe use by modern farm vehicles. He has provided a video clip to officers that demonstrate this with reference to a tractor and cattle trailer entering and leaving the access.

The site is located in the Countryside where Policy GD4 applies and permits that

development that is needed for agriculture as one of the exceptions to the restriction on development in those areas. Officers are satisfied that the improvement of the previous access is to facilitate the agricultural use of the field. It is also the case that the access from the farmyard that has been used in recent years will be less safe for the ongoing use by farm vehicles due to the forthcoming residential nature of that area.

There is also an overarching requirement for countryside development to respect the character of the rural area. The scheme involves the loss of a substantial length of hedgerow as a result of the widened and recessed access, however with the revised plans confirming that the sides of this are to be planted it is accepted that appropriate steps are taken in the development to mitigate the harm to the rural area.

Accordingly it is considered that the access accords with the requirements of GD4 relating to the need for it, and with Policy GD7 relating to the safety of its use, with Policy ENV1 regarding its landscaping. 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 and so it is necessary to present the application to the Planning Committee for a decision.

### **Site Description and Location**

This application relates to an existing field access serving agricultural land located on the western side of Salwick Road and to the north of Stanley Lodge Farm. The access is within countryside as designated on the Fylde Local Plan to 2032 Policies Map.

### **Details of Proposal**

Retrospective planning permission is sought for:

- a) Increasing the width of the roadside access from *circa* 4 metres to 10 metres
- b) Erection of a pair of metal field gates 10 metres back from the roadside
- c) Erection of a 1.4 metre high timber 'post & rail' fence between each end of the gates and the roadside
- d) Planting a native species hedge to the front of this fence to assist in softening its appearance and that of the access in general
- e) Formation of an area of hardstanding (topped with type 2 MOT crushed stone) between the field gates and the roadside

Prior to these works being carried out access to this land by agricultural traffic was via the former farmyard of Stanley Lodge Farm to the south of the site. This access point is no longer available due to the residential conversions at Stanley Lodge Farm now nearing completion, hence the need to alter the existing field access from Salwick Road to provide a suitable replacement point of access. The increase in the width was to allow use by the larger size of modern agricultural equipment. The extent of the works carried out (i.e. the width increase, set back of the gates, and area of hardstanding) are required to enable slow moving modern agricultural machinery (e.g. tractor and trailed equipment) to safely pull off the highway and access/egress the field from the relatively narrow Salwick Road.

### **Relevant Planning History**

| <b>Application No.</b> | <b>Development</b>   | <b>Decision</b> | <b>Date</b> |
|------------------------|--|-----------------|-------------|
| 21/0269                | RESIDENTIAL DEVELOPMENT OF FOUR DWELLINGS COMPRISING 100% AFFORDABLE HOUSING WITH ASSOCIATED INFRASTRUCTURE  | Refused         | 11/08/2021  |
| 20/0797                | NON MATERIAL AMENDMENT TO PLANNING PERMISSION 10/0170 TO ADD A CONDITION LISTING THE APPROVED PLANS  | Granted         | 09/11/2020  |
| 20/0725                | PROPOSED SINGLE STOREY SIDE EXTENSION, PROPOSED ALTERATION OF SIDE WINDOW TO CREATE A DOOR WITH ASSOCIATED STEPS   | Granted         | 24/11/2020  |
| 20/0726                | CONVERSION OF EXISTING CURTILAGE BUILDING (STABLE BLOCK) TO DOUBLE GARAGE AND ANCILLARY RESIDENTIAL ANNEX, AND CHANGE OF USE OF PADDOCK TO GARDEN CURTILAGE  | Granted         | 24/11/2020  |
| 20/0615                | MINOR MATERIAL AMENDMENT TO VARY THE APPROVED PLANS UNDER CONDITION 2 OF PLANNING PERMISSION 10/0170 FOR: 1) OMISSION OF FIFTH BEDROOM IN ATTIC SPACE OF EACH DWELLING INCLUDING REMOVAL OF ASSOCIATED ROOF LIGHTS TO FRONT ROOF PLANES; AND 2) INCREASE IN SIZE OF DETACHED OUTBUILDINGS WITHIN REAR GARDENS OF EACH DWELLING TO PROVIDE DOUBLE GARAGES WITH ROOMS IN THE ROOF SPACE AND ASSOCIATED ROOF LIGHTS | Granted         | 17/11/2020  |
| 10/0170                | CONVERSION OF FORMER AGRICULTURAL BUILDING INTO 3NO. DWELLINGS   | Granted         | 31/10/2013  |

### **Relevant Planning Appeals History**

None

### **Parish/Town Council Observations**

**Treales, Roseacre & Wharles Parish Council** notified on 09 September 2021.

*"At their meeting on the 20 October 2021 the Parish Councillors resolved to Object to the application because:*

- Currently access/egress to and from this field is available at its southern end via the substantial farm yard and therefore there is no need for the additional access halfway along the eastern boundary of the field and as a result the application does not comply with Policy GD4 of the Fylde Local Plan to 2032. Please see the attached aerial photograph.*
- There is no information to indicate that the access to this field at the southern boundary is to be removed in accordance with existing planning permissions. "*

## **Statutory Consultees and Observations of Other Interested Parties**

### **National Grid (now cadent gas)**

No comments received

### **Health & Safety Executive**

Do not advise against

### **Lancashire County Council - Highway Authority**

*LCC Highways does not have any objections regarding the proposed formation of gated field access onto Salwick Road including associated hardstanding and 1.4 metre high fencing and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. The field gate access has been confirmed to be for agricultural use and this is acceptable.*

## **Neighbour Observations**

|                             |                   |
|-----------------------------|-------------------|
| <b>Neighbours notified:</b> | 09 September 2021 |
| <b>Site Notice Date:</b>    | 22 September 2021 |
| <b>Number of Responses</b>  | None              |

## **Relevant Planning Policy**

### **Fylde Local Plan to 2032:**

|      |                                      |
|------|--------------------------------------|
| GD4  | Development in the Countryside       |
| GD7  | Achieving Good Design in Development |
| ENV1 | Landscape                            |

### **Other Relevant Policy:**

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

### **Site Constraints**

Pipelines

## **Environmental Impact Assessment**

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

## **Comment and Analysis**

The application seeks retrospective permission for the reconfiguration and widening of an existing field access located on Salwick Road and to the north of Stanley Lodge Farm. The access is within countryside, as designated on the Fylde Local Plan to 2032 Policies Map. Accordingly policies GD4 and GD7 of the Local Plan are relevant to the assessment of the application.

### **The principle of the proposed development**

Policy GD4 relates to development within countryside and seeks to restrict new development to that which falls within one of six criteria (identified as 'a' through to 'f') listed in GD4. Of these six

criteria only criterion 'a' is relevant to this proposal. Criterion 'a' provides support for development needed for the purposes of agriculture, horticulture or forestry, or other appropriate uses that help diversify the rural economy.

In this instance the reconfiguration of the existing field access has been carried out to provide a safe means of access into the field for agricultural traffic that previously accessed the land via the former farmyard of Stanley Lodge Farm. Under such circumstances the proposed development accords with criterion 'a' of policy GD4 as it is clearly of a design that is to support the agricultural activity undertaken on that field.

#### Design and appearance

The proposal has involved the removal of *circa* 6 metres of hedgerow. Whilst the loss of hedgerow is regretful it is considered that the extent of the loss when compared to the resulting improvements to highway safety is acceptable. The extent of hedgerow lost is also comparatively small relative to the length of hedgerow that forms the vista along the western side of this stretch of Salwick Road, and thus the wider visual amenity is not considered to be unduly harmed. Furthermore, the scheme includes an indication that the sides of the recess to the access gates are both to be planted with native hedgerow, with the result that the visual impact of the works will be reduced and an overall greater length of hedgerow will result from the development. The remainder of the access works (i.e. type and form of gates, fencing, and hard surfacing) are all in keeping with the rural character of the area where field gates of this nature are common features.

Overall the development is considered to accord with the criteria of policy GD7 that relate to design and visual impact, and with Policy ENV1 relating to the landscaping of the development.

#### Highway safety

The works require planning permission as Salwick Road is a classified road and so any alteration to an access point is not permitted development. The road has a speed limit of 60 mph and is *circa* 5.7 metres wide at the point of the field access. The reconfiguration of the access permits easier and quicker access for large and potentially slow moving modern agricultural traffic to pull off the highway and enter the land without causing an unnecessary obstruction or hazard to other vehicular traffic. Accordingly the development is considered to improve the safe use of Salwick Road for other road users. County highways have been consulted on the application and have raised no objections. The applicant has provided a video of the access in use by a tractor towing a trailer and it is clear that the use of the access by this particular vehicle necessitated the full width of the access as now provided, and the full width of the carriageway, to provide access to and exit from the field.

With the access that has been used in recent years to serve the land no longer being available due to the residential conversion of the farm buildings, the improvement of this access is an appropriate measure to enable the safe access to the field by the agricultural traffic that is expected to use it. Therefore the proposal accords with the requirements of Policy GD7 relating to road safety.

#### Conclusions

The application relates to the reconfiguration and widening of an existing field access located on Salwick Road and to the north of Stanley Lodge Farm. The reconfigured access would retain the appearance of field accesses typically found throughout Fylde Borough, and improve the safety of its use for agricultural vehicles. The development accords with policies GD4 and GD7 of the adopted Fylde Local Plan to 2032, and the application is recommended for approval.

## **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

1. This permission relates to the following plans:

- Location Plan - Drawing no. 1927\_LOC Rev B
- Proposed Site Plan % Elevation - Drawing no. 1927\_100 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.

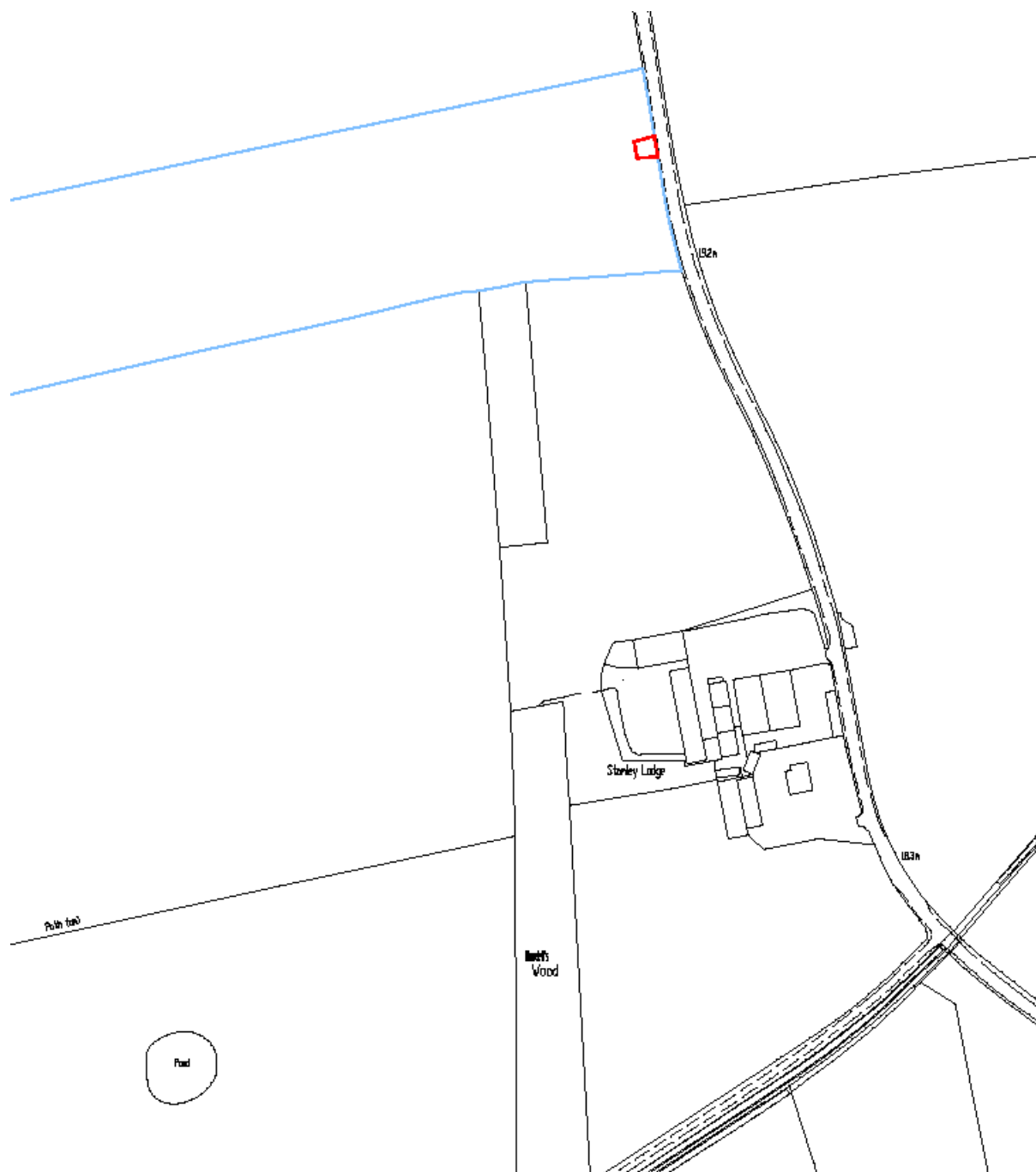
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework

2. 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 1 to this planning permission.

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

3. That no later than the end of the next available planting season (Oct 2021 - Feb 2022) a native species hedge shall be formed to both sides of the gate to ensure that there is a continuous hedge boundary between Salwick Road and the field gate. This hedge shall be planted with native hedging species at no less than 450mm centres, and shall be maintained and retained as a hedge at all times thereafter.

Reason: To provide a continuous and appropriately rural boundary to the site to preserve the rural character of the area as required by Policy GD4, Policy GD7 and Policy ENV1 of the Fylde Local Plan to 2032.



## **LIST OF APPEALS DECIDED**

There were no appeal decisions received between 17/09/2021 and 22/10/2021.



## DECISION ITEM

| REPORT OF                       | MEETING            | DATE            | ITEM NO |
|---------------------------------|--------------------|-----------------|---------|
| RESOURCES DIRECTORATE           | PLANNING COMMITTEE | 3 NOVEMBER 2021 | 5       |
| <b>RESERVE PLANNING MEMBERS</b> |                    |                 |         |

### PUBLIC ITEM

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

#### SUMMARY

Only reserve planning members can act as substitutes at Planning Committee. The Leader of the Independent group has asked the Committee to approve Councillor Peter Collins as a reserve planning member in place of Councillor Paul Hodgson. The committee is asked to consider that request.

#### RECOMMENDATIONS

To consider naming Councillor Peter Collins as a reserve planning member in place of Councillor Paul Hodgson.

#### SUMMARY OF PREVIOUS DECISIONS

The committee appoints and replaces reserve planning members from time to time.

#### 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

- Under Rule 24 of the Council Procedure Rules (found in part 4 of the council's constitution), a member can only act as substitute at a meeting of the Planning Committee if they are a "reserve planning member". A reserve planning member is a member who has been named as such by the Planning Committee. But the Planning Committee can only name a councillor as a reserve planning member if they consider that the councillor:
  - has a sufficient level of experience or training to enable him to contribute to the work of the committee; and
  - is willing and available to frequently attend meetings of the committee (whether or not acting as a substitute).

2. There can only be ten reserve planning members at any time. There are presently ten reserve planning members.
3. Councillor Oades, Leader of the Independent Group, has asked that Councillor Peter Collins replace Councillor Paul Hodgson as a reserve planning member. Councillor Collins was a reserve planning member from 2016 to 2019 and attended a number of Planning Committee meetings as substitute during that time. His training record indicates that he completed two sessions of Development Management Committee training in 2015. Councillor Collins also completed a refresher training session on 29 October 2021.

| IMPLICATIONS                            |                         |
|---|-------------------------|
| Finance                                 | No direct implications. |
| Legal                                   | No direct implications. |
| Community Safety                        | No direct implications. |
| Human Rights and Equalities             | No direct implications. |
| Sustainability and Environmental Impact | No direct implications. |
| Health & Safety and Risk Management     | No direct implications. |

| LEAD AUTHOR | CONTACT DETAILS                            | DATE           |
|-------------|--|----------------|
| Ian Curtis  | ian.curtis@fylde.gov.uk & Tel 01253 658506 | 4 October 2021 |

| BACKGROUND PAPERS |      |                                |
|-------------------|------|--------------------------------|
| Name of document  | Date | Where available for inspection |
| None              |      |                                |