



Agenda

Planning Committee

Date:	Wednesday, 6 January 2021 at 10:00 am
Venue:	Remote meeting via Zoom
Committee members:	<p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Tim Armit, Chris Dixon, Kiran Mulholland, Jayne Nixon, Linda Nulty, Liz Oades, David O'Rourke, Heather Speak, Ray Thomas, Stan Trudgill.</p>

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

Join Zoom Meeting <https://us02web.zoom.us/j/81203813799?pwd=cm9rS1NoY1dpQ2tyNm83TWdJQ1dDZz09>
 Meeting ID: 812 0381 3799
 Passcode: 159268

Public Speaking at the Planning Committee

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

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 9 December 2020 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24.	1
	DECISION ITEMS:	
4	Planning Matters	3-91
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5	List of Appeals Decided	92

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

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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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2	20/0042	LAND TO THE NORTH OF FRECKLETON BYPASS / EAST OF WARTON, BRYNING WITH WARTON APPLICATION FOR APPROVAL OF THE RESERVED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO OUTLINE PLANNING PERMISSION 17/0851 FOR A RESIDENTIAL DEVELOPMENT OF 345 DWELLINGS AND ASSOCIATED INFRASTRUCTURE	Grant	17
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Background Papers

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

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

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

Planning Committee Schedule

06 January 2021

Item Number: 1

Committee Date: 06 January 2021

Application Reference:	19/0917	Type of Application:	Full Planning Permission
Applicant:	The Veterinary Health Centre	Agent :	Eastham Design Associates Ltd
Location:	LAND TO THE REAR OF, 4 GREENWAYS, LYTHAM ST ANNES, FY8 3LY		
Proposal:	DEMOLITION OF 12 EXISTING GARAGES TO THE REAR OF NO. 4 GREENWAYS AND ERECTION OF DETACHED SINGLE STOREY BUILDING FOR EXPANSION OF VETERINARY CENTRE INCLUDING FORMATION OF FIVE ADDITIONAL CAR PARKING SPACES.		
Ward:	PARK	Parish:	St Anne's on the Sea
Weeks on Hand:	60	Case Officer:	Ruth Thow
Reason for Delay:	Design Improvements		
Click Here for application site on Google Maps		Click here for application on FBC website	

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The applicant operates a veterinary practice from a two-storey building in an otherwise residential area of St Annes. The application site is part of a row of garages located along the service road that runs to the rear of the existing practice building and a terrace of two storey dwellings that are attached to the practice building.

This application seeks permission to erect a new single storey building and provide five car parking spaces, following the demolition of a row of 12 of these garages which are owned by the practice but not in any obvious use. The new building is proposed to accommodate a scanner and theatres to enhance the facilities available at the veterinary practice.

The application has been under consideration for some time whilst the applicant considered amendments to officer concerns over the scale of the original proposal. The scheme has now been reduced in height to address those concerns and is considered to now comply with the criteria of Policies GD7 and EC2 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework and is therefore recommended for approval by Members.

Reason for Reporting to Committee

This planning application has generated a degree of public interest that has led to the Head of Planning and Housing concluding that it is appropriate for it to be presented to the Planning

Committee for a decision.

Site Description and Location

This application relates to land to the rear of no. 4 Greenways, Lytham St. Annes. In particular to a series of 12 single storey lock up garages in a row of 19 garages which are situated to the rear of no. 4 and the terraced properties adjacent to no. 4. These are separated from the Greenways properties by a service road and back on to the rear gardens of properties on Lindsey Avenue.

The character of the area is mainly residential with the exception of no. 4 which has a lawful use as a veterinary practice granted approval in 1999 as a change of use from the former car showroom.

The surrounding residential properties are a mix of bungalows and two storey dwellings located off one of the main arterial routes into St. Annes.

Details of Proposal

This application was originally submitted in November 2019 and since that time various amendments have been proposed in response to concerns over the initial scale. The revised plans submitted in November 2020 are those commented upon in this report and have been the subject of a re-consultation with the Town Council and local residents. .

The revised scheme seeks permission for the erection of a detached single storey building situated to the rear of the veterinary practice as part of the expansion of the existing practice at no. 4 Greenways. In addition to provision of the new building five car parking spaces are proposed to be provided alongside the new building following the demolition of 12 of the existing garages, leaving seven garages remaining. Four of these spaces are to serve staff needs with the other for patient drop-off. It is proposed that a new boundary wall at 1.8 metres high is to be erected along the site boundary to the rear of the Lindsey Avenue properties to provide a consistent boundary between the new building and the remaining garages.

The new building measures 15.2 metres in overall length by 7.3 metres in depth and is designed with a flat roof to an overall height of 3.6 metres to be positioned in the location of the garages. The building has a set of double doors and three windows to the front elevation and a single entrance door to the west end elevation.

The new building is intended to house a reception, CT scanner, two operating theatres, short stay kennels, consultancy room, preparation room and viewing area.

The building is proposed to be constructed in a red brick to match the adjacent electricity sub-station.

Relevant Planning History

Application No.	Development	Decision	Date
14/0909	PROPOSED FIRST FLOOR EXTENSION OVER EXISTING FLAT ROOF AREA TO REAR	Granted	03/03/2015

Relevant Planning Appeals History

None

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 14 November 2019 and comment:

The applicant is encouraged to investigate and implement appropriate measures to provide renewable energy, to maximise energy efficiency, and to incorporate water recycling technology into the development wherever possible.

A further consultation was sent on 19 November 2020 and the comments received reiterate those previously expressed above.

Statutory Consultees and Observations of Other Interested Parties

Electricity North West

The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements.

The developer has been made aware of the implications of this as it could impact of the feasibility of the construction and will impact on the safety measures to be taken during construction. A note will be added to any permission to reinforce this.

Lancashire County Council - Highway Authority

LCC Highways does not have any objections regarding the proposed demolition of 12 existing garages to the rear of no. 4 Greenways and erection of detached single storey building for expansion of veterinary centre including formation of five additional car parking spaces, 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.

Environmental Protection (Pollution)

The council's Environmental Protection officers are of the view that a noise assessment is unnecessary for the machinery as it should be almost silent by design, and as long as no other noise producing equipment will be installed.

Details of any increases of the number of dogs kept at the premises overnight should be sent to the local planning authority, in order to determine any increased noise pollution caused by barking.

The lighting shall be shielded to prevent glare or any threat to highway safety or detriment to amenity. All lighting fixtures shall be installed at an angle to prevent light emitting directly above the horizontal plane unless otherwise first agreed in writing by the Local Planning Authority.

Lancashire Fire and Rescue Service:

Raise no objection but highlight the need to comply with the building regulations regarding manoeuvring and turning areas to ensure access for fire vehicles is maintained.

United Utilities:

Raise no objections but highlight the need for the scheme to be drained on a separate system and that this complies with the drainage hierarchy.

Neighbour Observations

Neighbours notified:	14 November 2019
Amended plans notified:	19 November 2020
Site Notice Date:	20 November 2019
Number of Responses	18 letters received and 1 petition containing 44 signatures
Summary of Comments	<ul style="list-style-type: none">• raises concern over height of remaining boundary wall & loss of security• traffic has got worse -application selfish and uncaring to residents• congestion in Greenways - fire brigade unable to turn round• will take away light from our back garden• noise from kennels• devalue our property• difficult to get out drive• accident waiting to happen• parking on pavements difficult to pass• new building will bring more business• impossible to park near home due to staff and customer parking• 5 spaces not enough• high wall should be erected to protect privacy & security• fail to see how practice will diminish without scanner• parking is dangerous• not sure if correct place to expand• couldn't careless clients• large fast delivery vans• daily detritus left by staff and clientele• marketing of house was negative due to parking• larger premises more staff and visitors• why doesn't Fylde insist on enough parking• will cause noise pollution & stress• construction of building will impede use of road• 5 spaces will not reduce the strain of parking• vets should demolish garages to provide 12 spaces• appearance of building not appropriate for residential area• covenant to restrict two storey• wheelchair users have to go in road• how will access be gained to new building• are windows clear• can flats using parking space• can I extend my garage• rubbish left including masks & disposable gloves• individuals trying to park block ambulance• on average 18 - 25 cars parked that are not residents, today 32• will residents get residents parking - 16 spaces required• should get purpose built building

- disruption 24/7 time to consider residents

Relevant Planning Policy

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
EC2	Employment Opportunities

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

This application seeks permission for the erection a single storey, flat roof building to be situated to the rear of the existing veterinary practice to accommodate a new CT scanner and associated facilities as part of an enhancement of the existing services on offer at the surgery.

Policy Background

'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing', (paragraph 47 National Planning Policy Framework).

The Fylde Local Plan to 2032 (the Local Plan) was adopted by the Council on 22 October 2018. The application site is within the settlement of Lytham St. Annes where new development proposals should be concentrated under Policy GD1. As such, the principle of the scheme is acceptable subject to compliance with other policies of the Fylde Local Plan to 2032.

This particular application relates to premises which are in an existing commercial use and Policies GD7 and EC2 are of relevance to this application.

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.

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.

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) Ensuring the layout, design and landscaping of all elements of the proposal, including any internal roads, pedestrian footpaths, cycleways and open spaces, create user friendly, sustainable and inclusive connections between people and places resulting in the integration of the new development into the built and historic environment.

q) 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). The development should not reduce the number of on-site parking spaces available, unless there are other material considerations which justify the reduction.

As the application site is in St. Annes the St. Annes on Sea Neighbourhood Plan is also relevant to the decision with policies DH1 and E4 being the most relevant to this application.

Policy DH1 refers to 'Creating a Distinctive St. Annes' which includes the requirement that *"Development should create pleasant places to live and work and take into account surrounding scale, density, layout and car parking, as well as achieving high visual standards."*

Policy E4 refers to Employment and Enterprise with criterion a) advising: *"proposals should not have significant harmful impacts on the local community or prevent them meeting their needs"*.

Principle of the development

The site is in the settlement where development is to be concentrated in accordance with the development strategy of the Local Plan. With the proposal relating to an employment proposal Policy EC2 of the Fylde Local Plan to 2032 is the key test for the principle of development. This deals with Employment Opportunities and relates to both the retention of existing employment uses in the borough, and the support to existing businesses. The key section of that aspect states:

"The sustainable growth and expansion of all types of business is supported where this is in accordance with other policies in the Local Plan."

It is therefore the case that as this site is in the settlement area in the development plan, and the proposal relates to the expansion of the facilities available at a local veterinary practice, this brings support in Policy GD1 and EC2 for the principle of expanding the operations at the vets practice. However this support is qualified in both cases by the need to ensure that the scheme is in compliance with the policies elsewhere in the Local Plan. In this case these will principally relate to the scale of the building, its impact on neighbours, and the access/parking arrangements. These matters are discussed in more detail below.

Impact on visual amenity

As reported this scheme has undergone several amendments during the course of the application. The original proposal was for a two storey building. This has now been reduced to a single storey building with a flat roof which is to be located alongside a flat-roofed electrical sub-station and the proposed parking bays created by the demolition of the remaining garages.

The new building is 3.6 metres in overall height which is slightly lower than the sub-station which is at 3.8 metres. The building will be located alongside the boundary and gardens of properties on Lindsay Avenue with the tree planting on the rear boundary of these properties providing a backdrop to the new building. Whilst the proposed building is deeper in its scale than the existing garages and the adjacent sub-station it doesn't impact on the carriageway of the back street which is identified by a line of paving stones to differentiate it from the forecourt area to the garages.

The character of this area is established by the lock-up garages and the rear of the properties and gardens situated on Greenways. The general impression is of a typical backstreet and the addition of the proposed building here will improve the overall visual amenity by the demolition of the existing garages which are in a poor state of repair and by the provision of a building which will not be widely visible or over dominant in the streetscape.

Consequently, it is considered that the development complies with the requirements of Policy GD7 in this regard.

Impact on Residential amenity

This application has generated numerous neighbour letters which refer to various matters which are set out in bullet points above. Many of these letters refer to traffic generation and highway safety matters which are commented on below. In respect of other comments issues relating to property valuation and the potential for an increase or decrease as a result of the development is not a matter which can be taken into account in determining planning applications. The proposal does raise relevant neighbour considerations, and these are assessed here.

Neighbours on Lindsay Avenue have rear gardens which back onto the application site and some occupiers have expressed concern over the security of their property when the garages are removed and the parking bays are provided. Several of these properties have tree planting along the rear boundary where the building is to be situated which would provide screening and security. Those neighbours that back onto the area proposed for the parking spaces have a low boundary wall between their gardens and the site and it is intended that a 1.8 metres high boundary wall will be erected between the new building and the remaining garages. This will provide a visual barrier and security for the properties that border the site and provide a consistent appearance along the boundary that matches the new building.

With regards the scale of the building and its potential massing impact, the Lindsay Avenue properties have gardens which extend for between 21 metres and 26 metres in depth to the boundary. Given this separation distance and the revised single storey height of the building the occupiers of these properties would not suffer a loss of amenity by way of massing or loss of light. As the design of the building does not include any windows on the rear elevation neither would there be a loss of privacy incurred by the occupiers of the dwellings on Lindsay Avenue.

The Greenways neighbours back onto the service road and so the proposed building will be on the opposite side of that and so is well separated from them such that there will be no adverse impact.

Accordingly it is considered that the proposed building and car parking area will not cause any visual or other harms to the amenity of the neighbouring dwellings as a consequence of their construction. The scheme accords with Policy GD7 in that regard.

Potential Noise Impacts

Neighbours have also commented upon the potential for noise being generated which could harm amenity of neighbours, both as a result of the operation of the building and from construction noise. The council's Environmental Protection officers have also queried the potential for noise from the kennels and from the scanner.

The applicants have provided further information on the scanner which advises that CT scanners are a type of rotating X-Ray machine which are not audible outside of the building they are housed in. They also confirm that the building is to be used to support the existing activity at the surgery by allowing scans to be performed on sick animals, with the operating theatres in the building located to allow any surgery to them be undertaken before animals are returned to the main building for recovery after a post-operation recuperation stay in the kennels that are provided. As a result of this no animals would be kennelled or kept in the new building overnight, with the COVID procedures that are now in place at the premise ensuring that appointment times are strictly adhered to. On this basis the council's Environmental Protection team are satisfied that the building's use will not cause any undue noise impacts.

The proposed development has the potential to result in noise and disturbance for occupiers of nearby residential properties during the construction phase of the development being proposed. As a consequence it is proposed that the hours of construction work and the timing of deliveries are limited to day-time hours only which are to be agreed as part of a construction management plan condition imposed as a recommendation. In addition the construction management plan will be required to identify parking arrangements for construction vehicles and storage of materials as this is also an area of concern.

Access and Parking

The main neighbour issue arising from this development relates to matters of access and parking, with the latter said to lead to congestion in the area. The site is accessed from Greenways which is a side road from Church Road that is adopted highway and serves these premises and a wider residential area. It is a suitable road to serve the development in capacity terms and leads to the back street which is also adopted. There are therefore no access concerns associated with the development.

As with most residential areas there is a level of on-street car parking, and at the various officer site visits that has been more pronounced around the application site and the neighbouring properties. This is understandable for two reasons: the staff and customers that are associated with the vets, and the absence of any driveways or other off-road parking options for a number of the residential properties in the area including the other properties in the terrace that is attached to the vets surgery and the courtyard of bungalows opposite. At officer site visit this has involved parking on both sides of the road, and in the back street area to the rear, with some of the vehicles clearly associated with the vets (due to logos on the vehicles) and from observing customers bringing and leaving with pets. The situation is one of an intensively used area, which is similar to that found around other high-turnover services that are found in residential areas such as GP practices, hot food takeaways, schools, barbers, etc.

The vets does not currently have access to any off-road parking areas, although there is a layby that runs across the front of the whole terrace. This application recognises the pressures on parking in the area and attempts to address that by the provision of 5 parking spaces within the application site. Whilst this could be seen as a reduction in the parking available compared to the existing situation given that there are 12 garages demolished to provide for the building and parking area, it is understood that these are not used for parking and are of such limited size that they are unsuited

to accommodate a modern vehicle. This enables the scheme to provide an actual increase in parking and allows 4 of the spaces to accommodate staff parking needs and a further space to be available for the drop-off and collection of sick animals being transported for surgery.

The assessment to make in this application is not whether the parking available in the area is unable to support the vet's requirements as it is a lawful use that will continue irrespective of this decision. Rather it is to determine if the parking arrangements with this application itself are acceptable. The application form indicates that 3 additional staff will be employed, and whilst the applicant says that the recent economic situation has curtailed their immediate recruitment plans, the 4 staff spaces that are provided in the application would clearly meet the additional parking needs should those staff be employed. Irrespective of this though, the application will provide parking that is not currently available to the business and so this must be a positive factor in the overall assessment of the application.

The vets cannot provide parking at a level that will meet the standards set out in the Structure Plan Parking Standards document that the council uses for assessing new developments, but that is not relevant to this assessment. Instead the assessment must be whether the development that is proposed will generate a demand for parking at a level that is harmful to highway safety or residential amenity. It is officer view that this is clearly not the case due to the modest scale in the additional veterinary surgery accommodation that is provided, and the additional parking that forms part of the scheme. This is also reflected in the comments of the local highway authority which don't raise any objection to the developer. It is also the case that the site is well located to a residential population in the town and is highly accessible by a regular bus route along Church Road and through access to cycle routes.

As such the proposal is considered to comply with the requirement of Policy GD7 of the Fylde Local Plan to 2032.

Economic implications

The Fylde Local Plan to 2032 supports sustainable economic growth and expansion of all types of business and enterprises subject to compliance with other policies of the plan. Policy EC2 of plan refers to employment opportunities and advises that *'the council will take account of the following factors when assessing all development proposals for employment uses:*

- a. The accommodation should be flexible and suitable to meet changing future employment needs, and in particular provide for the requirements of local businesses and small firms.*
- b. The council will seek to ensure that employment opportunities are provided and are easily accessible for local people and, where necessary, developers will be encouraged to implement relevant training programmes.'*

The NPPF at paragraph 87 refers to supporting town centres. *'when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.'*

The existing practice employs 24 full-time and 5 part-time employees. The application form predicts this rising to 27 full-time staff although a more recent assessment is that this will not now be possible due to the economic climate. Nevertheless the enhancement of the facilities available at the surgery will be a benefit for the wider community who rely on such services.

Policy EC2 requires that *'Particular regard is to be had to how well an employment development can be integrated into its surroundings without causing unacceptable harm to the area's amenity.* Given the assessment made in this report it is considered that the surgery building and parking area will not have an unacceptable impact on the amenity of the area and so the scheme accords with this Policy,

It is therefore considered that the proposal complies with the requirements of Policy EC2 as it enhances the economic benefits in the borough and the St. Annes Neighbourhood Plan Policy E4 which seeks to *support local businesses, encourage new businesses, home working and social enterprises that benefit the community and help to move St. Anne's towards a low carbon economy by encouraging local jobs and enterprise.*

Conclusions

This application proposes a new building with additional parking spaces following the demolition of a row of domestic garages. The proposal is intended to provide enhanced facilities for the existing veterinary practice operated from no. 4 Greenways. The NPPF supports economic growth and productivity, taking into account local business needs and wider opportunities for development.

The proposal will provide additional employment opportunities within one of the main settlements of the borough which has good access to public transport and the town centre.

Whilst neighbours have objected on issues of parking and highway safety the NPPF advises that *'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'* (para. 109. Lancashire County Council Highway Engineers are of the view that the development would not result in a detriment to highway safety.

Accordingly, the proposal complies with the criteria of Policies GD7 and EC2 of the Fylde Local Plan to 2032 and the aims of 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 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. Ordnance Survey 1 :1250
- Proposed Site Plan - Drawing no. 1383-19 03 REV. G
- Proposed floor & elevation Plans - Drawing no. 1383-19 02 REV. G

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. The scanner and theatres hereby approved shall only be utilised between 8.30 and 1800 on weekdays (Monday to Friday inclusive).

Reason: To provide control over the level of use of the building in the interests of preserving the amenity of neighbouring properties from potential noise and other disturbances as required by Policy GD7 and para 170 of the NPPF.

5. The development hereby approved shall not provide overnight accommodation for any dogs or other animals that have the potential to create a level of noise that could be audible outside of the building.

Reason: To ensure the development is implemented without compromising residential amenity in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

6. The five car parking spaces indicated on drawing no. 1383-19 03 REV. G shall be marked out in accordance with the details shown on the approved plan and made available for use prior to first use of the building hereby approved. Of these spaces four shall remain available for use by staff at the practice at all times thereafter.

Reason: In order to ensure the provision for vehicle parking off the highway in the interests of road safety and the amenity of neighbouring residents in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T5, and the National Planning Policy Framework.

7. The boundary wall indicated on drawing no. 1383-19 02 REV. G shall be provided in accordance with the approved details on that plan prior to first use of the building hereby approved and shall be retained as such thereafter.

Reason: To safeguard the amenity of occupiers of neighbouring dwellings and the appearance of the area in accordance with the requirements of Policy GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

8. The building hereby approved shall only be used in conjunction with the existing veterinary practice operated at no. 4 Greenways and shall not be converted or used for any other purpose or sold or rented as a separate business use.

Reason: To safeguard the amenity of occupiers of neighbouring dwellings in accordance with the requirements of Policy GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

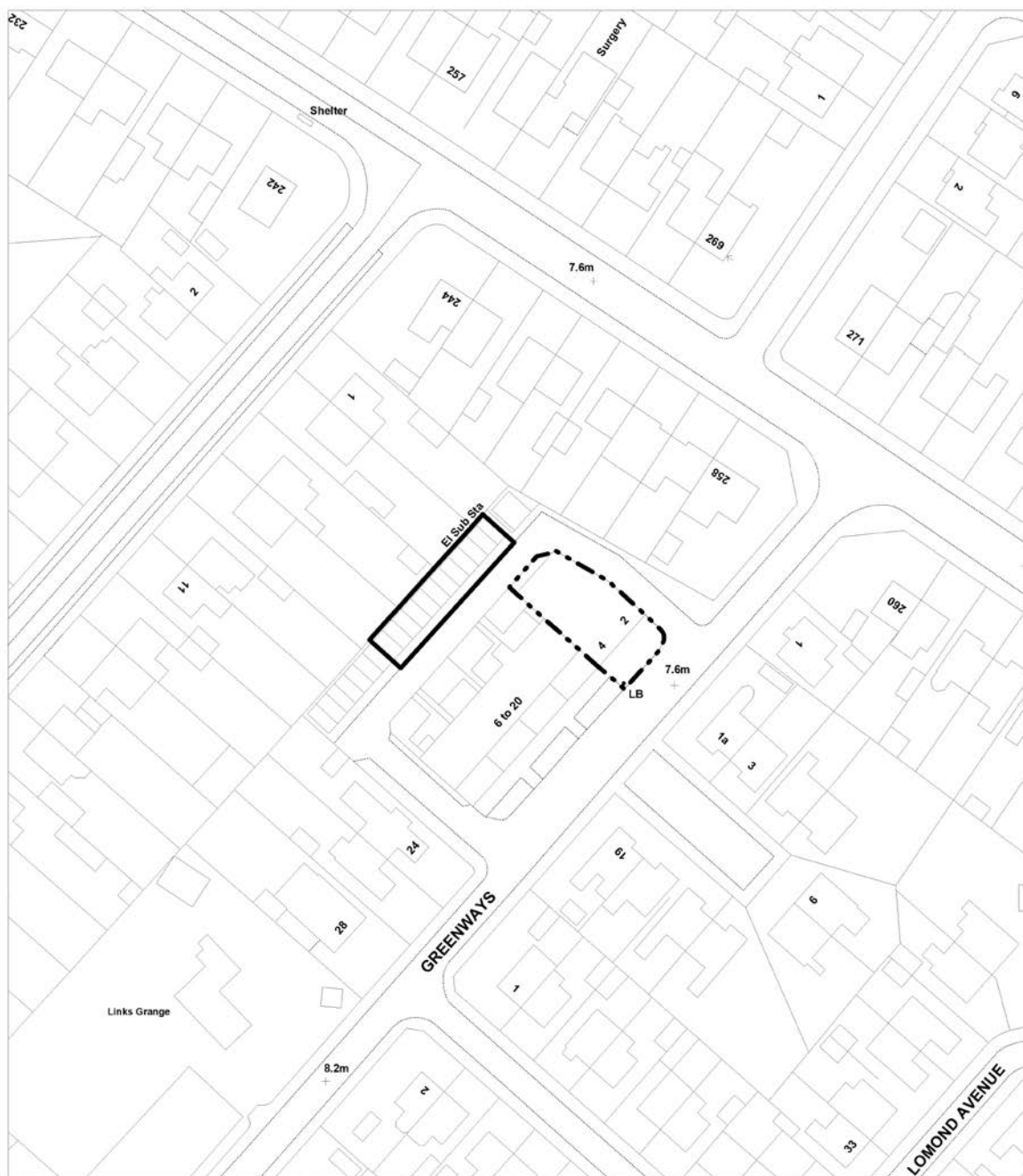
9. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:


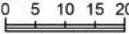
- a) hours of work for site preparation, delivery of materials and construction;
- b) arrangements for the parking of vehicles for site operatives and visitors;

- c) details of areas designated for the loading, unloading and storage of plant and materials;
- d) details of the siting, height and maintenance of security hoarding;
- e) arrangements for the provision of wheel washing facilities for vehicles accessing the site;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from construction works; and
- h) a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjoining the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

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



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Application No. 5/19/0917	Address Land to the rear of 4 Greenways, Lytham St Annes	Grid Ref. E.3338 : N.4286	Scale 0 5 10 15 20 m 

Item Number: 2

Committee Date: 06 January 2021

Application Reference: 20/0042		Type of Application: Reserved Matters	
Applicant: Countryside Properties (UK) Ltd & Warton East Developments Ltd		Agent : Pegasus Group	
Location: LAND TO THE NORTH OF FRECKLETON BYPASS / EAST OF WARTON, BRYNING WITH WARTON			
Proposal: APPLICATION FOR APPROVAL OF THE RESERVED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO OUTLINE PLANNING PERMISSION 17/0851 FOR A RESIDENTIAL DEVELOPMENT OF 345 DWELLINGS AND ASSOCIATED INFRASTRUCTURE			
Ward: WARTON AND WESTBY		Parish: Bryning with Warton	
Weeks on Hand: 50		Case Officer: Matthew Taylor	
Reason for Delay: Design Improvements			
Click Here for application site on Google Maps		Click here for application on FBC website	

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to an irregularly-shaped parcel of open agricultural land extending to *circa* 12.78 hectares in area to the north of the Freckleton Bypass, on the eastern periphery of Warton. The site is bordered by agricultural land within the Countryside Area to the north and east; by a combination of park homes (at Lynwood Park) and two storey dwellings on Butlers Meadow to the south; by two storey dwellings on Clifton Avenue and Canberraway to the west; and by the site of Bridges Recreation Ground to the north. The land has outline planning permission (including access) for a residential development of up to 350 dwellings (planning permission 14/0410 as varied by S73 application 17/0851 – both allowed at appeal) and is allocated as a strategic housing site (reference HSS12) on the Fylde Local Plan to 2032 Policies Map.

This application seeks approval for the reserved matters of appearance, landscaping, layout and scale in connection with a residential development involving 345 dwellings with associated infrastructure and open space. The application is submitted pursuant to S73 permission 17/0851 and is also accompanied by details intended to satisfy the requirements of certain conditions imposed on the outline permission where these require information to be provided at the reserved matters stage.

The approved means of access to the site is via a new arterial road branching in a northerly direction off the roundabout junction of the A584 (Lytham Road). The spine road off the junction would follow a broadly circular route through the site with a series of connecting estate roads running north-south to create perimeter blocks within the central areas of the

site. An L-shaped row of dwellings would follow a linear pattern backing onto adjacent residential properties to the south and west, with cul-de-sacs terminating near the junction of the estate road with Canberraway in the northwest corner and within a triangular protrusion to the northern part of the site. As required by condition 15 of the outline permission, a shared pedestrian and cycle link would be provided to the northwest corner of the site onto Canberraway. A second pedestrian link is proposed through the western boundary of the triangular area to Bridges Recreation Ground to compensate for the absence of a link to Butlers Meadow due to third party land ownership constraints.

Dwellings would be laid out and orientated to front onto internal estate roads and have an outward facing aspect in relation to adjoining open countryside and the recreation ground. Buildings designed with dual-aspect elevations would add interest on corner plots and a sense of openness would be maintained by the siting, height and materials of boundary treatments and roadside landscaping where these wrap around junctions. The development would deliver a mix of 64 x 2 bed; 193 x 3 bed; and 88 x 4 bed units across 18 different house types, including 105 dwellings (30%) which meet the definition of Affordable Housing in Annex 2 of the NPPF. Sixteen of the house types would be two storeys in height (307 plots), with another two (38 plots) being 2.5 storeys with rooms in their roof space. Their external appearance – including their style, materials, fenestration, architectural features and detailing – would be compatible with the character of surrounding residential development while achieving individual elevational interest through the use of protruding features including bay windows, canopies and facing gables, contrasting brick strings, and window cill and lintel detailing.

Seven separate parcels of open space would be spread across the site providing a total of 2.2 hectares of open space within the development to meet the requirements of condition 1 of the outline permission. This open space includes a continuous buffer of woodland planting along the northern and eastern boundaries of the site where it borders open agricultural land and the adjacent recreation ground, along with separate parcels located more centrally which comprise a combination of formal (including a Locally Equipped Area for Play) and informal open space arranged to ensure the retention of existing ponds and to allow the creation of new attenuation basins and flood compensation areas. Internal landscaping would present tree-lined streets with low-level shrub and hedge planting to break up parking areas, provide foreground screening to boundary treatments, landscaped garden frontages and ensure green infrastructure linkages along the edges of estate roads.

The proposed density of housing – at 33 dwellings per hectare across the site's developable areas – would achieve the minimum net residential density identified in the local plan and that approved by the outline permission. Details of finished floor levels provided pursuant to condition 12 of the outline permission, combined with the scale, spacing, screening, window arrangement and orientation of buildings in relation to existing properties surrounding the site will ensure that the development assimilates sympathetically with its surroundings and would have no undue effects on the privacy and amenity of neighbouring occupiers through loss of outlook, overshadowing or overlooking. Appropriate details have been submitted to satisfy or deliver suitable alternative provision in relation to those conditions on the outline permission that require specific details to be submitted at the reserved matters stage. No other harm would arise with respect to the internal highway layout, flooding, drainage, ecological or heritage impacts to indicate that the development's effects could not be appropriately mitigated through the imposition of planning conditions.

Therefore, it is considered that the appearance, landscaping, layout and scale of the proposal

represents sustainable development which accords with the relevant policies of the Bryning with Warton Neighbourhood Development Plan, the Fylde Local Plan to 2032 and the National Planning Policy Framework.

Reason for Reporting to Committee

The application is classified as major development and the officer recommendation is for approval. Bryning-with-Warton Parish Council have also objected to the application.

Site Description and Location

The application relates to an irregularly-shaped parcel of open agricultural land extending to *circa* 12.78 hectares in area to the north of the Freckleton Bypass, on the eastern periphery of Warton. The site falls within the settlement boundary of Warton and is allocated as a strategic housing site (reference HSS12) on the Fylde Local Plan to 2032 Policies Map. Outline planning permission (including 'access' as a detail matter) has been granted for a development of up to 350 dwellings on the site pursuant to planning permission 14/0410 (allowed by appeal reference APP/M2325/W/15/3004502), which was subsequently varied by S73 application 17/0851 (allowed by appeal reference APP/M2325/W/19/3221605) on 05.08.19.

Ground levels rise gently in general northerly and westerly directions across the site. Continuous, linear strips of hedgerow mark the site's northern, western and southern boundaries, with a central hedgerow following an equatorial line through the land splitting the site into two broadly equal parcels to the north and south.

The southern parcel is rectangular in shape, with a dogleg to the southeast corner extending down to meet the roundabout junction of the A584. Moving in a westerly direction from the roundabout junction, the southern parcel borders open fields to the southeast corner, the site of Lynwood Park to the central southern section which is occupied by a series of single storey park homes, and a grass verge behind a community centre and two storey dwellings on Butlers Meadow to the southwest. Along its western boundary the site turns to the north to border two storey dwellings on Clifton Avenue.

The northern parcel comprises two components. The first is a broadly rectangular area similar in size to the southern parcel which runs east-west bordering agricultural fields at its eastern end before bounding the site of Bridges Recreation Ground to the northwest corner and two storey dwellings on Canberraway along its western perimeter. The second is a triangular outrigger protruding centrally along the northern boundary which borders agricultural fields to the east and north, and Bridges Recreation Ground to the west.

The site contains three existing ponds and a network of drainage ditches run through the land and along its perimeter. The two largest ponds are located to the western and central areas of the northern parcel, with a smaller pond falling to the eastern end of the southern parcel. Drainage ditches mark the perimeter of the northern parcel following the line of the central (equatorial), western and northern hedgerows, along with a separate ditch outside the site which follows the northern and eastern boundaries from the northerly tip of the triangular area down towards the roundabout in the southeast corner. The remainder of the site is open grassland.

Details of Proposal

The application is submitted pursuant to outline planning permission 17/0851 (which included the detailed matter of access) and seeks reserved matters approval for the appearance, landscaping, layout and scale of a residential development involving 345 dwellings with associated open space and infrastructure. The application is submitted on behalf of Countryside Properties (UK) Ltd & Warton East Developments Ltd and is also accompanied by details intended to satisfy the requirements of certain conditions imposed on the outline permission where these require information to be provided at the reserved matters stage.

The scheme would deliver a mix of 345 houses in terraced, semi-detached and detached configurations. While the provision of affordable housing is dealt with principally through the S106 agreement attached to the outline permission, the scheme identifies a total of 105 dwellings to meet the definition of “Affordable Housing” in Annex 2 of the NPPF in order to satisfy the 30% requirement in the planning obligation. These will be located in four separate parcels to the eastern, central, southwestern and northwestern areas of the site and comprise a mix of 2-bed (50 plots), 3-bed (48 plots) and 4-bed (7 plots) units which are to be offered on a 100% affordable rented tenure by the Registered Provider ‘Adactus Housing Association’.

Layout – The main spine road branching off the roundabout access would travel diagonally in a north-westerly direction into the site flanking its eastern boundary before meandering to run up to the western perimeter and turning at right angles to the south and east to meet a linear road flanking the southern boundary. Accordingly, the spine road would follow a broadly circular loop through the site with a series of connecting estate roads running north-south to create perimeter blocks within the central areas, and cul-de-sacs within the northern triangle and to the northwest corner towards Canberraway. A shared pedestrian and cycle link would be provided to the northwest corner of the site onto Canberraway and a second pedestrian link is proposed to Bridges Recreation Ground through the western boundary of the triangular area.

Dwellings would be laid out and orientated to front onto internal estate roads, with interlocking rear gardens along the shared boundaries with bordering dwellings. An outward-facing building aspect would be achieved along the site’s northern and eastern boundaries where the land borders open countryside and the adjacent recreation ground. The proposed density of housing would equate to 33 dwellings per hectare across the site’s developable areas (excluding the parts of the site to be laid out as open space).

Scale – A total of 18 different house types are proposed. Sixteen of these would be two storeys in height (307 plots), with another two (38 plots – The ‘Dunham’ and ‘New Stamford’ house types) being 2.5 storey with rooms in their roof space. The development would include the following dwelling mix: 64 x 2 bed; 193 x 3 bed; and 88 x 4 bed units, with properties arranged in a linear pattern around a network of broadly straight roads. Existing ground levels are to be raised in the northern (by up to *circa* 1.1m) and western (by up to *circa* 1.6m) areas of the site in order to create a cross fall towards the eastern boundary where surface water would discharge into a diverted drainage ditch along that boundary.

Appearance – The elevations of the dwellings would include a mix of features and detailing to add depth and interest such as bay windows, porches/canopies, facing gables, roof-level pediments and contrasting materials (including rendered/tile hung dressings, window headers/cills and brick strings). A mix of hipped and dual-pitch roofed profiles would add variety, along with well proportioned windows to ensure symmetry and balance to façades. Materials include a mix of red, orange and buff facing and contrasting brick, with rendered and tile-hung dressings to the first floors of some house types. Roof tiles would have mix of grey and ‘rustic’ red finishes. Dwellings on corner plots would be designed with dual-aspect elevations to address two road frontages, with brick wall

enclosures to gardens wrapping round junctions being set in line with the main elevation of the building in matching materials.

Landscaping – A total of 2.2 hectares (22,000 m²) of open space is to be provided as part of the scheme. The open space would be spread across seven separate parcels comprising: i) a buffer of woodland planting along the eastern and northern boundaries of the site where it borders open agricultural land and the adjacent recreation ground; ii) three broadly equal parcels in central alignment to the western, central and eastern areas of the site delivering a combination of formal (including a Locally Equipped Area for Play to the western parcel) and informal open space arranged to ensure the retention of existing ponds; and iii) a 4,242 m² parcel on the west side of the site entrance. All open space parcels would include surface water attenuation ponds and flood compensation areas of varying size and profiles.

The majority of existing hedgerow to the southern, western, central and northern boundaries of the site is to be removed as part of the scheme. This is to be compensated for through: i) the provision of a dense woodland planting buffer ranging between approximately 3m and 21m in depth within a 6,488 m² area along the north-eastern site boundary; ii) internal landscaping along the edges of the estate road including a tree-lined boulevard entrance and a connected network of tree and hedge planting within front/side gardens; and iii) new tree planting forming a linear ‘L-shaped’ belt within the rear gardens of dwellings flanking the southern and western boundaries where these border existing dwellings.

Relevant Planning History

Application No.	Development	Decision	Date
20/0057	RESIDENTIAL DEVELOPMENT OF 14 DWELLINGS WITH ASSOCIATED INFRASTRUCTURE TO FORM AN EXTENSION OF THE 350 DWELLING DEVELOPMENT PROPOSED BY APPLICATION 20/0042	Withdrawn by Applicant	06/10/2020
19/0908	APPLICATION UNDER S106A OF THE TOWN AND COUNTRY PLANNING ACT TO MODIFY AN EXTANT PLANNING OBLIGATION RELATING TO PLANNING PERMISSION 17/0851	Granted	30/04/2020
19/0195	APPLICATION TO VARY CONDITION 7 OF PLANNING PERMISSION 14/0410 (OUTLINE APPLICATION WITH ACCESS FOR A RESIDENTIAL DEVELOPMENT OF UP TO 350 DWELLINGS) TO REMOVE COMPONENTS A) (THE PRESTON WESTERN DISTRIBUTOR ROAD) AND B) (THE RELOCATION OF BAE SYSTEMS GATE FROM MILL ROAD TO THE ROAD KNOWN VARIOUSLY AS LIBERATOR WAY, TYPHOON WAY AND THUNDERBOLT AVENUE) FROM THE CONDITION - RESUBMISSION OF APPLICATION 17/0851	Approved with 106 Agreement	10/07/2019
17/0851	APPLICATION TO VARY CONDITION 7 OF PLANNING PERMISSION 14/0410 (OUTLINE APPLICATION WITH ACCESS FOR A RESIDENTIAL DEVELOPMENT OF UP TO 350 DWELLINGS) IN ORDER TO REMOVE COMPONENTS (A) AND (B) AND TO INCREASE THE NUMBER OF DWELLINGS THAT CAN BE CONSTRUCTED IN ADVANCE OF	Appeal against non-determination	22/05/2019

	THE COMPLETION AND BRINGING INTO USE OF A PACKAGE OF OFF SITE HIGHWAY IMPROVEMENTS AT THE JUNCTION OF CHURCH ROAD, LYTHAM ROAD AND HIGHGATE LANE (COMPONENT (C)) FROM 15% TO 33% OF THE OVERALL DEVELOPMENT		
15/0303	RESUBMISSION OF OUTLINE PLANNING APPLICATION 14/0410 FOR THE ERECTION OF UP TO 350 DWELLINGS WITH ACCESS APPLIED FOR AND ALL OTHER MATTERS RESERVED (APPLICATION INCLUDES ILLUSTRATIVE LANDSCAPE MASTER PLAN FOR 350 DWELLINGS)	Refused	03/06/2016
14/0410	OUTLINE APPLICATION FOR ERECTION OF UP TO 375 DWELLINGS WITH ACCESS FROM EXISTING ROUNDABOUT APPLIED FOR AND ALL OTHER MATTERS RESERVED	Appeal against non-determination	07/04/2015

Relevant Planning Appeals History

Application No.	Development	Decision	Date
17/0851	APPLICATION TO VARY CONDITION 7 OF PLANNING PERMISSION 14/0410 (OUTLINE APPLICATION WITH ACCESS FOR A RESIDENTIAL DEVELOPMENT OF UP TO 350 DWELLINGS) IN ORDER TO REMOVE COMPONENTS (A) AND (B) AND TO INCREASE THE NUMBER OF DWELLINGS THAT CAN BE CONSTRUCTED IN ADVANCE OF THE COMPLETION AND BRINGING INTO USE OF A PACKAGE OF OFF SITE HIGHWAY IMPROVEMENTS AT THE JUNCTION OF CHURCH ROAD, LYTHAM ROAD AND HIGHGATE LANE (COMPONENT (C)) FROM 15% TO 33% OF THE OVERALL DEVELOPMENT	Allowed	05/08/2019
14/0410	OUTLINE APPLICATION FOR ERECTION OF UP TO 375 DWELLINGS WITH ACCESS FROM EXISTING ROUNDABOUT APPLIED FOR AND ALL OTHER MATTERS RESERVED	Allowed	13/02/2017

Parish/Town Council Observations

Bryning-with-Warton Parish Council – Initially notified of the application on 29.01.20, and subsequently of amended plans on 24.09.20 and 14.12.20. To date (any additional representations received within the latest re-consultation period will be reported in the late observations), the Parish Council have responded on 27.02.20 and 15.10.20 advising that they object to the application and recommend refusal on the following grounds:

Response dated 27.02.20

- **Lack of community engagement** – The Parish Council repeatedly expresses its extreme disappointment and disillusionment with the planning system as again the applicants have failed to engage with the local Community through its representatives on the Parish Council. Given the history of the site in particular and dialogue exchanged in regard to outline planning permission 17/0851 it was hoped that some measure of communication and

discussion would have been offered from the proposed developers before this scheme was prepared as this is a principle embedded in the NPPF. It seems wholly inefficient that the local Community/Town/Parish Council only get to express their views when an application is submitted where consultation at an earlier stage would be so beneficial. This element of interaction should be an insistent of the Planning Authority before a large scale development application is accepted for submission, with only a final check post submission to ensure matters discussed are adhered to. The timing of this application is more geared to ensuring that the principle of this development is not lost but as is regrettably repeated on a frequent basis the Council can only consider what has been placed before them so regardless of any suggestions or verbal discussions to improve the actual proposal the Parish Council can only express its opinion on the application as submitted.

- **Summary** – It is acknowledged that the principle of development on this site is granted through the Secretary of State for the outline planning permission 17/0851 but it is the view of the Parish Council that this subsequent application should be rejected on a number of issues but primarily its failure to acknowledge the principles of the Bryning with Warton Neighbourhood Development Plan (BWNP) in layout and landscaping.
- **Landscaping** – BWNP Key issues 2.6 Environment - "Encouragement of green buffer areas around new development to create soft boundaries..." The proposed plan offers no such area to the west of the site indicating properties backing directly on to the existing properties on 'Canberraway' and Clifton Avenue, Warton and 'compacts' a large number of new properties in this location, with an additional application of 14 more properties (20/0057) to follow.
- **Amenity** – The layout design is in no way sympathetic to the existing residents and it raises significant concerns for them in regard to levels and drainage.
- **Linkages outside the site** – BWNP policy BWLC2 Community, Leisure facilities and open spaces. The site borders, site designated P1, Bridges playing fields yet the application design completely ignores the opportunities discussed with the respective developers in the past at the outline stage and proposes combinations of differing fences to mark the borders. Yet it is indicated a pedestrian/cycle access in the North West corner but in the absence of any consultation or discussion it is not exactly clear where this is to be achieved without involving crossing private property.
- **Recreational open space and children's play area** – It is disappointing to see that design proposals such as these are put forward in applications with no consultation or discussion with the local councils who will ultimately be held accountable for the maintenance of such in the future. Given the play areas are almost completely surrounded by the roads and there are the obvious safety concerns for children using these play areas. Long term maintenance of the grass and shrubbery in this area is also a concern.
- **Surface water** – BWNP policy BWNE3 - Design to reduce surface water run-off. The non-provision of finished levels is a significant element of concern in regard to the water table levels on this site which borders on much of the eastern border a major tidal drainage ditch. This for decades has impacted the north eastern corner of Bridges playing fields resulting in standing surface water and poor drainage despite investment by the Parish Council to reduce this. Given the high profile of flooding issues on a national basis at this time, the proximity of the site to Flood zone 2 Planning Statement Drainage & site levels (condition 11) 6.46 it is far from reassuring to indicate at 6.47 'raising floor levels of the residential dwellings, raising the existing site levels and providing an emergency evacuation plan ' as the application response to such an important issue as the impact on neighbouring properties, and potentially residents in the Northern area of the site, will have disastrous consequences. As the planning authority will be held accountable it must be a priority before granting approval that they and the local community are allowed to review the actual proposals to mitigate flood risks such as envisaged.

- **Overdevelopment** – While appreciated the granted original concept design allowed for more residencies it did not include the large green open spaces proposed in this design. Local anecdotal evidence suggests this is probably now because little account of the drainage watercourses and ponds were allowed for and more thorough surveying has revealed much of these are required, or can be included, in the Sustainable urban drainage (SuDs), the consequences of this being the loss of space in which to build. This has resulted in an apparent compaction of proposed properties in certain areas throughout the site. A reduction in the number of properties would improve this issue.

Response dated 15.10.20

Repeats several of the points raised in the response dated 27.02.20, but adds the following issues:

- **Surface water flooding** – It has now become apparent, from the most recent surface water flooding event in August this year, that flooding from the development would also include a number of additional properties further down the line, on Lytham Road, Warton, in Freckleton and impact on BAE Systems airfield as well as those on Butlers Meadow, Clifton Avenue and Canberraway. The further anticipated response by the Environment Agency to the revised Flood Risk Assessment following their earlier objection is going to hold significant weight in any consideration with regard to the surface water runoff and discharge to watercourses crucial to the subject of such events. Hopefully their concerns regarding the levels and measures proposed will mirror our own now that they are alerted to the developing crisis and are party to a ministerial led investigation into the problems being experienced.
- **Flood risk assessment** – Surface water flooding has been a recurring problem over recent years for residents in Clifton Drive and Butlers Meadow and anecdotally in several other parts of Warton. The recent extremes earlier this year are well evidenced. Had the developer approached local sources they would have been advised accordingly. It is interesting to note that their commissioned 'FRA' indicates there were no references on the internet when searched. Perhaps this is an issue that needs to be reviewed by case officers when dealing with such applications.
- **Finished site levels** – The application includes significant raising of existing levels where the site borders dwellings on Butlers Meadow, Clifton Avenue and Canberraway. This will result in surface water from properties within the development built at a higher level draining into the gardens of adjacent dwellings on lower lying land.
- **Amenity** – The proposed raising of levels will result in harmful visual effects to neighbouring occupiers due to the high walls and fencing being placed on their boundaries and some properties proposed will directly overlook the upper bedrooms of a number of properties on the western and southern boundaries which clearly would compromise the privacy of existing residents.
- **Biodiversity** – The Environment Bill published 30th January 2020 indicates that “through ‘biodiversity net gain’ we will ensure that the new houses we build are delivered in a way which protects and enhances nature, helping to deliver thriving natural spaces for local communities.” The developments proposals will mean all of the existing boundary groups of trees being removed. Which is contrary to the indications in the revised 'Arboricultural Impact Assessment'. It states: "due to the density and width of group11 along the southern boundary a small number of shrubby trees would require removal to facilitate new boundary treatment. The remainder of these would be retained and continue to provide their current value and function" and "Trees with a greater level of arboricultural and landscape value are generally located on the western and southern boundaries adjacent to third party properties".

Freckleton Parish Council have also been consulted on the application in the same manner. Their only response to date was received on 10.02.20 and this indicated as follows:

- “There are no real issues relating to impact on Warton that have not already been covered. The flood risk has been assessed and there are no issues raised that would concern the council. Therefore Freckleton Parish Council has no objection to this application.”

Statutory Consultees and Observations of Other Interested Parties

Environment Agency (EA) – Initially objected to the application by letters dated 02.06.20 and 19.10.20 due, in summary, to: i) a lack of information showing the extents of flood zones 2 and 3 in relation to the development layout; ii) displacement of floodplain waters within flood zone 3a arising from ground raising in the southeast corner of the site without the provision of adequate compensatory flood storage volume; and iii) the culverting of the ordinary watercourse located on the eastern boundary which would constitute infilling the floodplain in flood zone 3 without demonstrating that flood risk will not be increased elsewhere as a result.

However, the EA’s latest response on the updated scheme and flood risk assessment in their letter dated 16.12.20 indicates that their previous objection is withdrawn as follows:

- We refer to the following documents which have been submitted: i) Flood Risk Assessment (ref. LWF-AJP-ZZ-XX-RP-C-3000, Version P10; dated 09 December 2020, prepared by The Alan Johnston Partnership LLP; ii) Lytham Road Development - Modelling Report (ref. 2020s1506; dated 9 December 2020), prepared by JBA Consulting; and iii) Flood estimation report: Pool Stream (ref. 2020s1506 – Pool Stream_FEH_Calculation_Record_V2.docx), prepared by JBA Consulting.
- We have reviewed the above revised flood risk assessment (FRA) and supporting reports (prepared by JBA), insofar as it relates to our remit, and we are now satisfied that the development would be safe without exacerbating flood risk elsewhere, if the proposed flood risk mitigation measures are implemented. As such, we withdraw our objection to the application.
- The proposed development must proceed in strict accordance with the above documents and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.
- Our previous comments (dated 2 June 2020, and 19 October 2020) in relation to culverting of ordinary watercourses for land gain remain applicable, and the advice of the Lead Local Flood Authority should be sought as their prior consent will be required.
- Pollution prevention advice to applicant –To prevent pollution, run-off waters containing contaminants (including silt) generated during the construction stage should be prevented from entering the adjacent watercourses.

Environmental Protection (FBC) – Comments as follows:

- There are no objections to the scheme in principle. However, conditions should be imposed requiring: i) That the dwellings are designed to ensure that noise levels at each property do not exceed WHO guidelines from traffic and commercial noise; ii) A construction management plan; iii) Demolition and construction times be limited to between 8am and 6pm Monday – Friday, and between 8am and 1pm on Saturdays; iv) That the conclusions and recommendations within the phase 2 Geo Environmental Site Survey dated May 2019 are implemented in full and that any contamination observed during the construction period is reported to the Council.

Greater Manchester Ecology Unit (GMEU) – Comments as follows:

- I am aware that this site has a significant planning history, which is relevant to my response. The Site was allocated for proposed residential development and is shown as Plot HSS12 in the adopted Fylde Local Plan. Outline permission for the Site has been obtained and permission was granted on appeal in 2016 for the development of up to 350 dwellings. The previous application (14/0410) was accompanied by comprehensive ecological assessments. I have had regard to these previous assessments in addition to the new surveys carried out on the site in my appraisal of the current applications.
- **Impact on designated nature conservation sites** – The application site is within a zone of influence for potential impacts on the Ribble and Alt Estuaries European designated sites. The local planning authority must therefore carry out a Habitats Regulations Assessment (HRA) of any potential impacts of the development proposals on the special nature conservation interests of these sites. Only if the Council concludes that there will be no Likely Significant Effect (LSE) arising from the development on the special nature conservation interest of the designated sites should it grant permission to the applications. As the relevant statutory body Natural England must be consulted on the HRA and their views taken into account. The applicant has submitted their own HRA (Appendix H of the Ecology report prepared by TEP). This HRA is not comprehensive. It does not include full details of mitigation measures for identified effects, and in particular it does not consider potential impacts which may arise from surface water pollution. But potential impacts on designated sites were also assessed in some detail during the determination of the previously approved applications and in May 2016 Natural England concluded that they were content that the proposed development would have no LSE on designated sites, providing that new residents were provided with information leaflets within sales packs to ensure that they were better informed regarding the surrounding designated sites, reason for designation and its sensitivities to recreational impacts. This proviso still applies.
- **Wintering birds** – I am aware that Natural England now consider that updated wintering bird surveys of the site are required to inform the current HRA. While important bird species associated with the Estuary can move readily between sites they tend to change their behaviour to spend more time on sites where they have not previously been recorded when there has been a land management change which may benefit them (for example a change of cropping regime or a change in drainage patterns). In this respect the site, and the development proposals, do not appear to have substantively changed since 2016 and because of this I would consider that the potential of the site to be ‘functionally linked’ to the designated sites has not changed. That is, it’s potential to support greater numbers of over-wintering birds has not increased. I do not therefore believe that there is merit in repeating wintering bird surveys, since I believe the conclusion would be the same as that reached in 2016 – that the site is not of significant importance for wintering or breeding birds associated with the Estuary and is therefore not functionally linked to the designated sites.
- **Surface water pollution** – There is direct hydrological connectivity between the site and the Estuary. Although the connection to the Estuary is more than 2km away from the site surface water drainage arising from the development will eventually drain into the Estuary. The operation of well-designed residential developments are considered to pose a low pollution risk to surface waters, and in the case of this development surface flood-risk attenuation features incorporated into the development will reduce any risks further. But there is a potential risk of pollution during any ground works or construction process. To mitigate this risk specific, established water pollution prevention measures should be incorporated into a Construction Environmental Management Plan prepared for the scheme.
- **Surveys** – I would regard the updated ecological survey effort, when considered in combination with other available survey information for the site, as sufficient. No further ecology surveys need to be undertaken before deciding the application.

- **Habitats** – I would not disagree with the description of the site in the ecology survey report submitted with the applications that the area is dominated by species-poor improved agricultural grassland. But it is an open greenfield site and it does also support locally important habitats including hedgerows, trees, running water and open water. I welcome proposals to retain, or replace, these habitats as part of the overall landscape scheme. I would recommend that all retained habitats, including trees, hedgerows and ponds, are robustly protected during the course of any ground works and construction activities. Habitat protection measures should be included in a comprehensive Construction Environmental Management Plan (CEMP) which should be prepared for the development.
- **Species:** i) *Water voles* – As the water vole survey undertaken in 2019 confirmed transient water vole activity within the ditch forming the eastern boundary of the application site an additional further full water vole survey will be required to confirm presence/absence of water vole within the section of ditch to be re-aligned before work commences. If water voles are confirmed as present a method statement will need to be prepared giving details of measures to be taken to avoid any possible harm to water voles; ii) *Amphibians* – The site supports amphibians. I would recommend that as a condition of any permission granted to the scheme a Reasonable Avoidance Measures Method Statement is prepared giving details of measures to be taken during any ground works or construction works to avoid any possible harm to amphibians. Once agreed this method statement must be implemented in full; iii) *Nesting birds* – All nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended). I would recommend that as a Condition of any permission which may be granted to the applications no clearance of any vegetation in preparation for or during the course of development should take place during the optimum 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.
- **Biodiversity enhancement** – I would support proposals to incorporate features for wildlife into the development described in the 'TEP' ecology report, including – i) The use of sensitive/low UV lighting throughout the site; ii) The inclusion of bird and bat boxes, especially on retained trees and buildings. This could take the form of house sparrow terraces, the inclusion of bat bricks and boxes on new buildings; iii) Creation of suitable hedgehog habitat such as dense scrub and brash piles and inclusion of 'hedgehog houses' within boundary buffers, for shelter and hibernation, and small gaps or gates in residential garden fencing to allow free movement of hedgehog within the Site and wider landscape.
- **Long-term Habitat and Landscape Management Plan** – There is a need for a more detailed Landscape plan to be prepared for the development, together with a long-term Landscape Management Plan. These aspects could be made a Condition of any permission granted.

Housing (FBC) – Comments as follows:

- The updated affordable housing statement dated 11.12.20 is acceptable and incorporates the Council's suggested wording. The mix of affordable housing units is positive in terms of the split between 2, 3 and 4 bed units and their spread across the site. It is acceptable for a 100% affordable rented tenure in this case to meet identified needs in the area and to ensure the local connection criteria are satisfied.

Lancashire County Council Archaeologist – Latest comments dated 28.04.20 as follows:

- The submitted Archaeological Desk Based Assessment indicates that the potential of the site to hold any significant archaeological features appears to be low and the recorded history of the area suggests that this area has been agricultural land since at least the Medieval period. We would therefore advise that there does not appear to be any requirement for any further archaeological investigation on the site.

Lancashire Police – Advise that the following security measures should be incorporated into the scheme:

- The layout should promote as much natural surveillance as possible. Dwellings should be orientated to allow clear views across areas of public open space. Building recesses or concealed front entrance doors and porches should be avoided, as they can restrict natural surveillance and create hiding places for intruders.
- Cul-de-sac arrangements help to deter criminals looking for opportunist crime. Link footpaths into cul-de-sacs should be avoided, as they increase permeability into and out of the site which compromises the security of the layout. Footpaths should be integrated into the design where they are afforded maximum surveillance opportunities from dwellings and surrounding buildings, be well illuminated with LED lighting, be as wide as possible and have minimal landscaping that can restrict opportunities for surveillance. Back to back gardens help to keep the area secure and deter intruders, as they restrict access and intruders are more likely to be seen.
- Avoid windowless elevations and blank walls immediately adjacent to public spaces; this type of elevation, tends to attract graffiti and inappropriate loitering that may cause noise nuisance for residents. If they are unavoidable, due to site or planning constraints, a low level railing arrangement or defensive planting can be considered in these areas. Porch canopies should be 'pitched' rather than 'flat', if access can easily be gained via the canopies to first floor windows.
- Boundary treatments should be of a sufficient height and design to deter intruders. 1.8m high close-boarded 'anti-lift' fencing is recommended for the perimeter of rear/side gardens and dividing fences. A 1.8m high lockable gate should be fitted flush with the front building line to prevent access to the rear of the dwellings.
- Parking spaces within the boundary of the dwelling reduces the opportunity for vehicle crime. They should be located where they can be 'overlooked' from an 'active' room e.g. a room where there is a direct and regular visual connection to the parking space such as a living room or kitchen, and be well lit.
- Alleyways at the rear of dwellings should be avoided, as they can generate crime and the fear of crime. If they cannot be designed out of the scheme due to site or other restrictions, the rear/side boundary treatments that abut these areas should be reduced to 1.5m in height and topped with 300mm trellis, be well lit and secured with locking robust gates (lockable from both sides and installed as close to the front building line as possible). This will promote natural surveillance into the alleys from the surrounding properties and restrict unauthorised access.
- LED dusk until dawn lighting is required to each dwelling elevation that contains a door set. Good, even coverage of street lighting will enable views within the development when natural light is minimal and should be certified to BS 5489. The lighting scheme should be developed by a qualified Lighting Engineer and Member of the Institute of Lighting Professionals.
- The security requirements for external door sets and windows should be compliant with Building Regulations Approved Document 'Q'. Products installed should be certified to their relevant industry standard such as PAS24:2016 or LPS 1175 standards. Windows should be fitted with laminated glass and restrictors.
- Each dwelling should be fitted with an Intruder Attack Alarm system consisting of door and window contacts, motion detectors and impact sensors.

LCC Education – Comments as follows:

- As per the s106 for outline permissions 14/0410 and 17/0851, the primary and secondary education contribution will be calculated once the owner informs LCC on the approval of the reserved matters application within 20 days of the decision.

Local Highway Authority (LCC Highways) – Latest comments dated 17.12.20 following receipt of amended scheme shown on “Rev V” planning layout as follows:

- Highways do not have any objections to the proposal and are of the opinion the development will not have a significant impact on highway safety, capacity in the immediate vicinity of the site. With this said the planning department is advised to consider the impact on highway amenity for emergency and refuse vehicle access and any future development to the north of the site.
- The current reserved matters planning application is concerned with the internal layout of the site only. The site access and impact on the surrounding highway infrastructure was approved by planning application 17/0851. This application was approved by the planning inspectorate as part of appeal Ref: APP/M2325/W/19/3221605.
- **Discharge of conditions** – The details of phasing submitted in connection with condition 1 are acceptable. The details of pedestrian and cycle links to satisfy condition 15 are acceptable.
- **Internal highway layout** – The highway layout and car parking are now acceptable. Some minor changes will be required to the shown traffic calming features to ensure traffic speeds can be self-policed to 20mph within the site. Highways are of the opinion that these features can be agreed as part of the section 38 technical approval and would not require any changes to the shown housing layout. The Lancashire Fire and Rescue Services recommends that developments fully meet all of the requirements of Approved Document B, Part B5 "Access and facilities for the Fire Service". Highways are of the opinion that the locations of 4 plots do not comply fully with the above recommendations and further discussions will be needed between the applicant, the planning authority and The Lancashire Fire and Rescue Services to determine what additional precautions will be need to overcome the issues. With regard to any future development to the north of the site, the carriageway has not been shown to extend up to the site boundary and as such this has the potential of preventing and future development by creating a ransom strip.
- **Future highway adoption considerations** – The shown internal highway layout is to an acceptable adoptable layout for adoption under section 38 of the 1980 Highways Act.
- **Conditions** are recommended to secure the following: i) a scheme for the construction of the new estate road; ii) an estate street phasing and completion plan setting out the development phases and the standards that each estate street serving those phases will meet. No dwelling within each phase should be occupied until each estate road has been completed; iii) No development shall take place until details of the arrangement for the future management and maintenance of streets within the development has been submitted and approved; iv) No development shall take place until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted; v) All private car parking and manoeuvring areas for each dwelling shall be marked out before each is first occupied; vi) all garages shall be maintained as such for the parking of vehicles and shall not be converted to living accommodation; and vii) No development shall take place until a scheme to provide a continuation of the artery road to the site boundary in the north east corner of the site has been submitted to and approved by the local planning authority.

Natural England – Latest comments dated 21.08.20 advise that Natural England have no objection to the scheme subject to appropriate mitigation being secured as follows:

- Without appropriate mitigation the application would: i) have an adverse effect on the integrity of the Ribble and Alt Estuaries Special Protection Area (SPA) and Ramsar site; and ii) damage or destroy the interest features for which the Ribble Estuary Site of Special Scientific Interest (SSSI) has been notified.

- In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured: i) A Homeowners Information Pack available to all new residents. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.
- **European designated sites** – The proposal is approximately 1.5km from the Ribble and Alt Estuaries Special Protection Area (SPA) and Ramsar site. Natural England has reviewed the updated shadow Habitats Regulations Assessment by TEP dated July 2020. Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. We provide the advice on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority. Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Regulations Assessment process, and a competent authority should have regard to Conservation of Species and Habitats Regulations 2017 (as amended). Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question.
- Having considered your assessment, and the measures proposed to mitigate for any adverse effects, Natural England's advice is that the following should be secured by condition: **Homeowner Information Pack** – This development is likely to result in increased recreational pressure at the estuary and therefore have a likely significant effect on the sensitive interest features of the above mentioned sites. We advise the preparation and approval of a homeowner information pack. This should give details of all the sensitivities of the Ribble & Alt Estuaries SPA and Ramsar site to recreational disturbance and highlight alternative recreational opportunities in the vicinity, away from the more sensitive areas will help reduce any increase in recreational disturbance on the SPA. The approved pack should be made available to all new homeowners.
- **Newton Marsh SSSI and Ribble Estuary SSSI** – The proposal is located approximately 1.5km from the Ribble Estuary SSSI and 2.4km from Newton Marsh SSSI and our concerns regarding these sites coincide with those as mentioned above for the SPA/Ramsar site. Therefore providing the condition as outlined above is added to the permission Natural England advises there will be no adverse impacts to the notified features of these sites.

United Utilities – Latest comments dated 13.10.20 as follows:

- The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority: 1) into the ground (infiltration); 2) to a surface water body; 3) to a surface water sewer, highway drain, or another drainage system; 4) to a combined sewer.
- Further to our review of the submitted Flood Risk Assessment, prepared by The Alan Johnston Partnership LLP, Ref: LWF-AJP-ZZ-XX-RP-C-3000, Rev: P07, dated: 23.09.2020 and Drainage Strategy Ref S104 Agreement Plan Masterplan: Ref: 219-177-LWF-AJP-XX-00-DR-C-1000, Rev: P5, dated 15.09.2020 by The Alan Johnston Partnership LLP, the plans are acceptable in principle to United Utilities.
- United Utilities are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

Neighbour Observations

Neighbours notified: 29 January 2020

Site notice posted:	19 February 2020
Press notice:	6 February 2020
Amended plans notified:	24 September 2020 & 14 December 2020
No. Of Responses Received:	28 letters and a petition including 99 signatures
Nature of comments made:	28 letters and a petition including 99 signatures, all in objection.

The appropriate neighbouring properties were notified of the application by letter on 29.01.20. Additional letters were sent out on 24.09.20 and 14.12.20 following the receipt of amended plans. Both re-consultations allowed an additional 21 day period for comments on the revised plans, with the latest of those periods to expire on 04.01.21. In addition, as the application involves major development notices have been posted on site and in the local press. To date (any additional representations received within the latest re-consultation period will be reported in the late observations) a total of 28 letters and a petition including 99 signatures have been received in objection to the application. The points made in the letters are summarised as follows:

Principle of development:

- There is a lack of sufficient infrastructure (e.g. highways, shops, dentists, play areas, GP and school places) in the area to support the increased population which would be generated by the number of dwellings proposed. The development will overload this existing infrastructure. If this development is permitted, over 1000 new houses will have been in Warton over the last 5 years or so without any additional supporting infrastructure having been introduced.
- The scale of development proposed would alter the character of Warton from a quiet village into a large, urbanised town. The beauty of the area continues to be massively diminished as all the green belt land continues to be destroyed at an alarming rate.

Character and appearance:

- The submitted layout differs significantly from that submitted with the outline application. In particular, the concept of pathways around the site providing buffering spaces between the new houses and existing homes appears to have been abandoned, as has the concept of easy access by the new residents to and from Bridges Sports Field and local shops via these footpaths.
- The previous outline permission involved a maximum of 350 dwellings, but 364 are now being proposed across two separate applications. This results in a very cramped layout and the number should be reduced to a maximum of 350 to follow the outline permission.

Flooding and drainage:

- The application site is prone to flooding. Surface water from the site presently drains via a network of ditches across the site, including along the western boundary where existing dwellings back onto the land. The proposed development will remove these ditches and raise the ground level which will result in surface water being directed towards the gardens of neighbouring dwellings on lower-lying land bordering the site.
- There have been several recent incidences of flooding in the area and the gardens of existing neighbouring dwellings are routinely waterlogged in heavy rainfall. This is presently under investigation by the Environment Agency, Lead Local Flood Authority and Fylde Borough Council. These problems have intensified and extended into new areas surrounding the site since 2019 when the previous agricultural practices on the land were abandoned in favour of the development proposal and as a result of other nearby developments in Warton. The existing drainage system cannot cope with current levels of surface water and there is a capacity issue. This situation will deteriorate further unless adequate and effective provisions to deal with surface water and to prevent this draining onto neighbouring

properties are included within this scheme.

- The increased impermeable area created by the development of a greenfield site will increase the risk of flooding in the area from surface water drainage. The flood risk assessment indicates that surface water from the development will discharge into Pool Stream. In time of heavy rain the level of Pool Stream rises close the ground level of neighbouring dwellings. If surface water runoff from the development is directed into Pool Stream at a quicker rate than existing due to the increase in impermeable area then this will increase the risk of Pool Stream bursting its banks and flooding properties surrounding the watercourse further downstream. Measures should be put in place to eliminate or mitigate this risk.
- Several properties on Lytham Road are currently not connected to the main sewer and remain on septic tanks. The development will result in an increase in wastewater and sewerage which presents a hazard to public health and the environment if adequate and safe disposal is not ensured. It is also unclear whether there are any plans to extend the main sewer to reach properties at the East end of Lytham Road.
- Despite the statements in the FRA about restricting the discharge to the existing greenfield discharge rates, it is clear that the flooding to Freckleton in recent storms, the latest of which was on 11.08.2020 demonstrates that the Pool Stream is already a high risk source of flooding without this potential discharge from the impervious areas of the proposed development.
- It is being proposed that the foul water from the entire development is taken to the existing 9" (225mm) diameter sewer which runs north to south across the fields towards Freckleton. This existing 9" sewer in turn feeds into the 9" combined sewer in Lytham Road, Freckleton, about 100m east of Lamaleach Drive. The inadequacy of this latter 9" combined sewer is highly likely to be a contributory cause of the flooding at the west end of Lytham Road on 11.08.2020. United Utilities are already on record as stating that flood risk levels in this 9" combined sewer are high as set out in their response to application 19/0541.
- The design proposals for surface and foul water discharge from the development should be held in abeyance, pending a thorough investigation and improvement of the drainage network in Freckleton and surrounding areas.
- The Environment Agency have made sustained objections to the application on flood risk grounds and so the application should be refused on the basis of these objections. In particular, the proposed diverting of the watercourse to the East and then culverting the same into the ditch/tributary that feeds into Pool Stream has been resisted by the Environment Agency due to the added risk of flooding this will create. The watercourse and land levels should stay as they are, as the EA recommend. They are natural features and the development should be constructed so as to encompass and enhance those features, and its environment, and to deal more effectively with the surface water discharge.

Highways:

- There is only one entrance/exit into the site off Lytham Road. Should a major incident occur either on the roundabout or that link road, the safety of the residents could be at risk as emergency vehicles would be unable to attend any incident that may occur within the site at the same time.
- The siting of the vehicle access would also reduce the potential for new residents to visit Warton village centre in favour of heading east towards Freckleton/Preston town centres.
- Lytham road is heavily trafficked and is often congested at peak times. This has led to an increase in accidents on Lytham Road, long queues, increased journey times for residents and added air pollution. The extra vehicles from this development will only add to these issues and residents will likely use their cars to access local shops and services.
- Lytham Road is already at saturation point and there are no highway improvements

associated with the scheme which would alleviate the congestion arising from the extra traffic created. Traffic is regularly queued back to the roundabout which the development proposed to take access from and so this would create a bottleneck for new residents accessing the site.

- Prior to any further housing developments in Warton being granted, an environmental survey should be carried out on Lytham Road, and in particular the stretch from Church Road to the Warton end of the Freckleton Bypass, to determine the air quality and level of pollution generated by the extra traffic that already uses this road.

Amenity impacts:

- The removal of existing mature planting buffers along the western edge of the development significantly reduces any privacy previously offered to existing residents by the outline scheme.
- There is a need for screening in the form of mature, dense planting to be introduced along the site's perimeter with neighbouring dwellings in order to maintain privacy.
- As is the case with the Highgate Park development, the scheme will result in long-term disturbance for surrounding occupiers during the course of construction due to noise nuisance, traffic, air pollution, vermin and dust which would adversely affect the health and wellbeing of existing residents.
- The development of the land will prevent its ongoing use for recreational walks.

Changes to proposed ground levels:

- The developer proposes to raise levels in parts of the site adjacent to Butlers Meadow, Clifton Avenue and Canberra Way by in excess of 2.6m. To achieve this, a series of retaining walls are proposed along the southern and western site boundaries. When a 1.8m high fence is constructed on top of these retaining walls this will create a harsh and oppressive outlook from neighbouring occupiers along these boundaries. The proposed finished floor levels of the dwellings, being set so high above existing houses, would allow their future occupants direct views into the upper floors of existing properties on the western and southern boundary of the site, thus compromising the privacy of existing residents.
- The proposed finished floor levels for plots along the southern and western boundaries of the site – which would be elevated at a much higher ground level above the existing dwellings adjacent – results in a downward slope towards the gardens of existing properties which would result in surface water from the development being directed towards neighbouring gardens and, in turn, flooding of those properties. The developer should give further consideration as to how the site can be drained effectively without substantially increasing the ground levels adjacent to the western and southern boundaries.

Boundary treatments:

- The submitted boundary treatment plan indicates that a 1.8m high close-boarded timber fence will be provided along the site's boundary with Butlers Meadow. It is, however, unclear whether this will replace the existing mesh security fence along that boundary or provide an additional fence.

Officer note: The applicant has clarified that the proposed 1.8m high close-boarded fence along the southwestern boundary where the site backs onto Butlers Meadow will be constructed inside (and therefore in addition to) the existing mesh fence as the current fence is on land outside the applicant's ownership.

- The site's boundary with several neighbouring properties is marked by a mature hedgerow which has existed for a significant period of time. These are described as "habitats of

Principal Importance” within the Arboricultural Impact Assessment, in good condition with long estimated lifespans. The document also cites local planning policies which indicate that such features should be retained wherever possible. Accordingly, the replacement of these existing hedgerows with a 1.8m high close-boarded fence to add an extra 2m onto the length of the gardens of houses proposed along this boundary is not acceptable. It is also unclear whether the developer has the legal right to remove a hedgerow that forms the boundary between two properties. The proposed fence should, instead, be erected inside the existing hedgerow and that feature retained.

Pedestrian and cycle connections:

- The proposed shared pedestrian/cycle link through to Butlers Meadow would cross private land which residents pay a charge towards the maintenance of. If a pathway is created across the land this will add to the maintenance liability for existing residents to pay for repairs of the surface and added damage to areas and other pathways surrounding the route through to Lytham Road.
- It is difficult to understand why Planning Officers and the Planning Inspector made this connection to Butlers Meadow a condition of the outline approval when it extends outside of the developer’s site.
- The route through to Butlers Meadow would increase opportunities for crime and antisocial behaviour, and result in a reduced sense of security for existing residents located close to the route. Additionally, the two existing paths from Butlers Meadow to Lytham Road are narrow (little over 1m in places), unlit and unsuitable for use by cyclists which would increase the risk of collisions with pedestrians.
- Removal of public access and thoroughfares between Freckleton and Warton around the westerly perimeter of the development is a backwards step regarding public health through safe exercise.

Third party land ownership issues:

- The scheme includes the creation of a footpath/cycleway link from the development through to Butlers Meadow between numbers 38 and 39. However, this land is outside the ownership of the applicant (it is in private ownership) and there is no right of access across this land except for agricultural vehicles. The land required to deliver the proposed link between the site and Butlers Meadow is not public highway and no rights have been granted to allow access over this route. Accordingly, the applicant has been requested to amend the layout to remove this route over private land.

Tree/hedgerow impacts:

- The application includes the removal of almost all existing trees and mature hedgerows within the site which presently mark the boundaries with surrounding dwellings and provide a valuable environmental asset and habitat for wildlife. These existing natural features should be retained.
- The submitted Arboricultural Impact Assessment confirms that “trees with a greater level of arboricultural and landscape value are generally located on the western and southern boundaries adjacent to third party properties” and “external works plans showing the detail and arrangement of drainage, levels, retaining structures and utilities were not available to inform the production of this assessment”. It is therefore clear that the revised Arboricultural Impact Assessment does not accurately reflect the developer’s current proposal to increase site levels and/or construct retaining structures. These linear groups and individual trees which currently provide screening and privacy for existing properties on the western and southern boundaries should be retained.
- The loss of vegetation is also in conflict with the Neighbourhood Plan which states that “the

green infrastructure of the area should be protected and enhanced by encouraging green buffer areas around new development to create soft boundaries and enhance biodiversity”.

Ecology:

- The development would result in a loss of existing wildlife habitats and harm protected species due to the removal of the existing linear groups of trees which currently provide habitat connectivity from Bridges Recreation Ground and beyond through to the open spaces east of Lynwood Park. This conflicts with the developer’s planning statement which suggests that “development proposals which impact on local wildlife and habitats should demonstrate how biodiversity will be protected and enhanced [and] that the creation of new habitats and new linkages between open spaces should be provided.”
- The developer has failed to demonstrate how habitats and biodiversity would be protected as a result of the latest proposals and how new habitats and linkages between them would be created.

Other matters:

- The development will affect the resale value of surrounding dwellings that presently back onto the site by removing the current views available over open countryside.

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 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. In addition, as the site falls within the Bryning with Warton Neighbourhood Development Plan (BWNP) boundary, the BWNP also forms part of the adopted development plan in this case.

Fylde Local Plan to 2032 (FLP):

S1	The Proposed Settlement Hierarchy
DLF1	Development Locations for Fylde
M1	Masterplanning the Strategic Locations for Development
SL3	Warton Strategic Location for Development
GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
H1	Housing Delivery and the Allocation of Housing Land
H2	Density and Mix of New Residential Development
H4	Affordable Housing
T4	Enhancing Sustainable Transport Choice
T5	Parking Standards
CL1	Flood Alleviation, Water Quality and Water Efficiency
CL2	Surface Water Run-Off and Sustainable Drainage
ENV1	Landscape
ENV2	Biodiversity
ENV4	Provision of New Open Space
ENV5	Historic Environment

Other Relevant Policy:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

Bryning with Warton Neighbourhood Development Plan (BWNP):

BWLC2 – Community, Leisure Facilities and Open Spaces

BWNE1 – Protecting and Enhancing Local Wildlife and Habitats

BWNE2 – Protecting and Enhancing Local Character and Landscape

BWNE3 – Design to Reduce Surface Water Run Off

Other relevant Guidance:

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

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and exceeds the threshold in column 2 of the table relating to category 10(b) developments. Paragraph 8 of the Inspector’s report in respect of appeal APP/M2325/W/15/3004502 (‘Appeal A’ relating to 14/0410) identifies that “in respect of Appeal A, on 21 May 2015 the Secretary of State directed that the development is not Environmental Impact Assessment (EIA) development.” Accordingly, S73 application 17/0851 was also not EIA development and, in turn, this application for approval of reserved matters pursuant to that outline permission is not EIA development.

Comment and Analysis**Background:**

This application for approval of reserved matters follows the granting of outline planning permission for a residential development of up to 350 dwellings at appeal on 13.02.17 (APP/M2325/W/15/3004502) under LPA application reference 14/0410. A subsequent S73 application to vary condition 7 of outline planning permission 14/0410 was allowed at appeal on 16.07.19 (APP/M2325/W/19/3221605) under LPA application reference 17/0851. This application for approval of reserved matters is submitted pursuant to the latest of the outline permissions – 17/0851.

When originally submitted, the reserved matters scheme proposed by this application (20/0042) included a residential development of 350 dwellings. A separate application for full planning permission involving an additional development of 14 dwellings to the southwest corner of the site – to deliver a total of 364 dwellings across the whole site area – was submitted in tandem with reserved matters application 20/0042, under application reference 20/0057.

During the course of the applications, the scheme has been amended from that originally submitted collectively under application references 20/0042 and 20/0057. As a result of these amendments the overall number of dwellings proposed across the site has been reduced from 364 to 345 and the separate, full planning application 20/0057 has been withdrawn. Various changes to the development layout, mixture of house types, location of affordable housing units, landscaping

scheme, siting and design of sustainable linkages, drainage strategy and relationships with neighbouring land and buildings (including spacing distances and level changes) have been made to the scheme throughout the processing of application 20/0042. All these amendments are reflected in the revised drawings and document package upon which the LPA re-consulted with neighbouring residents, the Parish Councils, Ward Councillors and other relevant statutory consultees on 14.12.20. Accordingly, and for the avoidance of any doubt, application 20/0042 is to be considered in relation to the revised scheme for 345 dwellings described in the “proposal” section above, referred to in the analysis below and identified on the drawings listed in recommended condition 1.

Policy context and main issues:

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

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

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.”

As the application seeks approval for reserved matters pursuant to outline planning permission 17/0851 (which included ‘access’ as a detailed matter), issues concerning the principle of development and the means of access to the site (including transport impacts at and away from the site) have already been assessed and found acceptable. Accordingly, these matters are not to be revisited at this stage. Instead, the main issues for consideration in this application relate to specific impacts associated with the development’s appearance, landscaping, layout and scale, having particular regard to:

- Its compliance with the conditions, restrictions and parameters associated with outline planning permission 17/0851 where these have specific implications at the reserved matters stage.
- Its effects on the character and appearance of the area.
- Its impact on the amenity of surrounding occupiers.
- Any other relevant matters, including those relating to the development’s internal highway layout, housing mix, the type and distribution of affordable housing, and its effects on flood risk, drainage, ecology and archaeology.

Compliance with outline permission 17/0851:

Objectors opine that the reserved matters proposal fails to accord with several aspects of the

indicative masterplan submitted with the original outline application 14/0410 (and was not varied as part of S73 application 17/0851). However, the masterplan submitted with the appeal for 14/0410 (unscaled drawing labelled 'APP2 – Landscape Masterplan') is not listed as an approved plan within the conditions to the outline permission, nor was any condition imposed on permission 17/0851 (or 14/0410) requiring any application for approval of reserved matters to accord with the details shown on that masterplan.

Instead, and in addition to conditions setting out which reserved matters are outstanding and detailing the time limit for the submission of any application(s) for approval of reserved matters (conditions 2 and 3 respectively), outline planning permission 17/0851 includes several conditions which either specify that certain details are to be provided as part of any application for approval of reserved matters submitted pursuant to the outline permission or identifies parameters that are intrinsically linked to the outstanding matters. Specifically, those are conditions 1, 6, 12, 15, 18 and 19 of 17/0851. The scheme's compliance with the provisions of each of these conditions is addressed in turn below:

Condition 1 (phasing, quantum and type of open space):

"No development shall take place until a plan detailing the phasing of development and the allocation to each phase of a share of a total open space provision of not less than 2ha including a LEAP/LAP has been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details."

Condition 1 includes two distinct requirements through a pre-commencement condition. The first is to provide a phasing plan for the development which also includes details of the areas of open space that are to be allocated within each phase. The second requires the development to deliver a "total open space provision of not less than 2ha including a LEAP/LAP".

A phasing plan submitted with the application (drawing no. SK668-PP-01 Rev C) shows that the development would be delivered in three separate phases as follows:

- Phase 1 – 87 dwellings (including 23 affordable housing units) and 10,363 sqm of open space.
- Phase 2 – 137 dwellings (including 46 affordable housing units) and 8,214 sqm of open space.
- Phase 3 – 121 dwellings (including 36 affordable housing units) and 3,431 sqm of open space, including a LEAP.

The application is accompanied by an open space plan (drawing no. SK668-POS-01 Rev E) which provides details of all open space areas to be delivered as part of the development. Collectively, these areas provide 2.2 ha (22,000 sqm) of open space across the development and the parcel of open space within phase 3 to the western area of the site also includes the provision of a Locally Equipped Area for Play (LEAP). Accordingly, the minimum level of open space provision required by condition 1 of the outline permission is achieved and the sequencing for the delivery of that open space shown on the phasing plan is also appropriate to ensure suitable provision of open space for future occupiers within each phase of housing as the development progresses.

It should be noted that condition 17 of the outline permission requires the public open space allocated to each phase to be laid out and made available for use before any dwelling on each associated phase is occupied. Furthermore, condition 17 stipulates that "no dwelling on the last of any phase of the development which includes residential dwellings shall be occupied until the LEAP/LAP and all the public open space on all phases has been laid out and made available for its

intended purpose.” Accordingly, the LEAP and all other open spaces must be laid out and made available for use before any of the dwellings in phase 3 are first occupied. Condition 17 also requires the developer to submit a scheme for the maintenance of the public open space areas before development commences on each phase.

In combination, therefore, the phasing plan, public open space plan and the requirements of condition 17 of the outline planning permission will ensure an appropriated phased delivery of the development and associated open space in order to satisfy the requirements in condition 1 of the outline planning permission. An additional condition has been recommended in this case requiring a scheme for the design of the LEAP to be provided before any development within phase 3 takes place as no detailed design for this play area has been provided with the application.

Condition 6 (quantum of housing and traffic generation):

“No greater quantity of housing shall be built than that which would give rise to traffic generated by the development no greater than that forecast in the submitted Transport Assessment 140603/SK21338/TA02 June 2014 by SK Transport Planning Ltd.”

The Transport Assessment (TA) cited in the condition was submitted with application 14/0410. Paragraph 1.1 of that TA makes clear that the traffic generation forecast in the TA relates to a development of “up to 375 houses”. Table 6.2 of the TA indicates that the residential development of up to 375 dwellings is forecast to generate a total of 226 two-way vehicle trips in the AM peak hour and 249 two-way vehicle trips in the PM peak hour.

This application for approval of reserved matters involves a development of 345 dwellings – a quantum some 30 units (or 14%) less than that used to forecast traffic generation in the TA for 14/0410. It is also noted that 105 of the proposed 345 dwellings would be affordable housing units, which typically generate less traffic than that associated with market housing due to lower levels of vehicle ownership. Given the 30 unit reduction in the overall number of dwellings which formed the basis of the traffic forecast in the TA between the outline and reserved matters schemes, the proposed development would not give rise to a level of traffic generation that is greater than that forecast in the TA for the outline. Accordingly, there would be no conflict with condition 6 of the outline permission.

Condition 12 (levels):

“No development shall take place on any phase of the site until details of finished floor levels and external ground levels of each plot on that phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.”

Details of finished floor levels for each plot are shown on five separate drawings titled “finished level & retaining walls” – Sheets 1-5, as well as drawing no. SK668-CS-01 Rev C (site sections key plan). A collection of cross sections through the southern, western and northern boundaries of the site have also been provided to show level differences between the proposed buildings with existing dwellings and other adjoining land.

With respect to existing levels, the topographical survey submitted with the application shows general west-east and north-south falls across the site. Existing ground levels are to be altered (both raised and lowered) across the development in order to achieve a gravity fed surface water drainage system to outfall into a drainage ditch to the southeast corner of the site.

Objectors have referred to raising of existing ground levels by up to approximately 2.6m in relation to neighbouring dwellings along the southern and western site boundaries. However, these references relate to previous versions of the finished level plans which have since been superseded by the revisions in December 2020. As shown on the updated plans, the greatest increase in ground level is proposed in the southeast corner of the site where the finished floor level of the dwelling on plot 6 would be elevated approximately 1.78m above the existing. Plots in this area would, however, be located away from neighbouring properties off the site and, instead, adjacent to the development's spine road and flood compensation area.

Where the proposed dwellings border existing residential uses along the site's southern and western boundaries, the following maximum and minimum (including reductions) differences between the finished floor levels of the proposed dwellings and the adjacent ground level on the boundaries with neighbouring uses are proposed:

- **Lynwood Park** – Maximum increase of 0.69m (between plots 107-108 and unit 36) and maximum reduction of 0.46m (between plots 113-114 and unit 32).
- **Butlers Meadow** – Maximum increase of 0.67m (between plot 174 and no. 40 Butlers Meadow) and minimum increase of 0.34m (between plots 163-164 and no. 97 Butlers Meadow).
- **Clifton Avenue** – Maximum increase of 1.66m (between plots 184-185 and no. 33 Clifton Avenue) and minimum increase of 1.34m (between plot 178 and no. 34 Clifton Avenue).
- **Canberraway** – Maximum increase of 1.21m (between plot 187 and no. 34 Canberraway) and minimum change of 0m (between plot 190 and no. 42 Canberraway).

Accordingly, the proposed changes in levels along the site's southern and western boundaries would result in variations ranging from a 0.46m reduction to a 1.66m rise between the finished floor levels of the proposed dwellings and the adjacent ground level on the site boundary. Changes across the internal areas of the site vary between a maximum rise of approximately 1.78m in the southeast corner (plot 6) to a maximum reduction of *circa* 0.33m within the centre of the site (plot 82). Within the triangular protrusion to the northern part of the site, level changes across the woodland buffer to north-eastern boundary down to the existing drainage ditch range from a maximum increase of 1.66m (plots 134-135) and a minimum increase of 1.1m (plot 331).

When the proposed finished floor and external ground levels are considered in combination with the spacing and screening that would be achieved between the proposed dwellings and neighbouring properties on Lynwood Park, Butlers Meadow, Clifton Avenue and Canberraway (as detailed in the amenity section below), the woodland buffer to be provided along the site's northern/eastern boundary (as detailed in the landscaping section below) and the drainage mitigation measures (as detailed in the flood risk and drainage section below), it is considered that these are acceptable to fulfil the requirements of condition 12.

Condition 15 (pedestrian and cycle connections to Canberraway and Butlers Meadow):

"No development shall take place on the relevant phase until details of the pedestrian and cycle access to Canberra Way at the north-western corner of the site and to Butlers Meadow at the south-western corner of the site (both shown indicatively on the illustrative master plan accompanying the application) have been submitted to and approved in writing by the local planning authority. No dwelling on the relevant phase shall be occupied until the relevant pedestrian and cycle access shall have been completed and made available in accordance with the approved details."

The north-westerly link through to Canberraway required by the first part of the condition comprises a 3.5m wide opening positioned in the corner of the site to the side of the existing dwelling at no. 60

and opening in front of the gated access to Bridges Recreation Ground at the end of Canberraway. The shared cycle/pedestrian link would include a staggered barrier to prevent vehicle access into the site from Canberraway and is to be delivered as part of phase 2. Travelling into the site, the link would merge with a 4.5m wide shared surface estate road to the front of plots 196-204 before connecting with the network of footways and estate roads through the development. The Local Highway Authority have indicated that the siting and dimensions of the proposed Canberraway link are acceptable. Therefore, subject to a scheme for its detailed design being submitted and approved prior to commencement of the phase 2 works and the delivery of the link before any of the dwellings in phase 2 are first occupied (both of which are required by condition 15 of the outline permission), the details for this link provided in the connection with the development's layout at this stage are considered to be acceptable.

The second part of the condition requires the submission of details for the provision a similar shared pedestrian/cycle link through the southwest corner of the site onto Butlers Meadow (as was shown indicatively on the illustrative masterplan for the outline permission). The original layout for 20/0042 included a narrow, Z-shaped route through the southwestern corner of the site travelling across an existing grass verge between nos. 38 and 39 Butlers Meadow to meet the public highway. A number of representations (including a petition containing 99 signatures) were submitted in objection to the provision of this route. One of these objections was from a firm of solicitors acting on behalf of Annington Property Limited – the owner of the grass strip located between the site boundary and the footway of Butlers Meadow which pedestrians and cyclists from the development would be required to travel across to reach the public highway.

The representation on behalf of Annington indicates that the grass strip between the site and Butlers Meadow is not part of the public highway and is, instead, in private ownership with no rights of access across it except for agricultural vehicles. Accordingly, while it may be possible to construct a shared pedestrian/cycle link up to the southwestern boundary of the site, the additional land required to allow this link to connect through to Butlers Meadow is in private, third party ownership outside the applicant's control. The applicant has, through their solicitor, engaged with Annington Property Limited to determine whether the third party landowner would be willing to grant rights of access across the strip of land in question in order to allow the connection through to Butlers Meadow to be formed. The applicant has, however, been advised that Annington is not prepared to allow the creation of the access route across its land. Therefore, the applicant is unable to deliver the shared pedestrian/cycle link through to Butlers Meadow mentioned in condition 15 as it relies on third party land falling outside. Nevertheless, as condition 15 contains a pre-commencement trigger relating to the development's phasing (with the area to the southwest corner of the site falling within the final, third phase of the scheme), the requirement to deliver a link through to Butlers Meadow could be removed from the condition by a subsequent S73 application for the reasons now established at the reserved matters stage.

As it will not be possible to deliver the link through to Butlers Meadow in the southwest corner of the site (or anywhere else along the site's southern boundary as all the adjoining land connecting through to Butlers Meadow is in third party ownership), the applicant has proposed the delivery of an alternative pedestrian footpath link through to Bridges Recreation Ground along the western boundary of the triangular protrusion. An indicative position for this is marked on the layout and shows that the link would run from the estate road footway to the front of plot 324 in a north-westerly direction to open onto an area of unmarked grassland to the northeast of the existing MUGA within the recreation ground. The creation of the link is intended to allow enhanced pedestrian connectivity with the existing footpath at the end of Folkestone Close to the northwest via the recreation ground. The delivery of this link within phase 2 of the scheme does, however, rely on access being permitted by Bryning-with-Warton Parish Council who own the recreation ground.

An appropriate condition has been suggested for the delivery of this route in conjunction with the Parish Council providing that their permission can be obtained. It is, however, considered that this is the only feasible option to secure the delivery of a second sustainable link to enhance pedestrian connectivity between the site and adjoining land in the absence of the link through to Butlers Meadow.

Condition 18 (retained trees and hedgerows):

“In this condition ‘retained tree’ means an existing tree or hedgerow which is to be retained in accordance with the recommendations contained in section 5 and drawing 60072-002 of the Arboricultural and Hedgerow Assessment reference 60072P1R4 by Resource and Environmental Consultants Ltd dated 2 June 2014 and paragraphs (i) and (ii) below shall have effect until the expiration of 1 year from the date of the first occupation of the last completed dwelling for its permitted use.

- *No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).*
- *If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.*
- *The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.”*

Condition 18 is split into four parts. The first (within the preamble of the condition) identifies the meaning of a “retained tree” with reference to the Arboricultural and Hedgerow Assessment submitted with outline planning permission 14/0410. In turn, the recommendations in section 5 of this document and drawing no. 60072-002 result in the following features being classed as a “retained tree” for the purposes of condition 18 as they were awarded “retention category A” status as part of the 2014 assessment:

- W1 – A cluster of semi-mature woodland comprising Ash, Oak and Silver Birch located to the east side of the roundabout access into the site.
- H4 – A linear mix-species hedgerow following an ‘equatorial’ line through the centre of the site between the western and eastern boundaries.
- H7 – A linear mixed-species hedgerow running parallel with H4 (along an east-west line) alongside the southern boundary of the site.

The second part of the condition (criterion i.) states that any works to remove or prune a “retained tree” shall only be carried out with the written approval of the local planning authority. The third part of the condition (criterion ii.) indicates, among other things, that **“if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place”** (emphasis added) in accordance with details specified by the local planning authority. The final part of the condition (criterion iii.) requires the installation of protective fencing around any retained trees and restricts certain operations within those fenced areas.

An Arboricultural Impact Assessment (AIA) has been submitted with the application. This follows a field survey undertaken in May 2019. Paragraph 3.6 of the AIA identifies that “in total, 21 individual trees; tree groups comprising approximately 1.33ha; and 152m of hedgerow would be removed.” While the woodland cluster in W1 would be unaffected by the scheme (being well beyond the development boundary), these removals include the full length of hedgerow H4 (identified as “G17” and “G19” in the AIA) and the majority of hedgerow H7 (identified as “G1”, “G3-8”, “G11”, “H1” and “H2” in the AIA) with the exception of a *circa* 100m long stretch (“G11”) to the southwest corner at the rear of nos. 40-97 Butlers Meadow which would be retained between the existing mesh boundary fence and close-boarded fencing to mark the rear garden boundaries of the proposed dwellings backing onto the southern perimeter.

Whilst this extent of “retained tree” removal could be permitted by the local planning authority giving its written approval under the allowance in part i. of condition 18, part ii. of the condition subsequently requires that any such removal permitted under i. be compensated for by “another tree [being] planted at the same place.” The restrictions in paragraphs i. and ii. of the condition “have effect until the expiration of 1 year from the date of the first occupation of the last completed dwelling for its permitted use”. Both the AIA and proposed landscaping plans make clear that new planting to be introduced as part of the scheme will not be located wholly “at the same place” as the existing sections of H4 and H7 which are to be removed in order to facilitate the development.

This is acknowledged within both the AIA and the supporting ecological assessment submitted with the application. However, these documents opine that any adverse effects arising from the loss of tree and hedgerow cover as a result of the development – both within and outside the areas of H4 and H7 – would be successfully mitigated and, overall, positive residual effects would arise by virtue of the following:

- None of the existing hedgerows qualify as “Important” under the Hedgerow Regulations 1997 and the groups which form hedgerows H4 and H7 have deteriorated due to a lack of management since the 2014 survey such that they now fall within retention category C.
- Trees and hedgerows lost as part of the development are to be compensated for by the introduction of a woodland planting buffer along the north eastern boundary of the site and other tree and hedge planting throughout the site. There would be an overall increase in the number and coverage of trees and hedge planting across the site as a result of the landscaping proposal which would result in a permanent net gain in tree cover by the time the new trees are mature.
- The proposed planting scheme includes a greater range of species compared to those which would be removed in order to enhance biodiversity and the average mature size of tree species on the site would be increased by the proposed development and planting scheme. Trees that would be removed are typically lower growing shrubby species as opposed to the variety of species with larger mature stature that would be planted.

As the proposed development would result in the removal of most of hedgerows H4 and H7 which are identified as “retained tree[s]” in condition 18 of planning permission 17/0851 and does not include replacement planting to compensate for the loss of these specimens “at the same place”, the proposed layout and landscaping scheme for the development conflicts with the requirement in part ii. of condition 18. Nevertheless, consideration must be given to the level of harm that would arise as a result of this, including whether this harm can be adequately mitigated through the introduction of replacement planting within other areas of the site. In this respect, it is noted that the proposed landscaping scheme – which has been further enhanced through the introduction of a greater number of trees within the landscape buffer to the north-eastern fringe of the development since the AIA and ecological assessment were prepared – would result in:

- Significant increases in the number, density and size of tree planting across the site, particularly through: i) the introduction of a woodland planting buffer comprising semi-mature species (between 4.5m and 6m in height) extending to approximately 0.78 hectares along the eastern and northern site boundaries; and ii) the introduction of a continuous, evenly-spaced linear row of extra heavy standard (between 3.5m and 4m in height) trees within the rear gardens of plots 105-125 and 147-190 where these back onto adjoining land flanking the southern and western boundaries which, along the southern boundary, would supplement retained “G11” and broadly follow the route of hedgerow H7.
- The creation of a new ecological habitat corridor alongside the western/southern bank of the brook which follows the north-eastern boundary.
- Enhanced landscaping and soft roadside edges within the central areas of the site as part of the internal development layout.

It is noted that GMEU have not objected to the loss of existing hedgerows H4 and H7 on ecological grounds and “welcome proposals to retain, or replace, these habitats as part of the overall landscape scheme”. When the lack of any objection on ecological grounds is considered in combination with the overall net gains in vegetation coverage which would arise as a result of the new planting to be introduced as part of the development’s landscaping scheme it is, on balance, considered that any harm resulting from the development’s conflict with condition 18 ii. of the outline permission would be adequately mitigated through the implementation of the submitted landscaping scheme (including the submission of a long-term landscape management plan which could be secured by condition as recommended by GMEU).

Condition 19 (retention of ponds and ditches)

“None of the ponds and ditches shown on figure 2 of the Ecological Survey and Assessment reference 2013_089 by ERAP Ltd dated September 2013 (Updated June 2014) shall be removed or filled in except in accordance with details submitted and approved in compliance with other conditions of this permission. A buffer zone of 10m around the edge of each pond shall be kept free of development.”

Figure 2 of the 2013 ecological survey referred to in condition 19 shows 3 ponds and 6 ditches within the site. Pond 1 is located to the western end, pond 2 occupies a central position and pond 3 is in the southeast corner. The 6 ditches follow the perimeter of the northern land parcel, with 3 of these running within the site boundaries, and a further ditch (split into separate sections as ditches 1, 3 and 6) falling beyond the site adjacent to its northern and eastern fringes.

The application includes the retention of ponds 1 and 2 within the western and central areas of open space as part of the attenuation basins proposed in these areas. The ecological and flood risk assessments submitted with the application indicate that pond 3 no longer exists on the site (being overgrown by dense vegetation) but, in any case, this would be incorporated into the flood compensation area within the south-eastern open space. It is also apparent from the submitted plans that as the two retained ponds to the central and western areas if the site would be surrounded by open space, the minimum 10m buffer zone around the edge of each pond would be achieved.

The development would, however, result in the infilling of ditches 2, 4 and 5 in the northern, central and western areas of the site, along with the diversion and culverting of ditch 6 along the south-eastern boundary. Ditches 1 and 3 along the north-eastern boundary (which form smaller sections of the same watercourse that subsequently merge with ditch 6) would be retained. The 2019 ecological assessment identifies the importance of the “main ditch” along the

northern/eastern boundaries as an ecological corridor, including observing its probable use on one occasion by water vole (though subsequent surveys in 2020 discounted this use). Other ditches within the site are noted as “dry ditches” marking site boundaries in tandem with “unmanaged hedgerows”. The ecological survey indicates that these dry ditches “have succumbed to successional common reed and reed canary grass along with species noted within semi-improved (species-poor) grassland” and so are of limited ecological value.

While GMEU note the value of the main drainage ditch along the north-eastern boundary of the site for transient water vole activity and the need for additional surveys of the section which is to be re-aligned for this species before development commences, there are no objections on ecological grounds to the loss of the other ditches within the site or, in principle, to the diversion of the main ditch. Accordingly, there is no reason to conclude that the filling of ditches 2, 4 and 5, and the diversion of ditch 6, would have any harmful ecological effects that should necessitate the retention of these existing features. As the wording of condition 19 provides for existing ponds and ditches to be “removed or filled [...] in accordance with details submitted and approved in compliance with other conditions of this permission” the reserved matters scheme does not result in any direct conflict with the requirements of this condition given the circumstances set out above.

Summary:

For the reasons given above, this application for approval of reserved matters is considered to either accord with the requirements and parameters contained within the conditions on outline planning permission 17/0851 which are relevant at this stage, or to provide suitable mitigation to offset any adverse effects arising from instances where deviation from those conditions is proposed.

Character and appearance:

FLP policy M1 sets out a master planning approach for the development of strategic sites (those involving 100 or more homes) within the strategic locations for development named in policy DLF1 (one of which is “Warton”). The policy identifies 24 criteria (a) – x)) that masterplans for developments in these locations should achieve. Criteria c), d), i), k), o), p) and t) are of particular reference to the reserved matters applied for when assessing the development’s effects on the character and appearance of the area as follows:

- Variations in housing density with an overall minimum net density of 30 homes per hectare.
- High quality design should be included and development should be designed to encourage cohesion within the site and seek to minimise the impact on neighbouring properties.
- Access to well-designed, separate but overlooked cycleways (both on-road and off-road), walking routes and bridleways serving the local facilities and linking to services and amenities. Opportunities should be sought for the development of a network of walking, cycling and bridleway routes with access to and from adjacent settlements and the nearest town centres and schools.
- Secured by Design principles should apply in new developments.
- Provide a Green Infrastructure network of open spaces, including natural and semi-natural greenspaces, amenity greenspace, allotments, and formal and informal recreation areas with provision for children and young people where people can congregate. Provide for large scale landscape enhancement, including the provision of tree belts and advanced landscaping and ensure the site links into the wider Green Infrastructure network. Existing ponds, trees, woodland, hedgerows, water features and areas of open space should be retained wherever possible. Details should be provided regarding the maintenance and management of the on-site open spaces.
- The conservation and enhancement of important environmental assets and natural

resources, biodiversity (nature conservation) and ecological networks. Ecological connectivity within the site and with the surroundings should be maintained and enhanced through appropriate site layout; the retention of existing important features including trees, woods and water bodies and their integration within a well-designed landscape with appropriate habitat protection.

- Development respects the environmental character of its surroundings. Particular attention should be given to the creation of a well-designed and defined edge to development and a sensitive transition to adjoining areas in the countryside. Proposals will need to include plans for the long term use and management of these areas.

FLP policy GD7 states 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). In particular, criteria b), d), g), h), i), k), l) and m) of the policy identify the following requirements:

- Ensuring densities of new residential development reflect and wherever possible enhance the local character of the surrounding area.
- 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.
- Applying Secured by Design principles.
- Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the local area.
- 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.
- Ensuring the layout, design and landscaping of all elements of the proposal, including any internal roads, pedestrian footpaths, cycleways and open spaces, create user friendly, sustainable and inclusive connections between people and places resulting in the integration of the new development into the built and historic environment.
- Creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion, and there are clear and legible pedestrian and cycle routes and high quality public space, which encourages the active and continual use of public areas.
- Protecting existing landscape features and natural assets as an integral part of the development; requiring multi-functional green infrastructure to be integrated into urban areas; providing enhancements to open spaces to encourage people to use them; protecting and enhancing habitats; providing open spaces and linkages to the wider ecological networks as part of the Green Infrastructure network; and enhancing the public realm.

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

Similarly to FLP policy H2, paragraph 122 of the NPPF indicates that planning decisions should support development that makes efficient use of land, taking into account:

- the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

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

FLP policy ENV1 requires development to have regard to its visual impact within its landscape context and type, and for an assessment to be made as to whether it is appropriate to the landscape character, amenity and tranquillity of the area within which it is situated. In addition, criteria a) – e) of the policy indicate that:

- A landscaped buffer of appropriate depth and species will be provided for development that impacts upon land in or adjacent to the Countryside, and wherever necessary includes advanced planting, in order to limit the visual impact of development.
- Development proposals will ensure that existing landscape features will be conserved, maintained, protected and wherever possible enhanced through increased tree and shrub cover including soft edge / transitional areas of planting.
- In the event of the loss of landscape features, the impact will be minimised or, where loss is unavoidable, their like-for-like replacements will be provided. Where such features including trees, woodlands, hedgerows and field ponds, are lost and replaced, measures will be put in place to manage these new features.
- Suitable landscape planting of native species, appropriate to its context should be incorporated within or, where appropriate, close to new development. Measures should be put in place for the management of such landscaping. Specific consideration should be given to how landscaping schemes will minimise the rate of surface water run-off.
- Details of the ongoing maintenance of all landscaping areas will be presented for approval by the Council.

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

In addition, BWNP policy BWNE2 states that development proposals should demonstrate good design, respect local character and where possible, reinforce local distinctiveness.

Masterplanning principles:

Outline planning permission 17/0851 included ‘access’ as a detailed matter and so fixes the principal means of access into the site from the roundabout junction off Lytham Road in the southeast corner. Therefore, while several objections have been received in connection with this access and other related matters concerning traffic congestion, highway safety and the capacity of surrounding highway infrastructure, these impacts have already been assessed at the outline stage (including through two separate appeals) and found to be acceptable. Accordingly, they cannot be revisited as part of this application for approval of the remaining reserved matters.

The outline application included an illustrative landscape masterplan which accompanied the

Landscape and Visual Impact Assessment submitted with appeal reference APP/M2325/W/15/3004502. The masterplan identifies general landscaping principles, the indicative siting of pedestrian and cycle connections beyond the site boundaries, and the broad extent and location of open space and residential development parcels. Where necessary, conditions were imposed on the outline permission to secure several of these design principles. For the reasons given in the preceding section it is considered that, where possible, these design principles have been incorporated into the reserved matters submission.

As matters relating to 'layout' were not applied for at the outline stage, and in the absence of any condition on the outline permission requiring specific accordance with the illustrative landscape masterplan, it is not the case that this application for approval of reserved matters must match the indicative development layout shown on the illustrative masterplan for the outline. Instead, the illustrative masterplan should be taken as providing guiding principles rather a rigid framework within which the reserved matters scheme must fit precisely. That notwithstanding, the reserved matters scheme follows many of the basic principles established by the outline permission with respect to: i) the inclusion of a landscaped buffer along the northern and eastern fringes of the site where it adjoins open countryside and Bridges Recreation Ground; ii) an outward-facing building orientation in relation to adjacent open land along the northern and eastern boundaries; iii) centralised areas of open space allowing the retention of existing ponds; iv) dwellings arranged in clusters of perimeter blocks; and v) interlocking rear gardens between existing and proposed dwellings along the site's southern and western boundaries.

Accordingly, and while the masterplan for the outline permission was prepared prior to the adoption of the FLP (and, in turn, the requirements of policy M1), several of the most important master planning principles established by the illustrative layout to the outline have been carried through by the reserved matters submission.

Density:

The proposed development would deliver 345 dwellings (5 short of the maximum permitted by the outline permission) across a *circa* 12.78 ha site. Paragraph 9.25 of the FLP makes clear that, when calculating net residential density, this "excludes requirements for open space provision within developments and particularly the need on certain sites to provide sensitive transitions to areas of countryside and to retain site features". In this case, the areas of open space required to satisfy condition 1 of the outline permission, along with provision other functions relating to landscape buffering and flood/surface water mitigation, restricts the developable area to approximately 10.58 ha. Accordingly, the proposal results in a net residential density of 33 dwellings (dph). While this marginally exceeds the "normal" target of 30 dph in policies M1 c) and H2, it should be noted that this target is expressed as a "minimum". Moreover, policy M1 encourages variations in housing densities across larger sites and the outline permission establishes a higher quantum of up to 350 dwellings.

In this case, the site is bordered by predominantly higher-density terraced housing on Butlers Meadow, Clifton Avenue and Canberraway laid out in a relatively rigid, linear pattern. This gives way to more recent, moderate-density detached housing on the cul-de-sacs off Hastings Avenue beyond Bridges Recreation Ground to the north on the edge of the settlement boundary.

Variations in density across the proposed development follow a similar arrangement with longer, linear runs of semi-detached and terraced housing in the central, southern and western areas of the site closer the existing urban fringe before transitioning into more spacious, lower-density detached housing towards the northern and eastern edges of the site (including within the triangular

protrusion at the northern tip). The dwelling mix provides a combination of 2-bed (18.5%), 3-bed (60%) and 4-bed (25.5%) homes in a combination of terraced, semi-detached and detached configurations which do not appear overtly dense or cramped in relation to their surroundings.

Accordingly, there is no reason to conclude that the development's density, by virtue of the number and size of dwellings proposed, would give rise to any detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of the surrounding area which would conflict with the objectives of FLP policies M1 and H2, and NPPF paragraph 122.

Layout:

The site presently comprises open agricultural land set away from surrounding highway frontages on Lytham Road, Butlers Meadow, Clifton Avenue and Canberraway. Accordingly, views from these highways are restricted by a combination of existing buildings associated with surrounding land uses to the south and west, and by landscaping around the roundabout junction and to the north side of the A584 where it travels away from the approved site access. The site can, however, be seen prominently in open views across adjacent farmland from longer range vantage points on Hillock Lane to the north, and in short-range views within Bridges Recreation Ground to the northwest.

The introduction of the new access off the roundabout junction of the A584 would open up views of the site from Lytham Road. However, the entrance into the site follows a narrow spine road before opening out to the west. The spine road off the roundabout comprises a tree-lined boulevard with the closest dwellings at the entrance being set back behind a large area of open space, some 135m from the roundabout access. When the outward-facing orientation of dwellings towards the site entrance is considered in combination with their staggered position behind a generous area of open space and dual-aspect elevations to address the main spine road, the layout would achieve an attractive and spacious entrance vista to the development.

The main spine road follows a broadly circular route around the edges of the site, with linear roads forming north-south connections through the centre of the site. Cul-de-sacs would be created to the northwest corner (including a shared pedestrian/cycle connection onto Canberraway) and within the triangular protrusion bordering Bridges Recreation Ground (where a second, pedestrian connection through is proposed). The estate road layout separates dwellings into a series of smaller parcels which form two-plot deep perimeter blocks with outward-facing building aspects to the estate road and interlocking rear gardens. The exception to this is where an L-shaped run of dwellings on the southern and western boundaries back onto existing residential uses beyond.

The dwelling layout creates a strong sense of linearity driven by largely consistent building lines that also wrap around junctions on corner plots. This reflects similar building patterns on the surrounding streets of Butlers Meadow, Clifton Avenue and Canberraway. Areas of open space throughout the development occupy prominent locations that are well overlooked by dwellings with outward-facing aspects over them. Similarly, the pedestrian/cycle links onto Canberraway and Bridges Recreation Ground provide short, open routes that connect well with the estate road and are overlooked by neighbouring dwellings. Front gardens would be enclosed by soft landscaped borders with taller, solid boundary treatments visible from the street on corner plots comprising walls set in line with flanking building elevations and screened by foreground hedging to ensure delineation of public and private spaces. Accordingly, there would be good natural surveillance of public areas in accordance with secure-by-design principles to minimise opportunities for crime.

Where the site adjoins open countryside to the northeast a thick buffer of semi-mature (4.5m -6m high) woodland tree planting with an understorey of lower level native shrubs would be introduced

to soften the development's edge to open land beyond and provide screening along this fringe when viewed from Hillock Lane. This replicates the woodland buffer in place along the northern edge of dwellings on Ramsgate Close, Dover Close and Folkestone Close to the northwest. Where dwellings border the site's northern boundary with open countryside and Bridges Recreation Ground they are orientated with an outward, front-facing aspect to this rural fringe, being set back behind a landscaped buffer of varying width. This front-facing aspect and screening buffer along the site's perimeter with adjoining open land ensures a sympathetic assimilation of the development into the surrounding landscape and avoids utilitarian features such as tall rear garden boundary fences backing onto the open fields beyond.

Considerations 1 and 7 of BHL encourage developments to incorporate "connected street patterns [which] include straight or nearly straight streets to make pedestrian routes as direct as possible"; "edge to edge connectivity"; "respond to pedestrian and cyclist desire lines"; "streets with active frontages"; "cohesive building compositions and building lines"; "front doors that face streets and public spaces"; and "perimeter blocks". The proposed layout addresses these positive design aspirations by organising dwellings to front onto estate roads with an outward-facing orientation to sensitive vantage points within and outside the site, the use of perimeter blocks to ensure a consistent building line and providing edge-to-edge connectivity with filtered permeability linking pedestrians and cyclists to areas outside the site over direct routes that follow desire lines. The layout, through the siting of open space, landscaping, and building pattern and density, also reflects the site's transition between its more urban surroundings where it borders existing dwellings at its southern and western ends and its rural fringe to the north and east as required by policies M1, GD7 and ENV1 of the FLP.

Scale:

A total of 18 different house types are proposed across the development. The majority of these (307 plots and 16 house types) are two storeys in height. Two other house types (38 plots) would be 2.5 storeys, with second floor accommodation provided in the roof space and served by roof lights (with no protruding dormer windows). The 2.5 storey house types would generally be positioned within the central areas of the site, with the exception of plots 115-119 and 158-159 which are located alongside the southern boundary.

Neighbouring buildings surrounding the site include a combination of single storey park homes at Lynwood Park (though elevated in relation to the site), a single storey community centre and two storey dwellings on Butlers Meadow to the south; two storey dwellings on Clifton Avenue and Canberraway to the west; and a single storey pavilion building at Bridges Recreation Ground to the north.

The prevailing two storey height of surrounding dwellings would be replicated by the development's scale. While raising of existing ground levels in many areas of the site (though there are also some reductions in places) would have the effect of elevating some plots in relation to surrounding buildings, the extent of change proposed (ranging between a reduction of 0.46m and an increase of 1.66m) would not, in combination with the landscape buffers provided, result in the proposed dwellings appearing as unduly dominant or imposing features when viewed from vantage points outside the site. Effects on the amenity of neighbouring occupiers are assessed in more detail in the following section, but it is considered that any harmful impacts in this regard would be avoided by a combination of spacing distances, screen planting, sloping interlocking gardens and through the withdrawn of permitted development rights for future roof-level enlargements on plots bordering the site's southern and western boundaries.

The proposed range of dwelling sizes would satisfy the “mix” requirements in FLP policy H2 with respect to the proportion (78.5%) of smaller (1-3 bed) units proposed. The dwellings would follow a combination of terraced, semi-detached and detached configurations at different densities that respond to the changing character of surrounding land uses. Accordingly, the scale of the proposed dwellings would be compatible with the prevailing character of other surrounding residential development and would address sensitive public vantage points while ensuring variety across the development in accordance with the objectives of FLP policies M1, H2 and GD7.

Appearance:

Considerations 6 and 7 of BHL encourage developments to ensure they “[reflect] character in either a traditional or contemporary style”; “[draw] inspiration from local architectural and/or landscape character”; and create “memorable spaces and building groupings”; “streets with active frontages”; and “dual aspect homes on street corners with windows serving habitable rooms”.

A total of 18 different house types are proposed. Despite variations between them in terms of the style of architectural features and detailing, there is commonality with respect to window proportions, alignment and the character of protruding features – including bay windows, porches, canopies and facing gables. Interest would be added through the use of cambered and arched brick headers and cills to window openings, contrasting brick strings between ground and first floor levels, gallows brackets supporting front canopies and a mix of brick, render and tile-hung finishes to external walls.

Roofs would incorporate a mix of hipped and dual-pitched profiles, with eaves lines on several house types broken by pediments and facing gables to add depth and avoid overly flat façades. Elevations would incorporate a strong sense of rhythm and symmetry, with well-proportioned windows avoiding large areas of blank wall to elevations facing the street. Dual-aspect elevations would be achieved to corner plots through the number, proportions and alignment of window openings (including serving habitable rooms) to dwellings with two active frontages to the roadside on junctions.

While simple and unfussy in their composition, building facades would present balanced and well-proportioned elevations to the estate road. This would be continued on corner plots and those facing out onto open land outside the site through the use of dual aspect dwellings with active elevations fronting onto both sides of the estate road and open vistas beyond. Materials include a combination of red and buff brick (with contrasting orange brick to window and brick string detailing), render and tile hanging to the external walls. Roof tiles would comprise a mix of grey and ‘rustic’ red finishes. This would ensure an uncomplicated palette of materials which integrates with the vernacular of surrounding buildings. Accordingly, the development’s appearance would integrate successfully with the character of the site’s surroundings in accordance with the objectives of FLP policies M1 and GD7.

Landscaping:

The submitted landscaping scheme identifies the removal of the majority of three linear hedgerows that run latitudinally through the southern, central and northern areas of the site. The principal reasons for this relate to: i) the need to allow changes in existing site levels to deliver a gravity-fed surface water drainage strategy which cannot be achieved around these retained hedgerows; ii) the internal road network to provide north-south connections between the circular spine road; and iii) the need to achieve suitable garden sizes for dwellings along the southern and western site boundaries. As set out in the preceding section in relation to the provisions of condition 18 of the

outline permission, the loss of these existing natural features results in some tension with the objectives of that condition, along with policies M1 o) and p), GD7 m) and ENV1 b) which encourage the retention of existing natural features within developments “wherever possible”, though criterion c) of ENV1 also provides for “like-for-like replacements” where such losses are unavoidable. The commentary in relation to condition 18 above sets out the reasons why the loss of existing trees and hedgerows and subsequent replacement planting in other areas of the site (and, laterally, compliance the allowance in ENV1 c)) is acceptable in this case and so that assessment is not repeated here.

As required by criterion a) of FLP policy ENV1, the proposed landscaping scheme includes a thick landscaped buffer ranging between 3m and 21m in depth along the north-eastern site boundary which is intended to limit the development’s visual impact when viewed across open countryside from vantage points on Hillock Lane. This planting buffer includes a mix of advanced (semi-mature) tree planting with an understorey of native shrubbery alongside the draining ditch that straddles the north-eastern boundary. This woodland buffer would merge with a thinner strip of linear planting along the northwestern boundary with Bridges Playing Field. This landscaping buffer, combined with the outward (front) facing aspects of dwellings flanking the northern boundary of the site, would ensure a soft edge to the development’s fringes with adjoining countryside and other open land in accordance with policy ENV1 a).

An L-shaped belt of extra heavy standard (3.5m-4m high) tree planting is proposed within the rear gardens of plots bordering the southern and western boundaries. This is intended to provide a continuous buffer of landscaping where dwellings back onto existing residential uses, and will supplement part of the retained hedgerow in the southwest corner. The close spacing of the trees (at least one specimen in each garden) would also form an L-shaped corridor of green infrastructure along this fringe of the development.

Internally, the development would deliver a total of 2.2 hectares of open space across seven separate parcels. Aside from the landscaped buffer to the northern fringe, four areas of public open space would occupy prominent positions at the site entrance and centrally between blocks of flanking housing. These areas of open space would include multi-functional blue-green spaces, acting as attenuation basins and flood compensation areas during times of heavy rainfall and informal open space when dry. The submitted drainage strategy suggests indicative base depths of 1.75m for the flood compensation areas and 1.5m for attenuation basins. A condition is, however, recommended to require precise details concerning the final depth, slope, profile and design of the attenuation basins and flood compensation areas, along with details of how these will be enclosed (notwithstanding the 0.6m high knee rail referred to in the boundary treatment plans) to ensure that they are capable of providing multi-functional benefits as open space when dry while also being safe in times of heavy rainfall.

Soft landscaped edges are proposed along estate roads through the provision of a tree-lined boulevard along the main spine road along with lower-level hedge and shrub planting within front and side gardens to separate and screen in-curtilage parking spaces and taller boundary treatments on corner plots. This would ensure an appropriate balance of hard and soft landscaped frontages and avoid over-engineered, parking dominated aspects to the estate road as encouraged by Consideration 10 of BHL.

Boundary treatments include a combination of 1.8m high close-boarded fences to the rear gardens of the proposed dwellings, with these replaced by 1.8m high walls set in line with building elevations on corner plots and screened by foreground planting. While 0.6m high keen rails are shown around the perimeter of open spaces, the suitability of this will depend on the design of flood compensation

and attenuation basins and so a separate condition has been imposed to allow for an alternative means of enclosure (e.g. an estate railing) if required to ensure additional safety measures. Nevertheless, the siting, height, design and materials of boundary treatments, when considered in combination with the soft landscaping strategy, would ensure good levels of security for future occupiers and a high standard of design to street frontages. Accordingly, the proposed landscaping scheme is considered to demonstrate compliance with the objectives of FLP policies M1, GD7 and ENV1.

Summary:

For the reasons given above the proposed development, by reason of its density, layout, scale, appearance and landscaping, is considered to integrate successfully with the character and appearance of the area in compliance with the principles of good design set out in BWNP policy BWNE2, FLP policies M1, GD7, H2 and ENV1, the NPPF and BHL.

Impact on amenity:

Criterion d) of FLP policy M1 indicates that developments should “be designed to encourage cohesion within the site and seek to minimise the impact on neighbouring properties.”

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

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

While principally used in the assessment of applications involving extensions to existing dwellings, the guidance in Design Note 1D iii) of the Council’s ‘Extending Your Home’ Supplementary Planning Document (the ‘SPD’) indicates that:

- “Windows to habitable rooms at first floor level should be a minimum of 21 metres from any facing habitable room windows in neighbouring properties. A relaxation of this distance may be considered where the relationship between the extension and the window(s) is oblique.”

Existing occupiers:

Lytham Road:

The site borders existing residential uses to the south and west. The closest dwellings on Lytham Road are located approximately 158m due south of the nearest dwelling within the development and are separated by a rectangular parcel of open land at the rear of nos. 34-40 Lytham Road. While objectors opine that the loss of an existing hedgerow along the boundary between the site and this rectangular land parcel, and its subsequent replacement with a 1.8m high close-boarded fence, would have harmful effects in visual and ecological terms, the development’s substantial spacing with dwellings on Lytham Road and the replacement of the mutual boundary with 1.8m high fencing would not result in any unacceptable impact on the amenity of those residents. Similarly, the

replacement boundary treatment would ensure that privacy and security is maintained.

Lynwood Park:

To its central-southern area the development shares a mutual boundary of approximately 175m in length with a collection of single storey park homes at Lynwood Park. The proposed dwellings would have a back-to-back relationship with a row of existing park homes flanking the northern perimeter of Lynwood Park. The park homes are rectangular in shape but follow varying configurations in relation to the site. Those to the eastern end (nos. 29-36) are orientated with their shortest elevations facing north, whereas park homes to the west (plots C1x, C18, B13, A11 and A14) are orientated with their longest elevations backing onto the site. All the park homes are elevated in relation to the site, with the topographical survey indicating that this elevation ranges from between *circa* 1.22m at the eastern end of Lynwood Park, falling to around 0.37m at the western end. The park homes have windows in several walls, including their northern elevations facing onto the site.

The proposed dwellings on plots 107-125 and 147-152 would be orientated with their rear (southern) elevations facing the northern elevations of park homes at Lynwood Park. Minimum and maximum spacing distances between these opposing elevations range from between approximately 13.5m (with no. 30) to 18.8m (with no. A14) at ground floor level, and between approximately 15.5m (with no. 30) and 21.5m (with no. B13) at first floor. In general, greater separation distances are achieved with the park homes at the western end of Lynwood Park compared with those to the east. The finished floor levels of the dwellings would be elevated by up to 0.69m in relation to the current ground level on the shared boundary line with Lynwood Park (though there would also be a reduction of up to 0.46m in relation to the same boundary), but in all cases the finished floor levels of the dwellings would remain lower than those of the facing neighbouring park home. In addition to spacing distances and level changes, the landscaping scheme includes the introduction of a row of heavy standard (3.5m-4m high) trees within the rear gardens of plots backing onto Lynwood Park along the boundary line. A 1.8m high close-boarded fence would be erected within the site to form the shared boundary between these uses.

The submitted sectional drawings (section 22-22) shows a typical relationship between the proposed dwellings and park homes at Lynwood Park – specifically that between plots 151-152 and no. C1X. As illustrated in this section, the park homes would remain slightly elevated in relation to the proposed dwellings, with their rear facing windows overlooking a mid-point between the ground and first floor level of the proposed dwellings. Nevertheless, as the proposed dwellings facing the park homes would be between two and 2.5 (in the case of plots 115-119) storeys in height, they would appear as prominent features in the outlook from windows in the north-facing elevations of opposing park homes at Lynwood Park and the 21m spacing distance recommended in Design Note 1D iii) of the SPD would not be achieved in most cases (with the exception of the relationship between plots 147-148 with no. B13).

The effects on occupiers of the park homes arising from the development must, however, be considered in the context of their present relationships with other park homes at Lynwood Park and the general levels of amenity experienced by occupiers of park homes across that site. Park homes on Lynwood Park are tightly packed into modest plots with minimal spacing between them. For example, the typical spacing distance achieved between the opposing side elevations of nos. 29-36 is approximately 6m, with this increasing to a maximum of approximately 13m between the south facing elevation of plot C18 with plot C16 (though side-to-side distances between plots C1X-B13 remain below 6m). It is also the case that the park homes have multiple windows positioned across their elevations and so those facing in a northerly direction over the application site are unlikely to be the only windows serving the room that would face the proposed dwellings. Similarly, privacy

levels between park homes are restricted by the close spacing of facing windows between them and the modest size of their garden areas, which results in a high level of mutual overlooking that would not normally be expected between neighbouring dwellings. As a result, park homes at Lynwood Park currently (without the development in place) experience unique and different levels of amenity that are not typical of other 'bricks and mortar' dwellings in the locality. Therefore, they cannot be compared on a 'like-for-like' basis as is assumed by the recommendation in Design Note 1D iii) of the SPD and need to be given individual consideration.

Having regard to the above circumstances, it is apparent that the spacing distances which would be achieved between windows in the north-facing elevations of the park homes and the proposed dwellings would far exceed those typical between existing park homes within Lynwood Park. While the two/2.5 storey height of the proposed dwellings would introduce different relationships than those presently experienced between single storey park homes which have greater potential to affect the outlook from the park homes, the minimum spacing distance of 15.5m achieved with the first floors of the proposed dwellings, combined with level differences in these locations and the screening provided by intervening tree planting that would be of a broadly equivalent height to the park homes themselves, would ensure that the general levels of amenity which occupiers of the park homes already experience would not be unacceptably compromised by the proposed development. Similarly, the screening provided by the new 1.8m high close-boarded fence to the rear of plots 107-125 and 147-152, in combination with the filtered views provided by intervening tree planting on the boundary, would ensure adequate levels of privacy between existing and future occupiers along this part of the site.

Butlers Meadow:

Along its southwestern boundary the development borders a single storey community centre, two garage sites and two-storey dwellings at nos. 39-40 and 88-97 Butlers Meadow. Existing dwellings have short garden areas to the rear which back onto a communal strip of green space that provides an intervening buffer between the rear elevations of the dwellings and a mesh fence flanking the application site boundary. Beyond the mesh fence is a linear hedgerow split across two rows. The submitted AIA indicates that while the inner row of the hedgerow is to be removed, the outer row ('G11' immediately adjacent to the mesh fence) would be retained, along with two groups of trees ('G9' and 'G10') behind the community centre which overhang the site but fall outside its boundaries.

Sections 1-1 through 4-4 of the submitted cross sections indicate minimum and maximum differences in finished floor levels ranging from 0.34m up to 0.67m between the existing and proposed dwellings (with those on the development being elevated). In terms of spacing distances, where the proposed dwellings share a back-to-back relationship with existing properties on Butlers Meadow a minimum separation distance of 25m would be achieved (between plot 173 and no. 88). The side elevation of the end-terrace dwelling on plot 174 would achieve a minimum spacing distance of 14m with the rear elevation of no. 40 Butlers Meadow, but this elevation would not include habitable room windows.

When the above spacing distances – which significantly exceed the 21m guideline recommended in the SPD – are considered in combination with the modest differences in finished floor levels between buildings and the screening which would be provided by a combination of retained hedgerow and proposed tree planting along the shared boundary with properties on Butlers Meadow, the proposed dwellings would not appear as dominant or overbearing features in the outlook of existing occupiers, nor would their window arrangements give rise to opportunities for overlooking that would infringe upon the privacy of neighbouring residents.

Clifton Avenue and Canberraway:

The western boundary of the site borders two-storey dwellings on Clifton Avenue and Canberraway which are orientated with a rear and/or side facing aspect to the land. Existing dwellings backing onto the site typically have elongated gardens and are generally at the same ground level with the adjoining part of the application site. An existing mature hedgerow, which is to be removed as part of the scheme, runs along much of the western boundary, though this becomes more fragmented to the rear of properties Clifton Avenue where boundary fences back onto the site.

The proposed dwellings on plots 174-189 would flank the western boundary with interlocking rear gardens creating a back-to-back relationship with neighbouring dwellings on Clifton Avenue and Canberraway. The finished floor levels of the proposed dwellings would be raised by between 1.34m and 1.66m in relation to the existing ground level within adjoining gardens, with a gabion retaining wall reaching up to 0.8m in height positioned on the boundary line between the rear of plots 181-185 and nos. 33-36 Clifton Avenue. The gabion wall would retain the rear gardens of plots sloping down towards the shared boundary on a 1:15 gradient and would be topped by 1.8m high close-boarded fencing. Minimum back-to-back spacing distances of *circa* 28.5m at ground floor level (including garages) and approximately 32.5m at first floor level – those between plot 182 and no. 35 Clifton Avenue – would be achieved between the opposing rear elevations of existing and proposed dwellings.

Whilst the elevated aspect of buildings on plots 174-189 in relation to the gardens and floor levels of adjoining dwellings on Clifton Avenue and Canberraway would increase their massing in the outlook from the rear-facing windows of adjacent properties, it is considered that the level of ground raising proposed would be adequately compensated for by the increased spacing distances which would be achieved with neighbouring dwellings flanking the western boundary. Although the SPD does not include specific guidance on how the recommended 21m spacing distance between opposing first floor habitable room windows should be adjusted as a result of level changes between properties, it is considered that a spacing distance in the order of at least 11.5m above the normal 21m standard (as would be achieved here) would be sufficient to ensure that the proposed dwellings on plots 174-189 would not have any unduly harmful effects on the privacy and amenity of existing occupiers on Clifton Avenue and Canberraway through loss of outlook, overshadowing or overlooking. Inter-visibility between the dwellings would also be filtered by the introduction of heavy standard tree planting within the rear gardens of the proposed houses.

The gabion wall proposed to the rear of plots 181-185 would range from 0.5m to 0.8m in height, resulting in relative minimum and maximum heights of 2.3m and 2.6m for the enclosures proposed along these shared boundaries (a 1.8m high fence atop the gabion). These boundary treatments would, however, be located at the far (eastern) end of the elongated, *circa* 18m deep, rear gardens at nos. 33-36 Clifton Avenue and so their height would not be so imposing when viewed from the rear elevation and gardens of existing dwellings as to appear unacceptably oppressive or overbearing. The height of these enclosures is also necessary to provide adequate screening between the rear gardens of existing and proposed dwellings, particularly from the elevated amenity areas to the immediate rear of the proposed houses before the garden level falls away towards the shared boundary.

Plots 190 and 204 in the northwest corner of the site would border the rear gardens of nos. 40-48 and 60 Canberraway, though the finished floor levels of these plots would not be elevated above the adjoining gardens of existing dwellings and they would be orientated with a side-facing aspect to those gardens with no habitable room windows proposed in their side elevations (only a first floor

en-suite bathroom window in each plot would face the boundary). The side elevations of each plot would be set off the shared boundary line by a minimum of 3m (for plot 190) and 6m (for plot 204). Plot 190 would achieve a minimum spacing distance of approximately 30m with the closest rear elevation of no. 40 Canberraway, while plot 204 would occupy a staggered position set back from the rear of no. 60 at an oblique angle to that dwelling.

The spacing achieved between the dwellings on plots 190 and 204 with the closest neighbouring properties on Canberraway, combined with their side-facing aspect to existing houses, staggered and/or offset position in relation to their garden boundaries, window arrangements and their aspect being 'on-a-level' with adjoining land, would avoid any adverse effects on the privacy and amenity of neighbouring dwellings to the west of those plots.

Future occupiers:

Separation distances between dwellings within the development vary across the site, but typically achieve a minimum spacing of 21m between habitable room windows in opposing rear elevations. Reduced spacing between opposing front elevations (at a minimum of approximately 16m) is indicated on some parts of the development where higher densities are proposed, but views across these frontages would also be readily available within the public realm from the estate road, and so these elevations naturally experience reduced levels of privacy. Similar spacing distances between opposing front elevations are also evident elsewhere in the locality (e.g. on Butlers Meadow and Hastings Avenue) and given the consistent scale of buildings within the development these instances would not result in future occupiers experiencing substandard levels of amenity due to a lack of outlook, overshadowing or overlooking.

Dwellings are typically set in rectangular plots with gardens varying in size commensurate with the scale of the host property. While the shapes of some gardens are irregular, their overall dimensions would avoid unduly cramped amenity spaces and the height, siting and profile of enclosures between them would ensure good levels of privacy and security. Accordingly, the development would ensure a high standard of amenity for future occupiers, commensurate with the density and character of other nearby residential development.

Condition 16 of the outline planning permission identifies the need for noise attenuation measures to be incorporated into the development for "any dwelling hereby approved having a direct line of sight to Lytham Road". As set out in section 5 of the noise assessment to the outline permission, this includes measures such as enhanced glazing, trickle vents and provision of 1.8m acoustic-grade fencing to rear garden boundaries for a limited number of plots in the "south eastern portion of the residential area [...] which have line of sight to Lytham Road". Therefore, these measures are likely to be applicable for plots 1-7, 105 and 106 as proposed by this development as these have a direct line of sight through to Lytham Road. The mitigation measures set out in the noise assessment are secured and to be implemented through condition 16 of the outline planning permission in order to avoid any harmful effects on future occupiers by reason of noise disturbance and so there is no need to impose any further conditions at the reserved matters stage.

Summary:

For the reasons given above, the proposed development is considered to have an acceptable relationship with existing properties neighbouring the site and to incorporate appropriate measures to minimise its impact on those uses in order that it would not adversely affect their amenity. The scheme would also achieve a high standard of amenity for future occupiers commensurate with the density and character of surrounding development in the area. The proposal is therefore in

accordance with the requirements of FLP policies M1 and GD7, and the NPPF.

Other matters:

Highways:

Criteria h) and m) of FLP policy M1 require developments on Strategic Sites to meet the following requirements:

- Appropriate highways access and a comprehensive approach to planning the highway network within and linking the sites which make up the Strategic Locations for Development.
- A design led approach to the provision of car parking spaces with the overall aim of reducing dependency on the private car.

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

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

A number of objectors have raised concerns regarding the positioning of the access onto Lytham Road and general highway safety and capacity issues around the site. However, as access has been approved at outline stage consideration of the development’s transport effects are limited to the internal highway layout only. The same is acknowledged in the response from the Local Highway Authority (LHA).

Following amendments to the scheme the Local Highway Authority (LHA) have advised that, subject to the imposition of conditions relating to the construction, phasing and future maintenance of estate roads, the provision of parking and manoeuvring areas for each dwelling, the retention of garages for parking and the extension of the arterial road up to the site boundary in the northeast corner of the site to avoid a ‘ransom strip’ being created for any future development to the north of the site, they have no objections to the proposed internal highway layout and consider the level of parking provision to be acceptable. Accordingly, there is no reason to conclude that the development would have any adverse effects on highway safety. The LHA also refer to access and facilities for the Fire Service relating to Approved Document B of the Building Regulations which relates to reversing distances for fire engines and the siting of fire appliances. Such matters are, however, controlled under separate regulations that sit outside the remit of the planning system and so are not material to this decision. They are for informative purposes only.

The scheme includes the provision of two shared pedestrian/cycle linkages through to Canberraway (northwest corner) and Bridges Recreation Ground (northwest boundary of the triangular parcel). These routes are to be delivered as part of the second phase of development. While condition 15 of the outline permission controls the delivery of the Canberraway link, a separate condition is proposed to deal with the pedestrian link through to Bridges Recreation Ground as this is not specifically referred to in condition 15 of the outline. As discussed previously in the report, these two linkages are considered to provide suitable permeability through the site to encourage travel by sustainable modes and the LHA advise that the details are, in principle, sufficient to deal with

condition 15 of the outline permission (though the detailed design of the Canberraway link will be required before any development on phase 2 take place to fully satisfy condition 15).

The LHA consider that the spur at the northern end of the spine road in the northeast corner of the site (opposite plots 19 and 20) should be extended up to the site boundary in order to avoid the creation of a 'ransom strip' which could curtail the future development potential of adjoining land to the north by restricting access to that land via the roundabout junction to be delivered by this scheme. The bordering agricultural land to the north of the site is presently designated as Countryside Area in the FLP and is not allocated for development during the plan period which runs to 2032. Nevertheless, FLP policy M1 h) indicates the need for "a comprehensive approach to planning the highway network within [...] the sites which make up the Strategic Locations for Development [(including Warton)]." Moreover, Consideration 1 of BHL encourages developments to ensure "adoption to site boundaries" and avoid "ransom strips" as a principle of good design.

In this case, while the adjoining land to the north of the site is not allocated for development in the FLP and its future development potential is uncertain, it is considered that measures should be put in place as part the layout for this scheme in order to prevent its potential sterilisation for development in the future through the creation of a ransom strip. This is required to ensure compliance with the objectives of FLP policy M1 h) and the principles of good design set out in Consideration 1 of BHL (and, laterally, paragraph 129 of the NPPF). This could be achieved through a simple, *circa* 6m north-easterly extension of the arterial road's spur up to the northern site boundary. While this would create a narrow gap in the landscape buffer alongside this boundary, such an arrangement would not undermine the overall effectiveness of the landscape buffer in its wider context for the purposes of FLP policy ENV1 a), and the benefits of securing a comprehensive, strategic and proactive approach to ensure unfettered connections are available with adjoining land which may be required for development in the future are considered to outweigh any harm in this regard. Accordingly, a condition is recommended to provide for the extension of the arterial road's north-eastern spur within the first phase of the development (within which the construction of that part of the road is proposed).

The majority of dwellings would benefit from at least two in-curtilage parking spaces, with additional provision within integral and/or detached garages for some larger plots. A number of terraced properties would have 150% parking provision – with 3 spaces being shared between two mid-terraced houses – and additional, unallocated layby parking is proposed to the fringes of some open space areas to provide further communal parking areas.

Table A of the Joint Lancashire Structure Plan (JLSP) includes the following baseline parking standards for individual dwellings based on the number of bedrooms they provide:

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

A note beneath the above standards indicates that "average spaces per dwelling should equal 1.5 per dwelling for proposals of 30 + dwellings". In this case, the level of in-curtilage parking provided across the development would comfortably exceed the 1.5 space-per-dwelling average required in Table A of the JLSP. While the LHA have recommended a condition to withdraw permitted development rights for the conversion of all garages within the development to living accommodation in the future, the LHA have not objected to the level of parking provision proposed.

In-curtilage parking spaces are to be provided via a mix of frontage and tandem driveway parking arrangements. Frontage parking spaces are to be separated by intervening tree and hedge planting

buffers across grassed amenity spaces within front gardens in order to soften their visual impact and avoid a heavily over-engineered and parking-dominated frontage which would undermine the positive aspects of the soft landscaping scheme. Therefore, an appropriate balance of hard and soft landscaping would be achieved to street edges while ensuring adequate parking provision for the development.

The internal layout of the development would provide suitable pedestrian and cycle linkages to encourage travel by sustainable modes of transport, would ensure no adverse impacts arise to highway safety, delivers appropriate parking provision for the proposed dwellings and measures would be secured by condition to ensure connections through to adjoining land that promote adoption the site boundary and a comprehensive approach to the delivery of highway infrastructure in accordance with the requirements of the JLSP, and FLP policies M1, GD7, T4 and T5.

Housing mix:

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

The proposed housing mix includes 64 x 2-bed (18.5%), 193 x 3-bed (60%) and 88 x 4-bed (25.5%) homes. Accordingly, as 257 of the proposed dwellings – equating to 74.5% of the total – would be delivered as 1-3 bed homes, the scheme accords with the housing mix requirements of policy H2. There is, however, no specific provision made for “specialist accommodation for the elderly” to fulfil the objective in policy H2 which requires 20% of dwellings to demonstrate compliance with optional technical standard M4(3(2a)) (wheelchair adaptable dwellings). Nevertheless, as the original outline permission 14/0410 pre-dated the adoption of the FLP it did not include a condition requiring a specific mix of housing that accords with policy H2 to be delivered. The Inspector for appeal APP/M2325/W/19/3221605 (relating to 17/0851) also determined that an additional condition requested by the Council to secure the housing mix requirements in policy H2 at reserved matters stage could not be imposed.

Therefore, in the absence of any condition on outline permission 17/0851, it is not considered that this application for approval of reserved matters is required to deliver 20% of homes that meet optional technical standard M4(3(2a)) (wheelchair adaptable dwellings) as required by FLP policy H2. The dwelling size mix would, however, exceed the requirements of that policy and so would deliver an appropriate mix of housing to meet identified needs in Fylde (notwithstanding that it is not a specific requirement in this case).

Affordable housing and other contributions:

Outline planning permission 14/0410 is subject to a planning obligation (as varied by a supplemental agreement for 17/0851) which requires the development to deliver the following contributions:

- 30% of the dwellings to meet the definition of “affordable housing” in the NPPF in accordance with an Affordable Housing Scheme to be submitted at the reserved matters stage.
- Primary and secondary education contributions in amounts to be calculated by LCC within 20

working days of reserved matters approval being granted.

- A public realm contribution of £126,000 towards a public realm enhancement scheme in the centre of Warton, plus a potential village gateway feature at the Freckleton roundabout.
- A public transport contribution of £375,000 over 5 years at £75,000 per annum.
- A sustainable travel team contribution of £24,000 towards the administration costs associated with the implementation and monitoring of a travel plan by LCC.

All financial contributions mentioned above are secured through the S106 agreement for the outline permission and the triggers contained therein. The only requirement at the reserved matters stage is for the submission of an Affordable Housing Scheme to set out how 30% of the dwellings within the development will be delivered as affordable housing which meets the definition in Annex 2 of the NPPF. In particular, matters relating to the “location, layout, size [and] type [...] of the Affordable Housing Units” are intrinsically linked to the reserved matters submission.

The application is accompanied by an affordable housing scheme which, alongside the proposed plans, indicates that a total of 105 dwellings across the site will be delivered as Affordable Housing Units to satisfy the 30% requirement in the planning obligation. The affordable housing units are to include a mix of 50 x 2-bed, 28 x 3-bed and 7 x 4-bed dwellings located in four separate parcels spread out across the eastern, central, southwest and northwest areas of the site and would be delivered across the 3 development phases as follows: i) Phase 1 – 23 units; ii) Phase 2 – 46 units; and iii) Phase 3 – 36 units. All 105 of the Affordable Housing Units are to be acquired by the Registered Provider (RP) ‘Adactus Housing Association’ and would be offered on a 100% affordable rent tenure in accordance with the local connection criteria to the borough of Fylde.

Consideration 4 of BHL encourages developments to be designed so that “it is difficult to determine the tenure of properties through architectural, landscape or other differences” (tenure blindness) and for “affordable homes [to be] distributed across a development [rather than] grouping [them] in one place.” It is commonplace for affordable housing to be grouped in clusters across a site as this simplifies management arrangements for RPs. These clusters should, however, be dispersed around a development rather than grouped into a single area.

In this case, the development provides four separate parcels of affordable housing spread across different areas of the site with market housing interspersed between them. In terms of their design, the external appearance of the Affordable Housing Units would not be readily distinguishable from the market dwellings in terms of materials or elevational detailing. Accordingly, the amount, location, layout, size and type of the affordable housing proposed by the affordable housing scheme and shown on the submitted plans for the reserved matters application is considered to be acceptable in accordance with the objectives of FLP policy H4 and the design aspirations of BHL. The Council’s Housing Services Manager also advises that the strategy and tenure for the delivery of affordable housing by the RP set out in the latest “version 6” of the affordable housing scheme dated 11.12.20 is acceptable.

Flood risk and drainage:

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

FLP policy CL2 sets out a hierarchy of measures that should be used to attenuate surface water

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

Policy BWNE3 of the BWNP indicates that the provision of sustainable urban drainage systems will be supported and encourages surface water flows to be directed along specific routes away from property and into surface water attenuation facilities. The policy also indicates that hardstanding driveways and parking areas should make use of porous materials where possible.

Objectors and the Parish Council have raised concerns about how surface water from the development will be disposed of to prevent flooding of surrounding land and property adjacent to and downstream of the site, and make reference to objections from the Environment Agency (EA) in relation to previous versions of the applicant's Flood Risk Assessment (FRA).

While the majority of the site falls within flood zone 1, a limited area to the south-eastern part is within flood zones 2 and 3 as defined on the Flood Map for Planning due to its proximity to the Main River of Pool Stream which lies approximately 220m to the east. Outline application 14/0410 was accompanied by a FRA and indicative drainage strategy which set out principles for the disposal of surface water from the development. Condition 11 of outline planning permission requires the submission of a detailed scheme for the disposal of foul and surface water drainage for each phase of the development before any development within that phase takes place.

This application is accompanied by an updated FRA which includes additional technical details and flood modelling data relating specifically to the parameters of the development as proposed by this scheme (rather than the illustrative masterplan for the outline). In particular, the updated FRA includes details relating to engineering works and re-contouring of land that falls within flood zones 2 and 3 to the southeast part of the site, the diversion and culverting of a *circa* 160m long stretch of the brook (an ordinary watercourse that forms a tributary of Pool Stream) which runs along the eastern site boundary, and hydraulic flood modelling to establish the need for the creation of flood compensation areas within the development arising from the infilling of the floodplain. All these works within flood zones 2 and 3 are required to construct the new spine road into the site off the roundabout junction with Lytham Road, including the need to raise the existing ground level along the spine road to ensure that the road does not fall within the flood plain for emergency access and egress during flooding events and to allow for the proposed site gravity drainage to pass below the new spine road.

The application is also accompanied by a detailed surface and foul water drainage strategy (drawing no. LWF-AJP-XX-00-DR-C-0900 Rev P10) which identifies surface water attenuation features (both above ground attenuation ponds and below ground cellular storage), controlled discharge rates into the drainage ditch on the eastern boundary to mimic greenfield rates plus an allowance for climate change, the location and design of a land drain along the southern and western boundaries of the site and a connection to a foul water sewer within Lytham Road to the east of the roundabout junction.

The latest version of the FRA (version 'P10' dated 09.12.20) – supported by additional flood modelling data from JBA Consulting – includes the following conclusions:

- **Flood zones** – The majority of the sit is within flood zone 1 and therefore classified as having a low probability of flooding from rivers or sea. However, there is a small area of the site the

south-east corner which is located within flood zone 2 and therefore this area is classified as having a medium probability of flooding from rivers. A section of the spine road is located within flood zone 3.

- **Flood mitigation measures** – The following flood mitigation measures are required as part of the development: i) the finished floor level of the proposed dwellings should be at a minimum level of 13.424mAOD, to ensure they sit a minimum of 600mm above the highest 1 in 100 year + 35% climate change flood level; ii) Flood compensation areas are to be provided within the development for the area of lost flood plain caused by the proposed spine road construction; and iii) A link between the flood compensation areas and the existing flood plain is to be provided to maintain the natural flows. Due to the position and level of the diverted watercourse, it will be necessary for the link to pass through the watercourse. These measures should be undertaken to mitigate the risk of flooding from rivers and surface water/overland flows to the proposed development, ensuring that the risk of flooding from all sources is low.
- **Flood compensation** – A like-for-like flood compensation area will be provided within the development to replace the area of lost flood plain caused by the proposed spine road. This area will need to be spread between the open space land within the development to provide a sufficient area and volume with a base level of 12.25mAOD and a soffit level no less than 13.124mAOD. The 13.124mAOD soffit level would provide a 300mm freeboard above the 1 in 100 year + 35% climate change undefended flood level of 12.824mAOD, from Pool Stream. The volume of storage within the compensation area will match the existing on a level-by-level basis. A link between the flood compensation areas and the existing flood plain will be provided via link pipes which will increase the volume of water which can pass under the spine road. These pipes will be laid with a nominal gradient to ensure that the flood waters will recede via their natural flood route to the east of the spine road and minimise silting of the pipe after a flood. The flood compensation area and link pipes will be included within the overall maintenance and management schedule which will be the responsibility of a private asset management company.
- **Surface water drainage** – The nearest watercourse is Pool Stream which is located approximately 220m east of the site. There is a ditch located adjacent to the eastern boundary of the site, which is a tributary of Pool Stream. The surface water runoff from the proposed development will discharge into Pool Stream via the existing ditch which is a tributary of Pool Stream. The surface water discharge is to be restricted to the existing greenfield discharge rates for all rainfall events up to and including the 1 in 100 year plus 40% climate change design storm and the surcharged runoff stored within oversized pipes for all for all rainfall events up to and including the 1 in 30 year rainfall event. For events in exceedance of the 1 in 30 year rainfall event, the surcharged runoff should also be stored within the oversized pipes themselves or within detention basins, located within the areas of public open space. These will be used to store the runoff for all rainfall events in exceedance of the 1 in 30 year rainfall event and up to and including the 1 in 100 year + 40% climate change event.
- **Culverting** – The larger ditch / watercourse to the east is to be diverted and culverted, as it serves adjacent sites. An allowance for urban creep from upstream developments should be considered, allowing for a 10% increase in the cross-sectional area of the culvert compared to the original watercourse. An overflow between the culvert and the existing flood plain should be provided to ensure the existing natural flows are maintained.
- **Other ditches within the site** – The small streams and ditches running through the site serve only the proposed development site, with the larger ditch to the east of the site serving surrounding areas, prior to discharging into Pool Stream. As such, the streams and ditches serving only the proposed development sites will be infilled as the site is to be positively drained.

- Foul water** – The proposed foul water drainage will collect the runoff from the dwellings and convey the flow along the proposed access road to the public open space in the northern part of the site. Here it will discharge into a proposed foul pumping station which will pump the foul water at an unrestricted rate via a rising main towards the existing foul water public sewer located to the east of the site via a connection point along the A584. United Utilities will require a break manhole upstream of the existing public manhole, to allow the foul water discharge from the site to discharge via gravity into the existing sewer network.

While the EA and UU raised concerns with earlier versions of the FRA which did not include the additional flood compensation modelling data and foul water connection details now provided in the updated scheme, both consultees have since advised that their previous objections have been addressed by the measures identified in the updated FRA. In particular, the EA advised on 16.12.20 that “we are now satisfied that the development would be safe without exacerbating flood risk elsewhere, if the proposed flood risk mitigation measures [within the version ‘P10’ FRA] are implemented. United Utilities’ response dated 13.10.20 (in respect of an earlier revision of the FRA which clarified the proposed outfall point into the foul water sewer on Lytham Road) also advises that “the plans [within the FRA and drainage strategy drawing] are acceptable in principle to United Utilities”. Accordingly, and as advised by the EA and UU, providing that the development is carried out in accordance with the measures identified in the ‘P10’ version of the FRA, the development will not itself be at an unacceptable risk of flooding, would not increase flood risk elsewhere and would ensure an appropriate strategy for the disposal of foul water from the site as agreed by the statutory undertaker.

The EA identify that the culverting of the ordinary watercourse along the eastern boundary of the site will require the consent of the Lead Local Flood Authority (LLFA). The approval of the proposed surface water drainage strategy will also be required from the LLFA in order to discharge the requirements of condition 11 of the outline planning permission. While the LLFA have been consulted on the application on three separate occasions (29.01.20, 24.09.20 and 14.12.20), no comments from them have been received to date. Nevertheless, given the withdrawal of the EA’s objection on flood risk grounds and the fact that a strategy for the disposal of surface water drainage for the development must be agreed through condition 11 of the outline permission before any development can take place (which may or may not require amendments to the design shown on drawing no. LWF-AJP-XX-00-DR-C-0900 Rev P10) and a separate consent for the culverting of the ordinary watercourse will be required from the LLFA through other legislation that falls outside the remit of the planning system, there is no reason to suggest that an appropriate technical strategy cannot be achieved in this regard. Therefore, the absence of the LLFA’s comments should not delay a decision being made on the reserved matters application. Conditions have been recommended requiring: i) the development to be carried out in accordance with the mitigation measures set out in section 5.7 of the FRA (as advised by the EA); ii) a detailed scheme for the culverting of the ordinary watercourse (which would need to be agreed with the LLFA); and iii) a scheme for the future management and maintenance of the drainage system (including any SUDS features) to be installed pursuant to condition 11 of the outline permission.

Objectors have raised concerns that the elevated finished floor and garden levels of dwellings proposed along the southern and western boundaries of the site would result in surface water runoff from the proposed dwellings being directed into the gardens of adjoining properties by gravity. In order to address this issue, the latest version of the drainage strategy (drawing no. LWF-AJP-XX-00-DR-C-0900 Rev P10) includes the formation of a continuous land drain within the side/rear gardens of dwellings that flank the southern and western boundaries. The land drain would follow an L-shaped route straddling the site perimeter from the northwest corner of plot 204 (adjacent to no. 60 Canberraway) to outfall into the flood compensation area in the southeast

corner of the site fronting plot 1. Drawing no. LWF-AJP-XX-00-DR-C-1061 Rev P1 includes a detailed design for this land drain which would have the profile of a 'French drain' with a stone soakaway directing surface water into a perforated underground pipe within a buried trench. The pipe would follow the route of the land drain to discharge into the flood compensation area. The proposed French drain would be designed to collect excess surface water flowing down the slope of the gardens towards land at a lower level bordering the western and southern boundaries and so avoid any such runoff discharging into the gardens of neighbouring dwellings.

For the above reasons, the mitigation measures to be introduced as part of the development would avoid the development itself being at an unacceptable risk of flooding and would not increase flood risk elsewhere. Appropriate measures would be put in place to ensure the suitable disposal of foul and surface water for the development, with surface water discharging in the most sustainable way and attenuation provided through the use of SUDS wherever possible. Accordingly, the proposal accords with the requirements of BWNP policy BWNE3, FLP policies CL1 and CL2, and the NPPF.

Ecology:

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

Policy BWNE1 of the BWNP requires development to demonstrate how biodiversity will be protected and enhanced, including through the protection of existing natural features and the creation of new habitats.

The outline application was accompanied by a series of ecology and protected species surveys. However, given the age of these and the changes proposed by the reserved matters scheme, the applicant has provided an updated ecological assessment. Appendix H of the assessment also includes a Habitat Regulations Assessment (HRA) scoping report.

Conditions 10 (visitors pack), 11 (surface water drainage), 18 (tree/hedgerow removal), 19 (ponds and ditches) and 20 (timing of vegetation clearance) of outline permission 17/0851 relate to ecology issues arising from the previous surveys submitted with the outline and/or relate to mitigation measures required as part of the HRA process. Natural England and GMEU have been consulted on the updated ecological assessment and HRA scoping report applicable to the specific parameters of this scheme.

Habitat Regulations Assessment:

Paragraphs 161-163 and 168-171 of the Inspector's Report (IR) for Appeal APP/M2325/W/15/3004502 (linked to 14/0410) deal with HRA issues associated with the development. As this appeal was recovered by the Secretary of State, this issue is also addressed in paragraphs 12 and 13 of their decision dated 13.02.17 which include the following conclusions:

- "The Secretary of State recognises that the Ribble and Alt Estuaries Special Protection Area (SPA) and Ramsar Site and the Ribble Estuary Site of Special Scientific Interest (SSSI), and the Newton Marsh SSSI are important sites for wintering birds and migratory birds in spring and autumn (IR159), but agrees with the Inspector (IR160) that the distance between the appeal

site and the intervention of existing development is such that direct disturbance to species on the protected sites is unlikely. The Secretary of State shares the Inspector's view that the most likely impacts from the appeal proposal are a loss of habitat functionally linked to a protected site, increased recreational pressure on the protected site, and changes in water quality in watercourses hydrologically linked to a protected site (IR160)."

- "The Secretary of State has carefully considered the Inspector's analysis at IR161-163, and like the Inspector, he considers that provided the two conditions suggested by Natural England are imposed on any permission so that mitigation measures are secured as part of the proposal, the appeal proposal would be unlikely to have a significant effect on the designated sites either alone or in combination. For that reason, he agrees with the Inspector's conclusion (IR170) that no Appropriate Assessment is necessary."

Since the issuing of the Secretary of State's decision on the outline, the judgement in '*People over Wind (2017)*' has established that, as part of the HRA process, mitigation measures should only be taken into account as part of an Appropriate Assessment and cannot, therefore, be factored in at the preceding 'screening' stage. This deviates from the approach set out in paragraph 169 of the IR for APP/M2325/W/15/3004502 which took mitigation measures proposed as part of the scheme into account when deciding whether the proposed development would be likely to have a significant effect on the European Site and, in turn, concluded that "where appropriate mitigation has been secured, no further consideration of HRA is required." Therefore, an updated 'shadow HRA' including both 'screening' (part 1 of the HRA process) and 'Appropriate Assessment' (part 2 of the HRA process) has been prepared by the applicant's ecologist as part of the reserved matters application.

The shadow HRA (which forms Appendix F to version 3.0 of the ecological assessment by TEP dated 14.08.20) concludes as follows in respect of each stage:

- **Screening** – The proposed works will not have a significant effect on the Ribble and Alt Estuaries SPA or the Ribble and Alt Estuaries Ramsar site alone, however an increase in recreational pressures in combination with other projects/ plans without mitigation has potential to have a significant effect on these protected sites. The project is therefore taken through to the Appropriate Assessment to further assess potential in-combination effects of recreational pressure on the integrity of European designated sites.
- **Appropriate Assessment** – In their response to the 2016 appeal Natural England requested that new residents are provided with information leaflets within sales packs to ensure that new residents are better informed regarding potential for impacts. With these mitigation measures in place, the proposed works will not have a significant effect on the Ribble and Alt Estuaries SPA/Ramsar either alone or in combination with other projects/ plans.

Natural England's response to the latest version of the HRA dated 21.08.20 indicates that they have no objection to the development subject to the mitigation measures identified in the shadow HRA (a Homeowners Information Pack available to all new residents) being secured as part of the scheme.

The conclusion of the shadow HRA and the mitigation measures identified within it are consistent with those established (and secured by condition) at the outline stage, albeit that those conclusions have now been reached at the Appropriate Assessment stage of the HRA process rather than the screening stage. Nevertheless, aside from the preparation of homeowner packs, Natural England have not indicated that any further mitigation measures are required. Natural England have set out a list of what they consider the homeowner information packs should include, which is more extensive than the list mentioned in condition 10 of the outline permission. That notwithstanding, condition 10 of the outline permission still requires the contents of information packs to be "submitted to and approved by the local planning authority" prior to first occupation of any of the dwellings and so

there is no reason why it could not achieve the same outcome. Therefore, there is no reason to duplicate and/or supplement condition 10 of the outline through the imposition of another condition along the same lines at the reserved matters stage.

Therefore, with condition 10 of the outline permission in place, and providing that the LPA adopts the shadow HRA contained in Appendix F of TEP's ecology assessment as part of its decision, its obligations as a competent authority under regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended) will have been fulfilled.

Site-specific ecological effects:

Section 7 of the submitted ecological assessment includes a series of recommendations for the avoidance, mitigation and enhancement of ecological impacts as part of the development. These include:

- **Vegetation** – The loss of existing trees, hedgerows and scrub is to be compensated for by the introduction of a woodland buffer along the northern eastern boundary of the site as shown on the landscaping plans. If trees are to remain (especially along Site boundaries), adequate tree root protection measures need to be considered to avoid damage following guidelines set out in BS 5837:2012. Some areas of grassland on northern site boundary will be allowed for scrub regeneration.
- **Grassland habitats** – The creation of grassland habitat is included within the landscaping scheme using wildflower mix associated with the areas of open space across the site and bordering the woodland in the north of the site. This will encourage a more herb-rich, flowering grassland habitat, especially beneficial for pollinating invertebrates and butterflies.
- **Wetland habitats** – All existing ponds on the site are to be retained and enhanced as part of post development landscaping and public open space areas. Detailed pond management should be included within the post development Landscaping and Ecological Management Plan (LEMP). An agricultural ditch borders the northern and eastern boundaries. The ditch will not be lost to development, but a 160m section will be re-aligned along the eastern boundary. A detailed management scheme should be included within the post development LEMP. There is the potential for direct and in-direct pollution events from construction and development activities which could affect watercourses up and downstream of the catchment. Appropriate pollution prevention measures should be incorporated within the Contractors Environmental Method Statement (CEMP).
- **Amphibians** – The amphibian survey identified common toad present within 2 ponds. Therefore consideration should be given for suitable avoidance measures to prevent killing and injury to this species in the form of Precautionary Working Method Statement which should be included within the CEMP.
- **Bats** – In order to maintain the suitability of hedgerows and trees for bats, sensitive lighting measures must be adhered to through design and construction. Provided the hedgerow and trees remain unlit, there are no predicted impacts with regard to bats. To enhance the site for bats it is recommended that bat boxes are installed within the new development. The newly created woodland in the north of the site should be incorporated into the LEMP to ensure that commuting corridors are maintained.
- **Birds** – Removal of trees, hedgerows and dense scrub during the active breeding bird season, considered to be between March and August, should first be checked by an ecologist for any nesting activity 48hrs prior to removal. If nesting activity is identified a suitable buffer should be allocated around the nest until the young have fledged the nest.
- **Hedgehog** – A pre-development walkover of the site to check for presence of hedgehog, especially within dense scrub and woodland, should be undertaken. Walkover surveys should be between March to November, outside of their hibernation period, when

hedgehog are still active.

- **Biodiversity enhancement** – The following measures are recommended for inclusion within the development where possible: i) the use of sensitive/low UV lighting; ii) good horticultural practice (e.g. including the use of peat-free composts, mulches and soil conditioners, native plants with local provenance and avoidance of the use of invasive species listed on Schedule 9 of the WCA; iii) the inclusion of several bird and bat boxes, especially on new build. This could take the form of house sparrow terraces, the inclusion of bat bricks and boxes on new buildings; iv) creation of suitable hedgehog habitat such as brash piles and inclusion of 'hedgehog houses' within northern boundary buffers, for shelter and hibernation; and v) small gaps or gates in residential garden fencing to allow free movement of hedgehog within the site and wider landscape.
- **Environmental best practice** – General environmental protection measures must be implemented during the construction phase of the proposed scheme including: i) measures must be taken to prevent dust and other emissions from construction affecting any land beyond the site; ii) chemicals and fuels must be stored in secure containers located away from watercourses or water bodies. Spill kits must be available; iii) Excavations must be covered or securely fenced (with no potential access points beneath fencing) when the Site is closed (e.g. overnight) to prevent entrapment of animals; iv) retained trees must be protected and retained in accordance with BS5837:2012; v) any works near to retained hedgerows should be carried out with adequate provision for root protection; vi) noise and vibration must be controlled and kept to the minimum necessary; and vii) lighting used for construction must be switched off when not in use and positioned so as not to spill on to adjacent land or retained vegetation within the site.

GMEU have commented on the submitted ecological assessment and advise that they do not have any objections to the scheme and no further surveys are required subject to the imposition of conditions to secure the avoidance, mitigation and enhancement measures recommended within the ecological assessment. In particular, conditions are suggested concerning: i) measures for the retention (including protection during construction) or replacement of locally important habitats including hedgerows, trees, running water and open water. Habitat protection measures should be included in a comprehensive Construction Environmental Management Plan (CEMP); ii) the need for an additional water vole survey as that undertaken in 2019 confirmed transient water vole activity within the ditch forming the eastern boundary; iii) a reasonable avoidance measures method statement giving details of measures to be taken during any ground works or construction works to avoid any possible harm to amphibians; iv) no clearance of any vegetation in preparation for or during the course of development should take place during the optimum 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; v) biodiversity enhancements to incorporate sensitive/low UV lighting, the inclusion of bird and bat boxes and creation of hedgehog habitat; vi) a long-term Landscape Management Plan (LEMP).

Conditions 18 (iii.) and 20 of the outline permission deal with matters concerning protection measures to be put in place for retained trees and hedgerows and restrict the timing that vegetation clearance can occur unless further surveys and nest site protection measures are put in place. Accordingly, there is no need to repeat these conditions at the reserved matters stage. Appropriate conditions have, however, been recommended which follow the suggestions of GMEU and the recommendations in section 7 of ecological assessment by TEP. Accordingly, suitable controls can be put in place to ensure that the development's effects on habitats and species are appropriately mitigated, that adequate compensation is provided for those features of local importance which would be lost as a result of the development and to ensure that the scheme delivers suitable biodiversity enhancements in accordance with the requirements of BWNP policy BWNE1, FLP policy

ENV2 and the NPPF.

Archaeology:

FLP policy ENV5 indicates that development proposals should conserve, protect and, where appropriate, enhance the character, appearance, significance and historic value of Fylde's designated and undesignated heritage assets. In this case, there are no "designated heritage assets" close to the site that would be affected by the scheme. Accordingly, the main heritage impacts arising as a result of this scheme relate to potential non-designated heritage assets of archaeological interest as identified by the County Archaeologist.

The subsection of policy ENV5 titled "scheduled monuments and other archaeological remains" indicates that "where there is known or potential non-designated archaeology, developers will be expected to investigate the significance of any archaeology prior to the determination of an application for the site. Where this demonstrates that the significance is equivalent to that of designated archaeology, proposals which cause harm to or loss will not be supported. [Furthermore] developers need to undertake research at an appropriate early stage to establish whether or not archaeology exists or whether there is the potential for it to exist in order to inform decisions in respect of the site. Where it can be demonstrated that the substantial public benefits of any proposals outweigh the harm, the Council will need to consider the significance of remains and seek to ensure mitigation of damage through preservation of the remains in situ as a preferred solution. Where this is not justified, the developer will be required to make adequate provision for excavation and recording before and / or during development. Proposals should also demonstrate how the public understanding and appreciation of such sites could be improved." Similar requirements are identified in paragraphs 189 and 199 of the NPPF, and criterion s) of policy M1.

Condition 14 of the outline permission set out the need for a programme of archaeological work to be undertaken in accordance with a written scheme of investigation submitted to the LPA before any development takes place. The applicant submitted an archaeological desk-based assessment during the course of the application which includes the following conclusions:

- No evidence for archaeological remains has been recorded within the site and the potential for unrecorded remains is considered to be low.
- There is no recorded evidence for any activity dating to any prehistoric period or the Romano-British period within the site, its 500m study area or the vicinity immediately beyond this. The potential for significant remains dating to any of these periods is therefore low.
- The site is located away from the cores of two medieval settlements in its vicinity recorded within the Domesday Book of 1086. No remains relating to medieval agricultural usage, such as ridge and furrow, are apparent. The potential for significant early medieval or medieval remains within the site is low.
- The site appears to have retained a primarily agricultural usage throughout the post-medieval and modern periods. Remains relating to a former track, former field boundaries or possible extractive activities or ponds are unlikely to be of heritage significance. The potential for significant post-medieval or modern archaeological remains within the site is low.

The County Archaeologist has reviewed the findings within the desk-based assessment (DBA) and advises that "the DBA indicates that the potential of the site to hold any significant archaeological features appears to be low and the recorded history of the area suggests that this area has been agricultural land since at least the Medieval period. We would therefore advise that there does not appear to be any requirement for any further archaeological investigation on the site." Accordingly,

the submitted DBA is considered sufficient to address the requirements of condition 14 of the outline permission and demonstrates to the satisfaction of the County Archaeologist that no further works of archaeological investigation are needed on the site in order to meet the requirements of FLP policies ENV5 and M1 s) with respect to the development's effects on heritage assets.

Conclusions

The application relates to an irregularly-shaped parcel of open agricultural land extending to *circa* 12.78 hectares in area to the north of the Freckleton Bypass, on the eastern periphery of Warton. The site is bordered by agricultural land within the Countryside Area to the north and east; by a combination of park homes (at Lynwood Park) and two storey dwellings on Butlers Meadow to the south; by two storey dwellings on Clifton Avenue and Canberraway to the west; and by the site of Bridges Recreation Ground to the north. The land has outline planning permission (including access) for a residential development of up to 350 dwellings (planning permission 14/0410 as varied by S73 application 17/0851 – both allowed at appeal) and is allocated as a strategic housing site (reference HSS12) on the Fylde Local Plan to 2032 Policies Map.

This application seeks approval for the reserved matters of appearance, landscaping, layout and scale in connection with a residential development involving 345 dwellings with associated infrastructure and open space. The application is submitted pursuant to S73 permission 17/0851 and is also accompanied by details intended to satisfy the requirements of certain conditions imposed on the outline permission where these require information to be provided at the reserved matters stage.

The approved means of access to the site is via a new arterial road branching in a northerly direction off the roundabout junction of the A584 (Lytham Road). The spine road off the junction would follow a broadly circular route through the site with a series of connecting estate roads running north-south to create perimeter blocks within the central areas of the site. An L-shaped row of dwellings would follow a linear pattern backing onto adjacent residential properties to the south and west, with cul-de-sacs terminating near the junction of the estate road with Canberraway in the northwest corner and within a triangular protrusion to the northern part of the site. As required by condition 15 of the outline permission, a shared pedestrian and cycle link would be provided to the northwest corner of the site onto Canberraway. A second pedestrian link is proposed through the western boundary of the triangular area to Bridges Recreation Ground to compensate for the absence of a link to Butlers Meadow due to third party land ownership constraints.

Dwellings would be laid out and orientated to front onto internal estate roads and have an outward facing aspect in relation to adjoining open countryside and the recreation ground. Buildings designed with dual-aspect elevations would add interest on corner plots and a sense of openness would be maintained by the siting, height and materials of boundary treatments and roadside landscaping where these wrap around junctions. The development would deliver a mix of 64 x 2 bed; 193 x 3 bed; and 88 x 4 bed units across 18 different house types, including 105 dwellings (30%) which meet the definition of Affordable Housing in Annex 2 of the NPPF. Sixteen of the house types would be two storeys in height (307 plots), with another two (38 plots) being 2.5 storeys with rooms in their roof space. Their external appearance – including their style, materials, fenestration, architectural features and detailing – would be compatible with the character of surrounding residential development while achieving individual elevational interest through the use of protruding features including bay windows, canopies and facing gables, contrasting brick strings and window cill and lintel detailing.

Seven separate parcels of open space would be spread across the site providing a total of 2.2

hectares of open space within the development to meet the requirements of condition 1 of the outline permission. This open space includes a continuous buffer of woodland planting along the northern and eastern boundaries of the site where it borders open agricultural land and the adjacent recreation ground, along with separate parcels located more centrally which comprise a combination of formal (including a Locally Equipped Area for Play) and informal open space arranged to ensure the retention of existing ponds and to allow the creation of new attenuation basins and flood compensation areas. Internal landscaping would present tree-lined streets with low-level shrub and hedge planting to break up parking areas, provide foreground screening to boundary treatments, landscaped garden frontages and ensure green infrastructure linkages along the edges of estate roads.

The proposed density of housing – at 33 dwellings per hectare across the site’s developable areas – would achieve the minimum net residential density identified in the local plan and that approved by the outline permission. Details of finished floor levels provided pursuant to condition 12 of the outline permission, combined with the scale, spacing, screening, window arrangement and orientation of buildings in relation to existing properties surrounding the site will ensure that the development assimilates sympathetically with its surroundings and would have no undue effects on the privacy and amenity of neighbouring occupiers through loss of outlook, overshadowing or overlooking. Appropriate details have been submitted to satisfy or deliver suitable alternative provision in relation to those conditions on the outline permission that require specific details to be submitted at the reserved matters stage. No other harm would arise with respect to the internal highway layout, flooding, drainage, ecological or heritage impacts to indicate that the development’s effects could not be appropriately mitigated through the imposition of planning conditions.

Therefore, it is considered that the appearance, landscaping, layout and scale of the proposal represents sustainable development which accords with the relevant policies of the Bryning with Warton Neighbourhood Development Plan, the Fylde Local Plan to 2032 and the National Planning Policy Framework.

Recommendation

That approval of reserved matters be GRANTED subject to:

- The Local Planning Authority adopting the shadow Habitat Regulations Assessment contained in Appendix F of the document titled ‘Ecological Assessment’ (version 3.0 dated 14.08.2020) by TEP as part of its decision in order to satisfy the obligations contained in Regulations 63 and 64 of the Conservation of Habitats and Species Regulations 2017 (as amended); and
- The following conditions:

1. This approval relates to the following plans:

Drawing no. SK668-LP-RM-01 Rev A – Location plan.
Drawing no. SK668-PL-01 Rev V – Planning layout.
Drawing no. SK668-POS-01 Rev E – POS area layout.
Drawing no. SK668-BP-01 Rev C – Boundary plan overall master plan.
Drawing no. SK668-PP-01 Rev C – Phasing plan.
Drawing no. 101 Rev M – Landscape masterplan.
Drawing no. 102 Rev M – Landscape layout (1 of 3).
Drawing no. 103 Rev L – Landscape layout (2 of 3).
Drawing no. 104 Rev L – Landscape layout (3 of 3).
Drawing no. LWF-AJP-XX-00-DR-C-0900 Rev P10 – Drainage strategy.
Drawing no. LWF-AJP-XX-00-DR-C-1061 Rev P1 – Land drainage detail.

Drawing no. LWF-AJP-XX-00-DR-C-1400 Rev P8 – Finished level & retaining walls sheet 1.
 Drawing no. LWF-AJP-XX-00-DR-C-1401 Rev P8 – Finished level & retaining walls sheet 2.
 Drawing no. LWF-AJP-XX-00-DR-C-1402 Rev P8 – Finished level & retaining walls sheet 3.
 Drawing no. LWF-AJP-XX-00-DR-C-1403 Rev P8 – Finished level & retaining walls sheet 4.
 Drawing no. LWF-AJP-XX-00-DR-C-1404 Rev P8 – Finished level & retaining walls sheet 5.
 Drawing no. SK668-CS-01 Rev C – Sections for planning key plan.
 Drawing no. SK668-CS-02 Rev B – Sections for planning (sheet 2 of 3).
 Drawing no. SK668-CS-03 Rev B – Section for planning (sheet 3 of 3).
 Drawing no. ASHO-01 – The Ashop floor plans and elevations.
 Drawing no. ASHP-FCT-01 – The Ashop FCT floor plans and elevations.
 Drawing no. The Aspen AR (AFF) floor plans and elevations.
 Drawing no. The Aspen ORS/AHO (AFF) floor plans and elevations.
 Drawing no. BAYB-01 – The Baybridge floor plans and elevations.
 Drawing no. The Birch (AFF) floor plans and elevations.
 Drawing no. The Birch AR-Mid (AFF) floor plans and elevations.
 Drawing no. The Birch AR-End (AFF) floor plans and elevations.
 Drawing no. BLTH-01 – The Blyth floor plans and elevations.
 Drawing no. Cork (AFF) floor plans and elevations.
 Drawing no. DEE-01 – The Dee floor plans and elevations.
 Drawing no. DUNH-01 – The Dunham floor plans and elevations.
 Drawing no. FOSS-01-FCT – The Foss FCT floor plans and elevations.
 Drawing no. Foss(14)-01 – The Foss floor plans.
 Drawing no. Foss(14)-6.0 – The Foss brick elevations.
 Drawing no. Foss(14) FCT-6.1 – The Foss FCT render elevations.
 Drawing no. IRWE-01 (Sigma) – The Irwell floor plans and elevations.
 Drawing no. LEA-01 – The Lea floor plans and elevations.
 Drawing no. LYMI-01 – The Lymington floor plans and elevations.
 Drawing no. NEWASH-01 – New Ashbourne floor plans and elevations.
 Drawing no. NSTAM-01 – The New Stamford floor plans and elevations.
 Drawing no. NWEAV-01 – The New Weaver floor plans and elevations.
 Drawing no. OAK-01 – The Oakham floor plans and elevations.
 Drawing no. DOUBLE GA/01 – Double garage plan & elevations.
 Drawing no. SALES GA/01 – Sales garage plan & elevations.
 Drawing no. SHARED GA/01 – Shared garage plan & elevations.
 Drawing no. SINGLE GA1/01 – Single garage T1 plan & elevations.
 Drawing no. RSD 9105 – Post & rail fence detail.
 Drawing no. NSD 9001 Rev F – Wall types 1 to 2.
 Drawing no. NSD 9102 Rev A – Fence types A to D.
 Drawing no. PR11064-005 – Foul water pumping station earthing arrangement.
 Drawing no. PR11064-004 – Foul water pumping station site plan.
 Drawing no. WO_XXXX – Overview – GRP heavy duty kiosk.

Except as provided for by other conditions to this approval and those imposed on outline planning permission 17/0851, 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 carried out in full accordance with the phasing (including the sequencing for the construction of housing, highway and drainage infrastructure, laying out of open spaces and landscaped areas, and formation of pedestrian and cycle links to adjoining land) indicated on drawing no. SK668-PP-01 Rev C.

Reason: In order that the development takes place in an appropriate sequence and to ensure that the associated infrastructure required to support and/or mitigate the development's impact is put in place concurrently with each phase of housing in the interests of proper planning and to ensure compliance with the requirements of conditions 1 and 15 of outline planning permission 17/0851 in accordance with the objectives of Fylde Local Plan to 2032 policies M1, GD7, T4, CL2 and ENV4.

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the buildings shall be constructed in accordance with the materials detailed on drawing no. SK668-MAT Rev D.

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

4. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, boundary treatments to each plot shall be erected in accordance with the details (including their siting, height, design, materials and finish) shown on drawing nos. SK668-BP-01 Rev C; NSD 9001 Rev F; and NSD 9102 Rev A before the dwelling on that plot is first occupied, and shall be retained as such thereafter.

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

5. Notwithstanding any details shown on the approved plans and the requirements of conditions 1 and 4 of this permission, no development associated with the formation of the flood compensation areas and attenuation basins within each phase identified on drawing no. SK668-PP-01 Rev C shall take place until details of their dimensions, volumes, gradients, profiles (including appropriate cross sections), inlet designs and the siting, height, design, materials and finish of any means of enclosure to be erected around their perimeters have been submitted to and approved in writing by the Local Planning Authority. The flood compensation areas and attenuation basins shall thereafter be laid out in accordance with the duly approved details and the enclosures around their perimeters shall be erected before any of the dwellings within each associated phase are first occupied, and shall be retained as such thereafter.

Reason: For the avoidance of doubt as no such details have been submitted with the application, to ensure that the flood compensation areas and attenuation basins are of a suitable design to provide multi-functional open spaces when dry, to ensure the safety of future users of the open space, to achieve an appropriate appearance to any means of enclosure around the perimeters of the features and to ensure that the flood compensation areas and attenuation basins provide the flood and surface water storage volumes required to mitigate the risk of flooding within and away from the site in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, CL1, CL2 and ENV4, and the National Planning Policy Framework.

6. Notwithstanding any details shown on the approved plans and the requirements of condition 1 of this permission, no development associated with the construction of the foul water pumping station shown on drawing nos. SK668-PL-01 Rev V; PR11064-005; and PR11064-004 shall take place until details of the siting, height, design, materials and finish of any means of enclosure to be erected around its perimeter have been submitted to and approved in writing by the Local Planning Authority. The means of enclosure shall thereafter be erected in accordance with the duly approved details before the foul water pumping station is first brought into use, and shall be

retained as such thereafter.

Reason: For the avoidance of doubt as no such details have been submitted with the application, to ensure that the foul water pumping station is secure and to ensure an appropriate appearance for any means of enclosure to be erected around its perimeter in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

7. No development associated with the construction of the gas governor shown on drawing no. SK668-PL-01 Rev V shall take place until details of the size, height, materials and design of the building and any associated means of enclosure to be erected around its perimeter have been submitted to and approved in writing by the Local Planning Authority. The gas governor and any associated means of enclosure shall thereafter be constructed in full accordance with the duly approved details.

Reason: For the avoidance of doubt as no such details have been submitted with the application in order to ensure an appropriate appearance for ancillary structures to be erected as part of the development in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

8. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, all buildings shall be constructed in accordance with the finished floor levels shown on drawing nos. LWF-AJP-XX-00-DR-C-1400 Rev P8; LWF-AJP-XX-00-DR-C-1401 Rev P8; LWF-AJP-XX-00-DR-C-1402 Rev P8; LWF-AJP-XX-00-DR-C-1403 Rev P8; and LWF-AJP-XX-00-DR-C-1404 Rev P8.

Reason: To ensure a satisfactory relationship between the new dwellings and between the development and surrounding buildings in order to achieve a high standard of amenity for existing and future occupiers and to ensure that appropriate mitigation measures are put in place to avoid the development being put at an unacceptable risk of flooding in accordance with the requirements of Fylde Local Plan to 2032 policies M1, GD7, CL1 and CL2, and the National Planning Policy Framework.

9. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the soft landscaping scheme for the development shown on drawing nos. 101 Rev M; 102 Rev M; 103 Rev L; and 104 Rev L shall be carried out during the first planting season that occurs: i) in the case of landscaping within the curtilages of the dwellings hereby approved, after the dwelling on each associated plot is first occupied; and ii) in the case of landscaping on all the other areas of the site located outside the curtilages of the dwellings, before 50% of the dwellings within each associated phase identified on drawing no. SK668-PP-01 Rev C are substantially completed. The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with a maintenance scheme which has been submitted to and approved in writing by the Local Planning Authority pursuant to the requirements of condition 17 of planning permission 17/0851. 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 secure appropriate landscaping of the development concurrently with each phase of housing in the interests of visual amenity, to provide biodiversity enhancements and to ensure that a landscaped buffer of appropriate depth and species is provided by the development alongside its boundary with adjacent countryside in order to limit its visual impact in accordance with the requirements of Fylde Local Plan to 2032 policies M1, GD7, ENV1 and ENV2, and the National Planning Policy Framework.

10. With the exception of those specimens identified on drawing 2 of the Arboricultural Impact Assessment by TEP (report reference version 6.0, dated 10 November 2020), 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 in the same location which includes details of the type, size, species, siting, planting distances and the programme of planting for replacement hedges and trees, have first been submitted to and approved in writing by the Local Planning Authority. Any 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 replacement planting is introduced to compensate for any additional tree and hedge removal required as part of the development in the interests of visual amenity, to safeguard the amenities of existing and future occupiers and to ensure appropriate protection for and/or replacement of ecological habitats and green infrastructure networks in accordance with the requirements of Fylde Local Plan to 2032 policies M1, GD7, ENV1 and ENV2.

11. No development within phase 3 (the extent of which is identified on drawing no. SK668-PP-01 Rev C) shall take place until a scheme for the provision and future maintenance of the Locally Equipped Area for Play (LEAP) shown on drawing no. SK668-PL-01 Rev V has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Details of the siting, size, layout, design and materials of the LEAP including its associated play equipment, surfacing and means of enclosure, which shall demonstrate compliance with the guidance set out in the Fields in Trust publication 'Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard' (October 2015).
- Details of maintenance arrangements for the LEAP.
- A timetable for the provision of the LEAP and a programme for its ongoing maintenance, which shall demonstrate compliance with the requirements in condition 17 of planning permission 17/0851.

The LEAP shall thereafter be laid out, made available for use and maintained in accordance with the duly approved scheme and the timetable contained therein.

Reason: To ensure that the development makes an appropriate contribution towards the provision and future maintenance of recreational open space (including the provision of play areas commensurate to its scale) in order to avoid a deficiency in the quantity and quality of recreational open space in the locality and to ensure that the impact of the development on existing recreational open space is adequately mitigated in accordance with the requirements of Fylde Local Plan to 2032 policy ENV4 and the National Planning Policy Framework.

12. The development shall be carried out in strict accordance with the flood mitigation measures identified in paragraph 5.7 of the 'Flood Risk Assessment' by the Alan Johnston Partnership LLP (document reference LWF-AJP-ZZ-XX-RP-C-3000 version P10, dated 09.12.2020). The flood compensation areas and associated drainage infrastructure serving those areas referred to in paragraph 5.7 of the flood risk assessment and shown on drawing no. LWF-AJP-XX-00-DR-C-0900 Rev P10 shall be fully constructed and operational before any development associated with the construction of dwellings on the site first takes place.

Reason: The flood compensation areas identified in the Flood Risk Assessment and drainage

strategy are required to mitigate against the loss of floodwater storage areas within the floodplain arising from engineering works to be carried out in connection with the construction of the arterial access road into the development off the roundabout junction with Lytham Road. Therefore, the flood compensation areas must be laid out concurrently with the construction of the access road within the floodplain in order that there is no net loss of functional floodplain storage during the course of the development so as to ensure the development is not itself at an unacceptable risk of flooding and does not increase flood risk elsewhere in accordance with the requirements of Fylde Local Plan to 2032 policies M1, CL1 and CL2, and the National Planning Policy Framework.

13. No development involving the diversion and/or culverting of the section of the unnamed ordinary watercourse located along the eastern boundary of the site shown on drawing no. LWF-AJP-XX-00-DR-C-0900 Rev P10 shall take place until the following details of the culverted watercourse have first been submitted to and approved in writing by the Local Planning Authority:

- Its dimensions and cross-sectional area, including a comparison with the dimensions of the existing watercourse and provision for an appropriate allowance to be made for urban creep upstream of the development site.
- Its gradient and any alterations to the existing levels of the watercourse and its banks.
- The size and design of headwalls where the culverted section meets the open channel of the watercourse.
- The provision of an overflow between the culvert and the existing floodplain to ensure that existing natural flows are maintained.

The diversion and/or culverting of the watercourse shall thereafter be carried out in accordance with the duly approved details.

Reason: To ensure an appropriate design for the culverted section of the watercourse in order that works associated with the culverting and/or diversion of the existing ordinary watercourse do not result in the development being at unacceptable risk of flooding and do not increase flood risk elsewhere in accordance with the requirements of Fylde Local Plan to 2032 policies M1, CL1 and CL2, and the National Planning Policy Framework.

14. None of the dwellings hereby approved shall be occupied until details of a management and maintenance scheme for the surface water drainage system to be installed pursuant to condition 11 of planning permission 17/0851 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover the full lifetime of the drainage system and, as a minimum, shall include:

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

The surface water drainage system shall thereafter be managed and maintained in accordance with the details and timetable contained within the duly approved scheme.

Reason: To ensure that satisfactory measures are put in place for the management and

maintenance of the surface water drainage system and associated sustainable drainage features throughout the lifetime of the development in order to minimise the risk of flooding from the development in accordance with the requirements of Fylde Local Plan to 2032 policies M1, CL1 and CL2, and the National Planning Policy Framework.

15. No development on plots 1-3, 105-125, 147-190 and 204 (as identified on drawing no. SK668-PL-01 Rev V) shall take place until the full extent of the land drain shown on drawing no. LWF-AJP-XX-00-DR-C-0900 Rev P10, including its outfall into the flood compensation area, has been constructed in accordance with the detailed design indicated on drawing no. LWF-AJP-XX-00-DR-C-1061 Rev P1. The duly constructed land drain shall be maintained as such thereafter.

Reason: To capture surface water runoff from the sloping gardens of the dwellings which would occupy an elevated position in relation to existing land uses flanking the southern and western boundaries of the development in order to avoid uncontrolled surface water runoff from those dwellings being discharged onto adjoining land, to ensure appropriate measures are put in place to mitigate the risk of flooding to surrounding land uses and to secure a suitable means of disposing of surface water from the development in accordance with the requirements of Fylde Local Plan to 2032 policies M1, CL1 and CL2, and the National Planning Policy Framework.

16. No development, ground works or vegetation clearance within each phase identified on drawing no. SK668-PP-01 Rev C shall take place on the parts of the site relating to that phase until a Construction Environmental Management Plan: Biodiversity (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- a) A risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'.
- c) A method statement setting out practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Pollution prevention measures to avoid contaminated water run-off entering nearby watercourses.

The duly approved CEMP shall be implemented concurrently with the construction of each phase of development and shall be adhered to throughout the construction period in strict accordance with the details contained therein.

Reason: To ensure that appropriate measures are put in place during the construction period to mitigate the development's potential effects on water quality, linked water-dependent nature conservation sites, habitats and species of biodiversity value in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2 and the National Planning Policy Framework.

17. No more than 50% of the dwellings within each phase identified on drawing no. SK668-PP-01 Rev C shall be occupied until a Landscape and Ecological Management Plan (LEMP) for all landscaped areas of the development (excluding privately owned domestic gardens) within that phase has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details:

- a) A description and evaluation of features within each phase to be managed.
- b) An analysis of ecological trends and constraints on the site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule and timetable for implementation (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation.
- h) Arrangements for ongoing monitoring and remedial measures, including how contingencies and/or remedial action will be identified, agreed and implemented where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.
- i) The legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body responsible for its delivery.

The development shall thereafter be carried out in full accordance with the duly approved LEMP and the timetable, monitoring and remedial measures for each phase contained therein.

Reason: To ensure that appropriate measures are put in place to provide net gains for biodiversity including by establishing coherent ecological networks that are more resilient to current and future pressures and to mitigate the development's effects on existing features of biodiversity value in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2 and the National Planning Policy Framework.

18. If the works associated with the diversion and/or culverting of the unnamed ordinary watercourse located along the eastern boundary of the site have not commenced by 20 July 2021 then those works shall not take place until further survey(s) have been undertaken to confirm presence/absence of water vole within the section of the watercourse to be re-aligned and the results submitted to and approved in writing by the Local Planning Authority. If water voles are confirmed to be present then no works associated with the diversion and/or culverting of the watercourse shall take place until a method statement giving details and a timetable of measures to be taken to avoid any possible harm to water voles during the construction period and how appropriate mitigation measures (including the siting and design of any habitat compensation and enhancement features) are to be incorporated into the development has been submitted to and approved in writing by the Local Planning Authority. The duly approved method statement shall be implemented in full accordance with the details, recommendations and timetable contained therein.

Reason: Water vole surveys of the watercourse undertaken in 2019 confirmed transient water vole activity within the ditch forming the eastern boundary of the application site. While further surveys in July 2020 did not detect such a use, these surveys are valid for a limited time period (as identified in paragraph 5.2 of the 'Water vole & otter survey' by TEP (document reference 7617.008, dated September 2019)) and so further presence/absence surveys will be required if works to alter the watercourse are delayed in order to establish whether habitats on the site which are potentially suitable to support water vole are (or have become) used by these species since the earlier surveys were carried out. If the additional surveys reveal that such a presence has become established, then there will be a requirement to ensure that adequate mitigation measures are introduced as part of the development in order 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).

19. No development shall take place until a method statement detailing the reasonable avoidance

measures to be put in place to avoid and/or minimise any impacts on amphibians during the construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the reasonable avoidance measures identified in the duly approved method statement.

Reason: To ensure that adequate mitigation measures are introduced as part of the development to safeguard protected species during the construction period 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).

20. None of the dwellings within each phase identified on drawing no. SK668-PP-01 Rev C shall be occupied until a scheme for the incorporation of the following biodiversity enhancement measures (where appropriate) into each associated phase of the development and a timetable for their provision has been submitted to and approved in writing by the Local Planning Authority:

- a) The use of sensitive/low UV lighting;
- b) The inclusion of bird and bat boxes, especially on retained trees and buildings (which could take the form of house sparrow terraces and the inclusion of bat bricks and boxes on new buildings;
- c) The creation of suitable hedgehog habitat such as dense scrub and brash piles and inclusion of 'hedgehog houses' within boundary buffers, for shelter and hibernation; and
- d) The creation of small gaps or gates in residential garden fencing to allow free movement of hedgehog within the site and wider landscape.

The biodiversity enhancement measures for each phase shall thereafter be implemented in accordance with the details and timetable in the duly approved scheme, and shall be retained as such thereafter.

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.

21. None of the dwellings within phase 2 (the extent of which is identified on drawing no. SK668-PP-01 Rev C) shall be occupied until a scheme for the provision of the pedestrian footpath link through to Bridges Recreation Ground on the north-western boundary of the site (the position of which is shown indicatively on drawing no. SK668-PL-01 Rev V) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- a) A specification for its design, construction (including surface treatment) and lighting.
- b) Details of the layout and design of its junction onto Bridges Recreation Ground, including any changes in levels, gradients and ground markings/surfacing.
- c) Details of prior engagement and/or agreement(s) with any adjoining third party landowner(s) whose permission is required to deliver the footpath link onto Bridges Recreation Ground.
- d) Details of the siting, layout, height, design, materials and finish of any barrier to prevent its use by vehicular traffic.
- e) A timetable for its completion and bringing into use.

Providing that any necessary agreement(s) required by c) are obtained before the last of the dwellings on phase 2 is occupied, the pedestrian footpath link shall be constructed in full and made available for use in accordance with the details and timetable in the duly approved scheme, and shall be retained as such thereafter.

In the event that the necessary agreement(s) required by c) cannot be obtained from the third party landowner(s) before the last of the dwellings on phase 2 is occupied despite the developer

having used all reasonable endeavours to do so, then subject to satisfactory evidence of those reasonable endeavours having first been submitted to and approved in writing by the Local Planning Authority, the pedestrian footpath link through to Bridges Recreation Ground shall not be provided.

Reason: To compensate for the non-delivery of the link through to Butlers Meadow identified in condition 15 of planning permission 17/0851 through the provision of an alternative route that encourages and maximises opportunities for access to and from the site via walking and to ensure that the link provides a safe and attractive route for pedestrians in the interests of minimising opportunities for crime by virtue of its detailed design. As the provision of the route would cross onto land in third party ownership the agreement of the adjoining landowner will be required to deliver a connection onto Bridges Recreation Ground. Therefore, the condition includes a clause which would allow the non-delivery of the pedestrian link in the event that the permission of the relevant third party landowner cannot be obtained in order to avoid a 'ransom' situation which would prevent the development progressing beyond phase 2. The condition is required in accordance with the objectives of Fylde Local Plan to 2032 policies GD7 and T4, Considerations 1 and 2 of Building for a Healthy Life and the National Planning Policy Framework.

22. Notwithstanding the requirements of conditions 1 and 9 of this permission, none of the dwellings within phase 1 (the extent of which is identified on drawing no. SK668-PP-01 Rev C) shall be occupied until a scheme for the extension of the north-eastern spur of the main spine road (the position is which is shown opposite plot 19 on drawing no. SK668-PL-01 Rev V) up to the site boundary has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the layout, design, construction and drainage (including full engineering, drainage, street lighting and constructional specifications) of the extended spur road and its associated footways. The extended spur road and its associated footways shall thereafter be constructed and made available for use in accordance with the details in the duly approved scheme before the last of the dwellings on phase 1 is occupied, and access along the extended spur road shall remain unobstructed at all times.

Reason: To ensure a comprehensive approach to planning the highway network through the provision of streets and routes that can be easily extended in the future and securing adoption to site boundaries in order to avoid the creation of a ransom strip which could sterilise future development on adjoining land in accordance with the principles of good Masterplanning and design identified in Fylde Local Plan to 2032 policy M1, Consideration 1 of Building for a Healthy Life and the National Planning Policy Framework.

23. No above ground works of development shall take place until a scheme for the design, construction and drainage of all new estate roads and associated footways has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full engineering, drainage, street lighting and constructional details. Each estate road and their associated footways shall be constructed in full accordance with the duly approved scheme and the phasing shown on drawing no. SK668-PP-01 Rev C before any of the dwellings to be served by that road are first occupied.

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

24. None of the dwellings hereby approved shall be occupied until a scheme setting out arrangements for the future management and maintenance of all the estate roads and associated footways within each phase to be constructed pursuant to condition 23 of this permission has been submitted to and approved in writing by the Local Planning Authority. The estate roads and

associated footways shall thereafter be managed and maintained in accordance with the duly approved scheme.

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

25. The private vehicle parking and manoeuvring areas for each dwelling shall be constructed and made available for use in accordance with the details (including their surface treatment) shown on drawing no. SK668-PL-01 Rev V before each associated dwelling is first occupied, and shall be retained as such thereafter for the parking and manoeuvring of vehicles.

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

26. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), all garages (whether integral or detached) associated with each dwelling shall be retained for the parking of vehicles and shall not be converted to or used as additional living accommodation unless a separate application for planning permission has first been granted by the Local Planning Authority.

Reason: To ensure that appropriate provision is maintained for the parking of vehicles off the highway in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T5, and to ensure that parking provision which meets the standards identified in Table A of the Joint Lancashire Structure Plan (2005) is maintained.

27. Notwithstanding the provisions of Schedule 2, Part 1, Class B 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), no addition or alteration to enlarge the roofs of the dwellings on plots 107-125 and 147-189 (as identified on drawing no. SK668-PL-01 Rev V) shall be carried out unless a separate application for planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of existing residential properties bordering the abovementioned plots along the southern and western boundaries of the site by minimising the potential for loss of outlook to existing occupiers arising from additional massing added to the roofs of the proposed dwellings and to limit the potential for overlooking towards adjoining dwellings and their garden areas from elevated vantage points in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

28. Notwithstanding any details shown on the approved plans and the requirements of condition 1 of this permission, before the dwellings on plots 190 and 204 (as identified on drawing no. SK668-PL-01 Rev V) are first occupied, the first floor en-suite bathroom windows in their respective west facing (side) elevations shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed. The duly installed windows shall be

retained as such thereafter.

Reason: To ensure that appropriate measures are put in place to limit the potential for overlooking between future occupiers of the approved dwellings and existing properties bordering the development in order to ensure a high standard of amenity for existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.



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Ordnance Survey (100006084).

Application No.
5/20/0042

Address
Land to the North of Freckleton Bypass/
East of Warton, Warton

Grid Ref.
E.3416 : N.4290

Scale
0 20 40 60 80 m

Item Number: 3

Committee Date: 06 January 2021

Application Reference:	20/0742	Type of Application:	Full Planning Permission
Applicant:	Mr Bonixo	Agent :	
Location:	19 RICHMOND ROAD, LYTHAM ST ANNES, FY8 1PE		
Proposal:	CHANGE OF USE OF BUILDING FROM 3 RESIDENTIAL FLATS TO 6 SELF-CONTAINED SERVICED HOLIDAY APARTMENTS		
Ward:	CENTRAL	Parish:	St Anne's on the Sea
Weeks on Hand:	11	Case Officer:	Alan Pinder
Reason for Delay:	Need to determine at Committee		
Click Here for application site on Google Maps		Click here for application on FBC website	

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application site relates to a three storey mid-terraced property located within the settlement area of St Annes. It was built as a dwelling but its current lawful use is as three residential flats. It is adjacent to, but outside of, the town centre area of St Annes.

This application proposes the change of use and conversion of the building from three residential flats to 6 self-catering holiday flats, with one in the main building and one in the outrigger on each floor.

The property is not located within a designated holiday area and hence the principle of the change of use does not conflict with planning policy. No extensions to the building are proposed to facilitate the conversion, with the only alteration being to relocate a side facing window in the second floor of the outrigger to the rear which has no material impact on neighbours or the appearance of the building.

The location of the property on the boundary of St Annes town centre is such that it has good accessibility to public transport access points with some on-site parking provided. The proposed change of use is considered to accord with the relevant policies of the adopted Fylde Local Plan to 2032 and the St Annes Neighbourhood Plan, and with the aims of the NPPF. Accordingly the application is 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

The application site is three storey terraced property located on the south eastern side of Richmond Road in the settlement of St Annes. It is adjoined on one side by No.17 Richmond Road, which is a former single dwelling now in use as residential flats. Adjoining to the other side is No.21 Richmond Road, which is also a former single dwelling but which converted to use as a hotel in 1980 and was recently granted planning permission to use as seven holiday apartments (ref. 18/0696).

The property lies outside of any designated holiday area and lies just outside the boundary of St Annes town centre.

Details of Proposal

The application property has an extant permission (ref. 18/0765) for a change of use from three residential flats to use as a single dwelling, which has yet to be implemented. There is also a permission that would allow the property to be extended at single storey to the rear using permitted development rights following the implementation of the single dwelling use.

This application now seeks planning permission for a change of use of the building to use as 6 self-catering holiday flats. The only external alteration is the relocation of a window at second floor to the rear outrigger, with the remaining facilitating works limited to altering the internal layout only.

The property benefits from two off street parking places within the front curtilage, and two off street parking spaces to the rear of the property, accessed via a service road off All Saints Road.

Relevant Planning History

Application No.	Development	Decision	Date
19/0194	APPLICATION FOR PRIOR NOTIFICATION OF SINGLE STOREY REAR EXTENSION OF 6M PROJECTION WITH 3M RIDGE AND 3M EAVES	Approve Prior Determination	10/04/2019
18/0765	CHANGE OF USE OF BUILDING FROM THREE SELF-CONTAINED FLATS TO SINGLE DWELLINGHOUSE INCLUDING REPLACEMENT OF GROUND FLOOR WINDOWS ON REAR ELEVATION WITH FRENCH DOORS, RE-LOCATION OF REAR GARDEN BOUNDARY WALL AND FORMATION OF DECKED PATIO AREA WITHIN REAR GARDEN	Granted	11/12/2018
89/0737	C/U; GROUND FLOOR FLAT TO OFFICES (A2 - FINANCIAL & PROFESSIONAL SERVICES)	Granted	01/11/1989

Relevant Planning Appeals History

None

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 22 October 2020 and comment:

Object to the application on the following grounds:

- a) *Conflicts Neighbourhood Plan DH1 Creating a distinctive St. Anne's as not a high-quality proposal which results in cramped and over intensive living space. This conflicts with Neighbourhood Plan E7: Tourist Accommodation.*
- b) *This is in Town Centre location and there are insufficient car parking spaces. As LCC indicate, A change of use would require assessing the available street parking which is already at capacity. Rear access to the property is also limited, due to service road width/design/other parking (2 of the on-site spaces) So only 2 of on-site spaces are easily accessible for 6 holiday apartments.*
- c) *Application Form 5) States 7 holiday flats. and 16) C of U of residential units has been answered "no". These are both inaccurate.*

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

LCC Highways is of the opinion that the proposed change of use of building from 3 residential flats to 6 self-contained serviced holiday apartments will not have a detrimental impact on highway safety and capacity in the immediate vicinity of the site, although recommends the impact on highway amenity is considered, as detailed in this report.

The parking fronting the site at Richmond Road can only accommodate two cars in independent spaces. Parking at the rear on Eden Street can accommodate two car parking spaces.

As the off street car parking would be at a first come basis if the facility was at full capacity there may be on street car parking on Richmond Road and the adjacent streets which may affect the amenity of this area.

Neighbour Observations

Neighbours notified:	22 October 2020
Number of Responses	None

Relevant Planning Policy

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
EC7	Tourism Accommodation

Other Relevant Policy:

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

Site Constraints

Environmental Impact Assessment

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

Comment and Analysis

Principle of development

The application proposes the change of use of a building containing three residential apartments to six self-catering holiday flats. Policy EC7 of the Fylde Local Plan to 2032 relates to tourist accommodation and seeks to encourage serviced tourism accommodation within the designated holiday areas of St Annes, but does not restrict other forms of tourism accommodation to within designated holiday areas only. In this instance the application proposes the formation of six new self-catering holiday flats outside of any designated holiday area and thus in this respect the proposal does not conflict with policy EC7.

The property is within the settlement boundary of St Annes and so Policy GD1 applies. This provides support for development within settlements subject to compliance with other relevant policies of the Local Plan. As noted above the proposal does not conflict with Policy EC7 and thus the only other relevant policy is GD7, and compliance with this policy is examined as follows:

Visual amenity

The external appearance of the existing property is relatively 'tired' and suggestive of limited maintenance only to its exterior. The application does not propose any significant external alterations to the property but a change of use to holiday flats seems likely to result in rejuvenating works to improve the building's appearance to make it commercially attractive for use by holiday visitors to the St Annes area.

Given the absence of material external alterations and/or additions to the building, together with the likely rejuvenation of the property it is considered that the proposal accords with criteria 'd', 'f' and 'h' of policy GD7 that relate to visual amenity.

Neighbour Amenity

In regard to the impact on neighbours, the application property is located in an area which has a mix of residential and commercial uses, with residential flats adjoining to the north at No.17 and holiday apartments adjoining to the south at No.21. Within this existing context, and the limited impact that the additional bathroom window to the rear outrigger has the proposal will not create unacceptable amenity issues for neighbouring properties by way of any change in overlooking or the intensity of the occupation of the property

Overall it is considered that the proposal will not result in detriment to neighbour amenity and thus accords with criteria 'c' and 'h' of policy GD7 that relate to neighbour amenity.

Parking/highway issues

The site has provision for the off street parking of four cars; two spaces at the front of the property and two spaces at the rear. County highways have been consulted on the application and opine that the development will not have a detrimental impact on highway safety and capacity in the immediate vicinity of the site. However, they have identified that the limited number of off street parking spaces may result in additional on street parking in the area which may impact amenity standards in the area, and this concern is shared by St Annes Town Council who have raised it as a reason for objection.

Notwithstanding the concerns raised by both county highways and the town council the site lies

immediately outside the boundary of St Annes town centre and thus has ready access to alternative transport to private cars through the bus services and to St Annes train station. This position also allows easy access to services and attractions in the town for visitors. A revised site plan is expected by Committee to confirm the location of parking to the front and rear which may well assist in ameliorating the Town Council's concerns and can be secured by condition.

Accordingly, whilst there is not space to provide each flat with a parking space within the curtilage, the property is well located to public transport access points and so would support, and encourage, the use of more sustainable forms of transport in accordance with paragraph 108 of the National Planning Policy Framework. On balance the proposal accords with criteria 'j', 'q' and 'r' of policy GD7.

Other matters

St Annes Town Council have also objected to the proposal on the grounds that the development is not "*a high quality proposal*" and would result in "*cramped and over intensive living space*", and thus is contrary to policy DH1 of the St Annes Neighbourhood Plan. With regard to the 'quality' of the proposal, no material alterations or additions are proposed to the building and so the general form, scale and appearance of the building would not be changed. In contrast it is likely that the external appearance of the building would be rejuvenated to make the use as holiday flats attractive for future tourist visitors.

With regard to their concern that each flat would provide cramped, over intensive living space it should be noted that the proposal is for use as tourism accommodation and not for permanent residential use. There is national guidance on the minimum sizes that should be achieved in residential flats, with these in the form of the 'Nationally Described Space Standards'. The studio flats in the outrigger are around 18m² and the 2 bed flats in the main building are 37.5m², with these sizes well below that 37m² and 61m² minimum size set out in the Standards. As such the Town Council are right in that the flats are too small and would offer cramped accommodation were they to be for residential accommodation. However that is not the case given the holiday accommodation use. There is no local or national no requirement for tourism accommodation to be of a minimum size or set out in a particular arrangement, and thus the reduced internal living space does not form a material consideration in the determination of this application.

The Town Council also asserts that the proposal conflicts with policy E7 of the neighbourhood plan. Policy E7 seeks to resist the provision of non-serviced tourism accommodation within holiday areas, as defined in the Policies Map. Whilst the proposal is for non-serviced tourism accommodation the application site lies outside defined holiday areas and thus there is no conflict with policy E7. Policy E7 does refer to tourism accommodation outside of defined holiday areas but only with regard to a change of use from serviced tourism accommodation and so does not apply to the circumstances of this application.

Conclusions

This application site relates to a three storey mid-terraced property located within the settlement area of St Annes. It was built as a dwelling but its current lawful use is as three residential flats. It is adjacent to, but outside of, the town centre area of St Annes.

This application proposes the change of use and conversion of the building from three residential flats to 6 self-catering holiday flats, with one in the main building and one in the outrigger on each floor.

The property is not located within a designated holiday area and hence the principle of the change of use does not conflict with planning policy. No extensions to the building are proposed to facilitate the conversion, with the only alteration being to relocate a side facing window in the second floor of the outrigger to the rear which has no material impact on neighbours or the appearance of the building.

The location of the property on the boundary of St Annes town centre is such that it has good accessibility to public transport access points with some on-site parking provided. The proposed change of use is considered to accord with the relevant policies of the adopted Fylde Local Plan to 2032 and the St Annes Neighbourhood Plan, and with the aims of the NPPF. Accordingly the application is 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:

- a) Location Plan - BuyAPlan Drawing dated 25 Sept 2020
- b) Proposed Floor Plans - Drawing 'Serviced Holiday Apartments for Marchill Apartments Ltd' Sheet 1

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. The apartments hereby granted by this permission shall be used for holiday purposes only and shall not be occupied as a person's sole, or main place of residence.

Reason: To ensure that the approved holiday accommodation is not used for permanent residential occupation which may be contrary to policies M1 and H1 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework. Also as the accommodation provided is substandard in its size as it falls well short of the minimum expected in the 'Nationally Described Space Standards' and so a residential use would provide deficient levels of amenity for the occupiers in conflict with criterion o) of Policy GD7 of the Fylde Local Plan to 2032.

4. The owners/managers of the holiday apartments shall maintain a register of names of all owners/occupiers of individual apartments and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.


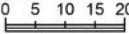
Reason: To ensure that the approved holiday accommodation is not used for permanent residential occupation which may be contrary to policies M1 and H1 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework. Also as the accommodation provided is

substandard in its size as it falls well short of the minimum expected in the 'Nationally Described Space Standards' and so a residential use would provide deficient levels of amenity for the occupiers in conflict with criterion o) of Policy GD7 of the Fylde Local Plan to 2032.

5. Prior to the first use of any part of the building for the holiday apartment accommodation hereby approved 4 No. off-street car parking spaces shall be provided in accordance with the site layout plan listed in condition 2 of this permission. These spaces shall remain available for the parking of a motor vehicle by visitors to the holiday apartments at all times thereafter.

Reason: In order to ensure adequate provision for vehicle parking off the highway in the interests of road safety and the amenity of existing and future occupiers in accordance with the requirements of policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.



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Application No. 5/20/0742	Address 19 Richmond Road, Lytham St Annes	Grid Ref. E.3322 : N.4286	Scale 0 5 10 15 20 m 

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	6 JANUARY 2021	5
LIST OF APPEALS DECIDED			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

There were no appeal decisions received between 27/11/2020 and 18/12/2020.

SOURCE OF INFORMATION

Development Services

INFORMATION

No appeals received

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

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

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473