

Agenda



PLANNING COMMITTEE

Date:	Wednesday, 19 April 2017 at 10:00am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Christine Akeroyd, Jan Barker, Michael Cornah, Neil Harvey, Kiran Mulholland, Barbara Nash, Linda Nulty, Liz Oades, Albert Pounder, Heather Speak.</p>

Public Speaking at the Planning Committee

Members of the public may register to speak on individual planning applications, listed on the schedule at item 4, at [Public Speaking at Council Meetings](#).

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meetings held on 8 March 2017 and 15 March 2017 as correct records.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 25.	1
	DECISION ITEMS:	
4	Exclusion of the Public	3
5	EXEMPT ITEM – NOT FOR PUBLICATION Planning Application for the Erection of Detached Dwelling to Side Garden Area of St Annes School House, Weeton Road, Westby with Plumpton.	-
6	Planning Matters	5 - 117
	INFORMATION ITEMS:	
7	List of Appeals Decided	118 - 122

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

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

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DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING	19 APRIL 2017	4
EXCLUSION OF THE PUBLIC			

PUBLIC ITEM

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

RECOMMENDATION

Members are invited to consider passing a resolution concerning the exclusion of the public from the meeting in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 on the grounds that the business to be discussed is exempt information as defined under paragraph 1 of schedule 12A to the Local Government Act 1972, information relating to an individual.

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19 April 2017

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Background Papers

In accordance with Section 100D of the Local Government Act 1972, 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 Act.

- Fylde Borough Local Plan (As Altered) October 2005 (Saved Policies)
- Joint Lancashire Minerals and Waste Local Plan
- Fylde Local Plan to 2032 (Publication Version) August 2016
- National Planning Policy Framework
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- Strategic Housing Market Assessment (SHMA) 2014 and Addendum I and II November 2014 and May 2015 and Housing Market Requirement Paper 2016
- Five Year Housing Land Supply Statement at 31 March 2016
- Strategic Housing Land Availability Schedule (SHLAA)
- 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 either at www.fylde.gov.uk/resident/planning or for inspection by request, at the One Stop Shop Offices, Clifton Drive South, St Annes.

Planning Committee Schedule

19 April 2017

Item Number: 1

Committee Date: 19 April 2017

Application Reference:	16/0805	Type of Application:	Householder Planning Application
Applicant:	Mr R Sugden	Agent :	
Location:	2 NOOK COTTAGES, SILVER STREET, NEWTON WITH CLIFTON, PRESTON, PR4 0ZA		
Proposal:	REVISED SCHEME TO PLANNING PERMISSION 15/0435 FOR SINGLE & 2 STOREY REAR EXTENSIONS TO INCLUDE INCREASED SCALE TO SINGLE STOREY EXTENSION, EXTENSION OF BOUNDARY WALL TO REAR, AND FORMATION OF ELEVATED PATIO TO REAR.		
Parish:	Newton with Clifton	Area Team:	Area Team 2
Weeks on Hand:	24	Case Officer:	Alan Pinder
Reason for Delay:	Negotiations to Resolve Difficulties		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7657162,-2.8126094,139m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application relates to the revision to an extension to a mid-terrace dwelling located within Clifton village. A previous application at the property was granted permission by the Development Management Committee in October 2015 (ref. 15/0435) and was for the construction of a combined two storey/single storey extension to the rear of No.2 Nook Cottages. This permission was subsequently implemented however the resulting extensions were not built in accordance with the scheme approved under 15/0435 and differed as follows:

- The rearward projection of the two storey element of the development has increased by 0.2 metres
- The rearward projection of the single storey element of the extension has reduced by 0.2 metres
- The formation of an external patio area abutting the end of the single storey extension, and construction of an associated wall along the shared boundary with No.3 Nook Cottages.

This application seeks to regularise the development as built, but also to include a reduction in the floor level of the external patio to create 1.8 metre difference in height between the floor level and the top of the boundary wall. This is intended to maintain privacy between the patio and the dwelling of No.3 Nook Cottages.

Subject to the level of the external patio floor being reduced in accordance with the submitted drawings, the development is considered to accord with the aims of policy HL5 of the Fylde Borough Local Plan and policy GD7 of the submission version of the emerging Fylde Local Plan to 2032. Members are therefore requested to approve the application.

Reason for Reporting to Committee

The Parish Council's recommendation for refusal is at odds with the officer's recommendation for approval and so it is necessary for the application to be determined at Committee.

Site Description and Location

The application site is 2 Nook Cottages, Silver Street, Clifton. The property is the centre dwelling in a terrace of three properties. Whilst the dwelling is within the settlement boundary of Clifton Village, part of the rear garden is within an area designated as countryside on the Fylde Borough Council Local Plan, as altered (October 2005).

Details of Proposal

Planning permission was granted by the Planning Committee in October 2015 (ref. 15/0435) for the construction of a combined two storey/single storey extension to the rear of No.2 Nook Cottages. This permission was subsequently implemented however the resulting extensions were not built in accordance with the scheme approved under 15/0435 and differed as follows:

- The rearward projection of the two storey element of the development has increased by 0.2 metres
- The rearward projection of the single storey element of the extension has reduced by 0.2 metres
- The formation of an external patio area abutting the end of the single storey extension, and construction of an associated wall along the shared boundary with No.3 Nook Cottages.

This application now seeks to regularise the development as built, but also to include a reduction in the floor level of the external patio to create 1.8 metre difference in height between the floor level and the top of the boundary wall. This is intended to maintain privacy between the patio and the dwelling of No.3 Nook Cottages.

The plans have been amended a number of times during the consideration of this application to ensure that this scheme as presented delivers the necessary privacy protection

Relevant Planning History

Application No.	Development	Decision	Date
15/0435	PROPOSED TWO STOREY REAR EXTENSION AND SINGLE STOREY REAR EXTENSION	Granted	09/10/2015

Relevant Planning Appeals History

None

Parish/Town Council Observations

Newton with Clifton Parish Council notified on 01 November 2016, 6 February 2017, and 28 February 2017 as the plans were amended. Their comments to the scheme under consideration were made on 2 March 2017 and state:

“Following discussion Council noted the information and any planning documents that had been provided relating to amendments to the proposed development and adopted a resolution recommending that the local planning authority defer application pending a site visit.

Members expressed concern relating to the retrospective nature of the application.

Also, it is considered that the detail provided in respect of the design and scale of the proposed development is inadequate. Members were also minded to reiterate its previously expressed observations of the 1st December 2016 relating to the layout and density of the proposal being considered over development of the site that will consequently cause overshadowing, a loss of light, adversely affect visual amenity and therefore is detrimental to neighbouring property. The height of the elevated patio to rear is considered excessive and requires to be reduced. Also concerns prevail relating to draining away surface water and need to be addressed. It is considered a drainage channel to collect and direct the surface water to a dispersal point which leads to an existing surface water drain/soakaway is necessary.

If planning permission is granted it would create a precedent for further similar development which would be difficult to resist and be to the further detriment of the village character in the locality.”

Statutory Consultees and Observations of Other Interested Parties

N/A

Neighbour Observations

Neighbours notified:	01 November 2016
Amended plans notified:	28 February 2017
Number of Responses:	One neighbour has made comments on each iteration of the scheme
Summary of Comments:	<p>The neighbour objects to each proposal, with their comments on the latest scheme being summarised as :</p> <ul style="list-style-type: none">• Assuming that the plans accurately represent situation where the patio level is at least 1800mm below wall height this would address overlooking• The patio wall is overbearing when viewed from No.3 Nook Cottages• The blockwork and render finish on the No.3 Nook Cottages side of the patio wall is visually unattractive and should be finished in brick.• The side wall of the extension that is currently unfinished blockwork should be rendered and painted white• The 'dog leg' in the patio wall is such that this wall is in close proximity to the shared boundary and hence exacerbates its

- overbearing appearance when viewed from No.3.
- Concerned over the robustness of a scaffold board being used to cover a drain pipe at the side of the small covered yard area.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL05	House extensions

Fylde Local Plan to 2032

Policy GD1:	Settlement Boundaries
Policy GD7	Achieving Good Design in Development

Other Relevant Guidance:

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

Site Constraints

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Relevant Planning History

Planning permission was granted by the Planning Committee in October 2015 (ref. 15/0435) for the construction of a combined two storey/single storey extension to the rear of No.2 Nook Cottages. This permission was subsequently implemented however the resulting extensions were not built in accordance with the scheme approved under 15/0435 and differed as follows:

- The rearward projection of the two storey element of the development has increased by 0.2 metres
- The rearward projection of the single storey element of the extension has reduced by 0.2 metres
- The formation of an external patio area abutting the end of the single storey extension, and construction of an associated wall along the shared boundary with No.3 Nook Cottages.

This application now seeks to regularise the development as built, but also to include a reduction in the floor level of the external patio to create 1.8 metre difference in height between the floor level and the top of the boundary wall. This is intended to maintain privacy between the patio and the dwelling of No.3 Nook Cottages.

Principle

The application site is located within the settlement area under Policy SP1 / GD1 where the principle of residential extensions is acceptable subject to the normal planning criteria as examined below with reference to Policy HL5 / GD7.

Design and Appearance in Streetscene

The development includes two elements; a two storey rear extension and a single storey rear extension continuing off the end of that. The property forms the centre dwelling of a terrace of three, and it is apparent that over the years various alterations and additions have been carried out to all three properties resulting in a non-uniform visual appearance across the rear of the terrace.

The extensions as now built, and for which retrospective permission is sought, differ little (in terms of design, scale and appearance) from those previously approved under 15/0435 and it is not considered that a refusal of permission could be justifiably sustained under such circumstances.

Relationship to Neighbours

Neighbour amenity is considered to be the main issue to consider in the determination of this application, and in particular the potential impacts on the adjoining neighbour at No.3 Nook Cottages. The occupiers of No.3 have raised objections to the proposal on the grounds of the overbearing appearance of the patio wall when viewed from their rear garden (exacerbated by the 'dog leg' in the wall which brings it closer to the shared boundary), the rendered appearance of the patio wall and the covered yard wall, and the use of a scaffold board to retain the gravel used to cover drainage at the side of the new extension.

With regard to the potential overbearing appearance of the patio wall, this wall is screened to a large extent from No.3 by the existing boundary fence and boundary flora, with an approximately 40cm high section of wall projecting above the top of the fence. Within this context it is not considered that the patio wall would have such an overbearing impact and appearance as to successfully justify a reason for refusal. The properties are in an elevated location on the edge of the village with an open southerly aspect to the rear across the estuary, with the consequence that the erection of a wall along part of the side boundary will have little overall impact on this aspect.

With regard to the 'dog legged' design whilst this brings the wall closer to the shared boundary than the extensions it is not considered to create an unduly overbearing structure (as discussed above). The rendered appearance of both the covered yard wall and patio wall is not considered to be inappropriate given that the rear of this terrace of properties is characterised by a rendered finish. It is noted that the original permission required the extension sides to be finished in white render, as opposed to the light brown coloured render that that has actually been applied. An appropriate condition requiring the render to be painted white would be attached to the permission if granted. Finally, with regard to the use of a scaffold board to retain gravel used to cover a side drain this is not something that falls within the scope of planning considerations but may possibly fall within the scope of Building Regulations.

Scale of development on the plot

The proposal retains appropriate levels of amenity space and so complies with criteria 3 of Policy HL5, and Policy GD7.

Parking and Access Arrangements

The proposal retains an appropriate level of parking for the site and does not compromise the access arrangements or highway safety and so complies with criteria 4 and 5 of Policy HL5, and Policy GD7.

Other Matters

There are no other material considerations of note to influence the decision.

Conclusion

The development for which permission is sought is considered to accord with Policy HL5 of the Fylde Borough Local Plan and Policy GD7 of the emerging Fylde Local Plan to 2032. Accordingly members are requested to approve the application.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This consent relates to the following details:

Approved plans:

- Proposed Plans and Elevations - Revised plans received by the LPA on 28 February 2017

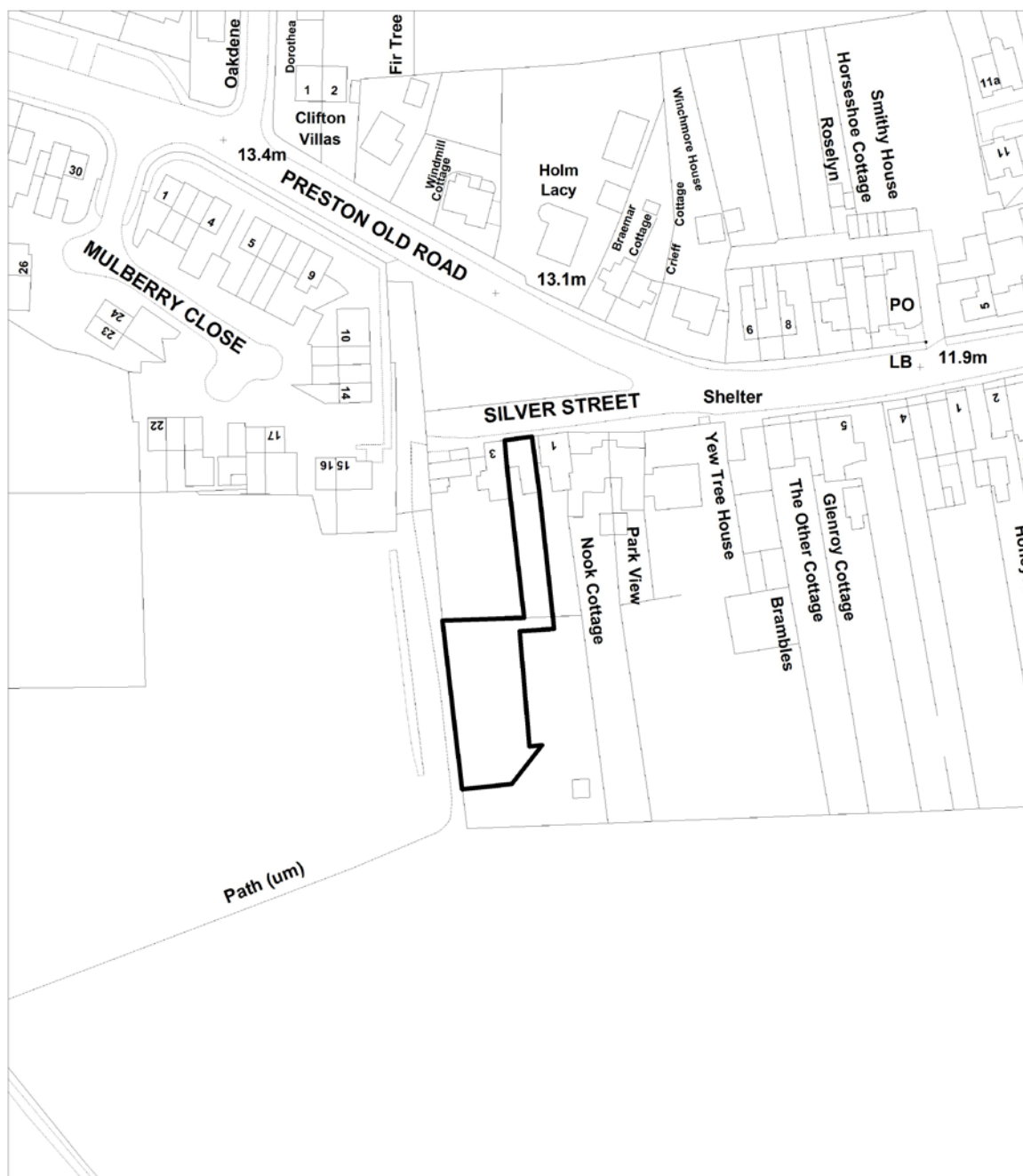
Reason: For the avoidance of doubt and as agreed with the applicant / agent.

2. Within 3 months of the date of this permission the finished floor level of the external patio area is to be sufficiently reduced so as to ensure that the measured height between the finished floor level and the uppermost part of any part of the approved boundary wall is a minimum of 1.8 metres.

Reason: To ensure a reasonable level of privacy is maintained to the rear of the adjoining neighbouring dwelling, No.3 Nook Cottages as required by Policy HL5 of the Fylde Borough Local Plan

3. Within 3 months of the date of this permission the rendered elevations of the development hereby approved shall be painted to colour match the rendered elevations of the main dwelling.

To ensure consistency in the appearance of the dwelling in the interest of visual amenity.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/16/0805	Address 2 Nook Cottages, Silver Street, Clifton	Grid Ref. E.3465 : N.4302	Scale 0 6 12 18 24 m

Item Number: 2

Committee Date: 19 April 2017

Application Reference:	16/0986	Type of Application:	Variation of Condition
Applicant:	Brooksingh Ltd	Agent :	
Location:	GEORGES GARAGE, 45 LYTHAM ROAD, BRYNING WITH WARTON, PRESTON, PR4 1AD		
Proposal:	VARIATION OF CONDITION 10 OF PLANNING PERMISSION 13/0562 TO ALLOW GROUND CONTAMINATION VERIFICATION REPORT TO BE SUBMITTED ON A PLOT-BY-PLOT BASIS		
Parish:	WARTON AND WESTBY	Area Team:	Area Team 1
Weeks on Hand:	17	Case Officer:	Andrew Stell
Reason for Delay:	Negotiations to resolve difficulties		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7657162,-2.8126094,139m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to the George's Garage site which lies to the rear of the Tesco/Subway outlet in Warton. Specifically the proposal relates to a planning permission on that site for the erection of 7 dwellings and is subject to a series of conditions. One of these requires that the ground contamination is removed, and this removal verified, prior to the occupation of any of the dwellings. The developer is looking to market the site to 'self-builders' and so it is unlikely to be developed collectively. Accordingly he is requesting in this application that the condition be varied to allow the contamination remediation to be undertaken and verified on a plot-by-plot basis.

This application will retain the same extent of works to address contamination risks, and as this is to be done as part of the building of the dwellings it is appropriate that it is done on the plot-by-plot basis that is suggested. The condition can be revised without creating any risk to human health of future occupiers, or of the wider environment and so it is recommended that the condition be varied.

Reason for Reporting to Committee

The application relates to the variation of a condition that was imposed by Committee and the variation is subject to an objection from the Parish Council.

Site Description and Location

This application relates to the George's Garage site that is located to the rear of the Tesco and Subway building that is on the southern side of Warton on the Freckleton side of the village. The

dwelling at 43 Warton Street also forms part of the site and forms the vehicular and pedestrian access to the site.

Other than the retail units to the front, residential development lies to all other sides.

Details of Proposal

The site has been the subject of various residential applications in recent years and has planning permission for the construction of 16 dwellings with operational access via Peg Lane, and for the construction of 7 dwellings with operational access direct to Lytham Road. This proposal relates to the latter of these schemes which is an outline planning permission for the erection of 7 dwellings with the access to Lytham Road confirmed and other matters reserved.

This planning permission contains a number of conditions, and this application relates to a proposed variation of condition 10. That condition relates to the measures to be taken to ensure that any ground contamination that may have occurred by virtue of the former uses (petrol filling station and car repair garage) is appropriately dealt with prior to the residential development being implemented.

As it is worded in the planning permission the condition requires that verification that the contamination of the whole site has been addressed is required prior to the occupation of any dwelling. This application proposes a variation to enable this verification to be confirmed on a plot-by-plot basis.

Relevant Planning History

Application No.	Development	Decision	Date
15/0187	VARIATION OF CONDITION 10 ON PLANNING PERMISSION 14/0833 TO ALLOW DEVELOPMENT OF 12 MARKET AND 4 AFFORDABLE DWELLINGS RATHER THAN 16 AFFORDABLE DWELLINGS	Granted	18/06/2015
14/0833	PROPOSED ERECTION OF 16 NO. AFFORDABLE DWELLINGS AS EXTENSION OF POST LANE	Granted	12/01/2015
13/0562	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR UPTO 7 DWELLINGS, WITH ACCESS FROM LYTHAM ROAD APPLIED FOR AND ALL OTHER MATTERS RESERVED.	Granted	18/06/2015
12/0527	OUTLINE APPLICATION FOR THE PROPOSED DEVELOPMENT OF UP TO 16 NO. DWELLINGS (ACCESS FROM POST LANE APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Withdrawn by Applicant	10/03/2015
12/0524	PROPOSED ERECTION OF BUILDING PROVIDING TWO CLASS A1 RETAIL UNITS (COMBINED INTERNAL FLOOR AREA OF 469M2) INCLUDING A NEW PEDESTRIAN CROSSING OVER LYTHAM ROAD FOLLOWING DEMOLITION OF EXISTING BUILDINGS ON SITE (RESUBMISSION OF APPLICATION 11/0564)	Granted	16/11/2012

Relevant Planning Appeals History

None to report.

Parish/Town Council Observations

Bryning with Warton Parish Council notified on 22 December 2016 and comment:

"The Parish Council Object to the proposal.

Given the location and history of the site, from a health and safety aspect, No rational or reasoning can be seen in potentially allowing a property being built on a verified cleared plot and the neighbouring plot is subsequently found to be contaminated. "

Statutory Consultees and Observations of Other Interested Parties

BAE Systems

Raise no objections

Ministry of Defence - Safeguarding

Raise no safeguarding objections to the development.

Environmental Protection (Pollution)

The Council's Environmental Health Officer has considered the application in the light of the original report submitted with the outline application and the proposal to develop the site, and so undertake the remediation, in a phased manner. He confirms that this is an acceptable approach given that the remediation involved in this part of the site does not involve the removal of any contamination from site so there is no increased prospect of migration than would be the case if all areas were to be dealt with together.

He does suggest an additional precautionary condition to ensure appropriate steps are taken in the event that unexpected contamination is identified during construction.

Neighbour Observations

Neighbours notified:	22 December 2016
Number of Responses	1
Summary of Comments	The letter is from an immediate neighbour to the site who expresses concern over details of the layout of the development, such as the height of boundary fences, the retention of a privet hedge in his garden and the changes to road markings as part of the access construction. No comments are made on the contamination aspect.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL02	Development control criteria for new housing proposals

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development

Other Relevant Policy:

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

Site Constraints**Environmental Impact Assessment**

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The application relates to a variation of condition 10 of planning permission 15/0562. This condition states:

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy approved under planning permission ref. 05/14/0833 and prepared by SKM Enviro (Final report dated September 2013 reference BHI_SKM_AH_001). The effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure completion of the site remediation and reduce the risk of pollution to controlled waters as a result of the development.

The application seeks to vary the trigger element of this so that the remediation works and verification statements are undertaken on a plot-by-plot basis.

There is no change to any other element of the development which needs to be the subject of a reserved matters application before June 2018 to remain extant. The planning application elsewhere on this Committee agenda (17/0047) is a full application effectively for one of the plots covered by this outline.

Since the application was granted in 2015 the developer has engaged with consultants to produce a remediation strategy. This confirms that the site clearance and development to the front part of the site with the Tesco / Subway development dealt with the highest contamination risks associated with the former petrol filling station use of the site, but that there are contamination measures to be implemented on the remaining part of the site that is subject to this application. These are:

- Provide a 600mm deep barrier of clean material between the existing ground and new development in gardens and landscaped areas
- To design water supply pipes to be resistant to contamination damage / ingress
- To introduce gas penetration membranes to the dwellings and construct them on reinforced slabs

These works have been considered by the council's Environmental Protection Officer and he concludes that they are appropriate for the risks identified in the survey report that has been undertaken.

These works are of a nature that require them to be implemented during the actual construction. The original condition requirement is that they be completed prior to the occupation of the first dwelling and so this would effectively prevent occupation of a single dwelling until all 7 on the site had been completed. This is considered to be unreasonable and would likely render the development unviable.

It is therefore proposed to vary the condition to allow the works to be undertaken on a plot-by-plot basis. The revised condition is

That prior to the occupation of each dwelling within the development hereby approved, a verification report demonstrating completion of contamination remediation works shall have been submitted to and approved in writing by the Local Planning Authority. This shall confirm that the works set out in the remediation strategy approved under planning permission ref. 05/14/0833 and prepared by SKM Enviros (Final report dated September 2013 reference BHI_SKM_AH_001) and the Residential Plot Remediation Methodology of March 2017 prepared by BrookSingh Ltd.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure completion of the site remediation and reduce the risk of pollution to controlled waters as a result of the development and to human health in accordance with Policy EP24 and Policy EP29 of the Fylde Borough Local Plan.

Whilst the Parish Council have expressed reservations over the potential for migration of pollution, this is not considered to be an issue by the Environmental Protection Officer. In any event, were contamination to migrate from one plot to an adjacent plot then it would be then remediated as part of the works to be undertaken on that plot so would be resolved as part of the development.

The Environmental Protection Officer suggests an additional condition be imposed to impose appropriate actions to be taken should unexpected contamination be identified as part of the development. This is considered to be an appropriate precaution and should be taken forward in this application.

Conclusions

The application relates to the George's Garage site which lies to the rear of the Tesco/Subway outlet in Warton. Specifically the proposal relates to a planning permission on that site for the erection of 7 dwellings and is subject to a series of conditions. One of these requires that the ground contamination is removed, and this removal verified, prior to the occupation of any of the dwellings. The developer is proposing to market the site to 'self-builders' and so it is unlikely to be developed collectively. Accordingly he is requesting in this application that the condition be varied to allow the contamination remediation to be undertaken and verified on a plot-by-plot basis.

This application will retain the same extent of works to address contamination risks, and as this is to be done as part of the building of the dwellings it is appropriate that it is done on the plot-by-plot basis that is suggested. The condition can be revised without creating any risk to human health of future occupiers, or of the wider environment and so it is recommended that the condition be varied.

With this type of application it is necessary to replace all conditions on the original permission that remain relevant, and so they are included in the recommendation below.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. In the case of any 'Reserved Matter', application for approval shall be made not later than the expiration of three years beginning with the date of the outline planning permission under reference 13/0562 (10 June 2015), and the development shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. Before any works are commenced on site, details of the reserved matters, namely appearance, landscaping, and scale, shall be submitted to and approved by the local planning authority and the development thereafter carried out in accordance with such approval.

The application was submitted in outline and details of these matters still remain to be submitted

3. This consent relates to the following plans and / or reports:
 - Site Location Plan - Dwg no. OS01, 02 August 2013
 - Proposed A3 Site Layout - Dwg no. 451/LRW/SLP, dated Feb 2015 and received by the LPA on 10 March 2015
 - Design & Access Statement produced by Two Brooks Valley and dated September 2013

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

4. Prior to the commencement of any development hereby approved a schedule of all materials to be used on the external walls and roofs of the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority. This specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwellings and only varied with the prior written consent of the Local Planning Authority.

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

5. Prior to the commencement of any development hereby approved a schedule of all hard surfacing materials to be used on the access roads, driveways, paths and any other hard surfaced areas within the development shall be submitted to and approved in writing by the Local Planning

Authority. This specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwellings and only varied with the prior written consent of the Local Planning Authority.

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

6. Prior to the commencement of any development hereby approved, a schedule of all boundary treatments around the site perimeter, between individual neighbouring plots and between plots and the internal roadway shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in full accordance with this approved schedule of boundaries.

To provide an appropriate finished appearance of the development and to maintain an appropriate level of privacy between dwellings as required by Policy HL2 of the Fylde Borough Local Plan.

7. Prior to any on site construction a Construction Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan is to include method and details of construction; including vehicle routing to the site, construction traffic parking and any temporary traffic management measures, times of construction, access and deliveries. Such a Construction Plan is to be implemented and adhered to during the construction of the development.

To maintain the safe operation of the pedestrian and highway network in the area during construction given the proximity to residential properties.

8. Prior to the commencement of development, a detailed levels plan indicating the existing and proposed ground levels and proposed finished floor levels throughout the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with this plan, unless variations from it are previously agreed in writing by the Local Planning Authority.

To ensure the site is constructed in a manner that ensure a satisfactory relationship with neighbouring dwellings and the land is appropriately drained as required by Policy HL2 and EP30 of the Fylde Borough Local Plan

9. That no works shall commence or be undertaken between the months of March and July inclusive, until a walkover survey of the site and its boundary hedges has been undertaken to establish the presence of any breeding birds and the results submitted to the Local Planning Authority. Should such sites be identified, then a mitigation and phasing scheme for any construction works in the vicinity of the identified nesting sites shall be submitted to the Local Planning Authority for approval and implemented throughout the construction of the dwelling.

To ensure that disturbance to any breeding birds within the site is minimised during the construction of the dwellings.

10. That prior to the occupation of each dwelling within the development hereby approved, a verification report demonstrating completion of contamination remediation works shall have been submitted to and approved in writing by the Local Planning Authority. This shall confirm that the works set out in the remediation strategy approved under planning permission ref. 05/14/0833 and prepared by SKM Enviro (Final report dated September 2013 reference BHI_SKM_AH_001) and the Residential Plot Remediation Methodology of March 2017 prepared by BrookSingh Ltd.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure completion of the site remediation and reduce the risk of pollution to controlled waters as a result of the development and to human health in accordance with Policy EP24 and Policy EP29 of the Fylde Borough Local Plan.

11. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority, and thereafter been constructed and completed in accordance with the approved scheme.

In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

12. The new estate road/access between the site and Lytham Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within site

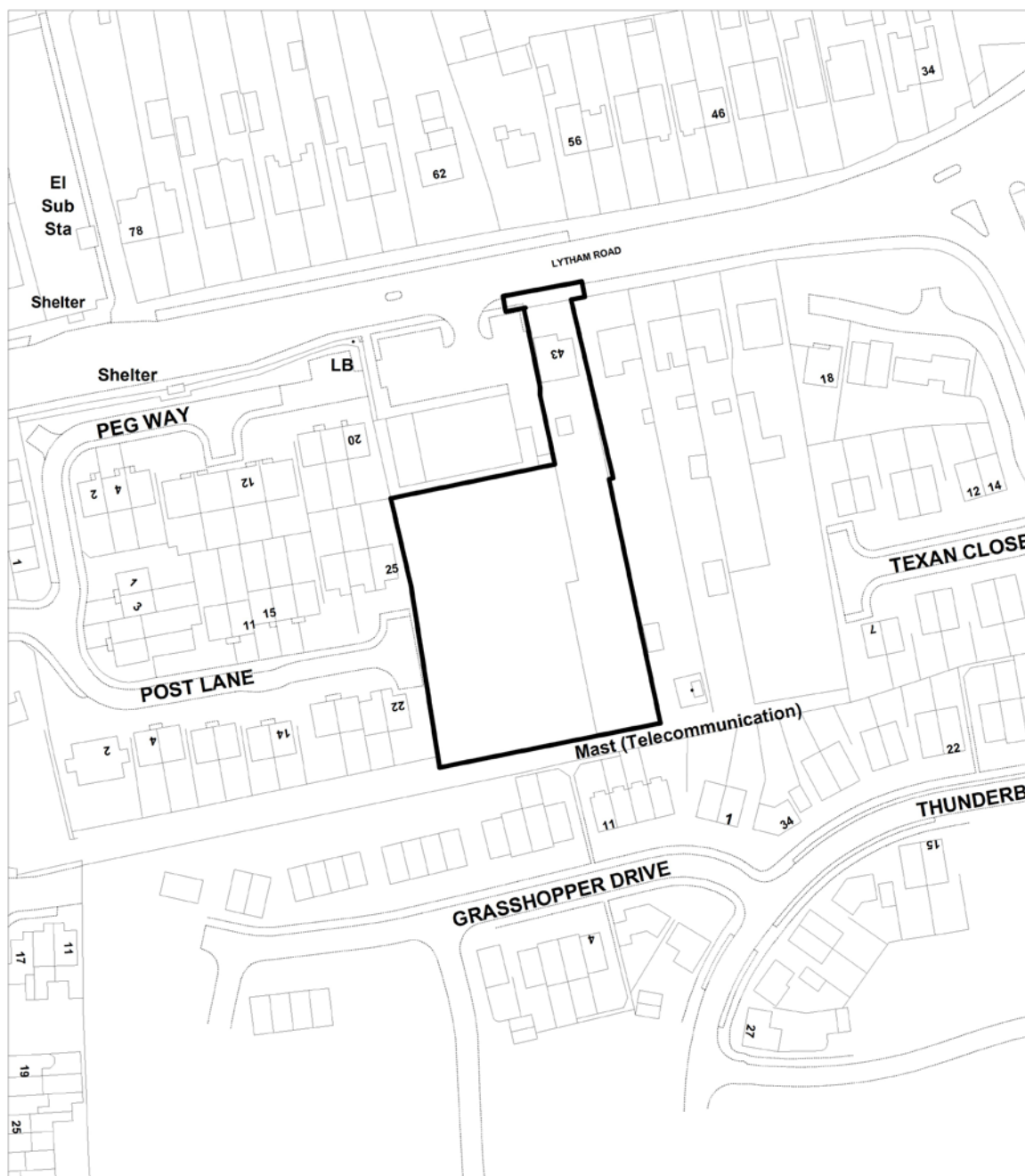
To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

13. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing foul or combined sewerage systems. Unless otherwise agreed in writing by the Local Planning Authority any surface water draining to the public surface water sewer must be restricted to a maximum pass forward flow of 5 l/s. The development shall be completed, maintained and managed in accordance with the approved details.

To ensure a satisfactory form of development and to prevent an undue increase in surface water run off and to reduce the risk of flooding

14. Should site operatives discover unidentified adverse ground conditions and suspect it to be contaminated during construction works, they should report this to the Site Manager and the Contaminated Land Officer at Fylde Borough Council. Works in that location should cease and the problem area roped off. A Competent Person shall be employed to undertake sampling and analysis of the suspected contaminated materials. A report which contains details of sampling methodologies and analysis results, together with remedial methodologies shall be submitted to the Local Planning Authority for approval in writing. The approved remediation scheme shall be implemented prior to further development works taking place and prior to occupation of the dwelling.

Reason: To ensure completion of the site remediation and reduce the risk of pollution to controlled waters as a result of the development and to human health in accordance with Policy EP24 and Policy EP29 of the Fylde Borough Local Plan.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/16/0986	Address Georges Garage, 45 Lytham Road, Lytham St Annes	Grid Ref. E.3417 : N.4286	Scale 0 6 12 18 24 m

Item Number: 3

Committee Date: 19 April 2017

Application Reference:	16/0991	Type of Application:	Full Planning Permission
Applicant:	Mr Smith	Agent :	FORMstudio
Location:	POOLSIDE FARM, POOLSIDE, FRECKLETON, PRESTON, PR4 1HB		
Proposal:	PROPOSED RESIDENTIAL DWELLING		
Parish:	FRECKLETON EAST	Area Team:	Area Team 1
Weeks on Hand:	18	Case Officer:	Rob Clewes
Reason for Delay:	Awaiting Further Information		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7490454,-2.8595734,554m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is an area of land that lies between an existing dwelling and the road of Naze Lane East outside of Freckleton. As the site is outside of the settlement it is designated as Countryside in the adopted and emerging Local Plans.

The proposal is to erect a dwelling on the site, which due to the sloping nature of the site is of a bespoke design to address the site circumstances. Officers have considered the visual impact of the dwelling carefully and the visual impact it has when viewed from the public footpaths that run alongside the site at both the upper and lower levels. The assessment made is that the visual impact will be an acceptable one.

The dwelling is outside of the settlement, but is not isolated from it due to the proximity of the distance to the centre of the village and the availability of continuous footpath connections. Accordingly the proposal is sustainable development and so is recommended for approval.

Reason for Reporting to Committee

This application has been brought before the Planning Committee as the officer recommendation for approval conflicts with the objection received from Freckleton Parish Council.

Site Description and Location

The application site is located south of Freckleton village, alongside the tidal channel of Freckleton Pool. It is associated with an existing farmhouse which is a traditional brick building with areas of garden to the side and front of the house, with the embankment to the west to the rear of the house. Running between the house and the embankment is a Public Right of Way, and there is

another alongside the top of the embankment.

The immediate locale is a typical rural / urban fringe with some dwellings and also a series of commercial sites including two boat yards, one to the north and one to the south. There are also footpaths to the east of the house and one to the west at the top of the embankment.

Vehicular access is off Naze Lane East via a wide concrete track and down a short, steep embankment. The track serves the former farmhouse and two boatbuilding yards on either side of Poolside Farm. Pedestrian access to the site can be gained off the public foot path adjacent the site.

Details of Proposal

The proposed application is for the erection of a single dwelling to the west of Poolside Farm. The dwelling is set into the slope of the bank and is 17.2m wide and 5.3m deep. It is to have a grassed flat roof and elevations that are constructed in stone and glass. All the accommodation is on a single level with a shared kitchen / dining room / living area and 2 bedrooms.

Parking for two vehicles is proposed in front of the dwelling. The design of the dwelling is of a contemporary design with large areas of glazing to the front elevation and an outside terrace area providing some amenity space. The style of the proposal is to function as an eco-home.

Relevant Planning History

Application No.	Development	Decision	Date
14/0904	PROPOSED ERECTION OF STABLES	Refused	10/04/2015
75/0993	CHANGE OF USE FOR BERTHING OF BOATS AND STATIONING OF CARAVANS.	Refused	08/09/1976

Relevant Planning Appeals History

None

Parish/Town Council Observations

Freckleton Parish Council notified on 22 December 2016 and comment:

Are against this application for the following reasons:-

- The proposed building is adjacent to a Site of Special Scientific Interest (SSSI).*
- The proposed site is a new build property in the country side.*
- There is no available connection to a mains drain.*
- The Parish Council endorse the comments and concerns of the environment agency.*
- The proposed site would have a negative impact on 3 public footpaths, one being the Lancashire Coastal footpath.*

Statutory Consultees and Observations of Other Interested Parties

BAe Systems

Comments - No objections

Ministry of Defence - Safeguarding

Comments - No safeguarding objections.

Greater Manchester Ecology Unit

Comments - No objections provided a Construction Environmental Management Plan be submitted prior to the commencement of any works.

Environment Agency

Comments – Object to the proposed development as submitted because it involves the use of a non-mains foul drainage system in a publicly sewered area with no justification provided for this method of foul sewage disposal. We recommend that the application should be refused on this basis.

Natural England

Comments - No objections subject to appropriate mitigation being secured. In order to mitigate the adverse effects and make the development acceptable, measures to address construction impacts on birds and to prevent of pollution of the nearby watercourse that leads to the designated site are required. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

United Utilities - Water

Comments - No comments received

Lancashire County Council - Highway Authority

Comments - No objections

Lancashire County Council Rights of Way

Comments - No comments received

Neighbour Observations

Neighbours notified:	22 December 2016
Site Notice Date:	13 January 2017
Number of Responses	1 response received
Summary of Comments	<ul style="list-style-type: none">• Application site is within a countryside area• Other developments have been refused in the area• Lack of car parking• Impact to the footpaths• Engineering and drainage complications due to nature of site

Relevant Planning Policy**Fylde Borough Local Plan:**

SP02	Development in countryside areas
HL02	Development control criteria for new housing proposals
HL06	Design of residential estates
EP11	Building design & landscape character
EP14	Landscaping of new developments
EP15	Protection of European wildlife sites
EP16	Development in or near SSSI's
EP17	Devt in or near Biological & Geological Heritage Sites
EP19	Protected species

EP25 Development and waste water

Fylde Local Plan to 2032:

GD4	Development in the Countryside
GD7	Achieving Good Design in Development
H2	Density and Mix of New Residential Development
H6	Isolated New Homes in the Countryside
ENV1	Landscape
ENV2	Biodiversity
NP1	Presumption in favour of Sustainable Development
CL2	Surface Water Run-Off and Sustainable Drainage

Other Relevant Policy:

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

Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The application is a full application for the erection of a dwelling house. The main issues regarding this application from the plans submitted are:

Policy Background

Accessibility of location

Design and impact to the character of the countryside

The impact to the setting of the Public Right of Ways

The impact to neighbouring residential amenity

Impact to Ecology/Protected Species

Policy Background

The site falls within the Countryside Area as defined on the adopted Fylde Borough Local Plan (FBLP) and the submission version of the Fylde Local Plan to 2032 (FLP) Proposals Maps. FBLP Policy SP2 and FLP Policy GD4 indicate that, in Countryside Areas, development will only be permitted where it falls into certain categories. None of these categories are applicable to the proposed development and, accordingly, there is conflict with Policies SP2/GD4 in this regard. Policies SP2/GD4 indicate that the only circumstance where housing would be permissible within the Countryside Area will be in the case of rural exception sites (including affordable housing) in accordance with the provisions of policy HL3 of the FBLP and Policy H6 of the FLP which provides criteria for isolated new dwellings in the Countryside. However, this approach, to resist private market housing in the countryside area cannot be considered to be up-to-date (and, accordingly, sustainable) for the purposes of the NPPF where a Local Planning Authority is unable to demonstrate a 5 year supply of housing.

At the time of submission the council was unable to demonstrate a 5 year supply of housing. The

most recent published assessment is from 31 March 2016 when a supply equivalent to 4.8 years of the agreed annual requirement of 370 dwellings was available. Therefore, the absence of a 5 year supply placed policy SP2 (and, allied to this, the approach in policy HL3) in conflict with the NPPF. As policy SP2 is out-of-date, the presumption in favour of sustainable development outlined at paragraph 14 of the NPPF means that, unless material considerations indicate otherwise, planning permission should be granted.

However, since the submission of the application the Council has published its revised 5-year housing supply figure. Based on the Sedgfield methodology, and including a 20% buffer for a shortfall in delivery, the Council's current housing supply now stands at 5.58 years as of 28 February 2017. This interim figure has been produced to inform discussion at the Fylde Local Plan examination therefore on the basis of this assessment the Council contends that it is able to demonstrate the 5 year housing supply required by NPPF and so the requirements of para 14 are no longer engaged.

However notwithstanding this current position the Council will seek to support proposals that are considered sustainable development which is the thrust of Policy NP1 of the submission version of the Fylde Local Plan to 2032.

It is considered that the other main issues in this application are as follows:

- Whether the location of the development is sufficiently accessible and how the proposal sits with regard to planning policies that promote sustainable development.
- The effect of the development on the character and appearance of the area, having particular regard to impacts on visual amenity in the surrounding landscape and Public Rights of Way.
- The impact to neighbouring amenity.
- The impact to ecology on the site and adjacent SSSI.

Accessibility of location

Policy H6 of the submission version of the Fylde Local Plan to 2032 outlines specific criteria for when proposals for isolated new dwellings in the countryside are proposed, and this proposal meets none of those. However it is considered that the proposed dwelling is not in an isolated location despite the countryside allocation of the site.

The site is located approximately 270m from the settlement boundary of Freckleton (junction of Green Lane and Naze Lane East). Although in a countryside area it is 0.5 mile from the Village Centre, when accessed on foot from Naze Lane East. There are a variety of services on offer in the Village Centre, including a school, shops, public transport and public open space. The village medical centre is located 0.8 mile from the site. To the southwest, some 0.4 mile away, is Freckleton Industrial Estate which offers employment opportunities.

Due to the proximity to these services it is considered that the site is not within an isolated location and therefore the provisions of Policy H6 of the FLP do not apply. Although vehicular access to the site is of a longer distance than those quoted, the site can be accessed on foot via existing footpaths which are of a shorter distance. In addition Naze Lane East is served by a pavement which runs into the main settlement and therefore it is considered that a safe means of access to the village centre, on foot, can be achieved.

Taking the above into account the site is considered to be within a sustainable location and therefore complies with the thrust of Policy NP1 of the FLP.

Design and impact to the character of the countryside

The application site is located within the rear garden area on the embankment behind Poolside Farm. The proposal would not cause any detrimental change to the character, scale or pattern of this landscape and would achieve a degree of fit within the steep embankment due to its design and size when taking into account the existing development along this stretch of Poolside, in particular the development at both boatyards, where there is a more modern, mid-century construction which does not blend well with the traditional vernacular. Due to the existing development within the immediate locale it is not the case that the site has an undeveloped open rural character.

The contemporary design approach is considered appropriate and whilst not of a traditional rural style it is single storey and this will help it sit well within the size due to its modest size and proportions. The relatively innovative nature of the scheme, by way of it being built into the slope, means that the impact to the character of the wider area will be reduced to an acceptable degree.

The impact to the setting of the Public Right of Ways

Three footpaths run in the close vicinity of the application site: FP14, FP19 and FP8. FP8 and FP19 run at the top and bottom of the embankment respectively and FP14 runs alongside Freckleton Pool.

The site is clearly visible from the lower levels of FP19 and FP14, although the main focus of interest for receptors is towards the east and the open aspect of the estuary, since the embankment and vegetation on it constrains views westwards. From FP8, the site is not clearly visible due to the existence of a dense hawthorn hedgerow. The footpath is a narrow track and views are focused along the track rather than outward, due to the height of the hedges on each side.

The development of the property would have a very limited impact on views and the landscape. Only FP19 and FP14 would allow receptors to experience views of the front of the house and these views would be of passing interest and seen in the context of the existing development, which comprises a mixture of styles. From FP8, it is unlikely that there would be any perceptible change to the view.

Although, it is likely that the construction would have an adverse effect on the vitality of the existing hedgerow which runs along FP8 and any consideration of the plans should address this issue with long term maintenance and management.

The impact to neighbouring residential amenity

The proposal would sit in close proximity to the applicants existing house, Poolside Farm, which will lead to an impact to its amenity. However Poolside Farm is orientated in such a way that there are no primary windows in the west facing rear elevation which would be affected by the proposed development as its views will be focussed over the roof of that dwelling. Therefore the short separation distance between the properties is not considered unacceptable. Furthermore whilst there will be some loss of privacy to the garden area of Poolside Farm a large section will remain blocked from view by Poolside Farm itself and it is therefore considered that there will be no detrimental loss of privacy.

Impact to Ecology/Protected Species

The site is adjacent a Biological Heritage Site and European protected site and is within a short distance of a SSSI. The applicant has provided an Ecology Survey which outlines several mitigation measures in order to minimise the impact to protected species.

Both Natural England and the Council's Ecological Consultants (GMEU) have raised no objection to the scheme provided a Construction Environment Management Plan (CEMP) be submitted and

agreed prior to the commencement of any construction on site. It is considered that this can be appropriately achieved via condition.

Drainage

The Environment Agency (EA) raised objection to the scheme as the scheme involves the use of a non-mains foul drainage system in a publically sewered area and the site is within 500 metres of the Ribble Estuary, which is an SSSI and so susceptible to pollution. The applicant has confirmed that as a result of discussions with the EA and United Utilities (UU) a pumped link to the main sewer in Naze Lane East is now the proposed option for foul drainage. It is considered that these details should be agreed via an appropriately worded condition in consultation with UU and the EA prior to the commencement of any works.

Highways

The County Surveyor raised no objection the proposal. The proposal provides sufficient off street parking provision therefore there is no detrimental impact to highway safety.

Conclusions

The application is for a single dwelling immediately to the west of the property known as Poolside Farm. The application site is located within an area designated as Countryside and although is not strictly in compliance with the provisions of Policies SP2/GD4 of the Fylde Borough Local Plan and the Fylde Local Plan respectively the site is not considered to be detached from the settlement of Freckleton which has a range of services available within a respectable walking distance.

In addition the site is set adjacent a BHS, European Site and a SSSI. It is considered that with the agreement of an appropriate Construction Environment Management Plan impacts to protected species can be adequately mitigated.

Although the council can currently demonstrate a 5-year housing supply overall it is considered that due to the sustainable location of the site and the acceptable design of the proposed dwelling it complies with Policies HL2, SP2, EP11, EP15, EP16, EP17 and EP19 of the adopted Fylde Borough Local Plan and Policies GD4, GD7, H2, ENV1, ENV2 and NP1 of the submission version of the Fylde Local Plan to 2032 and 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 consent relates to the following details:

Approved plans:

- Location Plan - 875.001
- Proposed Site Plan - 875.005 Rev A
- Proposed Roof Plan - 875-006 Rev A
- Proposed Sections (A-A & D-D) and Elevations - 875-007 Rev A

- Proposed Sections (B-B & C-C) - 875-008 Rev A

Supporting Reports:

- Design and Access Statement (Prepared by Form studio. Dated December 2016)
- Extended Phase 1 Habitat Survey Report (Prepared by ecology services. Dated October 2016. Ref: 16900)

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

3. No development shall take place until details of the materials to be used in the construction of the external surfaces (including windows and doors) of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: To ensure that the materials have a satisfactory appearance.

4. The ground levels and finished floor levels of the development, hereby approved, shall be implemented as shown on the approved plan ref: 875-006 Rev A, 875-007 Rev A and 875-008 Rev A. Any variation from these approved details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works.

Reason: To ensure that the development has an acceptable impact on neighbouring amenity and visual impact.

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

Part 1 - Development within the Curtilage of a Dwellinghouse

CLASS VARIABLES:

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

Part 2 - Minor Operations

Reason: To ensure that the Local Planning Authority has control over any future development of the dwelling[s] which may adversely affect the character and appearance of the dwelling and the surrounding area.

6. Landscaping, including hard surface landscaping shall be carried out and maintained in accordance with a scheme and programme which shall be submitted to and approved by the Local Planning Authority before any development is commenced. Specific details shall include means of enclosures, car parking and foot path surfacing materials, refuse receptacles, lighting and services as applicable. The soft landscape works shall include plans and written specifications noting species, plant size, number and densities and an implementation programme. All existing lengths of hedgerow within the proposed residential development area shall be retained, except for where in other limited circumstances where an equivalent or greater length of hedge is provided as a replacement. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be

deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

Reason: To enhance the quality of the development in the interests of the amenities of the locality.

7. The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current sylvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

Reason: To ensure a satisfactory standard of development and in the interest of visual amenity in the locality.

8. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
 - a. Risk assessment of potentially damaging construction activities.
 - b. Identification of "biodiversity protection zones".
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - 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.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure adequate protection to protected species as required by Policy EP18 of the Fylde Borough Local Plan.

9. Prior to occupation of the development, hereby approved, a "lighting design strategy for biodiversity" for areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

- b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

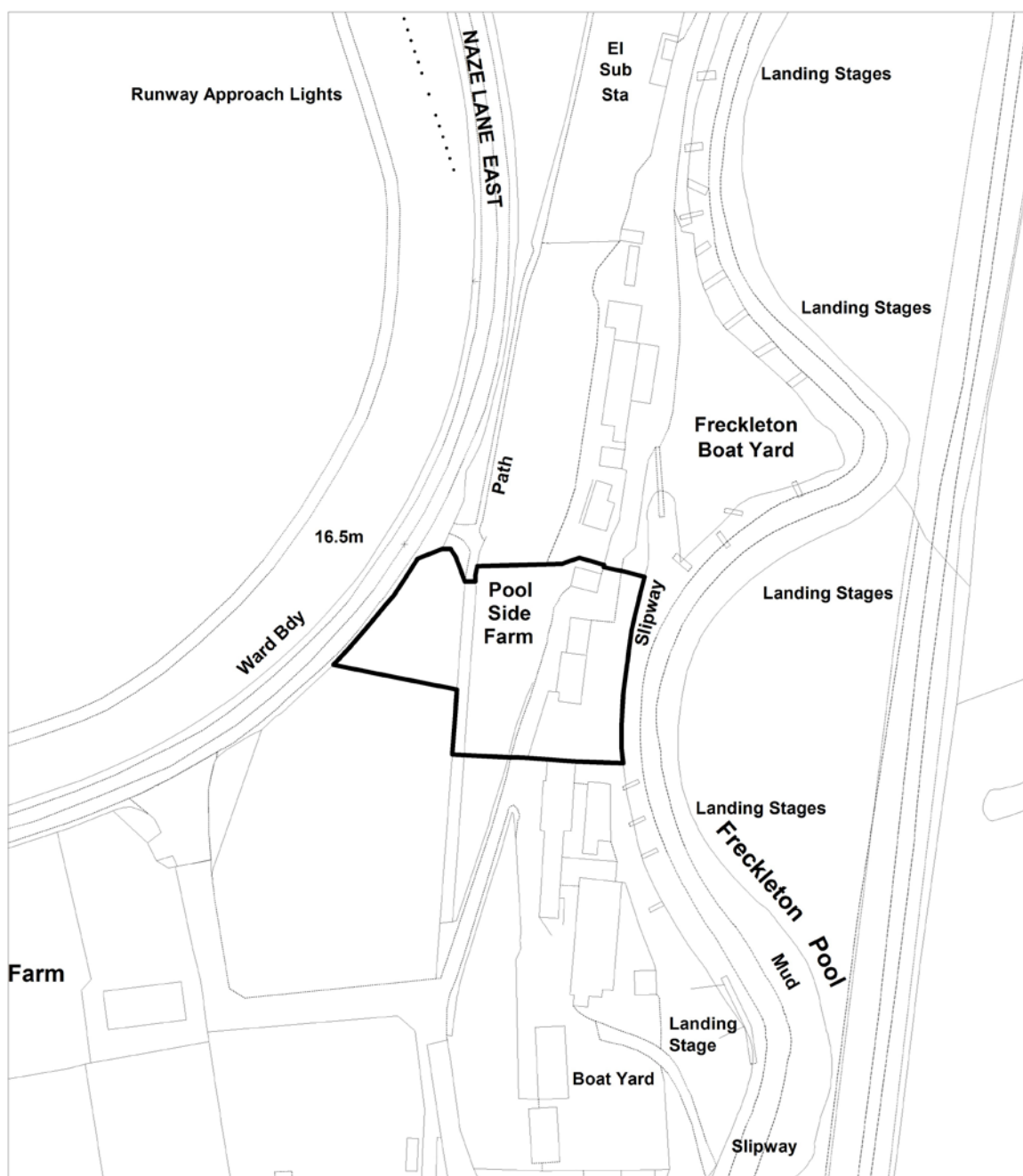
Reason: To ensure adequate protection to protected species as required by Policy EP18 of the Fylde Borough Local Plan.

- 10. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul water and no surface water will be permitted to discharge directly or indirectly into existing foul, combined or surface water sewerage systems. The development shall be implemented, maintained and managed in accordance with the approved details.

Reason: To ensure the site and development are adequately drained.

- 11. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal foul waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the scheme shall include measure of connecting and pumping to the mains sewer on Naze Lane East and must be separate from any surface water drainage scheme. The development shall be implemented, maintained and managed in accordance with the approved details.

Reason: To ensure foul waste is discharged into the existing sewer and away from the protected Ribble Estuary.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/16/0991	Address Poolside Farm, Poolside, Freckleton	Grid Ref. E.3433 : N.4283	Scale 0 6 12 18 24 m

Item Number: 4

Committee Date: 19 April 2017

Application Reference:	16/1015	Type of Application:	Full Planning Permission
Applicant:	Fylde Borough Council	Agent :	Ryder Landscape Consultants
Location:	FAIRHAVEN LAKE AND LAND BETWEEN ST PAUL'S CAR PARK AND SEAFIELD ROAD, LYTHAM ST ANNES, FY8 1BB		
Proposal:	DEMOLITION OF EXISTING SEA WALL AND REVETMENT, REPLACEMENT WITH NEW COASTAL PROTECTION SCHEME CONSISTING OF STEPPED AND FLAT REVETMENTS, INCLUDING PUBLIC REALM IMPROVEMENTS TO PROMENADE AND CONSTRUCTION OF TEMPORARY COMPOUND AREAS.		
Parish:	FAIRHAVEN	Area Team:	Area Team 1
Weeks on Hand:	11	Case Officer:	Rob Buffham
Reason for Delay:	Not Applicable		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7399446,-3.0080176,2218m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposal for consideration by Members is a full application for the replacement of existing coastal protection measures at Fairhaven, Church Scar and Granny's Bay in Lytham St Annes. The works consist of a replacement stepped revetments at Fairhaven and Granny's Bay and a sloping flat revetment at Church Scar, including public realm improvements to the promenade and construction of temporary compound areas.

Members should note that the proposal is subject to budget restriction and that this has resulted in the prioritisation of works at Fairhaven and Church Scar, over those at Granny's Bay – works at Granny's Bay will be undertaken subject to funding availability. This budget restriction could affect construction materials of the revetment through provision of grey concrete, as opposed to the preferred solution of Fylde Buff or white concrete which are more costly, and the scope of public realm works provided.

The application site has no formal allocation in the adopted Fylde Borough Local Plan or submission version of the Fylde Local Plan to 2032, although portions are designated to the periphery of a Biological Heritage Site (BHS). A National Nature Reserve (NNR), RAMSAR Site, Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) are all located off shore within the Ribble Estuary. Lytham Avenues Conservation Area and Grade II Listed Summerhouse and Wall at Fairlawn House are adjacent to the Church Scar site.

The existing sea wall and revetments to this section of the coastline were constructed in the 1920's and have reached the end of their safe and useful life expectancy. Historically, the coastal defence has been repaired and patched, weakening the structure, which has contributed toward various failures of the revetments and could lead to failure in the future. If failure were to happen then this is likely to result in considerable erosion of the shore,

affecting the areas behind the sea defence including Fairhaven Lake and Park, Inner Promenade and the dune networks. It is reported this scenario will increase risk of life and to people's homes. This proposal is designed to reduce the risk of coastal erosion at St Pauls Avenue to Fairlawn Road, whilst improving the Council's ability to manage and maintain the coastline and promenade. There is a recognised need for improvement to the existing coastal defences and the principle of the proposal is therefore supported.

It is considered that the proposal replaces unsightly structures of little visual merit, and will greatly improve the overall character and appearance of the existing coastal defences at Fairhaven, Granny's Bay and Church Scar. The Victoriana character of Church Scar and Fairhaven will be retained through appropriate period street furniture and would therefore protect the coastal character, and will retain/ enhance the character and appearance of the adjoining Lytham Avenues Conservation Area, and not detract from the setting of adjacent listed buildings. Whilst the extent of public realm works is subject to budget restraint, it is considered that a scheme which is sensitive to location can be provided.

Subject to condition and mitigation where necessary, the proposal would have no unacceptable impact in terms of ecology, highway safety or amenity for neighbours of the application site. The proposed development is therefore in accordance with the requirements of the relevant policies of the Development Plan and National Planning Policy Framework.

The officer recommendation is that Members support the application.

Reason for Reporting to Committee

The proposal is a Major application, therefore appropriate to be referred to Planning Committee for determination under the Scheme of Delegation.

Site Description and Location

The proposal relates to the existing coastal protection measures located at Fairhaven Lake, Granny's Bay and Church Scar in Lytham St Annes. The existing sea defences consist of an upright concrete sea wall and sloping revetment at Fairhaven Lake, sloping revetment at Church Scar and sloping grass embankment with low sea wall at Granny's Bay. Due to coastal erosion, various failures of the sloping revetments have resulted in a patchwork of differing hard surfaces.

The application site has no formal allocation in the adopted Fylde Borough Local Plan (FBLP) or submission version of the Fylde Council Local Plan (SV), a portion of the site is designated on the periphery of a Biological Heritage Site (BHS) and the proposal is also adjacent to a National Nature Reserve (NNR), RAMSAR Site, Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) all of which are located off shore within the Ribble Estuary. Lytham Avenues Conservation Area and Grade II Listed Summerhouse and Wall at Fairlawn House are adjacent to the Church Scar site.

Details of Proposal

Fylde Borough Council are responsible for managing flood risk from the sea under the Coastal Protection Act 1949. The Council has received a grant award from the Fylde Coastal Programme to undertake a coastal protection programme. In conjunction with Blackpool and Wyre Councils, the Fylde Coastal Programme has a suite of co-ordinated projects to protect the coast of Fylde from both

flooding from the sea and coastal erosion. The Fairhaven and Church Scar schemes have been identified as the Borough's top 2 Key Projects in the Fylde Coastal Strategy (2014-2030).

This proposal will prevent coastal erosion from St Pauls Avenue through to Fairlawn Road. The sea wall and revetments at Fairhaven and Church Scar were constructed in the 1920's and have reached the end of their safe and useful life expectancy. Historically, the defence has been repaired and patched, weakening the structure, this has contributed toward various failures of the revetment and could lead to failure in the future. Further failure of the sea defence is likely to result in considerable erosion of the shore, affecting the areas behind the sea defence including Fairhaven Lake and Park, Inner Promenade and dune networks. It is reported this scenario will increase risk of life and to people's homes.

The proposals will reduce the risk of erosion whilst improving the Council's ability to manage and maintain the coastline and promenade.

Two sets of drawings have been submitted, the first relating to provision of the coastal protection scheme only, and the second relating to associated public realm works which could be delivered by the proposal subject to budget. This application relates to both elements.

The coastal protection drawings can be grouped into three elements including provision of a stepped concrete revetment adjacent to Fairhaven Lake, a lower stepped revetment at Granny's Bay and a smooth sloping revetment at Church Scar. The respective scale of revetments will be similar to that of the existing features. The existing upright sea wall at Fairhaven Lake will be removed. Submitted drawings indicate that the existing footpath level adjacent to the sea wall at Fairhaven will increase by approximately 1m and the promenade widened to 5.5m toward the sea so will allow improved pedestrian / cycle shared use. The existing footpath level at Church Scar will remain at approximately the same level as existing, but will also be widened to 5.5m toward the sea. Works at Granny's Bay will include levelling of the grassed area at a similar level to the road and provision of 5.5m footpath adjacent to the stepped revetment. Works at Granny's Bay will only proceed subject to budget.

It is proposed that the revetment will be a grey coloured concrete, reference is made to a white or 'Fylde Buff' colour, but are more costly to deliver. The final revetment colour will therefore be dependent on budget. The footpath promenade will be a buff colour, made from exposed Golden Quartz aggregate concrete.

With regards to lighting, balustrade, signage and bins (street works), the applicant has revised their submission to ensure Church Scar will be of traditional appearance, reflecting the existing Victoriana character of the locality. The existing balustrade to the top of the revetment must be replaced to a height of 1.1m for health and safety reasons. Seating is however a contrastingly modern appearance, being curved and low level, constructed of concrete/ timber and set into land levels of the adjoining Biological Heritage Site (BHS) and curved. In contrast, street works at Fairhaven will have a more modern appearance, this includes provision of brushed metal access balustrades on the stepped revetment, signage, bins and low level seating in a stepped pyramid arrangement. As per current situation, no lighting of the promenade is proposed for Granny's Bay or Fairhaven.

As a general principle, all street works throughout the scheme will be located adjacent to each other where practicable, to minimise clutter of the promenade. Provision is made for replacement of street works on a like for like basis in the event of budget restriction.

Improvements to the car park including resurfacing, bay delineation and soft landscaping are

indicated. Land to the lake side of the existing perimeter footpath of Fairhaven will be regraded to a lower level, existing self-seeded tree planting will also be removed and/ or thinned acting to open up views over the lake from the new promenade.

Construction will be phased over an estimated period of 2 years, scheduled to commence in November 2017. Fairhaven and Church Scar will form the first two phases, contrary to the Design and Access Statement it is not yet confirmed which element will be Phased first, with work at Granny's Bay to proceed subject to funding availability as Phase 3. The main site compound will be provided at the Fairlawn triangle and will be used for site cabins/ welfare, storage of materials, equipment and machinery overnight and parking over the construction period. There is also a need for temporary storage compounds within the different phases of development located at St Pauls Avenue Car Park, Stanner Bank Car Park (Fairhaven Lake) and Granny's Bay. Temporary working areas will be established along the sea defence route, 20m in land and 20m off the coast line, formed by hoarding to prohibit access. Observational points will be provided so members of the public can observe the construction process.

Members should note that the grant award budget is restricted and that this could influence works undertaken, including prioritisation of Fairhaven and Church Scar defences - works at Granny's Bay will be undertaken subject to funding availability, as well as a possible reduction of public realm works.

Relevant Planning History

Application No.	Development	Decision	Date
16/0984	CONSULTATION ON MARINE MANAGEMENT LICENCE APPLICATION 2016/00441 FOR FAIRHAVEN TO CHURCH SCAR COAST PROTECTION SCHEME	Raise No Objection	25/01/2017

Relevant Planning Appeals History

None to report.

Parish/Town Council Observations

The very northern tip of the works falls within the area of St Annes Town Council. They have no specific observations to make about the proposal.

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

No objection, subject to condition requiring a Construction Management Plan to be agreed and implemented during works on site.

The condition will look at safe routes to/ from the site, wheel wash facilities, management of deliveries, storage areas and parking.

Lancashire Archaeological Advisory Service

No objection subject to condition requiring a programme of archaeological recording work. This is due to the known presence of heritage assets which may be impacted on

by the proposals, including anti-tank obstacles (St Pauls Avenue), WWII emergency coastal battery (Fairhaven Lake), leisure lake & Gardens (Fairhaven Lake), Listed Wall, Fairlawn House, Summer house (Fairlawn House), Pre-1948 landmark tower removed by 1893 (West Beach, Fairlawn triangle), roman copper coin findings on Lytham foreshore.

Impact is dependant to a great degree on the detail of the scheme, as well as the survival and extent of the known heritage. With the exception of the listed wall and Fairhaven Park, their extents are unknown. In particular the Emergency Coastal Battery is likely to be a fairly extensive site, with mountings for two four-inch guns, a pair of associated coastal searchlights, a battery observation post, generator houses and magazines; there are also likely to have been other defensive features (which may well have included the extant 'dragon's teeth' anti-tank pimples, a rare survival in Lancashire), a light anti-aircraft defence mount and a significant 'domestic' site or camp. The gun and searchlight mounts will have been located near the crest of the sea defences, with ancillary structures on the sloping ground behind them. This site is said to have been 'dismantled' by February 1945, but buried remains may survive.

Natural England

There will be no significant adverse impacts on designated sites subject to the proposed mitigation measures being secured via planning conditions or obligations and we withdraw our objection. Conditions should require implementation of mitigation referred to in the ECiA. Natural England don't need to see/agree any more information relating to the proposed mitigation – unless the mitigation measures cannot be undertaken for any reason. In our response to the MMO, we did request conditions be added to the MMO licence. Perhaps you might feel it is appropriate for these conditions to be added to the planning approval for consistency?

Initial objection was raised due to the Habitats Regulations Assessment not considering in-combination effects of other plans or projects. Specifically the HRS does not consider the potential impact of the Pontins development (ref: 16/0062) in-combination with this proposal.

Greater Manchester Ecology Unit

The revision to the ECiA provides greater understanding as to BHS impact and demonstrates, subject to mitigation, that impact to the BHS will be minimised.

Conditions requiring agreement of BHS mitigation, submission of a construction environmental management plan, works outside of the bird besting season and a landscape and ecological management plan are also requested.

Lancashire CC Flood Risk Management Team

No objection, subject to condition requiring lifetime management and maintenance of surface water drainage.

Environment Agency

No objection in principle to the proposed development. No conditions are requested.

The EA have been closely involved with Fylde Borough Council in the development of this scheme from the outset. We are in discussions with FBC in relation to any loss of saltmarsh habitat and we are working closely with them to provide compensatory

habitat.

United Utilities - Water

No objection, no conditions are requested.

A significant outfall to the sea crosses the site, so UU request that the applicant contacts them to discuss a strategy so as not to damage the asset and maintain flow at all times.

Any necessary drainage should accord with the drainage hierarchy outlined on the NPPF, namely, ground infiltration, surface water body, surface water sewer or combined sewer.

Historic England

On the basis of the information provided, Historic England do not wish to offer any comments on the proposal.

Royal Society Protection of Birds

No comment received.

Environmental Protection (Pollution)

There are no objections to the proposed works but there are concerns regarding potential noise disturbance due to the close proximity of dwellings.

It is accepted that this scheme must take place and noise is inevitable as indicated in the noise reports submitted with the application and further mitigation maybe required once the site is up and running. However I would ask that the applicant consider the following:

1. The construction method statement states that working hours will begin at 07.00. I would ask that this put back to 08.00 in line with standard guidance on controlling noise from construction sites.
2. When piling is due to commence all residents are to be notified in writing, detailing start times and likely duration of the piling work.

Whilst it is not expected that a lighting scheme is submitted, consideration should be given to the positioning of security and other lighting whilst the scheme is under construction. Living and sleeping accommodation overlooks the site and there may be a potential for light nuisance.

Marine Management Organisation

Marine Licensing

Activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Marine Planning

As the marine planning authority for England the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend

to the mean low water springs mark. Marine plans will inform and guide decision makers on development in marine and coastal areas. On 2 April 2014 the East Inshore and Offshore marine plans were published, becoming a material consideration for public authorities with decision making functions. The East Inshore and East Offshore Marine Plans cover the coast and seas from Flamborough Head to Felixstowe. For further information on how to apply the East Inshore and Offshore Plans please visit our Marine Information System. The MMO is currently in the process of developing marine plans for the South Inshore and Offshore Plan Areas and has a requirement to develop plans for the remaining 7 marine plan areas by 2021.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. For marine and coastal areas where a marine plan is not currently in place, we advise local authorities to refer to the Marine Policy Statement for guidance on any planning activity that includes a section of coastline or tidal river.

Minerals and waste plans and local aggregate assessments

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below:

- The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry.
- The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.
- The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.
- The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions – including marine. This means that even landlocked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play – particularly where land based resources are becoming increasingly constrained.

Civic Society

No comments received.

Cllr Donaldson – Fairhaven Ward Member

Fully Supports the application.

Neighbour Observations

Neighbours notified:	03 February 2017
Site Notice Date:	16 February 2017 (x10)
Press Notice Date:	09 February 2017
Number of Responses	28
Summary of Comments	Comments received are summarised as follows:

- Highway impact from construction traffic, concern that the number of heavy vehicles will add to an existing problem. Particularly when turning in and out of the car park to access the seafront. Request for double yellow lines on Inner Promenade to aid visibility.
- The wall at Granny's Bay is lower than that at Fairhaven Lake and Church Scar, and would question whether the plans for Granny's Bay are adequate.
- The neglected, overgrown area which are an essential part of the experience of the area will soon be gone, replaced by a modern, characterless, clinical, concrete structure.
- The money should be spent elsewhere in the Borough – the Pier, vacant shops in the town centres, Island Complex, motorway link roads.
- Loss of dog walking areas during construction, and 'dogs on lead' policies post completion.
- No need to widen the walkway.
- This plan is based on what has happened in Blackpool and Cleveleys and will not be in-keeping with the local environment.
- A slope with no upper wall is dangerous. A few signs is just not acceptable.
- The Council is under an obligation to install appropriate safety measures as a matter of course. It is common sense to have railings and I would expect this requirement to be part of the planning consent. The Council would be liable for any accident.
- Insufficient consultation. The Council has tried to sneak these plans through without proper consultation or notification and the regular users of the area not consulted.
- I do not deem adequate the efforts of the council to publicise such a major development. Many residents seem to unaware of the proposals as they stand. That 8 intermittent site notices have been placed along the route; that 382 letters were sent to immediate neighbours; that a notice was placed in the press on the 9th February; that the deadline for submitting comments is 4th May. I have managed to find only 5 notices, inconspicuously placed on the slimmest of posts. The press notice is barely perceptible as it is in a public notice with several other applications. Surely such a major development should have merited being headline news and not been hidden away. Consultation with neighbouring residents by letter seems not to have been adequately carried out.
- Railings and walk ways need to be in-keeping with the style of the area, Victorian lights and railings should be kept – these are continuous features to Lytham Green.
- Seating and lighting are ugly, modern, concrete and tacky and the pretend art deco is awful. None of this is in-keeping with the character or history of the area.
- Wall can be replaced but need to look like an original Victorian sea wall. The Victorians were clever and designed the sea wall to provide shelter from the elements. The wall stops erosion of the land behind.
- The grassed bank at Fairhaven enables views over the sea wall.
- Provisions within the scheme should be cut, such as ugly modern seating, pretend art deco, widened footpaths and the money saved can be invested to improve the scheme.
- Ecology impact to SSSI and bird life from noise created through use of the event area.
- A positive that the sea defences are being repaired.

Relevant Planning Policy

Fylde Borough Local Plan:

TR01	Improving pedestrian facilities
TR03	Increasing provision for cyclists
TR10	Car park design
EP03	Development within conservation areas
EP05	Demolition of listed buildings

EP10	Protection of important landscape and habitat features
EP12	Conservation trees & woodland
EP14	Landscaping of new developments
EP15	Protection of European wildlife sites
EP16	Development in or near SSSI's
EP17	Devt in or near Biological & Geological Heritage Sites
EP19	Protected species
EP20	Protection of coastline, estuaries and sand dunes
EP21	Archaeology
EP26	Air pollution
EP27	Noise pollution
EP30	Development within floodplains

Fylde Local Plan to 2032:

NP1	Presumption in favour of Sustainable Development
GD7	Achieving Good Design in Development
ENV1	Landscape
ENV2	Biodiversity
ENV5	Historic Environment
CL1	Flood Alleviation, Water Quality and Water Efficiency

Other Relevant Policy:

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

Site Constraints

Environmental Impact Assessment

A screening request was submitted and assessed in June 2016 relating to these works. This concluded that the replacement, enlargement and re-modelling of two stretches of sea wall located at Fairhaven Lake and Church Scar did not constitute EIA development for the purposes of the definition contained within the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).

Inclusion of Granny's Bay within this current proposal would not change this screening opinion.

Comment and Analysis

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

- Principle of development.
- Visual appearance and heritage.
- Ecology.
- Relationship with Surrounding Development.
- Highways.
- Flood risk and drainage.
- Trees.

Principle of Development

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 indicates that development proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF advocates a presumption in favour of sustainable development. In terms of decision making, this means approving development proposals that accord with the development plan without delay.

The application site has no formal allocation in the adopted Fylde Borough Local Plan (FBLP) or submission version of the Fylde Council Local Plan (SV), a portion of the site is designated to the periphery of a Biological Heritage Site (BHS) and works at Church Scar are adjacent to the Lytham Avenues Conservation Area.

Paragraph 94 of the National Planning Policy Framework (NPPF) states that local planning authorities should “*adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change*”. Similarly paragraph 99 refers to climate change and states that local plans should take account of such things as flood risk and coastal change, that new development should be planned to avoid increased vulnerability to the range of impacts from climate change, and where applications are brought forward care should be taken to ensure that risks can be managed through suitable adaption measures.

Policy EP20 of the FBLP relates specifically to the proposal, restricting the development of open coastline including the estuaries, except where development is essentially required for a number of purposes, sea defences and coastal protection being one of them. Policy CL1 of the SV refers to Flood Alleviation, Water Quality and Water Efficiency, and states that all new development is required to minimise flood risk impacts, mitigating against the likely effects of climate change on present and future generations. Part i. refers specifically to new sea defences and coastal protection requiring applications and plans to be of an appropriately robust design and fit for purpose.

Current sea walls and revetments were constructed in the 1920’s and have reached the end of their safe and useful life expectancy. Historically, the defence has been repaired and patched, weakening the structure, this has contributed toward various failures of the revetment and could lead to failure in the future. If failure were to happen then this is likely to result in considerable erosion of the shore, affecting the areas behind the sea defence including Fairhaven Lake and Park, Inner Promenade and dune networks. It is reported that this scenario will increase risk to life and to people’s homes.

Coastal erosion improvements at Fairhaven and Church Scar are two of the key projects identified in the Fylde Coastal Strategy (2015-2030) and have budgetary support from the Environment Agency. This proposal will reduce the risk of coastal erosion from St Pauls Avenue to Fairlawn Road, whilst improving the Council’s ability to manage and maintain the coastline and promenade. On this basis the principle of the proposal is supported and is considered to be in accordance with the above policies, subject to detailed assessment of the proposal. The works are also identified as an action in the current Corporate Plan.

Planning Policy Guidance promotes collaboration in coastal areas between Local Planning Authorities and the Marine Management Organisation (MMO). The MMO are responsible for preparing marine plans for English inshore and offshore waters which will inform and guide decision makers on development in marine and coastal areas. There is no such plan for the North West as yet. In the absence of a marine plan, the MMO advise reference to the Marine Policy Statement (MPS) in decision making, and the MPS acknowledges that in many cases policies of the MPS are taken account in the terrestrial planning system including ecology, biodiversity, historic

environment, coastal change and flooding. Such matters are considered in more detail in the following report. Comment from the MMO has been received to this proposal which, whilst making reference to the Marine Plans and the MPS, do not raise any specific objection to the proposal.

As a coastal location it is imperative that the borough maintains an appropriate protection from coastal inundation and with the aged and deteriorating nature of the existing defences it is appropriate that these are upgraded. Accordingly the works are acceptable in principle.

Design

Works at Church Scar are located adjacent to the Lytham Avenues Conservation Area, and there are two Listed Buildings within this locality which contribute toward the character of the Area. A Heritage Statement has been provided with the planning application.

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. Paragraph 56 recognises that good design is a key aspect of sustainable development and that permission should be refused for poor development that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 131 of the Framework states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that the conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of development on the significance of a designated asset, great weight should be given to the assets conservation. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Policy EP10 seeks to protect the distinct character of the coastal setting. Policy EP3 of the FBLP states that development will only be supported where the character or appearance of the conservation area, and its setting, are appropriately conserved or enhanced. This includes the physical setting of the area, settlement form, townscape, character of buildings and structures, character of open spaces, and views into or out of the conservation area. Policy SH09 provides similar design advice. Policy EP04 states that development prejudicing the setting of Listed Buildings will not be supported.

Emerging Policy GD7 of the SV expects new development to be of a high standard taking account of and seeking to positively contribute toward the character and appearance of the local area. Policy ENV5 states that development within conservation areas should conserve or enhance those elements that make a positive contribution to their special character, appearance and setting. Any harm to the setting of a Listed Building will be refused.

Resident concern has been raised with regard to the loss of existing natural qualities which *'are an essential part of the experience of the area'*, and visual appearance of the proposal, including seating/ lighting/ balustrades, being ugly and not reflective of the Victorian character and would not be in-keeping with the local environment.

The existing defence infrastructure has little architectural or aesthetical quality, consisting of a dominant sea wall at Fairhaven and a revetment which is now constructed from a patchwork of different materials. Whilst the existing seating and balustrade display some Victoriana character at Church Scar, the revetment itself is not considered to add any intrinsic merit to the adjacent Conservation Area. Members should also be mindful that this scheme is a required coastal erosion

project and that upgraded defence measures are necessary to safeguard residents in the locality and should be prioritised accordingly. On this basis, the loss of the existing sea wall and revetment is supported in order to facilitate these works. Notwithstanding this, design and visual appearance of the new defence scheme and resultant impact on the heritage asset(s) is a key consideration in assessment of this proposal.

The Fairhaven scheme involves removal of the sea wall and replacement of the sloping revetment with a stepped arrangement. This stepped arrangement will be continued around to Granny's Bay. The existing flat sloping revetment at Church Scar will be replaced with a similar design, concrete imprinting to portions of the revetment will be used, subject to funding, to soften the mass of concrete. The revetment colour has been specified to be grey concrete, though aspirations of Fylde Buff (sand colour) or white concrete are made subject to budget allowances. The existing promenade will be replaced by a widened 5.5m footpath which will extend from Fairhaven to Church Scar, the existing footpath level will be raised in places particularly to the St Pauls Avenue end of Fairhaven (+1m in parts) and Granny's Bay where land levels will generally increase to that of the adjacent road. The new promenade will be constructed of a Golden Quartz exposed aggregate concrete which provides a warm buff colour and will contrast with the concrete revetment. The Fairhaven and Granny's Bay promenade will be open to the stepped revetment and is proposed to have no balustrade barrier. A balustrade will be provided at Church Scar to deter access to the beach for ecological reasons. Designated stepped emergency access points with balustrades will be provided to each revetment. The existing balustrade and street lighting at Church Scar reflects the Victoriana character of that locality and continues for the remainder of the promenade along Lytham Seafront. Detailed design has been submitted and makes provision for a replica balustrade and street lighting on Church Scar, though the height of the balustrade will need to increase for health and safety reasons. Signage within Church Scar will also respect the Victoriana character, through use of colour and styling similar to proposed lighting columns. Proposed seating is of a more modern appearance, though would be low level and set into ground levels of the adjacent dune network. In contrast, street works at Fairhaven are more modern and include provision of brushed metal access balustrades on the stepped revetment, brushed metal signage materials and low level seating designed in a stepped pyramid arrangement. As per current situation, no lighting of the promenade is proposed at Granny's Bay or Fairhaven.

Signage, seating and bins are to be grouped adjacent to each other where possible, which will act to minimise clutter and visual impact.

Art work is proposed to key entrances, though the precise detail of such is not known at this time and provision will be subject to budget.

The Stanner Bank Car park is to be formerly laid out with new surfacing, providing spaces which look out of the estuary and inland over the Lake. Soft landscaping is proposed about the Stanner car park area to break up the mass of hardstanding. Land levels to the grassed areas adjacent to the Fairhaven promenade will be lowered and self-seeded trees thinned out to improve views of the Lake. The Jubilee Beacon located to the St Pauls Avenue area of Fairhaven must be repositioned to facilitate both construction as well as to realign with the relocated promenade.

Provision is also made in the scheme for an events space, which will be hard landscaped with seating and surfacing to match the promenade. It is envisaged that this space will provide a look out building in the future to allow shelter and sight over the estuary, as well as WC facilities. Infrastructure such as water, electricity and drainage has therefore been provided within the scheme. An area of the Stanner Bank car park has is designated as a flexible event space, giving opportunity for a larger area to be created through use of a portion of the car park.

The proposal will greatly improve the overall character and appearance of the existing coastal defences at Fairhaven, Granny's Bay and Church Scar and would act to open up views of the estuary through removal of the unsightly upright sea wall at Fairhaven. The aspirations of a buff or white concrete would enhance appearance of the revetment when compared to the grey colour proposed, though it must be recognised that this element of the scheme is subject to budgetary control. Increased soft landscaping will greatly assist in reducing visual impact of the Stanner Bank Car Park, and tree removal/ thinning will increase visibility and prominence of Fairhaven Lake when viewed from the new promenade. The Victoriana character of Church Scar will be retained through appropriate period street furniture interspersed by modern seating arrangements, with a comparatively modern intervention at Fairhaven and Granny's Bay. Whilst the extent of public realm works is subject to budget restraint, a scheme which is sensitive to location can still be provided.

The Regeneration Section have been heavily involved during the pre-application process and assessment of this current proposal and are generally supportive of the scheme.

On this basis, the proposal will protect the distinct character of the coastal setting, and would retain/enhance the character and appearance of heritage assets in the locality in accordance with development plan policies.

Ecology

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 states that local planning authorities should aim to conserve and enhance biodiversity, if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused, opportunities to incorporate biodiversity in and around developments should be encouraged.

A portion of the application site is located within a designated BHS, and a National Nature Reserve (NNR), RAMSAR Site, Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) are located off shore within the Ribble Estuary. The Ribble Estuary is important for birdlife, supporting one of the biggest wintering and passage populations of wading birds in Britain. The intertidal flats provide foraging for waders and the sandbanks provide the main roosting areas for the wintering population of pink footed geese. The saltmarshes provide roosting areas for waders and support large numbers of feeding wildfowl, breeding terns and gulls.

Policy EP15 indicates that development affecting the integrity of a designated European Site will not be permitted. Policy EP16 states that development proposals within or likely to prejudicially affect SSSIs will not be permitted unless damaging impacts on the nature conservation interest of the site can be appropriately avoided or mitigated. Policy EP17 likely to have significant or fundamental impact to BHSs will not be permitted, mitigation will be sought where necessary. Policy EP18 encourages the retention/replacement of existing natural features and the introduction of additional features as part of the development in order to provide biodiversity enhancements. Policy EP19 identifies that development which would have an adverse impact upon species specifically protected under schedules 1, 5 or 8 of the wildlife and countryside act 1981, (as amended) or their habitats will not be permitted. Policies ENV1 and ENV2 of SVFLP reflect this current policy position.

The applicant has submitted an Ecological Impact Assessment to supplement their proposal and has undertaken a Habitat Regulation Assessment on behalf of the Council.

The proposals will not directly affect the NNR, RAMSAR, SPA or SSSI designations, but there is risk of disturbance during the construction period. Background noise surveys have been undertaken to help understanding about the risk of disturbance to different bird species at different times of the year. Two key mitigation proposals have been recommended to reduce the effects on wading birds particularly during periods of roosting. This includes the provision of 4 temporary low level islands off Church Scar to provide roosting opportunities during high water periods, and a temporary dog restriction area at Fairhaven to ensure the secondary roosting sites are not affected by free running dogs. Construction works will also be stopped around high tides, when temperatures fall below freezing for 5 consecutive days, speed limits for vehicles, exhaust silencers will be fitted and compound areas located away from high tide roosts.

The applicant has held detailed discussions with the RSPB and local ornithological groups to understand the impact on bird species. The presence of Turnstones that both feed and roost near the Seaford Road slipway has resulted in the new build revetment being stopped at Fairlawn, with grouting repairs to the existing sea defence beyond. This reduces the amount of disturbance to habitat. Design of the Church Scar revetment is sloped, which will act to restrict access to mud flats and keep disturbance to a minimum.

A small amount of habitat disturbance is planned within the BHS adjacent to proposed works at Church Scar, where there will be construction encroachment and resultant need for reinstatement/ remediation on completion of the works. A protected species survey has shown no designated species of flora or fauna in this area, which is also heavily impacted by dog walkers. General mitigation has been recommended relating to the strimming of any grassland habitat discourage the presence of reptiles. Following completion of the works the disturbed area on the 'land side' of the promenade will be reinstated following a methodology to be agreed with the Planning Authority. Remediation will include removal of sea buckthorn which will improve quality of the dune network, as well as signage to help understanding and appreciation of the dune system.

With regards to protected species no bat roosts were noted within the application site, but bats may use Fairhaven and Church Scar dune land for foraging. Historical records and a lack of evidence during surveys suggests that there are no resident sand lizard or other populations of amphibious or reptiles in or adjacent to the proposed site. Ground nesting birds, such as skylarks, curlew and lapwing, are not considered to nest in the dunes or foreshore due to the level of human disturbance and presence of free running dogs.

The ecology information demonstrates that the development is capable of being carried out without adversely affecting important habitats and species on/adjacent to the site. Features of ecological significance are capable of being retained, replaced or introduced as part of the scheme in order to provide appropriate mitigation, biodiversity enhancements, and to ensure that the development does not affect the favourable conservation status of protected species. This can be achieved through the imposition of appropriate conditions. Indeed GMEU and Natural England have no objection to the proposal subject to implementation of mitigation strategies within the ECiA/ Habitat Regulation Assessment, final agreement of BHS mitigation, construction and maintenance management plans and works outside of the bird nesting season. The proposal is therefore in accordance with the objectives of the development plan and the NPPF.

Relationship with surrounding development:

Policy HL2 of the FBLP and GD7 of the SV supports new residential development that would have no adverse effect on the amenity and privacy of neighbouring properties.

It is considered that the main amenity impact to neighbours is disturbance during the construction

period. This is relative to noise, vibration and dust from physical construction, as well as disturbance created by activity associated with the four compound areas at St Pauls Avenue, Stanner Bank Car Park, Granny's Bay and Fairlawn triangle. The compounds will be used for storage, deliveries, car parking and temporary office accommodation, being sited within proximity of housing and will be in situ for the construction period.

It is inevitable that there will be disruption for residents during the construction period. This disruption however is temporary, for duration of the build and is therefore acceptable. Conditions can be imposed to reduce this disruption for neighbours and construction hours and delivery time restrictions, vibration and dust controls and wheel wash facilities are recommended as per comment from the Environmental Protection officer. The Environmental Protection officer also refers to possible security light intrusion, and whilst a condition is not requested, this should be given consideration by the contractor, an informative is advised in this circumstance.

Highways

Paragraph 32 of the NPPF states that decision makers should take account of whether safe and suitable access to the site can be achieved for all people, and, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Policy TR01 seeks to improve facilities for pedestrians including provision of high quality facilities which will be attractive to pedestrians. TR03 seeks to increase provision and facilities for cycling through provision of attractive routes within new development. Policy TR10 supports new car parking proposals which amongst other criteria, provide for a high degree of safety for all, is accessible to emergency services, includes provision of landscaping and hard surfacing to enhance character/ quality of the development and includes provision for motorbikes. Policy GD7 of the SV reiterates the above highway policy position. Policy T5 states that a flexible approach to car parking provision will be applied.

The proposal includes provision of a new promenade from Fairhaven through to Granny's Bay and Church Scar. The promenade will link to the existing network footpath/ cycle network at Granny's Bay in the event this element of the scheme is not provided through this current funding stream. The promenade will be wider than that existing, ranging from 5.4m to 5.7m, and will have an exposed aggregate finish which is a no slip surface without excessive tyre noise. Engagement with LCC Cycling Promotion officer and advisors at FBC have referred to this route being used more by leisure and recreational cyclists as opposed to commuter and road riders. It is therefore proposed that the new promenade will be a shared surface as there is a view that dedicated spaces will increase speed of cyclists and increase risk of more serious accident. Signage will be used to advise cyclists of the shared space.

The existing car park at Stanner Bank has no formal road or bay markings, resulting in un-managed parking layout which encourages conflict between the car and pedestrian and heightens highway safety concerns. The proposal seeks to formalise this parking area through provision of demarcated road and parking bays. The road layout will align adjacent to the lakeside before moving to the estuary side of the car park, enabling parking bays to be sited both overlooking the estuary and lake. This demarcation will aid the pedestrian to recognise safe zones, avoiding the designated road and therefore improve safety of the car park. Landscaping adjacent to parking bays will be used to soften and break up the mass of hardstanding. Disabled bays are provided adjacent to the ice cream kiosk overlooking the estuary and also overlooking the lake.

Construction of the proposal will require access by large vehicles associated both to delivery of

materials to site as well as machinery to facilitate the build process. Access to the compounds will be via main roads which currently accommodate varying sizes of vehicle and are considered to be able to support the construction process. Increased volumes of traffic will be resultant from the development. The Highway Authority has not raised objection to the proposal, but do however request a Construction Method Statement by condition to minimise impact to the highway due to works on the site.

The proposal will provide for an upgraded pedestrian and cyclist environment and would significantly improve highway safety of the Stanner Bank Car Park. Construction traffic, whilst increasing the size and frequency of vehicles on adjacent roads, is not considered to undermine road safety and or the efficient and convenient movement of highways users, in accordance with the development plan.

Flood Risk and Drainage

The application site is located within Flood Zones 2 and 3 as defined on the Environment Agency's Flood Map, the application is therefore accompanied by a Flood Risk Assessment (FRA).

The key findings of the FRA are that the proposals will significantly benefit the areas of Fairhaven and St Annes by reducing the risk of flooding associated with coastal erosion, that no other areas will experience an increase in flood risk as a result of these works, that there is a slight increase in hard standing generated by widening the promenade from its current average width of 3.5m to 5.5m but this does not increase the risk of surface water (pluvial) flooding and there are no surface water courses affected by the proposals.

With regards to surface water drainage, the drainage design is based upon existing patterns and topography by draining back to the sea. This will be via the step revetment at Fairhaven and Granny's Bay, and drainage holes to the sloped revetment contained within the concrete upstand supporting the balustrade at Church Scar. These holes may become blocked by windblown sand overtime, so maintenance of such will be required to ensure the surface water drainage operates effectively. There will be some surface water drainage toward adjacent green spaces also. Potential pollution from surface water drained from car parks will be dealt by SuDS which will intercept and treat any pollutants.

Provisions are also made within the scheme for foul drainage, which will be used to support future development at kay locations in the future if required.

The proposal has been considered by the Lead Local Flood Authority, Environment Agency and United Utilities who have not raised objection to the proposal. The LLFA require a condition relating to management and maintenance of surface water drainage, this is considered necessary given the potential for blockage of drainage holes at Church Scar. On this basis, it is considered that adequate measures can be put in place in order to ensure that the development poses no unacceptable risk in terms of flooding in accordance with the development plan and NPPF.

Concern has been raised with regards to adequacy of the scheme to deal with the prospect of erosion and tidal flood risk. Reference is made to a 2.5m crest wall being constructed at Church Scar in 50 years' time, and that the protective wall at Granny's Bay is much lower than wall heights at Fairhaven and Church Scar – photos have been provided of a particular storm event which resulted in tidal inundation to the green at Granny's Bay. The applicant has advised that with regards to the crest wall at Church Scar, this is shown as an adaptability measure which may be needed in year 50 if sea levels rise. In relation to the Granny's Bay incident, the Authority is aware of this event which equated to a storm with 0.5% chance of curing in any given year. The funding requirements of this scheme are to protect against such an event in order to safeguard against erosion of the coast line,

as opposed to the flooding of properties at Granny's Bay. The proposed works at Granny's Bay may be undertaken, subject to budget, for erosion protection in order to save future maintenance costs/ emergency repairs.

Trees

Policy EP12 states that trees and hedgerows which individually or in groups make a significant contribution to townscape or landscape character will be protected. Policy GD7 of the SV seeks to protect existing landscape features.

There are no trees directly affected by the coastal erosion programme itself, though some located within the temporary working areas at Fairhaven may require removal to facilitate construction – as detailed within the submission. These trees afford amenity value by virtue of their prominent location adjacent to footpaths within the grounds of the Lake, but are not protected by Tree Preservation Order. These trees are self-seeded and act to obscure large portions of the lake when viewed from the existing promenade and would not have formed part of the formal landscaping arrangements of the Lake when first designed. Removal and/ or selective thinning of these trees would open up views of the lake from the new promenade and would enhance the character and setting of the Lake as an overall landscape strategy of improvement.

Whilst any tree removal would not be in strict accordance with Policies of the Development Plan, it is considered that these works are necessary to open up views of and enhance the setting of Fairhaven Lake, especially when viewed from the new promenade. It is suggested that an Arboricultural Impact Assessment and Tree Protection Plan be provided prior to works commencing to ensure control of any tree removal and protection of those retained during the construction process.

Other Matters:

Health and Safety

Concerns have been raised with regards to the health and safety of the Fairhaven/ Granny's Bay stepped revetment due to a lack of protective barrier between the new promenade/ revetment and liability for negligence by the Local Authority, quoting *'The Council is under an obligation to install appropriate safety measures as a matter of course'*.

The scheme does not provide for a barrier, however it has been confirmed that the scheme intends to install clear and visible safety signs to national safety standards; warning the public of the dangers of going onto the promenades during storm conditions.

The applicant has responded to this matter stating that safety is imperative and has been taken into account within the initial design proposals to date. The contract will be awarded on a design and build basis which will place a duty on the contractor under the Construction Design and Management Regulations 2015. These regulations govern the way construction projects of all sizes and types are planned and, as the Principal Designer, the contractor will have a duty to discharge this obligation. A pre tender, independent Public Risk Assessment (PRA) based on the Environment Agency guidance template will be undertaken. This will involve Fylde Officers who will be responsible for maintaining the promenade / defences and the Blackpool Council Health and Safety Team. The finalised designs from the Contractor will need to be subject to an updated PRA before they are accepted by Fylde Council and construction commences. Finally Before any stretch of the promenade is accepted as being fit for opening to the public then the PRA will be updated prior to handover.

Memorial Benches

A question has been raised with regards to impact of the development on existing memorial benches located along the affected area of promenade.

There are a number of memorial benches along the coast line which are located within the construction zone and will require removal prior to works on site commencing. The current scheme does not propose to put these benches back in their current location and new seating in alternative locations on the promenade is indicated. This matter requires sensitive management by both the contractor and applicant.

In response the applicant has provided a procedure note to explain the sequential process of relocation and how relatives are to be kept included in that process. This could involve memorial plaques being moved to new seating proposed within the development.

Dog Walking

Concerns have been raised with regards to existing dog walking restrictions within the area, and proposals for additional restrictions during construction. As discussed in the ecology section above, the proposal lies adjacent to and noise/ vibration from construction could disturb roosting sites located within the estuary. To mitigate this potential impact, secondary, alternative roosts are to be provided. These secondary roosts do however require protection to ensure they are safeguarded from free running dogs. Such restrictions will be relative to the period of construction only.

On this basis, whilst the concerns for a reduction of unrestricted dog walking space is recognised, the temporary restrictions are considered necessary to mitigate ecological impact from construction of the coastal defence scheme.

Insufficient consultation

Residents objecting to the scheme have criticised the Planning Authority for inadequate public consultation undertaken for the planning application. Accusations that the Council have attempted to '*hide away*' the development with site notices being '*inconspicuously placed on the slimmest of posts*' and the '*press notice being barely perceptible*' have been made.

The Planning Authority has a mandatory requirement to undertake public consultation on planning applications. For a Major application such as that proposed, this must include by site display in at least one place on or near the land to which the application relates for not less than 21 days, **or**, serving notice on any adjoining owner or occupier, and, publication in a local newspaper.

Relative to this current proposal the Planning Authority notified adjoining land owners as well as others in vicinity of the application site, issuing 382 consultation letters. 10 site notices were also erected on available street infrastructure on/ adjacent to the application site and a press notice was placed in the Lytham St Annes Express dated 9 February 2017. This is considered to be sufficient consultation for the proposed development.

Further to this, public consultation on the coastal defence scheme was undertaken by Fylde Borough Council prior to submission of the planning application. This included public engagement events dating back to April 2014, July 2015, public consultation on a preferred option in July 2015 which included a press release in the Lytham St Annes Express and consultation boards at the Town Hall and Fairhaven Lake.

Conclusions

Current sea walls and revetments were constructed in the 1920's and have reached the end of their safe and useful life expectancy. Historically, the defence has been repaired and patched, weakening the structure, this has contributed toward various failures of the revetment and could lead to failure in the future. If failure were to happen then this is likely to result in considerable erosion of the shore, affecting the areas behind the sea defence including Fairhaven Lake and Park, Inner Promenade and dune networks. It is reported this scenario will increase risk of life and to people's homes.

This proposal will reduce the risk of coastal erosion from St Pauls Avenue, Fairhaven to Fairlawn Avenue, whilst improving the Councils ability to manage and maintain the coastline and promenade. The proposals are high on the Councils priority list contained within the Fylde Coastal Strategy. On this basis the proposal is considered to be in accordance with the development plan and NPPF.

The proposal replaces unsightly structures of little visual merit, and will greatly improve the overall character and appearance of the existing coastal defences at Fairhaven, Granny's Bay and Church Scar. The Victoriana character of Church Scar will be retained through appropriate period street furniture, with a more modern intervention at Fairhaven and Granny's Bay. This is considered to protect the coastal character, and retain/ enhance the character and appearance of the adjoining Lytham Avenues Conservation Area, nor would it detract from the setting of adjacent listed buildings. Whilst the extent of public realm works is subject to budget restraint, it is considered that a scheme which is sensitive to location can be provided.

Subject to condition and mitigation where necessary, the proposal would have no unacceptable impact in terms of ecology, highway safety or neighbours of the application site. The proposed development is therefore in accordance with the requirements of the relevant policies of the National Planning Policy Framework and the Development Plan.

Recommendation

That Planning permission be granted subject to the following conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning & Regeneration believes is necessary to make otherwise unacceptable development acceptable):

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

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

2. This consent relates to the following details:

Approved plans:

- Location Plan - NEED TO INSERT
- Proposed Plans and Elevations - NEED TO INSERT

Supporting Reports:

- Design and Access Statement

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

3. The colour of cement used in construction of the revetments at Fairhaven, Granny's Bay and Church Scar shall be either Fylde Buff or White cement, unless; through discharge of this condition, otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies EP10, EP03 and EP04 of the adopted Fylde Borough Council Local Plan (October 2005), Policies GD7 and ENV5 of the submission version Fylde Local Plan (2011 - 2032).

4. The promenade, including any new or modified footpath connections to and/ or from the promenade, and event space, shall be constructed of Golden Quartz exposed aggregate concrete, unless; through discharge of this condition, otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies EP10, EP03, EP04 and TR01 of the adopted Fylde Borough Council Local Plan (October 2005), Policies GD7 and ENV5 of the submission version Fylde Local Plan (2011 - 2032).

5. Prior to commencement of any work on the Church Scarr phase of development, a scheme detailing the design of concrete imprinting on panels of the sloping revetment shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall accord with approved drawing number which details location of concrete imprinted panels on the revetment. The development shall be completed in accordance with the approved details and retained thereafter.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies EP10, EP03 and EP04 of the adopted Fylde Borough Council Local Plan (October 2005), Policies GD7 and ENV5 of the submission version Fylde Local Plan (2011 - 2032).

6. The development shall be constructed in accordance with the following details:
 - balustrade and concrete upstand at Church Scar as detailed on drawing numberXXX.
 - 1. emergency balustrades to revetments as detailed on drawing numberXXX.
 - 2. seating as detailed on drawing numberXXX.
 - 3. bins as detailed on drawing numberXXX.
 - 4. lighting as detailed on drawing numberXXX.
 - 5. signage as detailed on drawing numberXXX.
 - 6. location of artwork as detailed on drawing number XXX.

Unless; through discharge of this condition, otherwise agreed in writing by the Local Planning Authority .

Reason: To ensure a satisfactory appearance to the development in accordance with Policies EP10, EP03 and EP04 of the adopted Fylde Borough Council Local Plan (October 2005), Policies GD7 and ENV5 of the submission version Fylde Local Plan (2011 - 2032).

7. All hard landscaping within the development hereby approved shall be completed in accordance with drawing numbers XXX. Unless; through discharge of this condition, otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies EP10, EP03 and EP04 of the adopted Fylde Borough Council Local Plan (October 2005), Policies GD7 and ENV5 of the submission version Fylde Local Plan (2011 - 2032).

8. Prior to commencement of the Fairhaven phase of works, a scheme of soft landscaping and

landscape reinstatement shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall indicate tree removal, the new planting of trees and shrubs (including written specifications noting species, plant size, number and densities and an implementation programme), as well as existing and proposed finished ground levels (including section drawings) to the lakeside of the new promenade demonstrating how new land levels will integrate with those adjacent. The approved planting and ground remodelling shall be implemented in accordance with the implementation programme, and be retained thereafter unless; through discharge of this condition, otherwise agreed in writing by the Local Planning Authority.

Any species found to be dying or deceased within 5 years from the date of implementation of the landscaping scheme shall be replaced by an identical species.

Reason: To ensure a satisfactory appearance and enhance views of Fairhaven Lake from the new promenade, in accordance with Policies EP10 of the adopted Fylde Borough Council Local Plan (October 2005) and Policy GD7 of the submission version Fylde Local Plan (2011 - 2032).

9. Prior to commencement of the Grannys Bay phase of works, a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall indicate new planting (including written specifications noting species, plant size, number and densities and an implementation programme).

The approved scheme shall be implemented within the first available planting season following completion of the Grannys Bay phase of works. Any species found to be dying or deceased within 5 years from the date of implementation of the landscaping scheme shall be replaced by an identical species.

Reason: To ensure a satisfactory appearance to the development, in accordance with Policies EP10 of the adopted Fylde Borough Council Local Plan (October 2005) and Policy GD7 of the submission version Fylde Local Plan (2011 - 2032).

10. Prior to commencement of the development hereby approved, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following.
1. Description and evaluation of features to be managed.
 2. Provision for reinstatement and enhancement of the Biological Heritage Site.
 3. Ecological trends and constraints on site that might influence management.
 4. Aims and objectives of management.
 5. Appropriate management options for achieving aims and objectives.
 6. Prescriptions for management actions.
 7. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 8. Details of the body or organization responsible for implementation of the plan.
 9. Ongoing monitoring and remedial measures.

The LEMP shall also include details of 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(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be implemented in accordance with the approved details.

Any species found to be dying or deceased within 5 years from the date of implementation shall be replaced by an identical species.

Reason: To ensure that the necessary habitat restoration works are implemented, in accordance

with Policy EP17 of the adopted Fylde Borough Council Local Plan (October 2005), Policy ENV2 of the submission version Fylde Local Plan (2011 - 2032).

11. There shall be no works on the site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following.
1. Risk assessment of potentially damaging construction activities.
 2. Identification of "biodiversity protection zones".
 3. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 4. The location and timing of sensitive works to avoid harm to biodiversity features.
 5. The times during construction when specialist ecologists need to be present on site to oversee works.
 6. Responsible persons and lines of communication.
 7. The role and responsibilities on site of an ecological clerk of works (ECow) or similarly competent person.
 8. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved CEMP.

Reason: To ensure that the necessary safeguarding of habitat and protected species during construction works, in accordance with Policy EP17 of the adopted Fylde Borough Council Local Plan (October 2005), Policy ENV2 of the submission version Fylde Local Plan (2011 - 2032).

12. No clearance of trees and shrubs in preparation for or during the course of development shall take place during the bird nesting season (1st March - 31st August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of trees and shrubs shall take place until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

Reason: In order to prevent any habitat disturbance to nesting birds, in accordance with Policy EP19 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and ENV2 of the submission version Fylde Local Plan (2011-2032).

13. Unless otherwise agreed in writing by the discharge of this condition, the development hereby approved shall be implemented in accordance with the ecological mitigation measures outlined in paragraphs 4.2 (bullet points 1, 2 and 3 only) and 4.3.1.1.1 of the revised Ecological Impact Assessment (March 2017).

Unless otherwise agreed in writing by the discharge of this condition, the development hereby approved shall be implemented in accordance with the mitigation measures identified in 6) of the Appropriate Assessment Record: Summarised Conclusions (including Mitigation) section of the Appropriate Assessment dated 23rd March 2017.

Reason: To ensure that required ecological mitigation and the safeguarding of habitat and protected species is provided during construction works, in accordance with Policies EP15, EP16, EP17 and EP19 of the adopted Fylde Borough Council Local Plan (October 2005) and Policy ENV2 of the submission version Fylde Local Plan (2011 - 2032).

15. There shall be no on site works, including any heavy vehicular movements and deliveries to/ from the site, between the hours of:

08:00 - 18:00 Monday to Friday.

09:00 - 13:00 Saturday.

No on site works on Sundays or Bank Holidays.

Reason: To safeguard the amenity of neighbouring residents, in accordance with Policy HL2 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and GD7 of the submission version Fylde Local Plan (2011-2032).

16. Prior to the commencement of each phase of development, the contractor shall inform adjacent residents by letter, of the likely start and finish times and duration of any piling works within that phase of development. The time of any piling works must be within the restrictions applicable to on site works made by condition 15 of this decision notice.

Reason: To safeguard the amenity of neighbouring residents, in accordance with Policy HL2 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and GD7 of the submission version Fylde Local Plan (2011-2032).

17. There shall be no on site works, including site set up and the removal of any trees or shrubs until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

1. construction vehicle routes to and from the site, and the timing of their arrival at the site.
2. location of all site compound areas.
3. location and size of any portacabins.
4. arrangements for the parking of vehicles for site operatives and visitors.
5. details of areas designated for the loading, unloading and storage of plant and materials.
6. details of the siting, height and maintenance of any security hoarding.
7. wheel wash facilities, including type and location.
8. dust control.

The approved CMS shall be implemented for duration of the construction process.

Reason: In the interests of highway safety and general amenity of the area, in accordance with Policy HL2 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and GD7 of the submission version Fylde Local Plan (2011-2032).

18. When no longer required to facilitate construction of the development hereby approved, the site compound areas shall be removed and the land reinstated to its former appearance.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies EP10, EP03 and EP04 of the adopted Fylde Borough Council Local Plan (October 2005), Policies GD7 and ENV5 of the submission version Fylde Local Plan (2011 - 2032).



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/16/1015	Address Fairhaven Lake and land between St Pauls Car Park and Seafield Road, Lytham St Annes	Grid Ref. E.3346 : N.4272	Scale 0 60 120 180 240 m

Item Number: 5

Committee Date: 19 April 2017

Application Reference:	17/0044	Type of Application:	Full Planning Permission
Applicant:	R P Tyson Construction	Agent :	Croft Goode Limited
Location:	SUNNY BANK MILL, SUNNY BANK, KIRKHAM, PRESTON, PR4 2JE		
Proposal:	ERECTION OF 23 AFFORDABLE DWELLINGS FOLLOWING DEMOLITION OF EXISTING MILL BUILDING		
Parish:	KIRKHAM NORTH	Area Team:	Area Team 1
Weeks on Hand:	12	Case Officer:	Kieran Birch
Reason for Delay:	Not applicable		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7846493,-2.8861792,554m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Delegated to Approve

Summary of Officer Recommendation

The application site is located within the urban area of Kirkham and currently contains a vacant part of the Sunnybank Mill premises which is a traditional red brick single storey mill building that now lies within a residential area.

The proposal is to clear this part of the mill building and develop the site for 23 affordable housing units. The development is on a brownfield site and is acceptable in principle. The design, scale and materials of the proposed development are acceptable and it is considered to be a good quality development that will enhance the visual amenities of the area and comply with the relevant policies of the adopted Local Plan and NPPF. There are no highway issues with the proposal and it will not have an unacceptable impact on the amenity of neighbouring properties. The development is therefore recommended for approval, although as the press advertisement has yet to run its course the decision should be delegated to officers to issue on conclusion of that advertisement period and consideration of any issues that arise.

Reason for Reporting to Committee

The application is for a major development and as such under the Council's scheme of delegation requires that a recommendation for approval is to be determined by the Planning Committee.

Site Description and Location

The site as existing contains the old textile mill building known as Sunny Bank Mill and the immediate locality is characterised by dwellings mainly, of terraced design dating from the late Victorian era, constructed of red brick with slate roofs. It is located within the defined settlement of Kirkham and is accessible to all usual urban facilities within the town such as primary and secondary schools, retail shops, leisure facilities, rail connections, bus routes, etc. it is reflection of this that

Kirkham is identified as a second tier settlement, along with the attached town of Wesham, in Policy SP1 of the Fylde Borough Local Plan and in the emerging Fylde Local Plan to 2032.

To the north of the site is the road Sunny Bank, with dwellings facing the application site. To the east of the site are the rear of dwellings which front Wellington Street. To the west of the site are other older Mill buildings and to the south the cricket ground and Kirkham and Wesham Primary School.

Details of Proposal

The application proposes to demolish this part of the Mill and redevelop the site with 23 new affordable rented properties, with these being 10 one bedrooms flats, 7 two bed roomed houses and 6 three bedroom houses. It is proposed that the site be accessed from a new access from Sunny Bank. Fronting Sunny Bank will be the 10 flats set in a two storey terrace. To the rear of this the dwellings are arranged as semi-detached houses and terraces of three. Parking is provided within the development and is largely positioned in front of the dwellings that it served.

Amenity space for the apartments is provided in the form of communal gardens to their rear, with each of the dwellings has its own private amenity space as well as bin and clothes drying areas. Each of the dwellings is two storey and is proposed to be constructed in red brick with render panels and feature bays with reconstituted stone head and cills to the windows. Some of the dwellings will have pitched roof and some will have hipped roofs.

Relevant Planning History

Application No.	Development	Decision	Date
05/0473	OUTLINE PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT (INCLUDING THE MAJORITY FOR AFFORDABLE UNITS).	Undetermined due to failure to complete legal agreement	

Relevant Planning Appeals History

None

Parish/Town Council Observations

Kirkham Town Council notified on 01 February 2017 and comment:

Kirkham Town Council have no objection to application 17/0044 Sunny Bank Mill but request that consideration is given to the adoption and resurfacing of the access road known as Best Street.

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

I have no highway objection in principle to the proposal. However I would note the following:

- *The footpath shown on Sunny Bank (south side) appears to be approximately just over 1m in width, this should be provided at a minimum 2.0m along the site frontage;*
- *The layout as presented would not considered for adoption, to meet LCC's adoptable standards appropriate service strips would be required;*

- *Parking provision is less than 1.3 per dwelling, however I do not consider that this will result in a severe impact on the local highway given the comparatively high accessibility of the location and opportunities for on street parking.*

On condition that an acceptable site access/footway plan is provided and agreed to LCC Highways satisfaction prior to commencement of development, I would have no objection to the proposed development.

I attach below a list of suggested conditions that may be appropriate should the LPA be minded to grant approval.

United Utilities - Water

No objections subject to standard drainage conditions.

LCC Contributions

Indicate that they estimate there will be a shortage of education places to meet the needs of the development and request funding for 2 primary school places totalling £26,949.06 and 1 secondary school place totalling £20,303.59 to address that shortfall.

Strategic Housing

Housing would support this scheme of 100% affordable rented accommodation owned and managed by ForViva Housing Association. S106 funds have been approved to support the development, using off site financial contributions that have been made by developers in-lieu of affordable housing on various sites.

A breakdown of the Choice Based Lettings Scheme My Home Choice Fylde Coast indicates 448 households registered as an area of preference for Kirkham or Wesham. In terms of housing need, of those: 5 households have priority Band A as they are homeless. 42 are in Band B, 4 in Band C and 82 in Band D which means they have a need for alternative accommodation with varying degrees of severity i.e. category 1 hazards, under-occupying their current home, urgent social, welfare, medical or disability needs, they are armed forces personnel, overcrowded, unintentionally overcrowded or have a notice to leave their current accommodation. 100 Households are in Band E which means they are working or contributing to the community with voluntary work and 215 are in band F which means they are adequately housed and in no urgent housing need.

The majority of households, 171 are currently in a private sector tenancy, with 64 households living with families or friends on a temporary basis and 4 are in accommodation that is tied to their employment. 39 households own their own home.

The mix of two and three bedroom accommodation will contribute toward meeting this housing need.

Environmental Protection Officer

Raises no objection to the development subject to conditions relating to:

- Control over construction activities, particularly noise, and the timing of works.
- That acoustic insulation shall be installed to ensure that habitable rooms achieve standard noise criteria
- That a remediation strategy shall be submitted to address the contamination clearance that is needed on the site.

Neighbour Observations

Neighbours notified: 01 February 2017
Site Notice Date: 2 February 2017
Press Notice Date: 6 April 2017
Number of Responses Three
Summary of Comments

Two objections; summary of comments;

- Lack of parking spaces.
- Roads are congested.
- Children play on the street.
- Flooding
- Biodiversity.
- Damage to adjacent building.

One no objections, summary of comments;

- No objections but would like confirmation will have full access to our business at all times of the working day.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL01	New residential development
HL06	Design of residential estates
TREC17	Public Open Space within New Housing Developments
EP14	Landscaping of new developments
EP29	Contaminated land
CF01	Provision of community facilities

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
H2	Density and Mix of New Residential Development
H4	Affordable Housing
HW2	Community Facilities
INF2	Developer Contributions
INF1	Service Accessibility and Infrastructure
T5	Parking Standards
CL2	Surface Water Run-Off and Sustainable Drainage
ENV4	Provision of New Open Space

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) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The main issues to be considered when determining this application are;

Principle of residential development
Design and visual impact
Impact on residential amenity
Highways issues
Flood risk and drainage
Other issues

Principle of residential development

The principle of development of the site for a residential use is acceptable. The site is located within the settlement of Kirkham, within walking distance of the town centre and train station in an area which has both residential and commercial properties and therefore accords with policy SP1 which directs development to established settlements. There are no local or national planning policies that preclude the development of the site and the principle of developing the site residentially is therefore acceptable.

Design and visual impact

Paragraph 58 of the NPPF indicates that planning policies and decisions should ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

Criteria (1), (2), (3), (4) and (8) of FBLP policy HL2 – Development control criteria for new housing estates state that applications for housing will be permitted where they:

- Is acceptable in principle and is compatible with nearby and adjacent land uses
- Would be in keeping with the character of the locality in terms of scale, space around buildings, materials and design.
- Would be developed at a net density of between 30 - 50 dwellings per hectare net with greater intensity of development (i.e. more than 50 dwellings per hectare net) at places with good public transport availability.

- Would not adversely affect the amenity and privacy of neighbouring properties.
- Would not prejudice the future development of a larger area of developable land.

FBLP policy HL6 – Design of residential estates states that well-designed housing schemes which respect the character of the area and provide an attractive, safe and crime free environment for residents will be permitted and that proposals which involve poor designs and/or layouts which would prejudice the character of the area or public safety, or increase the potential for crime will not be permitted.

The publication version of the Fylde Local Plan to 2032 contains Policy GD7 – Achieving good design in development with criteria (a), (c), (d), (g), (h) and (j) of most relevant as they state that development will be expected to be a high standard of design, taking into account the character and appearance of the local area, including;

- (a) Ensuring densities of new residential development reflect and wherever possible enhance the local character of the surrounding area;
- (c) Ensuring the layout, massing, scale, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed layout relates well to the surrounding context
- (d) Taking account of landform, layout, building orientation, massing and landscaping to minimise energy consumption
- (g) being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the area
- (h) Taking to opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality design that responds to its context and using sustainable natural resources where appropriate
- (j) Ensuring the layout, design and landscaping of all elements of the proposal, including any internal roads, pedestrian footpaths, cycleways and open spaces are of a high quality and respect the character of the site and local area.

The design and layout of the dwellings is outlined in the details of proposal paragraph above.

It is considered that the development of the site for 23 affordable dwellings is reflective of the character of the surrounding area which predominately consists of two storey terraced dwellings with small back yards. The predominant material to be used in the development is red brick which is the same as the wider area. It is proposed that some of the bricks in the existing building be re-used as part of this development. Other materials proposed such as the render add visual interest to the elevations. The additional of the two storey bays to the prominent side elevations has a positive visual impact and helps 'modernise' their appearance. The prominent boundaries within the site are to be constructed in brick and the proposed use of block paving to the front of buildings, together with areas of landscaping will also enhance the appearance of the development.

The design of the dwellings is considered to be good quality and it is of an acceptable scale with respect to the area which it is located. The layout consists of a terrace of 10 apartments at the front of the site and pairs of semi-detached units and terraces of three units to the rear. This relates to the character of the area and are appropriately designed and given their location will have minimal visual impact on the area. The development therefore complies with the relevant above Local and National policies as outlined earlier in this section of the report.

Impact on residential amenity

The proposal will not have a detrimental impact on the residential amenity of neighbouring

dwelling. There are no dwellings to the south or west of the site with the cricket pitch and remaining mill buildings located in these directions respectively.

To the north of the site is Sunny Bank with the dwellings here directly adjacent to the highway and located approximately 18m away. This is a larger separation distance between front elevations that generally occurs in the area with most dwellings not having front gardens. This distance is considered acceptable as there will be no unacceptable overlooking of private amenity space.

To the east of the site are the rear elevations of dwellings on Wellington Street, these being approximately 10m away from the side elevations of dwellings located within the site. There will be no overlooking as the proposed dwellings have blank side elevations, there will also be a reduction in massing with the removal of the existing building which results in a better outlook for these dwellings.

The spacing between the dwellings on the site consists of 20m rear to rear and 21m front to front separations which is acceptable and typical of an urban residential situation.

Thus the development will not have an unacceptable impact on the residential amenity of surrounding dwellings.

Highways issues

There are no highways with the application. LCC Highways have commented that they have no objections but note that the footpath at the front of the site would need to be larger to meet standards, and that the layout is not acceptable for adoption. They consider that the amount of parking is acceptable and will not result in a severe impact on the local highway given the accessibility of the site. They state that on condition that the proposed access to the site and the footpath plan is provided and agreed with LCC prior to the commencement of development they have no objections. They also request a condition in relation to a construction method statement being submitted. With such conditions in place there are no highways issues with the application. As part of the development of the site it is also proposed to resurface the alley to the rear of Wellington Street. This will make this alley more accessible for these dwellings.

Flood risk and drainage

The site is not located in a flood zone and therefore a flood risk assessment is not required to be submitted. A drainage strategy has been requested and the views of the LLFA are awaited. United Utilities have been consulted and request a condition that foul and surface water be drained on separate systems and that a surface water scheme be submitted as well as details of the management and maintenance of the surface water scheme. Whilst the LLFA views are awaited, the site is currently entirely hard surfaced with the complete coverage by the existing Mill building. In contrast the proposed development will increase the permeable areas within the site through the introduction of soft landscaped areas and formal garden areas. This will provide areas for natural water runoff and percolation and so it is considered that the LLFA comments on this point can be discounted subject to conditions being imposed to secure appropriate surface water drainage scheme to be implemented. Therefore with these conditions in place surface water run off will be no greater than the existing site. There are therefore no drainage issues with the proposal.

Other issues

Education and Public open space contribution

As the proposal is for over 10 residential units the Local Education Authority has assessed the capacity of the local education facilities to accommodate the needs generated by the site. They have found that a shortfall is expected, although with the small size of the dwellings the actual yield of school age children is limited to 2 primary school places totalling £26,949.06 and 1 secondary school place totalling £20,303.59. Furthermore Policy TREC17 seeks contributions towards off site Public Open Space should not be provided on-site. In this case none is provided and therefore the Council would normally seek in the region of £500 per unit.

The applicant has submitted information relating to the demolition of the existing building, removal of asbestos from the site, site clearance, party-wall and structural matters, ground conditions and ground contamination – all of which can be considered abnormal costs for the development of the site. They also make reference to that fact that the development is for affordable housing and therefore not significantly profitable, and that Fylde Council has contributed £920,000 capital funding towards the scheme to subsidise the delivery of affordable housing. When making the decision to allocate that money the viability of the scheme was considered and approved by Full Council.

Officers have assessed this evidence and accept that the figures provided do indicate that the development could be unviable if it were to make any contribution towards education, public open space or other works. Whilst it would be usual for a residential development to secure the necessary infrastructure requirements officers believe that the greatest priority is to deliver sustainably located affordable housing properties, especially in a highly sustainable area such as this where the need for such housing is high. This is in line with guidance in para 205 of the NPPF which requires that planning obligations must not be imposed which could involve development being stalled.

Should Committee not accept this point and believe that the development should make other contributions then the recommendation should be revised to require that a s106 agreement is completed with clauses to secure contributions of £500 per plot for public open space improvements, and the stated contributions for education capacity. However it should be noted that the requests from LCC Education are relatively small, and that contributions towards schools are limited to 5 separate contributions as per the CIL regulations and that larger contributions from larger developments are likely to be generated.

Affordable housing

As the proposal is for 100% affordable housing that is supported by the council's Housing team and is being funded from section 106 reserves there is no need for a legal agreement. Legal agreements are normally required when a scheme for market housing is required to deliver 30% affordable housing, in this case as the whole scheme is for affordable dwellings it is considered that a planning condition will provide the necessary control for the dwellings to be retained as affordable units.

Ecology

The application has been submitted with an ecological survey by Living Ecosystems. The survey has been carried out by appropriately qualified ecologists and is proportionate to the site and the development proposed. The site is brownfield and offers little in terms of ecological features of

value. Within the site is a derelict building, an area of scrub woodland located between the two buildings and a former mill lodge factory pond. The scrub area is considered to have ecological value as nesting habitat for song birds and the pond whilst suitable for newts is considered due to its isolation from any other suitable habitat due to the buildings and 2m brick wall that surround it unlikely to support a breeding population of newts. It is therefore considered appropriate to put a condition on any permission that restricts clearance of trees/vegetation during the bird nesting season and that a scheme be submitted in compensation for that lost to development. The building has been surveyed for potential use by bats, with interior and exterior checks of features of the building looking for the presence of bats. The survey found that due to a recent fire the parts of the building effected were not suitable for bats (if they ever were) and the remaining part of the building had low suitability and no evidence was found of bats. Whilst no evidence has been found it is considered appropriate that the new development provides roosting opportunities for new bats. With conditions to that effect in place there are no ecological issues with the application.

Conclusions

The proposal is for 100% affordable housing and will operated by ForViva on an affordable rent basis. It is acceptable in principle and offers a good quality design in a mixed residential and commercial area within the settlement of Kirkham. It is considered an acceptable form of development in this location and is in accordance with the relevant policies of the Fylde Borough Local Plan. As such members are recommended to support the application and authorise officers to grant permission when the consultation period has expired and any issues raised have been duly considered.

Recommendation

That the authority to GRANT planning permission be delegated to the Head of Planning and Regeneration following the conclusion of the press advertisement period and consideration of any comments received as a consequence of that advertisement. The planning permission should be granted subject to the following conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning & Regeneration believes is necessary to make otherwise unacceptable development acceptable):

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

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

2. This consent relates to the following details:

Approved plans:

- Location Plan – 16-1980-PN005
- Proposed Site Layout – 16-1980-PN001
- Proposed House Types floor plans – 14-1980-PN002
- Proposed General Elevations – 14-1980-PN003

Supporting Reports:

- Design and Access Statement – 14-1980 (Prepared by Croft Goode Architects)

- Topographical Survey – M/LMC/14/001/001_3D
- GeoEnvironmental Site Investigation (Prepared by Earth Environmental and Geotechnical Ltd)
- Planning Statement (Prepared by Shepherd Planning)
- Noise Assessment (Prepared by Sound Advice)
- Ecological Survey (Prepared by Living Ecosystems)

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

3. The development hereby approved shall comprise of not less than 100% affordable housing, and shall not commence until a scheme for the provision of the affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing scheme shall confirm that the affordable housing meets the definition of affordable housing in Annex 2 of the National Planning Policy Framework (or any future guidance that replaces it), and shall include:

- the tenure and type of the affordable housing provision;
- proposals for the management of the affordable housing and the arrangements for the transfer of the affordable housing to an affordable housing provider if any of the affordable housing is to be so transferred;
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing and that the dwellings remain affordable in perpetuity;
- the occupancy criteria to be used to assess eligibility of potential occupiers of the affordable housing and the mechanism for the enforcement of such occupancy criteria.

The development shall be implemented and occupied in accordance with the approved scheme at all times.

Reason: To ensure the dwellings are provided and remain as affordable housing in perpetuity, and that they meet the identified local affordable need in accordance with the requirements of policy H4 of the Submission Version of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

4. Notwithstanding any denotation on the approved plans samples of all the external materials to be used in the construction of the development, hereby approved, including surface and building materials shall be submitted to and approved by the Local Planning Authority prior to the commencement of any built development works on site. The submission shall also include details of the re-use of bricks from the building to be demolished in the proposed development. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

Reason: Such details are not shown on the application and must be agreed to ensure a satisfactory standard of development.

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

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

Note: The works required by the condition are the creation of a detailed photographic and written record of the mill building, to the standards set out in Historic England's '*Understanding Historic*

Buildings' (2016). These works should be carried out by an appropriately qualified and experienced professional archaeological building recording contractor, to the standards and guidance of the Chartered Institute for Archaeologists (www.archaeologists.net).

6. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

7. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

8. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- a. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

9. No part of the development hereby approved shall commence until a scheme for the construction the site access (including footway provision on Sunny Bank, south side) has been submitted to, and approved by the Local Planning Authority in consultation with the Highway Authority. The approved scheme for access and off-site works shall be constructed in accordance with the details approved prior to the first occupation of any dwelling, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site. Also, in

order to provide safe access to the site for all users (motorised and non-motorised).

10. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;
 - vii) a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
 - viii) a Management Plan to identify potential ground and water contaminants; details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction;
 - ix) a scheme to control noise during the construction phase, and
 - x) the routing of construction vehicles and deliveries to site.

Reason: To maintain the operation and safety of the local highway network during site preparation and construction.

11. There shall not at any time in connection with the development hereby permitted be planted hedges, trees or shrubs over 1m above the road level within any visibility splay required to maintain safe operation for all users.

Reason: To ensure adequate visibility splays are maintained at all time.

12. Demolition or construction work shall not begin until a scheme for protecting the surrounding residential premises from noise, vibration and dust from the site during these works has been submitted to and approved in writing by the Local Planning Authority. All measures which form part of the approved scheme shall be adhered to throughout the period of demolition and/or construction.

Reason: To safeguard the amenity of neighbouring properties by reducing the noise/vibration levels emitted from the site.

13. The hours of demolition and construction on the site shall be restricted to 08.00 – 18.00 Mondays to Friday; 08.00 – 13.00 Saturdays and no activity on Sundays or Bank Holidays.

Reason: To safeguard the amenity of neighbouring dwellings.

14. Acoustic insulation shall be installed to ensure that habitable rooms achieve the following noise criteria ;
Bedrooms (night-time) - 30dB LAeq, 8 hours / 45 dB L_{Amax}
Living rooms (daytime) - 35dB LAeq, 16hours
External amenity space (daytime) – 50dB LAeq, 16 hours

Reason: To safeguard the amenity of neighbouring

15. A remediation strategy shall be submitted covering the requirements of the stage II report but will also need to consider the asbestos present in the roofing material. Once the remediation has been agreed a validation report shall be submitted before the condition can be discharged.

Reason: In the interests of health and safety.

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

To ensure that the Local Planning Authority has control over any future development of the dwelling[s] which may adversely affect the character and appearance of the dwelling[s] and the surrounding area.

17. No tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys by a competent ecologist show that nesting birds would not be affected.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

18. No works shall commence until full details of appropriate bird nesting and bat roosting opportunities to be installed within the re-developed site, and the phasing of their installation, have been submitted and approved in writing by Fylde Borough Council. Approved details shall be implemented in full accordance with the approved phasing.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.



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Application No. 5/17/0044	Address Sunny Bank Mill, Sunny Bank, Kirkham	Grid Ref. E.3418 : N.4323	Scale 0 6 12 18 24 m

Item Number: 6

Committee Date: 19 April 2017

Application Reference:	17/0047	Type of Application:	Full Planning Permission
Applicant:	Brooksingh Limited	Agent :	
Location:	43 LYTHAM ROAD AND PART OF FORMER GEORGES GARAGE SITE, BRYNING WITH WARTON, PRESTON, PR4 1AD		
Proposal:	ERECTION OF A DETACHED DWELLING WITH INTEGRAL GARAGE (SHOWN AS PLOT 7 ON ILLUSTRATIVE LAYOUT APPROVED UNDER OUTLINE PLANNING PERMISSION 13/0526) AND CONSTRUCTION OF INTERNAL ACCESS ROAD AND TURNING HEAD FOR THAT DEVELOPMENT		
Parish:	WARTON AND WESTBY	Area Team:	Area Team 1
Weeks on Hand:	11	Case Officer:	Alan Pinder
Reason for Delay:	Need to determine at Committee		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7657162,-2.8126094,139m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to the Georges Garage site which lies to the rear of the Tesco/Subway outlet in Warton and the dwelling that lies to the eastern side of it.

This application seeks planning permission for the construction of a single dwelling on the site with access provided from Lytham Road by the demolition of the existing dwelling at No. 43. The site already benefits from an extant outline permission (ref. 13/0562) for the erection of 7 dwellings with access from Lytham Road by demolishing No. 43 and so this application is effectively for the first of those plots. It is understood that due to a change in circumstances the developer intends for the remaining 6 plots to be developed on a plot-by-plot basis in the future, perhaps for those looking to do self-builds, and accordingly this is the 'show house' and is to service the remainder of the site with the construction of the access road.

This proposed single dwelling will commence the development of a previously developed site in a sustainable location and will not prejudice the future development of the remaining 6 plots. The proposal is considered to accord with the relevant policies of the Fylde Borough Local Plan and members are recommended to approve the application.

Reason for Reporting to Committee

The Parish Council have raised objection to the proposal, and as the officer recommendation for approval it is necessary for the application to be determined at the Planning Committee.

Site Description and Location

This application relates to a strip of land that encompasses the vehicular access and plot 7 of the outline permission for 7 dwellings previously approved under 13/0562, which remains extant until November 2017. The site is located within the development of Warton and to the side/rear of the Tesco Express store on the south side of Lytham Road. Residential development lies to the east, west and south of the site.

Details of Proposal

Planning permission is sought for the demolition of No. 43 Lytham Road, the formation of a vehicular access from Lytham Road to the development site in the area vacated by that dwelling, the internal road layout and turning head for the 7 plots, and the construction of a two storey detached dwelling on the site of plot 7 approved under outline permission 13/0562. The access from Lytham Road would be formed over the footprint of the demolished No.43 and run alongside the boundary of the Tesco retail site to the location of plot 7.

The dwelling would have a footprint measuring 8.7 metres in width and 10 metres in depth and is a two storey detached house with a third storey in the roof to provide 5 bedroom with an integral garage. Its elevations would be faced with 'Wienerberger Crofters Medley' brick and the roof covered in 'Marley Modern' smooth dark grey concrete tiles. Windows and doors would be white upvc. Gardens are provided to the front and rear.

The scheme has been amended since submission with the extension of the proposal to include the formation of the internal road network to the wider scheme to ensure vehicles can enter and leave the highway in a forward gear.

Relevant Planning History

Application No.	Development	Decision	Date
14/0536	PROPOSED DEMOLITION OF AN EXISTING DWELLING TO ALLOW FOR PROVISION OF TEMPORARY CONSTRUCTION ACCESS ASSOCIATED WITH DEVELOPMENT OF RESIDENTIAL DWELLINGS TO REAR PART OF GEORGES GARAGE SITE, AND THEN ERECTION OF 2 NO. REPLACEMENT DWELLINGS	Granted	19/11/2014
13/0562	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR UPTO 7 DWELLINGS, WITH ACCESS FROM LYTHAM ROAD APPLIED FOR AND ALL OTHER MATTERS RESERVED	Granted	18/06/2015

Relevant Planning Appeals History

None.

Parish/Town Council Observations

Bryning with Warton Parish Council notified on 07 February 2017 and comment:

"The Council acknowledge that the access from Lytham Road has been approved but as predicted the location in the vicinity of the neighbouring Retail property has rapidly become an accident black spot

and any additional traffic generated from houses on this site, in such close proximity, will increase the traffic hazard. While the Parish Council does not in principle object to the approved houses on the site in all consciousness it must object to the proposed access on to Lytham Road."

Statutory Consultees and Observations of Other Interested Parties

BAe Systems

No comments received at the time of writing

Ministry of Defence - Safeguarding

No safeguarding objections

Lancashire County Council - Highway Authority

With the scheme amended to include the full access arrangements in this proposal they have no objections to the proposal subject to the attachment of suitable conditions to ensure delivery and maintenance of the access road and turning head.

Neighbour Observations

Neighbours notified:

07 February 2017

Number of Responses

One

Summary of Comments

Request that the shared boundary fence between the access road and No.41 Lytham Road be no less than 7 feet in height and that trees be planted alongside the fence. Also that no windows on the side of the dwelling look over their property.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01

Development within settlements

HL02

Development control criteria for new housing proposals

Fylde Local Plan to 2032:

GD1

Settlement Boundaries

GD7

Achieving Good Design in Development

Other Relevant Policy:

NPPF:

National Planning Policy Framework

NPPG:

National Planning Practice Guidance

Site Constraints

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Principle of the Development

The principle of a new dwelling on this site has previously been established under outline planning

permission ref. 13/0562. Hence the issues to consider in the determination of this application relate to the details of the development which are to be assessed against the criteria set out in policy HL2 of the Fylde Borough Local Plan and policy GD7 of the submission version of the Submission Version of the Fylde Local Plan to 2032, as set out below.

Design and Appearance in the Locale

The site is neighboured to the south by the new residential development currently under construction on the former GEC Marconi site. The part of that site immediately neighbouring this application site comprises a mix of two storey semi-detached two storey dwellings of modern design and appearance. When viewed against this background of modern development the proposed dwelling would accord with the new local vernacular and not appear visually at odds or incongruous against this neighbouring development.

Relationship to Neighbours

The only properties potentially affected by the proposal are the new dwellings associated with the development of the former GEC Marconi site. The back to back separation distance between these new properties and the proposed dwelling would be approximately 22 metres. This accords with the general design guidance set out in design note 1 of the council's adopted SPD on house extensions. Furthermore the finished floor levels of the proposed dwelling are not dissimilar to those of the Marconi site. Hence it is not considered that neighbouring dwellings to the rear would be unduly overlooked or otherwise affected by the proposed dwelling.

The occupiers of No.41 Lytham Road have written in to request that 7 feet high fencing be erected along the boundary of the access road and No.41's curtilage and that the dwelling have no side facing windows overlooking their rear garden area. The submitted proposed site layout indicates that 2 metre high timber fence is to be erected along the shared boundary with No.41, and the proposed elevations for the dwelling include no windows in either of the side facing elevations. Accordingly their concerns are met by the scheme as submitted.

Access and Parking

A new vehicular access would be formed from Lytham Road following the demolition of No.43 Lytham Road. The Parish Council have objected to the proposal on the grounds that the proposed access from Lytham Road would conflict with the vehicular access that serves the neighbouring retail development and create a hazard to road safety. The same access was proposed and approved by Committee under planning permission ref. 13/0562, against which County Highways raised no objections. This outline permission remains extant until November 2017 and provides an alternative means by which the access could be formed without redress to this new application. This notwithstanding, County Highways have been consulted on this new application and again have raised no objections to the access subject to suitable conditions to ensure delivery and maintenance of the access road and turning head which now form part of the application and allow all vehicles to turn safely within the site.

Other Matters

A ground contamination survey has previously been carried out in support of 13/0562 and a resulting remediation methodology has been submitted with this application. It is noted that this is a concern that the Parish Council have expressed with an application elsewhere on this agenda that seeks to vary the condition that implements that contamination remediation. It is not considered that their concerns are justified in this case, as is explained in the report to that application, and so a condition requiring this remediation methodology to be implemented in full should be attached here.

Conclusions

This application seeks planning permission for the construction of a single dwelling on the site with access provided from Lytham Road by the demolition of the existing dwelling at No. 43. The site already benefits from an extant outline permission (ref. 13/0562) for the erection of 7 dwellings with access from Lytham Road by demolishing No. 43 and so this application is effectively for the first of those plots. It is understood that due to a change in circumstances the developer intends for the remaining 6 plots to be developed on a plot-by-plot basis in the future, perhaps for those looking to do self-builds, and accordingly this is the 'show house' and is to service the remainder of the site with the construction of the access road.

This proposed single dwelling will commence the development of a previously developed site in a sustainable location and will not prejudice the future development of the remaining 6 plots. The proposal is considered to accord with the relevant policies of the Fylde Borough Local Plan and members are recommended to approve the application.

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 consent relates to the following details:

Approved plans:

- b. Location Plan - Dwg no. 451/PLW/LP Rev D
 - Proposed Site Layout - Dwg no. 451/LRW/SLP Rev J
 - Housetype C Option 1 - Dwg no. 451/PLW/HTC1 Rev B
 - Proposed Drainage Plan - Dwg no. C-0673-10
 - Proposed Road Construction Details - Dwg no. C-0673-11

Supporting Reports:

- Design and Access Statement - dated January 2017
- Remediation Methodology (Plot 7) - Brooksingh Limited, dated March 2017 Rev B
- Construction Plan for Plot 7

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

3. The external materials to be used in the development hereby approved shall accord entirely with those indicated on the approved plans; any modification shall thereafter be agreed with the Local Planning Authority in writing prior to any substitution of the agreed materials.

In the interests of visual amenity.

4. The submitted construction plan, referred to under condition 2 of this permission, is to be

implemented and adhered to during the construction of the approved development

To maintain the safe operation of the pedestrian and highway network in the area during construction given the proximity to residential properties.

5. That no works shall commence or be undertaken between the months of March and July inclusive, until a walkover survey of the site and its boundary hedges has been undertaken to establish the presence of any breeding birds and the results submitted to the Local Planning Authority. Should such sites be identified, then a mitigation and phasing scheme for any construction works in the vicinity of the identified nesting sites shall be submitted to the Local Planning Authority for approval and implemented throughout the construction of the dwelling.

To ensure that disturbance to any breeding birds within the site is minimised during the construction of the dwellings.

6. The dwelling hereby approved shall not be occupied until a verification report demonstrating completion of works set out in the remediation methodology (Revision B, dated March 2017 and approved under condition 2 of this permission). The effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority.

To ensure completion of the site remediation

7. Prior to the first occupation of the dwelling hereby approved, the full extent of the access road, turning head, footways, drainage, signage and lighting shall be constructed to a completed standard in accordance with Lancashire County Council document 'Specification for Construction of Estates Road (2011)' unless an alternative phasing for the completion of these works has been submitted to and approved in writing by the Local Planning Authority, in which case the road shall be constructed to at least base course level prior to occupation of the dwelling and to finished standard in accordance with the agreed alternate phasing.

Reason: To ensure that the estate street serving the development are completed to an acceptable standard in the interest of residential / highway safety, and to ensure a satisfactory appearance to the highways infrastructure serving the development in accordance with Policy HL2 of the Fylde Borough Local Plan and Policy GD7 of the Fylde Local Plan to 2032.

8. Prior to the first occupation of the dwelling hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority of the on-going maintenance of the communal areas of the site including the internal access roads and footways, areas of landscaping and all associated features such as streetlighting, signage, drains and boundary treatments that lie within these areas. The development shall thereafter be maintained in accordance with the approved schedule of maintenance.

Reason: To ensure that the estate street serving the development are completed and maintained to an acceptable standard in the interest of residential / highway safety, and to ensure a satisfactory appearance to the highways infrastructure serving the development in accordance with Policy HL2 of the Fylde Borough Local Plan and Policy GD7 of the Fylde Local Plan to 2032.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0047	Address 43 Lytham Road and part of former Georges Garage Site, Warton	Grid Ref. E.3418 : N.4286	Scale 0 6 12 18 24 m

Item Number: 7

Committee Date: 19 April 2017

Application Reference:	17/0081	Type of Application:	Full Planning Permission
Applicant:	Mr Andrews	Agent :	PWA Planning
Location:	THE PADDOCK, BACK LANE, GREENHALGH WITH THISTLETON, PRESTON, PR4 3HP		
Proposal:	ERECTION OF TWO STOREY DWELLING WITH BALCONY TO REAR AS REPLACEMENT FOR EXISTING PROPERTY AND OUTBUILDING		
Parish:	SINGLETON AND GREENHALGH	Area Team:	Area Team 2
Weeks on Hand:	10	Case Officer:	Alan Pinder
Reason for Delay:	Need to determine at Committee		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.8221669,-2.9062947,277m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is a detached bungalow property located in a Countryside area of Greenhalgh. The proposal is to demolish the dwelling and replace it with a detached two storey dwelling. The proposed dwelling would have a conventional appearance with a twin gable frontage, a single storey 'guest' annexe to the north east elevation, and first floor balcony to the rear. A detached outbuilding is proposed to be demolished as part of this proposal.

Whilst the replacement dwelling would represent a volume increase in excess of that provided for in the preamble to policy HL4 of the Fylde Borough Local Plan the it would fall well within the limit set by policy H7 of the emerging Submission Version of the Fylde Local Plan to 2032, and on balance it is considered that the scale of the proposed dwelling is not unacceptable within its location and setting and hence accords with the aims of HL4 and the requirements of H7.

Reason for Reporting to Committee

The Parish Council's recommendation for refusal is at odds with the officer's recommendation for approval.

Site Description and Location

The application relates to an existing private horse riding facility and private dwelling known as 'The Paddocks'. The Paddocks is located within designated countryside on Back Lane, approximately 150 metres from the junction of Back Lane with Fleetwood Road within Greenhalgh parish.

Details of Proposal

Planning permission is sought for the demolition of an existing detached bungalow dwelling and its replacement with a detached two storey dwelling. The proposed dwelling would have a conventional appearance with a twin gable frontage, a single storey 'guest' annexe to the north east elevation, and first floor balcony to the rear. No details of the proposed external materials have been submitted with the application. A detached outbuilding is proposed to be demolished as part of this proposal.

A bat survey has been submitted in support of the application.

Relevant Planning History

Application No.	Development	Decision	Date
16/0899	ERECTION OF BRICK WALL AND PILLARS AND TIMBER GATE TO FORM REVISED ENTRANCE TO PROPERTY	Refused	18/01/2017
13/0329	PROPOSED PORTAL FRAMED BUILDING TO PROVIDE AN INDOOR SAND SCHOOL.	Granted	04/09/2013
01/0538	PROPOSED PADDOCK	Granted	05/09/2001
01/0037	OUTLINE APPLICATION FOR INDOOR RIDING ARENA FOR PRIVATE USE.	Refused	28/03/2001
82/0043	OUTLINE - ONE BUNGALOW.	Refused	03/03/1982
78/0325	OUTLINE - DETACHED DWELLING AND GARAGE.	Refused	14/06/1978

Relevant Planning Appeals History

Application No.	Development	Decision	Date
82/0043	OUTLINE - ONE BUNGALOW.	Dismiss	03/12/1982

Parish/Town Council Observations

Greenhalgh with Thistleton Parish Council notified on 10 February 2017 and comment:

"The Parish Council considered the plans and the following issues were raised:-

- Although the footprint is similar the size of the dwelling is more than double and intrusive on the landscape*
- 1. The design is not in keeping with the rural setting*

The Parish Council therefore recommends refusal of the application. Should the application be successful, the Parish Council would question whether 106 monies would be considered by the developer."

Statutory Consultees and Observations of Other Interested Parties

N/A

Neighbour Observations

Neighbours notified:	10 February 2017
Number of Responses	None

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
HL04	Replacement and extension of rural dwellings

Fylde Local Plan to 2032:

GD4	Development in the Countryside
GD7	Achieving Good Design in Development

Other Relevant Policy:

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

Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Principle

The application site is located in the Countryside area under Policy SP2 of the Fylde Borough Local Plan, and is carried forward as such in Policy GD4 of the submission version Fylde Local Plan to 2032. In such areas the principle of replacement dwellings is acceptable subject to the assessment of the overall scale of the replacement dwelling, how it impacts on the open character of the countryside, and how it relates to the scale of surrounding properties with this assessment secured under Policy HL4 of the Fylde Borough Local Plan and Policy H7 of the Fylde Local Plan to 2032.

Scale of Works in Countryside

Policy HL4 of the Fylde Borough Local Plan (FBLP) relates to proposals for the replacement of rural dwellings and seeks to ensure that such dwellings remain in keeping with both the character of the area and other dwellings within the locale. The preamble to HL4 requires that the total volume of replacement rural dwellings should not exceed that of the original dwelling by more than 33%. Dwellings that exceed this guide volume increase have been permitted in the past where the resulting dwelling does not overwhelm its surroundings and sits comfortably within the site.

In this instance the proposed dwelling would clearly exceed the 33% limit referred to in HL4's preamble but this notwithstanding the property benefits from a large curtilage within which the proposed dwelling would comfortably sit. The closest neighbouring property is Spring Cottage, which is a reasonably sized two storey dwelling located approximately 100 metres further along Back Lane. As such the two storey appearance of the proposed dwelling is not considered to overwhelm

that of this closest neighbouring dwelling.

Further to the policy requirements of the Fylde Borough Local Plan, the emerging Fylde Local Plan to 2032 (FLP) is currently subject to examination and as such its policies are also a relevant consideration in the determination of this application. Policy H7 of this emerging Plan relates to replacement rural dwellings and provides a 33% limit on the increase in ground floor area, rather than the overall volume as is the case with Policy HL4. In this instance the calculated increase in floor area amounts to approximately 21%, which falls well within the limit set by Policy H7. That Policy also requires that the dwelling respects the character of the rural area, with the comments in the preceding paragraph in that regard are pertinent here too.

Whilst the replacement dwelling would represent a volume increase in excess that provided for in the preamble to policy HL4 of the FBLP the dwelling would fall well within the limit set by policy H7 of the ELP, and on balance it is considered that the scale of the proposed dwelling is not unacceptable within its location and setting and hence accords with the aims of HL4 and the requirements of H7.

Design and Appearance in Streetscene

As noted in the preceding paragraphs and the description of the development, the proposed dwelling is of a non-contentious design and its increased height over that of the existing bungalow is not considered to be inappropriate when viewed within the wider setting, which includes the neighbouring two storey dwelling of Spring Cottage.

Relationship to Neighbours

The closest neighbouring dwelling is Spring Cottage, located approximately 100 metres further along Back Lane from the siting of the proposed dwelling. This large separation distance between the two dwellings is considered sufficient to ensure that neighbour amenity would be unaffected by the proposed dwelling. The dwelling would have a rear facing first floor balcony but as this faces directly onto open countryside it would have no neighbour impacts.

Parking and Access Arrangements

The proposal would retain an appropriate level of parking and does not compromise the access arrangements or highway safety.

Other matters

The nature of the proposal together with the rural location is such that there exists the potential for the development to impact on the habitat and activity of bats. Given that bats are a protected species the local authority has a duty to ensure that any potential impacts have been adequately identified and mitigated for if found. The application is accompanied by bat surveys that cover both the existing dwelling and the detached outbuilding. These surveys found no evidence of the buildings being used by bats and the roosting potential of the buildings is considered to be low. As such no further actions are required as a consequence of this.

Conclusions

The proposed replacement dwelling is above the quantitative scale of extensions referred to in the text to Policy HL4 of the Fylde Borough Local Plan, but complies with the qualitative elements of that policy, and complies with the quantitative and qualitative elements of Policy H7 of the Fylde Local Plan to 2032. Whilst the concerns over the scale of the dwelling expressed by the Parish Council are noted, against this policy background it is not considered that they can be determinative in the recommendation of this application given this policy assessment. Accordingly that

recommendation is 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 consent relates to the following details:

Approved plans:

2. Location Plan - Dwg no. F1_01
 - Proposed Site Plan - Dwg no. F1_03
 - Proposed Plans and Elevations - Dwg no. F1_05

Supporting Reports:

- Planning Statement - produced by PWA Planning, dated January 2017 and ref. PWA_17-327
- Bat Scoping Survey Report - produced by Batworker, dated 15 March 2017

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

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

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Fylde Borough Local Plan policy HL2 and the National Planning Policy Framework

4. No demolition of any building, or clearance of any vegetation in preparation for or during the course of development, shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the buildings to be demolished and the vegetation to be cleared are not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no demolition or clearance of any vegetation shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the

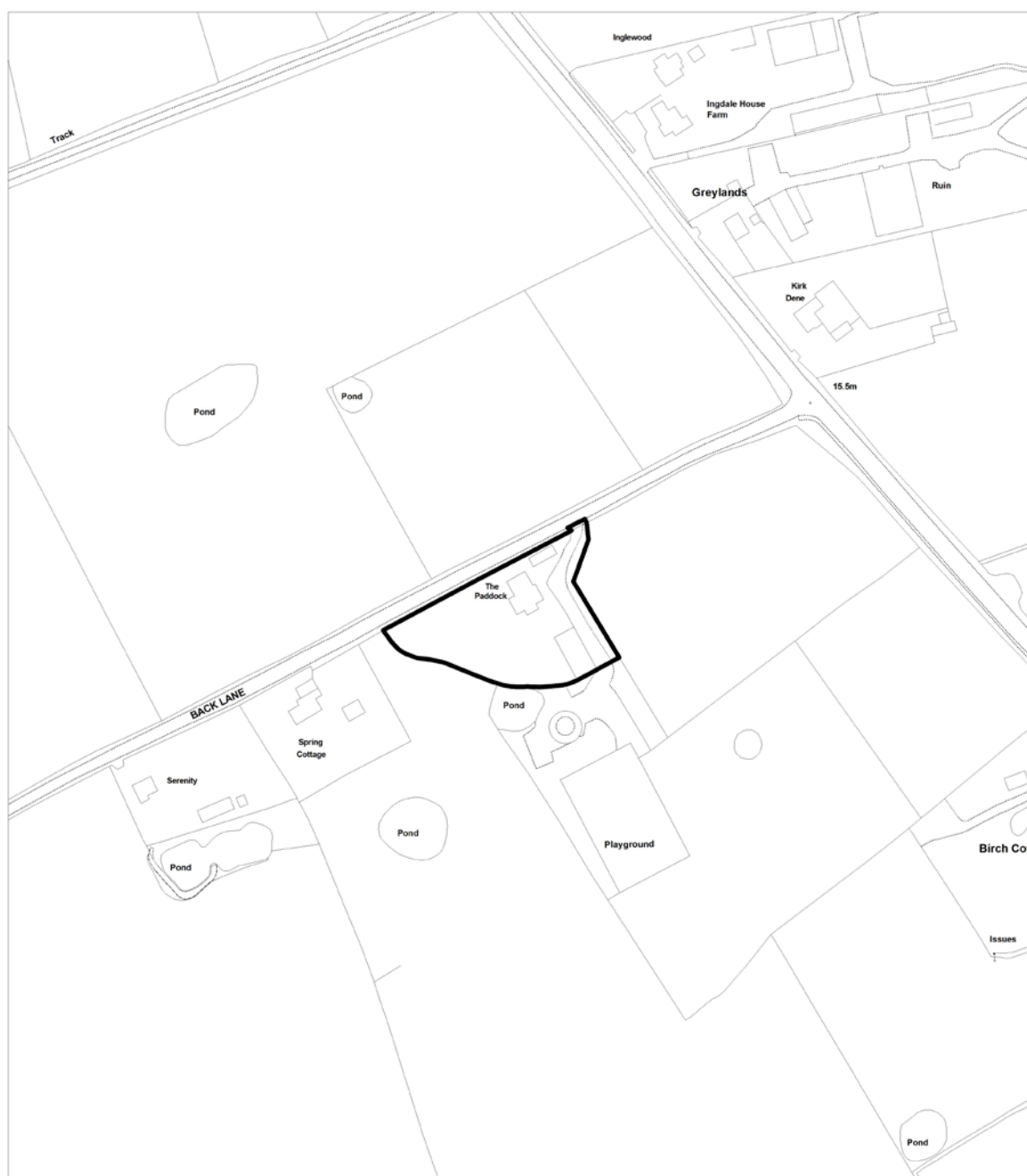
requirements of Fylde Borough Local Plan policy EP19, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

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

[CLASS VARIABLES

A	House Extensions.
B&C	Roof Extensions/alterations
D	Porches
E	Curtilage buildings
F	Hardstanding
G	Fuel containers
H	Satellite antenna]

To ensure that the Local Planning Authority has control over any future development of the dwelling which may adversely affect the character and appearance of the dwelling and the surrounding area.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0081	Address The Paddock, Back Lane, Greenhalgh	Grid Ref. E.3404 : N.4366	Scale 0 10 20 30 40 m

Item Number: 8

Committee Date: 19 April 2017

Application Reference:	17/0085	Type of Application:	Full Planning Permission
Applicant:	Notemachine UK Ltd	Agent :	
Location:	79A POULTON STREET, KIRKHAM, PRESTON, PR4 2AJ		
Proposal:	RETROSPECTIVE APPLICATION TO REPLACE PART OF THE EXISTING GLAZING WITH WHITE LAMINATE PANEL AND INSTALL ATM		
Parish:	KIRKHAM SOUTH	Area Team:	Area Team 1
Weeks on Hand:	11	Case Officer:	Rob Clewes
Reason for Delay:	Delay in Consultation Reply and Need to determine at Committee		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.782053,-2.8756972,277m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application property is a retail property located in the town centre of Kirkham, but outside of the town's conservation area. The application is submitted retrospectively and relates to the replacement of an element of the shop front glazing with a panel to facilitate the siting of an ATM at the premises.

Such facilities are an important part of a high street and in this case the ATM is designed and located so that the main elements of the shop front are retained and so the visual impact is minimal. There are no amenity or other concerns raised by the proposal and so it is recommended for approval.

Reason for Reporting to Committee

This application has been brought before the Planning Committee as the officer recommendation for approval conflicts with the objection received from Kirkham Town Council.

Site Description and Location

The application property is a three storey building located within Kirkham town centre and on the southern side of Poulton Street. The ground floor of the property is a shop which has a display window either side of the centrally located entrance door. This stretch of Poulton Street is characterised by retail/commercial properties predominantly at ground floor.

Details of Proposal

The proposal is a retrospective application for the installation of an ATM in the shop front. The width of the new ATM is 0.87m wide and 1.26m tall and is located centrally within the left hand display

window. A security panel replaces the window.

Relevant Planning History

Application No.	Development	Decision	Date
95/0291	CHANGE OF USE TO CHIROPODY & REFLEXOLOGY BUSINESS	Withdrawn by Applicant	01/06/1995
84/0150	GARAGES AND STOREROOM WITH UNLOADING ACCESS TO SHOPS	Granted	23/05/1984
84/0218	EXTENSIONS TO SHOP AND STORE AT REAR	Granted	23/05/1984

Relevant Planning Appeals History

None

Parish/Town Council Observations

Kirkham Town Council notified on 03 February 2017 and comment:

Strongly object to this application on the following grounds:

- *The bright blue lights from the installation are far too bright and cause a distraction to motorists*
- *The installation is not in keeping with Kirkham Main Street scene.*
- *It is within the conservation area*
- *Permission was not granted before installation*

Statutory Consultees and Observations of Other Interested Parties

None

Neighbour Observations

Neighbours notified: 03 February 2017
Number of Responses None

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
EP08	Shop fronts

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development

Other Relevant Policy:

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

Site Constraints

None

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The application is for the alteration to the existing shop front to include the installation of an ATM therefore policy EP8 of the Fylde Borough Local Plan applies which seeks to ensure proposed development is compatible with the character of the building and street scene in general.

The introduction of ATM machines in the external elevations of buildings is an accepted and common feature in town centre locations such as this, and assist their vitality and viability by providing an easily accessible supply of cash. The ATM here is typical in its design and scale and so does not dominate the frontage of the property, which retains the previously existing features in all other respects. As such the resulting appearance of the property is not significantly different than that previously and the character and appearance of the building are considered acceptable. In addition the street scene is not detrimentally affected due to the minimal works which have been carried out and taking into account the existing character of this stretch of Poulton Street.

Whilst the Town Council have raised concerns over the impact on the Kirkham conservation area this property is some distance outside that designation and there will be no impact on the conservation area or its setting.

The level of illumination is a matter to be considered in the application for the advertisements which follows on this agenda.

Conclusions

The proposal is of an acceptable design and appearance and will not have a detrimental impact on the character of the property nor wider street scene. The proposal is therefore considered to comply with Policy EP8 of the adopted Fylde Borough Local Plan and Policy GD7 of the submission version of the Fylde Local Plan to 2032 and is subsequently recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This consent relates to the following details:

Approved plans:

- Location Plan
- Typical Fascia Elevations - NM-GA-F1-A
- As installed Plan and Elevation

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



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0085	Address 79A Poulton Street, Kirkham	Grid Ref. E.3424 : N.4320	Scale 0 6 12 18 24 m

Item Number: 9

Committee Date: 19 April 2017

Application Reference:	17/0086	Type of Application:	Advertisement Consent
Applicant:	Notemachine UK Ltd	Agent :	
Location:	79A POULTON STREET, KIRKHAM, PRESTON, PR4 2AJ		
Proposal:	ADVERTISEMENT CONSENT FOR INTERNALLY ILLUMINATED SIGN TO ATM AND HALO ILLUMINATION TO ATM SURROUND.		
Parish:		Area Team:	Area Team 1
Weeks on Hand:	11	Case Officer:	Rob Clewes
Reason for Delay:	Delay in Consultation Reply and Need to determine at Committee		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.782053,-2.8756972,277m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application property is a retail property located in the town centre of Kirkham, but outside of the town's conservation area. The application is submitted retrospectively and relates to the advertisements associated with an ATM at the premises.

The internally illuminated signage is appropriate in principle as part of the town centre, and is of an appropriate scale and design. It is beneficial in advertising the location of the facility and improving the security of its users without being excessive. It is recommended that the application be supported and advertisement consent granted.

Reason for Reporting to Committee

This application has been brought before the Planning Committee as the officer recommendation for approval conflicts with the objection received from Kirkham Town Council.

Site Description and Location

The application property is a three storey building located within Kirkham town centre and on the southern side of Poulton Street. The ground floor of the property is a shop which has a display window either side of the centrally located entrance door. This stretch of Poulton Street is characterised by retail/commercial properties predominantly at ground floor.

Details of Proposal

The proposal is a retrospective application for internally illuminated signage associated with the installation of an ATM. The signage is around the ATM and there is a smaller sign at the top of the ATM itself.

The signage around the ATM is a blue halo style that runs around the facility, with an internally illuminated sign as part of the ATM highlighting the service.

Relevant Planning History

Application No.	Development	Decision	Date
95/0291	CHANGE OF USE TO CHIROPODY & REFLEXOLOGY BUSINESS	Withdrawn by Applicant	01/06/1995
84/0150	GARAGES AND STOREROOM WITH UNLOADING ACCESS TO SHOPS	Granted	23/05/1984
84/0218	EXTENSIONS TO SHOP AND STORE AT REAR	Granted	23/05/1984

Relevant Planning Appeals History

None

Parish/Town Council Observations

Kirkham Town Council notified on 03 February 2017 and comment:

- *The installation is not in keeping with Kirkham Main Street street scene.*
- *It is within the conservation area*
- *Permission was not granted before installation*

Statutory Consultees and Observations of Other Interested Parties

None.

Neighbour Observations

Neighbours notified: No Neighbours Notified

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
EP09	Shop front advertisements

Fylde Local Plan to 2032

Policy GD7:	Achieving Good Design in Development
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Other Relevant Guidance:

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

Site Constraints

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Legislative Background

As this application relates to Advertisement Consent it is to be assessed against the requirements of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). These confirm that the only matters that are to be assessed are the implications of the advertisement for amenity and public safety.

Whilst this legislation is dated, this point is reinforced by para 67 of the NPPF which states:

"Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

At a local level the development plan policy is Policy EP9 of the Fylde Borough Local Plan (as amended) 2005 which is primarily aimed at shopfront advertisements and states: *"Advertisements will only be permitted where they respect the character and architectural details of the buildings on which they are proposed. The proposed signage must respect the character of the building and the surrounding area in terms of scale, details, siting and method of illumination."*

The emerging Fylde Local Plan to 2032 is more general and makes reference to advertisements in Policy GD7 relating to general design matters stating: *"w) Advertisement designs should respect the character and architectural details of the buildings and location within which they are proposed, and their surroundings, in terms of scale, details, siting and method of illumination."*

The proposal here is therefore to be assessed against this background

Public Amenity

The advertisement is located within Kirkham Town Centre and therefore signage is a common occurrence. Furthermore the nature of the signage is typical for an ATM and is a proportionate advertisement to ensure that it is appropriately visible without the advertisement being excessive or compromising the general public amenity of the area.

Public Safety

The advertisement is of a scale and position that will not unduly compromise highway safety or any other aspect of the public safety obligations of policy and guidance.

Other Matters

The Town Council raised the issue of the application site being within Kirkham Conservation Area. The site is not located within the Kirkham Conservation Area or considered to be adjacent it therefore an assessment relating to its impact is not required.

Conclusion

The application relates to the display of a series of advertisements at the premises / site.

Having viewed the proposal and assessed the issues raised against the relevant guidance in para 67 of the NPPF and Policy EP9 of the Fylde Borough Local Plan and para w of Policy GD7 of the Fylde Local Plan to 2032 it is considered that the advertisement is appropriate in its scale, location, design and all other regards. Accordingly the application is recommended for approval.

Recommendation

That Advertisement Consent be GRANTED subject to the following conditions:

1. This consent relates to the following details:

Approved plans:

- Location Plan
- Typical Fascia Elevations - NM-GA-F1-A
- As installed Plan and Elevation

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

2.
 - a) All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
Reason: Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
 - b) Any hoarding or similar structure, or any sign, placard board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.
Reason: Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
 - c) Where any advertisement is required under the regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.
Reason: Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
 - d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
Reason: Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
 - e) No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway [including any coastal waters]; or aerodrome [civil or military].
Reason: Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0086	Address 79A Poulton Street, Kirkham	Grid Ref. E.3424 : N.4320	Scale 0 6 12 18 24 m

Item Number: 10

Committee Date: 19 April 2017

Application Reference:	17/0096	Type of Application:	Householder Planning Application
Applicant:	Mr Ralphs	Agent :	
Location:	1 BUTTERCUP WAY, BRYNING WITH WARTON, PRESTON, PR4 1EQ		
Proposal:	EXTENSION OF DOMESTIC CURTILAGE AND ERECTION OF A 1.8 METRE HIGH BOUNDARY FENCE TO SIDE OF REPLACEMENT HEDGE.		
Parish:	WARTON AND WESTBY	Area Team:	Area Team 1
Weeks on Hand:	10	Case Officer:	Alan Pinder
Reason for Delay:	Need to determine at Committee		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7556998,-2.8946913,139m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to the dwelling that sits at the junction of the Nine Acre Nurseries development (known as Meadows View) and Harbour Lane in Warton.

Planning permission is sought for the extension of the domestic curtilage of 1 Buttercup Way to incorporate an approximately 2 metre wide strip of land along the frontage onto Harbour Lane. The new curtilage boundary would be planted with hedgerow and 1.8 metre high timber fence would be erected behind the hedge. The new hedgerow would align with, and carry on from, the existing wall that forms part of the entrance to the whole residential development, 'Meadows View'.

Having viewed the proposal and assessed the issues raised, it is considered that the proposal accords with Policy HL5 of the Fylde Borough Local Plan, Policy GD7 of the Fylde Local Plan to 2032, and other relevant development plan policies. Accordingly the application is recommended for approval.

Reason for Reporting to Committee

The parish council's objection is at odds with the officer recommendation for approval, and accordingly the constitution requires that the application be determined by the Planning Committee.

Site Description and Location

The application site is a modern detached two storey dwelling located within a recently completed residential development that abuts the settlement boundary of Warton. The dwelling is located on the corner junction of Buttercup Way and Harbour Lane and within designated countryside in the Fylde Borough Local Plan, although the implementation of the planning permission is recognised in the emerging Fylde Local Plan to 2032 and so it is removed from that designation.

Details of Proposal

Planning permission is sought for the extension of the domestic curtilage to incorporate an approximately 2 metre wide strip of land along the frontage onto Harbour Lane for the depth of the property of around 28m.. The new curtilage boundary would be planted with hedgerow (Beech - *Fagus sylvatica*) and 1.8 metre high timber fence would be erected behind the hedge. The new hedgerow would align with, and carry on from, the existing wall that forms part of the entrance to the whole residential development, 'Meadows View'.

Relevant Planning History

None to report.

Relevant Planning Appeals History

None

Parish/Town Council Observations

Bryning with Warton Parish Council notified on 09 February 2017 and comment:

"The Parish Council have received Public representation that the application will impinge on the existing line of sight along Harbour Lane for vehicles exiting properties further along the road which will increase traffic dangers which will impact on road safety. The Parish Council in account of this representation would express that this is a new property and the layout and designs submitted by the developers were obviously in accordance with the surrounding environs and therefore extension at such an early stage seems unjustified.

If application is approved and the approximate 20 metre length of existing hedge row is to be replaced it is requested that the following conditions be imposed.

a) Replacement must be of species and maturity (ie. not saplings) for the length and depth of the existing hedge that is being removed.

b) Any removal must take into account the relevant legislation in accord with nesting bird activity."

Statutory Consultees and Observations of Other Interested Parties

BAE Systems

No objections

Ministry of Defence - Safeguarding

No comments received

Lancashire County Council - Highway Authority

Lancashire County Council as highway authority have, in principle, no highway objections to this planning application. Additional information shows that the required visibility splay sightlines of 2.4m x 25m can be obtained with the proposals in place. I would however request that a condition is added to any planning permissions granted that maintains the sightlines and keeps them free from vegetation and overgrowth, this would be for highway safety reasons.

Neighbour Observations

Neighbours notified: 09 February 2017
Number of Responses: None

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
HL05	House extensions

Fylde Local Plan to 2032

Policy GD4	Development in the Countryside
Policy GD7	Achieving Good Design in Development

Other Relevant Guidance:

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

Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Whilst the application site is located in the Countryside area under Policy SP2 of the Fylde Borough Local Plan it is now effectively an extension of the settlement of Warton following the implementation of the planning permission for residential development of the former Nursery site that includes this application property. With this being the front corner property of that development, it does however form the transition between the village and the surrounding countryside.

The application site is comprised of a strip of grassed land that has the appearance of forming part of the grass highway verge between the application property and Harbour Lane, but is within the ownership of the applicant. This application seeks to incorporate this strip of land into the garden curtilage of No.1 Buttercup Way and create a new boundary enclosure by means of a planted hedgerow with a 1.8 metre high timber fence behind when viewed from the highway. The new hedgerow would follow the line of the existing hedgerow that forms the boundary along Harbour Lane on the opposite side of Buttercup Way. A strip of grassed area approximately 1 metre would remain adjacent to the footway.

The key issues to consider are the visual impact of the proposal on the wider street scene and its potential impacts on highway safety.

The proposal is not considered to unduly impact on the visual amenity of the street scene along

Harbour Lane as the hedgerow would continue the line of the boundary hedge along the adjacent length of Harbour Lane and the remaining 1 metre wide grass strip would maintain the visual separation between the hedge and the highway (footpath). The proposed timber fence is also not considered to have an unacceptable visual impact as it would be screened to a large extent by the hedgerow and a condition requiring the fence to be stained in a dark muted colour would further reduce the fence's visual impact. Similarly a condition relating to the planting and maintenance of the hedge at the time of the removal of the existing would be appropriate, with a further condition relating to the avoidance of the bird nesting species legislatively necessary given the protection to such hedges.

County Highways have been consulted on the proposal and have raised no objections as their requested visibility splay of 2.4 metres by 25 metres would be achieved with the relocated hedge and fence in place. They do however request that a condition be attached to any permission requiring the visibility splay to be maintained free of any vegetation or structure of more than 1 metre in height.

Conclusion

The application relates to the incorporation of a strip of grassed land, adjacent to Harbour Lane, into the curtilage of No.1 Buttercup Way. Having viewed the proposal and assessed the issues raised, it is considered that the proposal accords with Policy HL5 of the Fylde Borough Local Plan, Policy GD7 of the Fylde Local Plan to 2032 and other relevant development plan policies. Accordingly the application is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This consent relates to the following details:

Approved plans:

- Location Plan
- Proposed Site Plan - ref. AJP2
- Proposed fence elevation - ref. AJP3

3. The replacement hedge hereby approved by this permission shall comprise of 100 No. specimens of Beech (*fagus sylvatica*) of between 90 cm to 120 cm in height (at planting). This Beech hedge shall be planted concurrently with the extension of the curtilage hereby approved, and shall be retained and if later removed due to damage or disease shall be replaced by a hedge of similar size and species.

Reason: To preserve the visual amenity of the street scene at this rural transition as required by Policy GD7 of the Submission Version of the Fylde Borough Local Plan.

4. The timber fence hereby approved shall not be erected until such time as the hedgerow approved

under condition 2 of this permission has been planted. Within 1 month of its erection the fence shall be stained in a dark muted colour to the satisfaction of the Local Planning Authority.

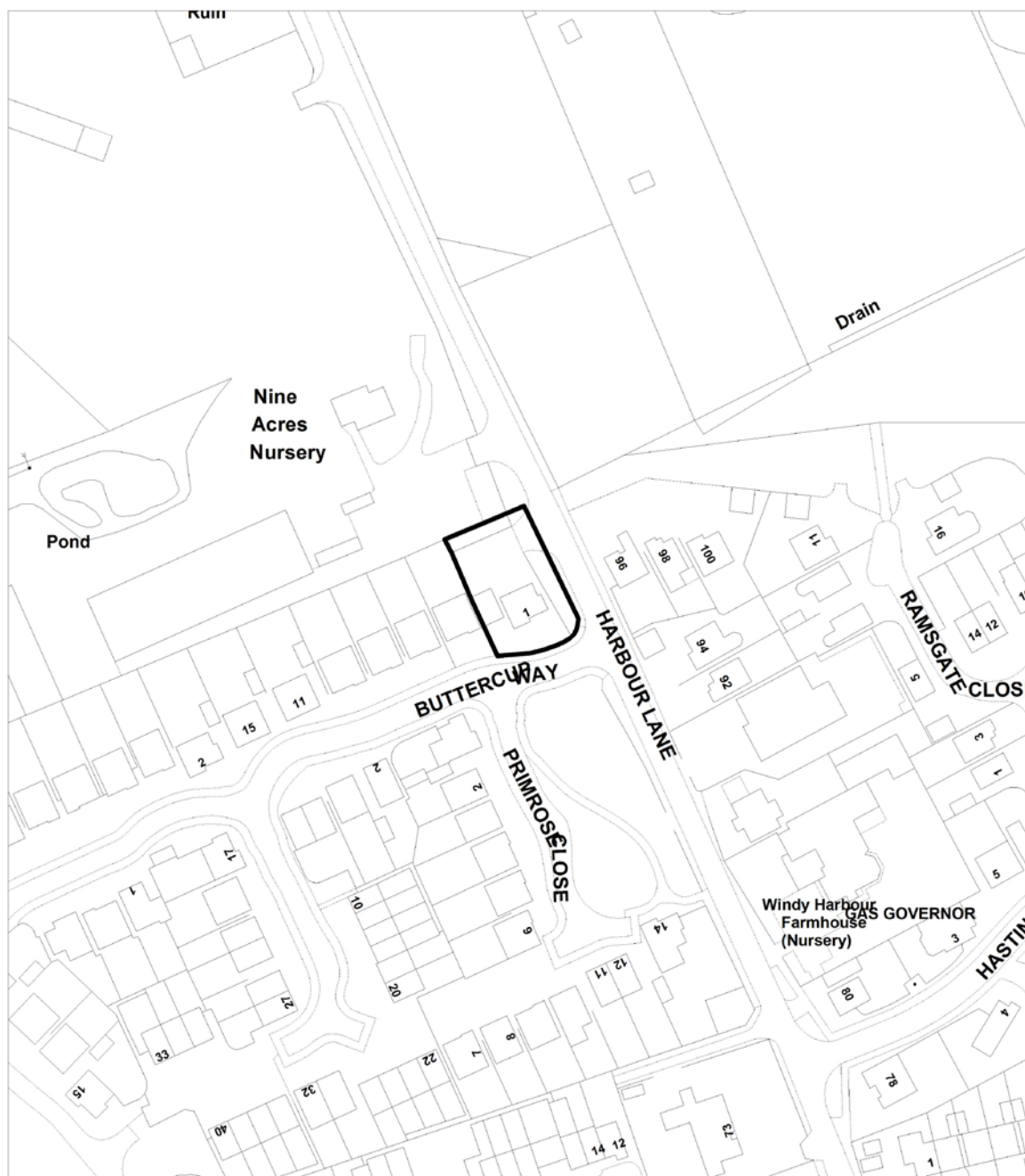
Reason: To preserve the visual amenity of the street scene at this rural transition as required by Policy GD7 of the Submission Version of the Fylde Borough Local Plan.

5. That no works shall commence or be undertaken between the months of March and July inclusive, until a walkover survey of the site and its boundary hedges has been undertaken to establish the presence of any breeding birds and the results submitted to the Local Planning Authority. Should such sites be identified, then a mitigation and phasing scheme for any construction works in the vicinity of the identified nesting sites shall be submitted to the Local Planning Authority for approval and implemented.

Reason: To ensure that disturbance to any breeding birds within the site is minimised during the development in accordance with Policy EP18 of the Fylde Borough Local Plan.

6. Following completion of the relocation of the hedge and / or the erection of the fence hereby approved visibility splays of 2.4m x 25m when viewed to the north leaving Buttercup Way to join Harbour Lane shall be maintained free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures in excess of 1 metre in height measured from the height at the centre line of the adjacent Harbour Lane carriageway.

Reason: To ensure adequate visibility at the street junction in the interest of highway safety.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0096	Address 1 Buttercup Way, Warton	Grid Ref. E.3410 : N.4292	Scale 0 6 12 18 24 m

Item Number: 11

Committee Date: 19 April 2017

Application Reference:	17/0119	Type of Application:	Full Planning Permission
Applicant:	Mitchells & Butlers	Agent :	ABA Architecture
Location:	QUEENSWAY HOTEL, BLACKPOOL ROAD NORTH, LYTHAM ST ANNES, FY8 3RU		
Proposal:	REFURBISHMENT OF EXISTING PUB BUILDING INCLUDING NEW ENTRANCE PORCH/LOBBY WITH REVISED ACCESS STAIRS AND RAMP, AND RAISED DECKING AREA TO FRONT TO FORM AN EXTERNAL DINING AREA WITH ILLUMINATED POST / ROPE EDGE, JUMBRELLAS AND HEATERS AND NEW PATIO DOORS & STEPS FOR ACCESS..		
Parish:	KILNHOUSE	Area Team:	Area Team 2
Weeks on Hand:	9	Case Officer:	Rob Clewes
Reason for Delay:	Delay in Consultation Reply and Need to determine at Committee		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7635283,-3.0145292,277m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is an existing pub that is located on the edge of the defined settlement of St Annes at the junction of Blackpool Road and Queensway. The proposal is part of an internal and external refurbishment, with the works relating to an altered entrance, an additional outside seating area and some revisions to the bin storage and parking areas.

The use of the building as a pub is well established and as a consequence it has a slightly tired appearance. The works proposed are all part of a refresh to the building and are all considered to be of an appropriate design and scale. The additional external seating area has generated some objections over the potential for noise disturbance, but with the well-established nature of the facility, the separation distance from the nearest dwellings and the heightened background noise levels in the area anyway due to the road network it is not considered that this can justify a refusal of the application.

The proposed works are an enhancement of the existing pub and so it is recommended that planning permission be granted.

Reason for Reporting to Committee

This application has been brought before the Planning Committee as the officer recommendation for approval conflicts with the objection received from St Annes Town Council.

Site Description and Location

The application site is the Queensway Hotel Public House located on the corner of Blackpool Road North and Queensway within the settlement boundary of St Annes. The building is single storey and there are various additions/extensions to the building. The site benefits from a car park and there is an outside dining/drinking area adjacent the northern side of the building.

To the north, west and south there are neighbouring residential properties which either face, or back, onto the site in some respect. These neighbouring properties vary in style and design and all have their own individual driveways.

Details of Proposal

The proposal is for the installation of a new entrance lobby with ramp and stairs, a new outside decking area for dining, new windows/doors in the front elevation, a new fence around the existing bin store and new areas of landscaping within the site.

The new entrance lobby is located on the southeast facing elevation and is 3.43m wide and projects 0.7m off the main elevation. It has a gable ended pitched roof. A new ramp and stairs form part of the new entrance.

The new decking area also projects off the southeast facing elevation and is of a triangular foot print 11m by 8m. It is to be surrounded by an illuminated post and rope enclosure. A new set of patio doors are to be installed to allow access from the dining area that is being formed in the pub.

The new fence around the existing bin store is to be of timber construction and designed to contain and screen the bins. A series of new landscaped areas are located at various points next to the building and within the car park area.

Relevant Planning History

Application No.	Development	Decision	Date
06/1048	ADVERTISEMENT CONSENT FOR EXTERNALLY ILLUMINATED NEW BREWERY SIGN	Granted	19/12/2006
06/0826	BEER TERRACE AND PATIO AREA INCLUDING INSTALLATION OF 2NO. JUMBERELLAS	Granted	29/11/2006
06/0508	ADVERTISEMENT CONSENT FOR DOUBLE SIZED EXTERNALLY ILLUMINATED PROMOTIONAL DISPLAY UNIT	Refused	04/08/2006
04/0062	ADVERTISEMENT CONSENT FOR VARIOUS STATIC SIGNS	Granted	23/03/2004
04/0046	PROPOSED NEW ENTRANCE DOORS, NEW DISABLED RAMP, ROOF FLUE	Granted	01/03/2004
96/0113	SINGLE STOREY LINK CORRIDOR TO CELLAR	Granted	27/03/1996
94/0028	NEW PLAY AREA AND REVISED PARKING LAYOUT	Granted	30/03/1994
92/0047	ADVERTISEMENT CONSENT, TO DISPLAY DOUBLE SIDED POLE	Granted	26/02/1992
91/0886	EXTENSION AND ALTERATIONS TO FRONT OF PROPERTY (REVISED PROPOSAL)	Granted	26/02/1992
90/0348	GROUND FLOOR EXTENSION TO RESTAURANT AT FRONT AND ALTERATIONS TO EXISTING RESTAURANT	Granted	07/11/1990

88/0198	EXTENSION TO FORM FLAT	Granted	20/04/1988
87/0163	ILLUMINATED FACIA SIGNS & AMENITY BOARDS	Granted	02/05/1987
87/0139	NEW PUBLIC ENTRANCE LOBBY	Granted	02/05/1987
82/0348	VARIOUS SIGNS INCLUDING 3 ILLUMINATED MENU BOARDS AND FLOODLIGHTING TO GABLE END SIGNS.	Granted	23/06/1982

Relevant Planning Appeals History

None

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 16 February 2017 and comment:

Object. No objection in principle. But have major concerns over:

- *Noise levels emanating from outdoor seating / dining area, impacting on residential accommodation.*
- *Loss of car parking – the patrons of this establishment already park on Blackpool Road North and this will only make matters worse regarding traffic circulation.*
- *Relocation of recycling bins to rear of building and restrictions placed on collection times.*

If application approved the Town Council would hope to see conditions approved in relation to the above and hours of operation. Some close neighbours do not appear to have received 'near neighbour' notification.

Statutory Consultees and Observations of Other Interested Parties

Environmental Protection (Pollution)

Comments - No objections

Neighbour Observations

Neighbours notified:	16 February 2017
Amended plans notified:	N/A
Site Notice Date:	09 March 2017
Press Notice Date:	N/A
Number of Responses	7 responses received
Summary of Comments	<ul style="list-style-type: none"> • Increase in noise disturbance from use of the proposed decking • Loss of privacy • Loss of car parking spaces will lead to on street parking • Acoustic screening should be installed to mitigate impact • Pleased to see fence for bin area • Happy to see the appearance of the Pub improved • Bins should be relocated to the back of the building • Increased use will lead to a detrimental impact to the area due to increased parking in the area

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
EMP3	Business & industrial uses outside defined area

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

Site Constraints

None

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The main issues regarding this application are:

The principle of the development

Design and impact to the character of the building and surrounding area

Impact to neighbouring amenity

Impact to highway safety

The principle of the development

The site is located within the St Annes settlement boundary and is an existing employment use outside a defined business and industrial area where policy EMP3 would normally apply. In this case there is no change of use of the land and the site is established as a Public House. The proposed works will not have any impact to the use of the site nor the wider area and therefore the principle of the development is considered appropriate.

Design and impact to the character of the building and surrounding area

The proposed new windows, lighting additions, fence and decking area to the front of the building will have no detrimental impact to the character of the building as they are considered appropriate in style and design and will improve the existing building which has started to appear tired.

The pub is in a highly visible location on the corner of Blackpool Road North and Queensway with various viewpoints available of the site. The proposed works as a whole will have no adverse impact to the visual amenity of the wider area and the refurbishment works will have a positive impact, especially the fencing of the existing bin area to the side of the building.

Impact to neighbouring amenity

To the south of the application site on the southern side of Blackpool Road North there are neighbouring residential properties. Some of the representations received (including that from the Town Council) have raised concern of the increase in noise and disturbance from the use of the proposed new decking area being suffered by these residents.

This decking area is approximately 32m from the front elevations of these properties and it is considered that this distance along with the modest size of the decked area will not result in an increase level of disturbance which would result in an unacceptable impact to the amenity of the neighbouring properties. In addition the site is a well-established public house which has operated as such for many years and is adjacent a main road through St Annes, therefore it is considered that any additional noise and disturbance would not be so great that it would result in a significant noticeable difference. Finally, it is noted that the external terrace is adjacent to a new dining area and so it is likely that the intention is for this to be used during the day time to allow external space for dining / families to use, and as such it is not considered that an 'hours control' condition as suggested by the Town Council would be of any benefit.

Impact to highway safety

The proposal will have no detrimental impact to highway safety. The site benefits from a good size car park and the loss of 6 parking spaces is not so significant that it would result in an under provision of on-site parking. Representations received raised concerns over the increase in on street parking however it is not considered that the proposal will lead to a significant change in this respect.

Conclusions

The proposed development will not have a detrimental impact on the appearance of the building nor on the character of the wider area. In addition there will be minimal impact to the amenity of the neighbouring residential properties. It is therefore considered to comply with the NPPF, policy EMP3 of the adopted Fylde Borough Local Plan and Policies GD7 and EC2 of the submission version of the Fylde Local Plan to 2032 and as such 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 consent relates to the following details:

Approved plans:

- Location Plan - 16-1785_212
- Proposed Site Layout - 16-17-85.203
- Proposed Ground Floor GA - 16-1785.204
- Proposed External Elevations - 16-1785.205

- Entrance Lobby - 16-1785.206
- External Steps - 16-1785.207
- External Ramp - 16-1785.208
- Timber Post and Rope - 16-1785.209
- External Planters - 16-1785.210
- Proposed Jumbrella Plan and Elevation - 16-1785.211

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

3. The external materials to be used in the development hereby approved shall accord entirely with those indicated on the approved plans; any modification shall thereafter be agreed with the Local Planning Authority in writing prior to any substitution of the agreed materials.

In the interests of visual amenity.

4. The proposed access door to the bin store area, as shown on plan ref: 16-1785.203 shall not open onto the highway. Any replacement door or new means of access shall also not open on to the highway.

Reason: To ensure there is no conflict for highway users in the interests of highway safety.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0119	Address Queensway Hotel, Blackpool Road North, Lytham St Annes	Grid Ref. E.3333 : N.4302	Scale 0 6 12 18 24 m

Item Number: 12

Committee Date: 19 April 2017

Application Reference:	17/0170	Type of Application:	Full Planning Permission
Applicant:	Mr Rigby	Agent :	Shepherd Planning
Location:	LAND ADJ. 2 TRAWLBOAT COTTAGES, BLACKPOOL ROAD, LYTHAM ST ANNES, FY8 4AH		
Proposal:	REVISED HOUSE TYPE TO APPROVED PERMISSION 13/0322 FOR ERECTION OF DETACHED DWELLING AND GARAGING.		
Parish:	PARK	Area Team:	Area Team 1
Weeks on Hand:	7	Case Officer:	Ruth Thow
Reason for Delay:	Not applicable		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7531313,-2.9951208,277m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is a plot of land to the rear and side of Trawlboat Cottages which are located at the junction of Blackpool Road, Heyhouses Lane and North Houses Lane. The site has planning permission for the erection of a substantial detached dwelling under planning permission that was initially approved in 2001 and was revised in 2013 to a different housetype. A substantial start as been made on the 2013 scheme and so that planning permission is extant.

The application proposes a variation of the design of the dwelling on site the site with an increase in its height and in its footprint. The result is a property with a series of reception rooms at ground floor, 4 bedrooms at first floor, and a games room in the roofspace above. There is a detached double garage to the front.

The principle of the dwelling is established by the previous permission that is extant, and whilst this is a larger property it is positioned well back from the streetscene where the change will not be particularly noticeable and will not impact on that streetscene. The scheme has been revised to improve the design and relationship to the nearest properties, which are on North Houses Lane. The result is that the proposal now accords with the relevant design policies of the adopted and emerging Local Plan and so is recommended for approval.

Reason for Reporting to Committee

The Head of Planning and Regeneration has agreed to a request from a ward councillor (Cllr Harvey) for the application to be determined at Committee rather than under delegated powers.

Site Description and Location

The application site land adjacent to no. 2 Trawlboat Cottages, Blackpool Road, Lytham St Annes.

In particular the proposal relates to an irregular shaped area of land, accessed off Blackpool Road and situated between two properties ('Loxwood' and 'Broadchalke') on North Houses Lane and the ornamental gardens forming part of the open space areas of the 'Cyprus Point' estate, off Lytham St. Annes Way.

The site is generally flat, unused and until recently was overgrown. However, in late 2016 the applicant commenced work on implementing a planning permission for a dwelling under reference 13/0322 which involved the cobble wall being opened up for access and a rough driveway laid.

The site is situated within the settlement of Lytham St. Annes as designated on the Fylde Borough Local Plan, as altered (October 2005) and this designation is carried forward to the submission version of the Local Plan to 2032.

Details of Proposal

This application seeks permission for the erection of a detached, three storey dwelling with the third floor provided in the roof space.

The application is a revision to the house type approved under application no. 13/0322 and now proposes a three storey dwelling with the main section of the dwelling measuring 15.5 metres in width by 11.5 in depth. A single storey element is proposed to the side elevation, that facing North Houses Lane, which provides a 'TV den' and adds 4 metres by 4.6 metres to the scale. To the front elevation a single storey element provides a link to a garage measuring 6 metres by 6 metres, sufficient to provide parking for two vehicles.

The dwelling has been designed in an overall classical style with an open Portico entrance feature with hipped roofs and pediment detail and has an eaves height of 5.5 metres with an overall ridge height of 9.4 metres with pitched roof dormers to the rear and side elevation facing Cyprus Point.

The siting is slightly repositioned from that approved under the existing permission, with the front elevation 70 metres into the plot from the highway.

Relevant Planning History

Application No.	Development	Decision	Date
16/0672	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS ON PLANNING PERMISSION 13/0322 FOR MATERIALS (CONDITION 2) WORKS TO COBBLE WALL (CONDITION 4), ACCESS CONSTRUCTION (CONDITION 5), SITE LEVELS (CONDITION 6), DRAINAGE DETAILS (CONDITION 7), BOUNDARY MATERIALS (CONDITION 8), SURFACE MATERIALS (CONDITION 9), AND LANDSCAPING (CONDITION 10)	Advice Issued	24/10/2016
13/0322	PROPOSED ERECTION OF DETACHED DWELLING & GARAGE AS PREVIOUSLY APPROVED UNDER PLANNING PERMISSION 09/0565	Approved with 106 Agreement	18/11/2013

09/0565	ERECTION OF TWO STOREY DETACHED DWELLING WITH ATTACHED GARAGE	Approved with 106 Agreement	12/01/2011
01/0817	REVISED SUBMISSION FOR DETACHED 2 STOREY DWELLING AND GARAGE	Granted	30/01/2002
01/0237	DETACHED TWO STOREY DWELLING & GARAGE	Granted	03/10/2001

Relevant Planning Appeals History

None

Parish/Town Council Observations

None applicable.

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

No comments received at time of writing report, but no changes are proposed to access or level of development to that already approved.

Neighbour Observations

Neighbours notified:	14 March 2017
Number of Responses	1 letter received
Summary of Comments	<ul style="list-style-type: none"> • changes will have a detrimental impact on those living close by • out of character with properties on Blackpool Road • roofline higher by about 2 metres • increase in footprint • front facade around 6.5 metres closer to Blackpool Road • uncertain whether brick are appropriate for streetscene • landscaping less effective in screening proposal • Loxwood not seen in context of proposed dwelling

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL02	Development control criteria for new housing proposals
EP07	Features & artefacts of local importance
EP14	Landscaping of new developments

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
ENV1	Landscape

Other Relevant Policy:

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

Site Constraints

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Background

This site has previous permissions for the erection of a dwelling approved under planning permissions 01/0237, 01/0817, 09/0565 and more recently 13/0322 under which a lawful start on the dwelling has been made. However, the applicant now seeks to vary the design and location of the dwelling the latest approved dwelling.

Principle of development

The site is located in the settlement of Lytham as defined by Policy SP1 of the adopted Fylde Borough Local Plan and Policy GD1 of the Fylde Local Plan to 2032. These policies direct development towards these settlements with Policy HL2 of the adopted and Policy GD7 of the emerging Local Plan relevant for assessing the merits of new housing development.

As development of the earlier permission has been lawfully commenced this establishes a fall-back position for the erection of a dwelling on a site within a settlement in a sustainable location.

Design of dwelling and impact on street scene

This application proposes a large, three storey property of a classical design. The property is higher than that previously approved by 2 metres and varies the overall footprint which is slightly re-positioned on the plot, although it comes no further forward on the site than the extant permission.

The style of the dwelling is intended to reflect the dwelling at 'Loxwood' on North Houses Lane albeit with the addition of a floor in the roofspace.

The style of properties around the application site are mixed: the pair of cottages adjacent to the site are the Trawlboat Cottages which are historic properties of an attractive design and proportions. Other neighbours include those on North Houses Lane which are large properties of a more modern and individual design. The properties on Blackpool Road are primarily bungalows of a mix of styles, some of which have been altered and modernised. To the east of the site is the Cyprus Point estate with a wider variety of dwelling types, several of which feature classically designed properties, particularly those situated on Regent Avenue.

The main considerations with respect to this revised proposal is whether the dwelling is acceptable have regard to its impact on the streetscene.

The proposed dwelling is set well back into the plot and does not benefit from any direct road frontage. It is well screened from mature planting around the ornamental gardens to the north and east and by properties on North House Lane to the west.

Whilst the proposed dwelling is larger in height than that previously approved, the plot is large, with a long driveway, as a result of the position of the dwelling on the site, the boundary screening and the variety in the range of designs of dwellings in the area it makes the proposed changes in scale and design from that already approved, difficult to resist. It is considered that the development would not have a greater impact over that previously approved to cause an unacceptable degree of harm to the character and appearance of the locality and the visual amenity.

Relationship to neighbours

The proposed dwelling shares a boundary with three neighbouring dwellings: no. 2 Trawlboat Cottages at the access and Loxwood and Broad Chalke on North Houses Lane.

No. 2 Trawlboat Cottages is a semi detached house that fronts onto Blackpool Road. The proposed dwelling is entirely to the north of this property and is separated from it by 35 metres from the rear of the cottage to the side elevation of the proposed garage with the nearest first floor element approximately 43 metres from the rear of the Trawlboat cottage property. As a result of this separation distance between properties there will be no loss of privacy or overlooking of this property or its garden to result in an undue loss of amenity.

Loxwood is a detached property that fronts North Houses Lane. This property has its rear elevation facing the side of the proposed dwelling albeit at a slight angle. The revised design of the new dwelling proposes windows at first floor level which could potentially overlook the rear amenity area of Loxwood. However, these are proposed as ensuite bathrooms and the 23 metres separation between properties is sufficient to prevent loss of privacy. Whilst the new dwelling is overall higher than the previously approved dwelling the position on the plot has angled the new dwelling so that the main bulk of the building is 2 metres further away from the shared boundary, in effect maintaining the impact of the approved dwelling. A design improvement to the proposed dwelling has reduced the scale of a link between the dwelling and garage and so ensures an acceptable relationship to this dwelling.

Given the separation distances and angle of the new dwelling it is considered that this relationship is acceptable.

Broad Chalke is a large detached individually designed property on North Houses Lane and the new dwelling will have a rear amenity area to serve it running along the rear boundary with this property. However, the site of the properties are adequately separated to avoid any loss of massing or loss of light issues being created. Whilst there is temporary fencing separating these properties a new 2 metres high timber fence is proposed to separate the dwellings and maintain privacy levels to the garden areas of each plot.

Access

The previous permissions granting a dwelling on this plot approved the access point to Blackpool Road. Lancashire County Highways have not commented on this particular application however they raise no objection to the earlier schemes. As the principle of the residential access is established by the existing planning permissions and appropriate visibility can be achieved it is considered that the access is acceptable.

In addition in order to retain an extant permission the applicant has commenced development by providing the access which has involved the removal of a section of cobbled wall, with the retention

of such features covered by Policy EP7 of the adopted Plan and ENV5 of the emerging Plan. Whilst the loss of a section of the wall is unfortunate, the structure is not listed and is not in a conservation area and when balanced against the provision of housing in a sustainable location the loss was accepted previously when the earlier permissions were granted.

The applicant is proposing to erect two gate posts to the existing opening in the wall, following the completion of the dwelling. This delay will allow construction vehicles access to the site without further damage to the cobbled wall and so is an appropriate feature and phasing of its construction.

Conclusions

This application relates to the revision of house type for a large plot of land that is situated off Blackpool Road and to the rear of properties on North Houses Lane. Permission for a detached dwelling here have previously been granted by applications 09/0565 and 13/0322 with earlier permissions (01/0237 & 01/0817) granting approval for a dwelling alongside the Trawlboat Cottages which have now lapsed.

Whilst the application is for a large two storey property, it is well sited on a large plot which is capable of accommodating the dwelling that is proposed without undue detriment to surrounding neighbour amenity or the overall character of the streetscene. On this basis the proposal is in accordance with the policies of referred to above of the Fylde Borough Local Plan, as altered (October 2005) and the submission version of the plan and complies with the aims of the NPPF and so 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 consent relates to the following details:

Approved plans:

- Location Plan -
- Proposed site plan - drawing no.BRO710/SD2
- Proposed floor and elevation plans - drawing no. BRO710/SD4 REV. A
- Proposed landscaping plan - drawing no.BRO710/SD3
- Proposed wall detail - drawing no. BRO710/SD5
- Proposed garage door, personnel door, window material and obscure glazing - drawing no. BRO710/SD6
- Proposed schedule of materials (17/0170)

Supporting Reports:

- Design and Access Statement - Shepherd Planning March 2017

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

3. The materials of construction shall be those identified in the 'Schedule of Materials' submitted with the application namely 'Wienerberger Terca Amberley Red Multi' facing bricks, 'Wienerberger Sandtoft Rivius Antique' roof tile in 'grey' and 'Eurocell Logik' window frames in UPVC unless otherwise agreed in writing with the Local Planning Authority.

In the interests of securing a satisfactory overall standard of development in accordance with Policy HL2 of the Fylde Borough Local Plan as altered (October 2005), Policy GD7 the submission version of the Local Plan to 2032 and the aims of the NPPF.

4. That prior to the occupation of the dwelling hereby approved, the surface water and foul water drainage shall be provided and fully operational in accordance with drawing no. BR0710/SD5 and thereafter maintained and retained in its approved form unless otherwise agreed in writing with the Local Planning Authority.

To ensure that the surface and foul water drainage details for the dwelling is appropriately provided without causing flooding or pollution of the water environment in accordance with Policies HL2 and EP25 of the Fylde Borough Local Plan as altered (October 2005), Policies GD7 and INF1 the submission version of the Local Plan to 2032 and the aims of the NPPF.

5. Prior to first occupation of the dwelling hereby approved the cobbled wall to the boundary with Blackpool Road shall be completed in accordance with the details set out in drawing no. BRO710/SD5. Thereafter the wall shall be maintained and retained in its approved form unless otherwise agreed in writing with the Local Planning Authority.

In the interests of preserving the remains of this historic boundary treatment as required by Policy EP7 of the Fylde Borough Local Plan as altered (October 2005), Policy ENV5 of the submission version of the Local Plan to 2032 and the aims of the NPPF.

6. Prior to first occupation of the dwelling hereby approved the access to the site as shown on the approved site plan Drawing no. BR0710/SD3 and BR0710/SD2 shall be the sole access point to the dwelling and the first 5 metres into the site back from the site boundary with the highway shall be surfaced in concrete, tarmac, block pavements or other appropriate materials which have first been approved in writing by the Local Planning Authority.

To ensure that the access is properly constructed to prevent loose material being brought onto the highway and retained as the single access to the site in the interests of highway safety in accordance with Policy HL2 of the Fylde Borough Local Plan as altered (October 2005), Policy GD7 the submission version of the Local Plan to 2032 and the aims of the NPPF.

7. Prior to the first occupation of the dwelling hereby approved a fence of the scale, type and design as indicated on drawing no. BR0710/SD6 shall be erected along the boundary with the application property and 'Broad Chalke' the location of which shall be as shown on drawing BR0710/SD3. The fence shall thereafter be maintained and retained in its approved form, unless otherwise agreed in writing with the Local Planning Authority.

In the interests of neighbour amenity in accordance with Policy HL2 of the Fylde Borough Local Plan as altered (October 2005), Policy GD7 the submission version of the Local Plan to 2032 and the aims of the NPPF.

8. The hard and soft landscape of the site as indicated in the scheme shown on drawing no. BR0710/SD3 shall be carried following first occupation of the dwelling hereby approved, but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works, unless otherwise agreed in writing with the Local Planning Authority.

To ensure a satisfactory standard of development and in the interest of visual amenity in the locality, in accordance with Policy HL2 of the Fylde Borough Local Plan as altered (October 2005), Policy GD7 the submission version of the Local Plan to 2032 and the aims of the NPPF.

9. The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current sylvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

To ensure a satisfactory standard of development and in the interest of visual amenity in the locality.

10. The windows to the first floor on the side elevation facing 'Loxwood' and 'Broad Chalke' shall be obscured glazed with no less than 'Pilkington' glass of level 4 obscurity (or similar) and shall have no opening parts below 1.7 metres from finished floor level.

In the interests of neighbour amenity in accordance with Policy HL2 of the Fylde Borough Local Plan as altered (October 2005), Policy GD7 the submission version of the Local Plan to 2032 and the aims of the NPPF.

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

[CLASS VARIABLES

A	House Extensions.
B&C	Roof Extensions/alterations
D	Porches
E	Curtilage buildings
F	Hardstanding
G	Flues and Chimneys
H	Satellite antenna]

To ensure that the Local Planning Authority has control over any future development of the dwelling[s] which may adversely affect the character and appearance of the dwelling[s] and the surrounding area.



Development Services Fylde Council		(c) Crown Copyright and database right (2017). Ordnance Survey (100006084).	
Application No. 5/17/0170	Address Land adj. 2 Trawlboat Cottages, Blackpool Road, Lytham St Annes	Grid Ref. E.3345 : N.4290	Scale 0 6 12 18 24 m

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	19 APRIL 2017	5
LIST OF APPEALS DECIDED			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

The council received the following appeal decisions between 3/3/2017 and 5/4/2017.

SOURCE OF INFORMATION

Development Services

INFORMATION

n/a

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform members on appeals that have been decided.

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473

LIST OF APPEALS DECIDED

The following appeal decisions were received between 3/3/2017 and 5/4/2017. Copies of the decision letter for appeal 2 below is attached.

Rec No: 1

21 June 2016 14/0580

VALENTINES KENNELS, WILDINGS LANE, LYTHAM ST
ANNES, FY8 3RJ

Public Inquiry

OUTLINE APPLICATION FOR ERECTION OF UP TO 53
NO. DWELLINGS (ACCESS APPLIED FOR WITH OTHER
MATTERS RESERVED)

KPB

Appeal Decision: Withdrawn: 14 March 2017

Rec No: 2

28 December 2016 16/0616

REAR OF BANKFIELD FARM, (WATERVIEW) POOL FOOT
LANE, SINGLETON, POULTON-LE-FYLDE, FY6 8LZ
ERECTION OF DWELLINGHOUSE AND DETACHED
GARAGE

Written
Representations
RC

Appeal Decision: Dismiss: 24 March 2017

Appeal Decision

Site visit made on 28 February 2017

by Siobhan Watson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 March 2017

Appeal Ref: APP/M2325/W/16/3164834

Waterview, Pool Foot Lane, Singleton, Poulton-le-Fylde, FY6 8NA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs P Farnsworth against the decision of Fylde Borough Council.
 - The application Ref 16/0616, dated 12 August 2016, was refused by notice dated 18 November 2016.
 - The development proposed is the erection of a dwellinghouse and detached garage.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) whether the proposed dwelling would represent sustainable development in terms of its location; and (ii) the effect of the proposed development upon the character and appearance of the countryside.

Reasons

Policy Background

3. The Council has confirmed that it can only demonstrate a 4.8 year supply of land for housing. Therefore, Policies HL2, SP2, EP11, and EP20 of the Fylde Borough Local Plan, 2005 (LP) are out of date. However, whilst I cannot give these policies the full weight of the development plan, this does not mean that they are irrelevant or should be disregarded.
4. Paragraph 49 of the Framework requires housing applications to be considered in the context of the presumption in favour of sustainable development. This is set out at paragraph 14 of the Framework and indicates that where relevant housing supply policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. Paragraph 7 of the Framework establishes the three dimensions to sustainable development; economic, social and environmental.

Locational Sustainability

5. The site is located about 2.4km (1.5 miles) outside of the nearest defined settlement of Singleton. It is also very close to Little Singleton but this is not a defined settlement. Little Singleton has a few employment sites including a laboratory which employs over 30 staff; Koi Pool Water Gardens, employing

- over 10 staff, and a petrol filling station with convenience store. The appeal site is also very close to Windy Harbour Holiday Park which has a shop, café and takeaway that are open to the public.
6. The appellant has drawn my attention to bus stops of between some 0.6km (approx. 0.36 miles) and about 1km (approx. 0.63 miles) from the site. Timetables submitted indicate that these provide school services and a number of hourly and half hourly services to several town centres and other destinations.
 7. The appellant has also indicated the proximity of schools to the site. The closest primary school, Singleton C of E, is about 1.5 km (0.93 miles) away which I consider is a reasonable walking distance.
 8. I appreciate that a section of Pool Foot Lane has no street-lighting but this is only for a short distance. There is a lack of footpaths along the lane but as it is a dead end and leads to a limited number of properties it is not used by much traffic. In these circumstances a shared surface is not inappropriate.
 9. All in all, within walking distance, there is a school, two convenience stores, some limited employment opportunities, regular bus services, a cafe and a takeaway. Therefore, I do not consider that the site is isolated from day to day services.
 10. I therefore conclude that the dwelling would represent sustainable development in terms of its location. Therefore, I find no conflict with LP Policy HL2 which seeks to ensure that new housing is in a sustainable location having regard to the local availability of shops, schools, employment sources, public transport and other community facilities. I note the Council's reference to Policy GD1 of the emerging Fylde Local Plan 2032 but as this is not at an advanced stage, I afford it little weight.

Character and Appearance of the Countryside

11. The site is to the rear of a dwelling and is surrounded on 3 sides by open, rural, land. It falls within the Countryside Area as defined on the LP Proposals map. The proposed dwelling would be constructed on the site of some previous agricultural buildings, however, Annex 2 of the National Planning Policy Framework excludes land that is or has been occupied by agricultural buildings from the definition of "previously developed land". Furthermore, there is only rubble and stone left over from these buildings and they no longer exist. Therefore, their historic existence does not make the land currently or previously developed and I give very little weight to the fact that farm buildings previously stood there.
12. It is my assessment, that in spite of the site being next to an existing dwelling, and near to others, it is not within a developed area and is within the open countryside. The dwelling would encroach into and erode the open and rural nature of the surrounding countryside and would have a suburbanising effect upon it. Paragraph 17 of the Framework says that planning should take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside.
13. I do not agree that the site is so low lying as to affect the prominence of the proposed dwelling, and from what I saw on site, a house would be clearly visible in the wider landscape which has an open character. Whilst the existing

site looks a little untidy, a house, being a substantial structure, would be far more intrusive within the landscape.

14. I note that it is proposed to plant trees and hedging to screen the dwelling but these would take time to mature and would have to be exceptionally dense and tall to hide a dwelling. In any event, screening would not overcome the actual loss of the landscape and would not make the development acceptable.
15. I understand that there is planning permission for an 18 hole golf course, club house, hotel, food court and 49 lodges between the site and the Holiday Park. However, I have no assurance that the permission will be fully implemented. Furthermore, the existence of this permission does not remove the site from the open countryside and does not justify further encroachment into it.
16. The appellants' Landscape Design Statement disputes the site's LP designation as "Open Coastline". This is because Lancashire County Council's Landscape Character Appraisal identified the site as falling within the "Coastal Plain Landscape". However, given my findings above, the development would be unacceptable regardless of its Open Coastline designation and the case does not turn on this matter.
17. I therefore conclude that the proposed dwelling would harm the character and appearance of the countryside. Consequently, it would conflict with LP Policies SP2, EP11, and EP20. In combination, these policies seek to protect the countryside and rural landscape including the open coastline. Policy GD4 of the emerging plan has similar objectives.

Other Matters

18. I note the appellants' reference to an approval for a dwelling at Bankfield Lodge but I am not bound by other decisions of the Council. I have taken into account all other matters, including the representations from interested parties but none outweigh the conclusions I have reached.

Planning Balance

19. The proposal would result in a short term economic benefit in terms of its contribution to the construction industry and there would be a small benefit arising from the occupants using local services. There would be a small social benefit in that it would contribute 1 dwelling to the local housing supply. However, the harm to the countryside and landscape would significantly and demonstrably outweigh these benefits. Therefore the proposed development does not constitute sustainable development of which there is a presumption in favour.

Conclusion

20. For the above reasons and having regard to all matters raised, the appeal is dismissed.

Siobhan Watson

INSPECTOR