



MINUTES

Planning Committee

Date:	Wednesday, 2 September 2020
Venue:	Remote Meeting via Zoom.
Committee Members Present:	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman) Councillors Tim Armit, Chris Dixon, Kiran Mulholland, Jane Nixon, Linda Nulty, Liz Oades, David O'Rourke, Heather Speak, Stan Trudgill, Viv Willder.
Other Members:	Councillors Peter Anthony, Mark Bamforth, Brenda Blackshaw
Officers Present:	Ian Curtis, Mark Evans, Andrew Stell, Matthew Taylor, Clare Lord, Lyndsey Lacey-Simone.
Members of the Public:	9 members of the public attended the meeting.

Welcome

By way of introduction, the Chairman welcomed all those present to the remote meeting of the Committee.

Public Speaking at the Planning Committee

The Vice-Chairman, Councillor Richard Redcliffe invited those members of the public who had registered to speak on individual planning applications (listed on the schedule) to address the committee at the relevant part of the meeting.

1. Declarations of Interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members. There were no Declarations of Interest.

2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee meeting held on 29 July 2020 as a correct record for signature by the Chairman.

3. Substitute Members

The following substitution was reported under Council Procedure Rule 24:

Councillor Viv Willder for Ray Thomas.

Decision Items

4. Planning matters

The Committee considered the report of Mark Evans (Head of Planning and Housing) which set out the various planning applications. A copy of the Late Observation Schedule was circulated prior to the meeting.

Following detailed consideration of each application, it was RESOLVED to decide the applications as stated in the schedule attached.

(Councillor Heather Speak requested that her name be recorded as having voted against approval of planning application no 20/0361 relating to land adjacent to White Hall Farm, Kirkham Road, Treales, Roseacre and Wharles)

Information Items

5. List of Appeals Decided

This Information Report provided details of appeal decision letters received between 17 July and 21 August 2020.

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Planning Committee Minutes

02 September 2020

Item Number: 1

Application Reference:	20/0361	Type of Application:	Full Planning Permission
Applicant:	A & CE DEVELOPMENTS LTD	Agent:	Lee Fenton Planning Services
Location:	LAND ADJACENT TO WHITE HALL, KIRKHAM ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SD		
Proposal:	ERECTION OF ONE DETACHED DWELLING		

Decision

Full Planning Permission:- Granted

Conditions and Reasons

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

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

2. This permission relates to the following plans:

Drawing no. 1002-001 – Location plan.

Drawing no. LF/CE/3530 – Proposed floor plans and elevations.

Drawing no. 1002-004 Rev E (amended version received 18.08.2020) – Proposed landscaping plan.

Drawing no. 1002-005 Rev D – Proposed street scene & sightlines.

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

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

3. No above ground works shall take place until full details of the finished levels, above ordnance datum, for the proposed building and external areas of the site in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the duly approved details.

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

4. 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 dwelling have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved details.

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

5. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, before the dwelling hereby approved is first occupied details of the siting, height, design, materials and finish of all boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details before the dwelling is first occupied, and shall be retained as such thereafter.

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

6. No development shall take place until a scheme for the protection of all retained trees and hedgerows (which are identified on drawing no. 1002-004 Rev E) during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - (i) Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of the retained trees and hedgerows.
 - (ii) Details of any excavation to take place within the root protection areas of the retained trees and hedgerows.
 - (iii) Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of the retained trees and hedgerows.

The protective fencing required by (i) shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority. The details in (ii) and (iii) shall be implemented in accordance with the duly approved scheme.

Reason: To ensure that adequate measures are put in place to protect existing trees and hedgerows which are to be retained as part of the development before any construction commences in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV1.

7. With the exception of those specimens identified on drawing no. 1002-004 Rev E, no other trees or hedgerows shall be lopped, topped or felled unless details of those works and provisions for compensatory planting pursuant to condition 8 of this permission have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the existing trees and hedgerows on the site that are shown to be retained and to ensure appropriate compensatory planting is introduced to offset any additional tree and hedgerow removal required as part of the development in the interests of

visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV1.

8. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, before the dwelling hereby approved is first occupied a soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall follow the landscaping principles shown on drawing no. 1002-004 Rev E with respect to the siting, number and species of new tree and hedge planting, and shall include precise details of the size, type, species, siting, planting distances and the programme of planting of all trees, hedges and shrubs. The duly approved soft landscaping scheme shall be carried out during the first planting season after the dwelling is first occupied and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within 10 years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate compensatory planting is introduced to offset the tree and hedgerow removal required as part of the development in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

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

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

10. No above ground works shall take place until a scheme for the design and construction of the development's access (the layout and position of which is shown on drawing no. 1002-005 Rev D) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provisions for:

- (i) minimum visibility splays of 2.4 metres x 43 metres (measured along the centre line of the proposed new driveway from the continuation of the nearer edge of the existing carriageway of Kirkham Road) in both directions at its junction with Kirkham Road.
- (ii) that part of the access extending from the highway boundary for a minimum distance of 5 metres into the site to be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.
- (iii) any gates erected across the access to be positioned at least 5 metres behind the back edge of the footway and for the gates to open away from the highway.

The site access and any associated gates shall be constructed in accordance with the duly approved details and made available for use before the dwelling hereby approved is first occupied. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent order following the revocation or re-enactment thereof (with or without modification), the visibility splay in (i) shall

thereafter be kept free of any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction) over 1 metre in height.

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

11. The vehicle parking and manoeuvring areas for the dwelling shown on drawing no. 1002-004 Rev E shall be laid out and made available for use in accordance with the details shown on the approved plan before the dwelling hereby approved is first occupied, and shall be retained as such thereafter.

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

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

- a) hours of work for site preparation, delivery of materials and construction;
- b) arrangements for the parking of vehicles for site operatives and visitors off the highway;
- c) details of areas designated for the loading, unloading and storage of plant and materials off the highway;
- d) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;
- e) measures to control the emission of dust and dirt during construction;

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

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

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

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

The duly approved scheme shall be implemented before the dwelling is first occupied and shall

be managed and maintained as such thereafter.

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

14. Before the dwelling hereby approved is first occupied the first floor bathroom (and en-suite bathroom) windows on the east and west facing (side) elevations of the dwellinghouse shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed. The duly installed windows shall be retained as such thereafter.

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

Informative notes:

1. **Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:**

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

2. **Highways:**

With respect to the requirements of condition 10 of this permission, the applicant is advised that any new vehicular access proposed within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (Vehicle crossings over footways and verges). The Highway Authority reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact LCC Highways before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for vehicle crossings and then fill in the information at "Get a vehicle crossing quotation".

Item Number: 2

Application Reference:	20/0385	Type of Application:	Full Planning Permission
Applicant:	Mr Boyle	Agent:	
Location:	ALLOTMENT GARDENS, MYTHOP ROAD, LYTHAM ST ANNES		
Proposal:	SITING OF SHIPPING CONTAINER TO OPERATE AS SHOP FOR ALLOTMENT HOLDERS AND CONSTRUCTION OF TIMBER FOOTBRIDGE OVER DYKE		

Decision

Full Planning Permission:- Granted

Conditions and Reasons

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

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

2. This permission relates to the following plans:

- Location Plan - Drawing no. Site Location Plan
- Proposed Plans - Drawing no. Bridge Location Plan, Container Location Plan
- Proposed Elevations - Drawing no. Bridge Elevations, Container Elevations

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

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

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

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

4. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment with no surface water to drain directly or indirectly into the public sewer.

Reason: 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.

5. That the shipping container hereby approved shall be used for purposes which are incidental to

the use of the site by the allotments holders so that the produce stored within it, and sold from it, shall be entirely associated with the use of that site as allotments, and so shall not be available for retailing of products unrelated to the site or targeted at non-allotment holders.

Reason: To maintain an appropriate level of control over the operation of the retail element in the interests of the proper planning of the area and to ensure that it is only used for purposes that support the horticultural activities on the Mythop Road allotment site.

Informative notes:

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

2. Environment Agency additional advice to applicant:

- The applicant should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings> if they have not already done so. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message.
- For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-forflooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.
- The following guidance on the rights and responsibilities of riverside ownership is available on the GOV.UK website: <https://www.gov.uk/guidance/owning-a-watercourse/>. The applicant should be aware that any works to watercourses within or adjacent to the site which are not designated Main Rivers may require the prior formal Consent of the Lead Local Flood Authority (Lancashire County Council) under Section 23 of the Land Drainage Act 1991. Further information is on the Lancashire County Council website: <http://www.lancashire.gov.uk/council/planning/sustainable-drainage-systems.aspx>.
- The applicant should be aware that Liggard Brook, near the site, is a statutory main river. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place: on or within 8 metres of a main river (16 metres if tidal) on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal) on or within 16 metres of a sea defence involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission. For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549.

Item Number: 3

Application Reference: 20/0404		Type of Application: Full Planning Permission	
Applicant:	Home Farm Lytham Limited	Agent :	Shepherd Planning
Location:	HOME FARM, WATCHWOOD DRIVE, LYTHAM, LYTHAM ST ANNES, FY8 4NP		
Proposal:	ERECTION OF 2.5 STOREY DETACHED DWELLING WITH ATTACHED SINGLE STOREY SWIMMING POOL ANNEX AND DETACHED GARAGE / OUTBUILDING IN WALLED GARDEN WITH NEW ACCESS DRIVEWAYS FROM WATCHWOOD DRIVE AND ASSOCIATED LANDSCAPING		

Decision

Full Planning Permission:- Refused

Conditions and Reasons

1. The site is located within the Countryside Area as designated on the Fylde Local Plan to 2032 Policies Map. The proposal does not meet any of the exceptions in Fylde Local Plan to 2032 policy GD4 where development can be permitted in the countryside and, accordingly, does not fall properly within any of the categories of development that are appropriate in that designation. As policies within the Fylde Local Plan to 2032 which relate to the supply of housing are not out-of-date, the approach set out in the countryside protection policies of the local plan which restricts the type and scale of residential development that can take place within the countryside is also up-to-date. This does not represent a material considerations to indicate that the development plan should not be followed, and there are no other such considerations presented in the application that indicate it will bring any other planning benefits that could be a material consideration in favour of the development.

The proposal's failure to meet any of the exceptions where development can be permitted in the countryside is contrary to the development strategy of the local plan taken as a whole and conflicts with the requirements of policies S1, DLF1, GD4 and H1 c) of the Fylde Local Plan to 2032, and paragraphs 2, 12 and 15 of the National Planning Policy Framework which require developments to come forward in accordance with a genuinely plan-led system.

2. The application site is a 1.6 hectare parcel of land located within the Grade II listed Lytham Hall Park Registered Park and Garden that formerly contained buildings in agricultural use associated with the farm. The application proposes the erection of a large dwelling that is surrounded by a substantial wall feature and which is prominently sited and designed with a grandeur of setting and landscaping. This is considered to harmfully compete with the established hierarchy of buildings and other structures located within Lytham Hall Park as that historically and architecturally has Lytham Hall as its centre piece. The development will be harmful as it involves the erection of a modern and competing building to the established hierarchy within Lytham Hall Park. There are no public benefits from the development, and as such the less than substantial harm that the development has on the Registered Park and Garden is such that it is contrary to the guidance in para 196 of the NPPF and the requirement in Policy ENV5 of the NPPF for development in Registered Parks and Gardens to not harm their significance.

Informative notes:

1. For the avoidance of doubt, this decision relates to the following plans:
 - Location Plan - Sparc Drawing 20-05 PL01 Rev A
 - Site Plan - Sparc Drawing 20-05 PL04 Rev A
 - Ground Floor Plan - Sparc Drawing 20-05 PL05 Rev A
 - First Floor Plan - Sparc Drawing 20-05 PL06 Rev A
 - Second Floor Plan - Sparc Drawing 20-05 PL07 Rev A
 - House Elevations - Sparc Drawing 20-05 PL08 and PL09 Rev A
 - Garage Building Elevations - Sparc Drawing 20-05 PL10
 - Wall Elevations - Sparc Drawing 20-05 PL11 and PL12
 - Site Elevations - Sparc Drawing 20-05 PL13
2. **Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:**

Where appropriate the council will seek to engage with applicants to resolve concerns over development proposals either before the application is submitted as promoted by para 39 of NPPF, or during the consideration of the application as promoted by para 38 of the NPPF. However, in some circumstances it will not be possible to resolve these concerns and so a refusal of the application is necessary due to the environmental / social / economic harm that will be caused by the development as identified in the reasons for refusal. In these circumstances an application is refused to enable the overall speed and quality of the council's decisions to be maintained.

Item Number: 4

Application Reference:	20/0439	Type of Application:	Variation of Condition
Applicant:	Mr Young	Agent :	Gary Hoerty Associates
Location:	STANLEY VILLA FARM FISHING AND CAMPING, BACK LANE, WEETON WITH PREESE, PRESTON, PR4 3HN		
Proposal:	VARIATION OF CONDITIONS OF PLANNING PERMISSION 17/0572 TO ALLOW USE OF PART OF SITE AS TENTING FIELD. CONDITION 2 TO BE VARIED TO ENABLE TENT CAMPING, CONDITION 3 TO BE VARIED TO ENSURE TENT CAMPING IS FOR HOLIDAY PURPOSES ONLY, AND CONDITION 6 TO BE VARIED TO ENSURE SITE MANAGEMENT PLAN RELATES TO TENT CAMPING		

Decision

Variation of Condition: Application deferred to allow a fuller consideration by officers of a legal submission made by the applicant following publication of the agenda report, and so to allow further advice to be provided to Committee when this application is re-presented at a future meeting covering that point.