

Agenda

Planning Committee

Date:	Wednesday, 14 March 2018 at 10:00am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman) Councillors Christine Akeroyd, Jan Barker, Michael Cornah, Neil Harvey, Kiran Mulholland, Linda Nulty, Liz Oades, Heather Speak, Ray Thomas.

Public Speaking at the Planning Committee

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

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 7 March 2018 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 23.	1
	DECISION ITEMS:	
4	Planning Matters	3 - 78
5	St Annes Regeneration : Wood Street	79 - 83
	INFORMATION ITEMS:	
6	List of Appeals Decided	84 - 109

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>

© Fylde Borough Council copyright 2018

You may re-use this document/publication (not including logos) free of charge in any format or medium. You must re-use it accurately and not in a misleading context.

The material must be acknowledged as Fylde Borough Council copyright and you must give the title of the source document/publication.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

This document/publication is also available on our website at www.fylde.gov.uk

Any enquiries regarding this document/publication should be sent to us at the Town Hall, St Annes Road West, St Annes FY8 1LW, or to listening@fylde.gov.uk.

Planning Committee Index

14 March 2018

Item No:	Application No:	Location/Proposal	Recomm.	Page No.
1	17/0786	3-4 MANOR COTTAGES, THE GREEN, WREA GREEN PROPOSED TWO STOREY REAR EXTENSION, INSERTION OF PATIO DOORS TO FRONT ELEVATION AND EXTERNAL FLUE	Grant	5
2	17/0971	84 CLIFTON STREET, LYTHAM ST ANNES, FY8 5EJ ERECTION OF GLAZED CANOPY TO CLIFTON SQUARE ELEVATION INCLUDING BALUSTRADE AROUND AND ALTERATION OF EXISTING WINDOW OPENINGS TO ALLOW ACCESS TO EXTENSION/OUTDOOR COVERED SEATING AREA.	Grant	12
3	17/1004	LAND TO THE NORTH OF PRIMROSE BANK CARAVAN PARK, SINGLETON ROAD, WEETON WITH PREESE CONSTRUCTION OF HORSE STABLES WITH GATEWAY ALTERATIONS TO HIGHWAY AND HARD STANDING FOR DRIVEWAY AND PARKING.	Grant	22
4	17/1046	LAND WEST OF, WOODLANDS CLOSE, NEWTON WITH CLIFTON APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 16/0554 FOR THE ERECTION OF 50 DWELLINGS FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE.	Grant	28
5	17/1051	FAIRHAVEN LAKE AND LAND BETWEEN ST PAULS CAR PARK AND SEAFIELD ROAD, LYTHAM ST ANNES, FY8 1BB VARIATION OF CONDITION 14 ON PLANNING PERMISSION 16/1015 TO EXTEND PERMISSIBLE WORKING HOURS TO BETWEEN 07:30 - 18:30 (MONDAY TO FRIDAY), 08:00 - 14:00 (SATURDAY), WITH NO ON SITE WORKS ON SUNDAY OR BANK HOLIDAYS. AND VARIATION OF CONDITION 2 AND 6 TO REMOVE CONCRETE UP STAND FROM BENEATH PROMENADE BALUSTRADE	Grant	46
6	18/0033	69 RIBBY ROAD, KIRKHAM, PRESTON, PR4 2BB DROPPED KERB TO FORM VEHICULAR ACCESS	Grant	58
7	18/0050	60 BRYNING LANE, RIBBY WITH WREA, PRESTON,	Grant	63

		PR4 2NL ERECTION OF TWO STOREY DETACHED DWELLING AND DOUBLE GARAGE IN REAR GARDEN TO EXISTING DWELLING		
8	18/0056	16 POULTON AVENUE, LYTHAM ST ANNES, FY8 3JR DEMOLITION OF EXISTING GARAGE AND ERECTION OF SINGLE STOREY EXTENSION TO SIDE AND REAR TO FORM RESIDENTIAL ANNEXE	Grant	73

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 (Submission Version) December 2016
- Bryning-with-Warton Neighbourhood Plan
- Saint Anne's on The Sea Neighbourhood Development Plan
- 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 2017 (as amended July 2017)
- Strategic Housing Land Availability Schedule (SHLAA)
- Consultation on Additional Evidence in Support of Fylde Local Plan to 2032 – August 2017
- 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 Town Hall, St Annes Road West, St Annes.

Planning Committee Schedule

14 March 2018

Item Number: 1

Committee Date: 14 March 2018

Application Reference:	17/0786	Type of Application:	Full Planning Permission
Applicant:	Mr Jones	Agent :	Firth Associates Ltd
Location:	3-4 MANOR COTTAGES, THE GREEN, WREA GREEN		
Proposal:	PROPOSED TWO STOREY REAR EXTENSION, INSERTION OF PATIO DOORS TO FRONT ELEVATION AND EXTERNAL FLUE		
Ward:	RIBBY WITH WREA	Area Team:	Area Team 1
Weeks on Hand:	25	Case Officer:	Rob Clewes
Reason for Delay:	Design improvements		

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

<https://www.google.co.uk/maps/@53.7755959,-2.9164858,277m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to the erection of a part two-storey part single storey rear extension and the addition of patio doors to the front elevation to a cottage style property within the conservation area of Wrea Green. Having viewed the proposal and assessed the relevant matters the revised proposal is considered to be appropriately designed and will not form a dominant feature on the property or in the wider street scene. Its sympathetic design means that it will not harm the character of the conservation area. In terms of impact on the neighbouring properties the proposal will not create any unacceptable additional impact to their amenity. Overall the proposal is considered to comply with the NPPF and Policy HL5 and EP3 of the Fylde Borough Local Plan and 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 raised by Ribby-with-Wrea Parish Council.

Site Description and Location

The application property is an end terrace cottage located within the rural settlement of Wrea Green. The property fronts onto The Green and is situated on the corner with Manor Way. It is also

within the Wrea Green Conservation Area. The property has been extended to the front and rear with single storey flat roof extensions and the main roof is thatched. The property forms part of one larger building consisting of 3 properties. The neighbouring properties are varying in size and appearance and there is no one prevalent style of property. Extensions are common in the wider area.

Details of Proposal

The proposal is for a part two-storey part single storey rear extension and the addition of patio doors into the front elevation of the existing single storey front extension. Following a site visit and initial assessment of the originally submitted plans concerns were raised with the agent as to the size and appearance of the scheme. As a result of these discussions revised plans were submitted to address the concerns raised. The description below is of the revised plans.

The two-storey element of the rear extension projects 2.7m and has a rearward facing gable ended roof which is to be thatched to match the main roof. It spans between the side boundary with Manor Way to within 0.6m of the side boundary with the adjoining neighbour. The ground floor part of the rear extension projects a further 2.5m from the two-storey element and spans the full width of the rear elevation. It has a flat roof with lantern.

The proposed patio doors in the existing front extension replace the existing large window. They are the same width and are to be constructed in timber and have a style that reflects the existing property.

Relevant Planning History

Application No.	Development	Decision	Date
05/0636	SINGLE STOREY REAR EXTENSION AND REAR DORMER	Granted	26/08/2005
05/0298	SINGLE STOREY REAR EXTENSION	Granted	09/05/2005
01/0797	RE-BUILD CORNER FRONTAGE WALL TO ENCLOSE CORNER ROAD VERGE LAWN AT MANOR WAY	Granted	27/02/2002
01/0796	CONSERVATION AREA CONSENT TO DEMOLISH EXISTING CORNER FRONTAGE WALL	Granted	27/02/2002
96/0655	SINGLE STOREY EXTENSION AND GARAGE TO REAR, ALTERATIONS TO WINDOWS AND NEW BOUNDARY WALL	Granted	06/11/1996

Relevant Planning Appeals History

None

Parish/Town Council Observations

Ribby with Wrea Parish Council notified on 18 September 2017 and comment:

Comments on initial plans:

The following concerns were raised –

- The patio doors at the front of the house is not in keeping with the property.
- The scale of development is excessive and not in keeping or sympathetic to the area or neighbouring property.
- The proposal is over-development of the site and within the Conservation Area.
- There is a detrimental effect on the neighbouring properties relating to visual impact and sun / light.

The parish council strongly recommends refusal of the application.

Comments on revised plans:

- The front patio doors remains out of character.
- The double storey element is over-bearing to the neighbouring property.
- Therefore, it was resolved to recommend refusal and maintain the parish council stance with relation to the previous application.

Statutory Consultees and Observations of Other Interested Parties

Regeneration Team (Trees)

Comments - No objections

Regeneration Team (Heritage)

Comments - No comments received

CLlr Frank Andrews

In response to the revised plans;

They do show patio doors to the front of the property which would be visible from The Green /Conservation Area but the front garden is long and deep and the style of the patio doors will be in keeping with this row of cottages. I therefore think it will be difficult to refuse for this reason.

The scale of the proposal on the first floor will match the neighbouring cottage so it can't be said to be out of keeping.

On the ground floor at the rear they show an extension into the rear garden but as this is within a walled area I can't see that anyone else will be disadvantaged.

The adjoining cottage is on the southern side so it is difficult to think this neighbour will suffer any loss of daylight.

I also note that the outside finishes will match the row of cottages including a thatched roof.

Given these observations I cannot see any reason to object to this application.

Neighbour Observations

Neighbours notified:	18 September 2017
Amended plans notified:	05 February 2018
Site Notice Date:	20 October 2017
Press Notice Date:	05 October 2017
Number of Responses	None received.
Summary of Comments	

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
EP03	Development within conservation areas
HL05	House extensions
EP12	Conservation trees & woodland

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
ENV5	Historic Environment
ENV1	Landscape

Other Relevant Policy:

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

Site Constraints

Conservation area site
Tree Preservation Order

Environmental Impact Assessment

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

Comment and Analysis

Principle

The application site is located within the settlement area under Policy SP1 of the adopted Fylde Borough Local Plan, As Altered, October 2005, and Policy GD1 of the emerging Fylde Local Plan to 2032 (Submission Version). In these areas the principle of residential extensions is acceptable subject to the normal planning criteria as examined below with reference to Policy HL5 and Policy GD7 of the aforementioned plans.

Design and impact to the conservation area

Policy EP3 of the Fylde Borough Local Plan and ENV5 of the Local Plan to 2032 seek to ensure that proposals do not harm the character and appearance of conservation areas. The design of the proposed extensions are considered to be in keeping with the existing property but will to some degree affect its appearance. Whilst overall they do increase the size and foot print of the property this increase is not considered unacceptable as they do not detrimentally impact on the appearance of the property or appear out of character within the wider area. Although a corner property and highly visible from both The Green and Manor Way the first floor rear extension will not have a detrimental impact on the character of the conservation area. The increase in mass along Manor Way is not so large that the street scene is detrimentally affected. The property will retain its cottage style appearance and the continuation of the Thatched roof will maintain the integrity of the property.

The proposed patio doors in the front elevation whilst not a traditional feature for a property of this nature are nevertheless considered acceptable as it is still considered an improvement on the existing poorly designed window.

Taking the above into account the overall design and appearance is considered acceptable and in compliance with Policies HL5 and EP3 of the adopted Fylde Borough Local Plan, and ENV5 and GD7 of the Local Plan to 2032.

Impact to neighbouring amenity

The ground floor part of the rear extension will not create an increase in impact to the adjoining neighbouring property in terms of overbearing and loss of light as it does not project beyond the extension of this neighbouring property. The first floor element of the proposal will create an increase in impact to the adjoining dwelling in terms of overbearing due to the projection adjacent the shared boundary. Although not strictly in compliance with the guidance set in the adopted SPD (projecting 0.2m over the stated guidance) the massing and resulting overbearing is not considered unacceptable. The eaves of the roof are the same height as the main roof and the first floor side elevation is 2m from the nearest neighbouring first floor window. There will be no impact to the ground floor of the adjoining neighbouring property due to the rear extension on this property. There will be no detrimental loss of light as the first floor part of the extension is to the north meaning that it will not restrict light coming from the south.

The single storey element of the proposed rear extension will not create any additional impact to the neighbouring property as it does not project any further than the existing rear extension which does not project beyond the neighbouring ground floor extension.

There will be no detrimental impact to any other neighbouring properties due to the distance from and orientation with the application property.

Taking the above into account it is considered that the proposal complies with Policy HL5 of the adopted Fylde Borough Local Plan.

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.

Conclusions

The proposed development is appropriately designed and will not form a dominant feature on the property or in the wider street scene. Its sympathetic design means that it will not harm the character of the conservation area. In terms of impact on the neighbouring properties the proposal will not create any unacceptable additional impact. Overall the proposal is considered to comply with the NPPF and Policy HL5 and EP3 of the Fylde Borough Local Plan, ENV5 and GD7 of the 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 permission / consent relates to the following details:

Approved plans:

- Location Plan - MAN/1/000
- Proposed Plans - MAN/1/110 Rev A
- Proposed Plans - MAN/1/111 Rev A
- Proposed Roof Plan - MAN/1/112 Rev A
- Proposed Section - MAN/2/210 Rev A
- Proposed Elevations - MAN/3/310 Rev A
- Proposed Street Elevations - MAN/3/311 Rev A

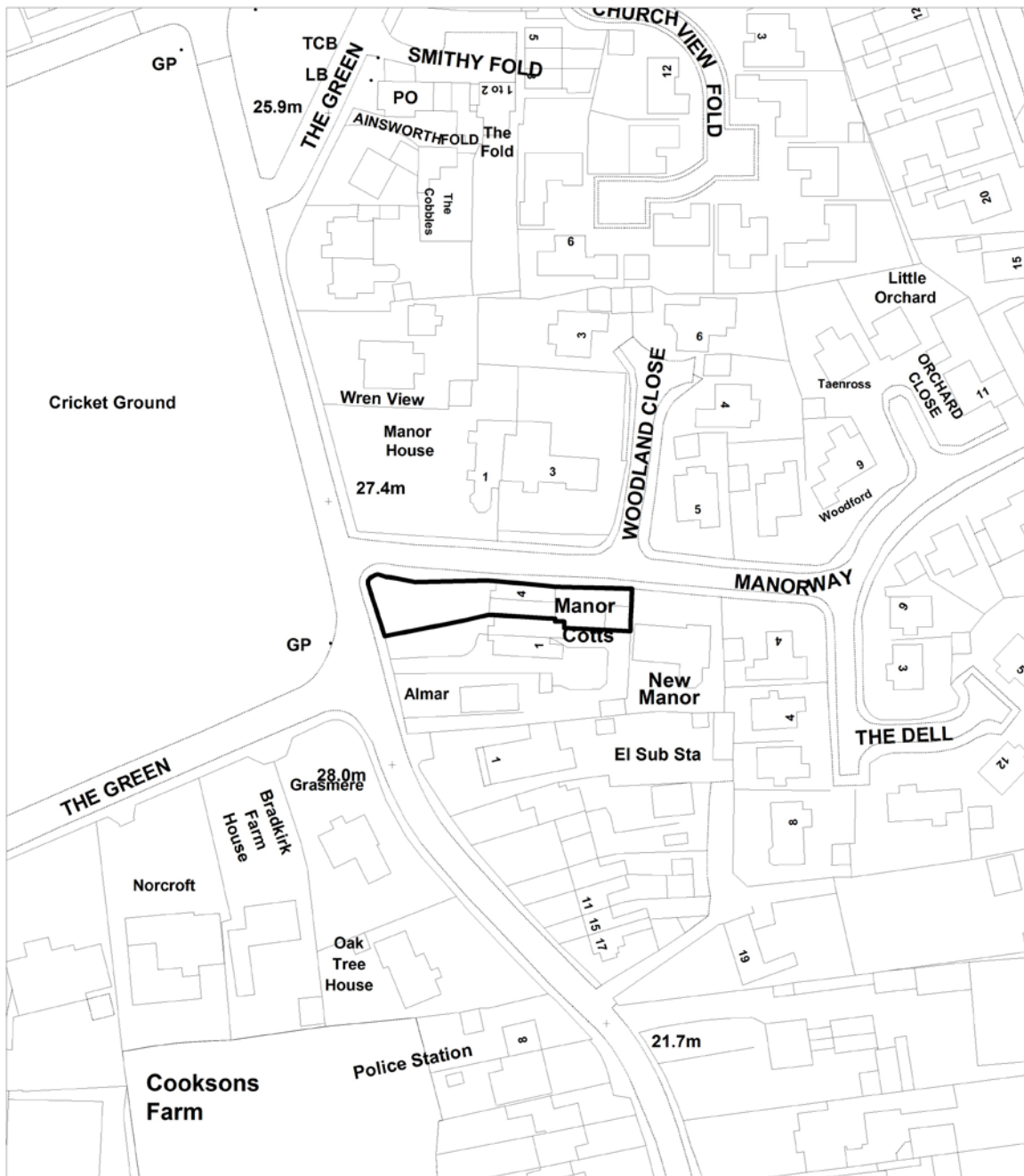
Reason: To provide clarity to the permission.

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 new and any replacement windows shall be of a timber construction, painted white and consist of stone lintels and sills, as shown on plan (ref: MAN/3/310 Rev A) and they shall all be set in reveal within their openings as per the existing windows.

Reason: In the interests of the overall appearance of the development.



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/17/0786	Address 3-4 Manor Cottages, Ribby Road, Wrea Green	Grid Ref. E.3397 : N.4313	Scale 0 6 12 18 24 m

Item Number: 2

Committee Date: 14 March 2018

Application Reference:	17/0971	Type of Application:	Full Planning Permission
Applicant:	CMC Ventures Ltd	Agent :	
Location:	84 CLIFTON STREET, LYTHAM ST ANNES, FY8 5EJ		
Proposal:	ERECTION OF GLAZED CANOPY TO CLIFTON SQUARE ELEVATION INCLUDING BALUSTRADE AROUND AND ALTERATION OF EXISTING WINDOW OPENINGS TO ALLOW ACCESS TO EXTENSION/OUTDOOR COVERED SEATING AREA.		
Ward:	CLIFTON	Area Team:	Area Team 2
Weeks on Hand:	17	Case Officer:	Rob Buffham
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/@53.7368309,-2.9633944,139m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Introduction

This application was considered at the 7 February 2018 meeting where Committee resolved:

:

The decision on the application was deferred to a future meeting to allow for the Committee to undertake a site visit to view the application site and its existing glazed extension in its actual context, and that of the other canopy extensions in Lytham Town Centre.

That site visit is scheduled to take place on the morning of this Committee and so the application is re-presented on this agenda for determination. There have been no alterations to the application, although members will be aware that an application on the 7 February 2018 agenda to retain the extension to the property that is currently in situ was refused at that meeting.

The report below is identical to that which was on the agenda of the previous meeting other than the heritage comments which were on the late representation sheet are now incorporated into the report, and an additional condition suggested in Late Representations has been added to suggested list at the end of the report.

Summary of Officer Recommendation

The application relates to the former RBS building, 84 Clifton Street, Lytham. The building has been Locally Listed and is within the Lytham Town Centre Conservation Area.

Planning consent has been previously granted for an open sided canopy at the site (ref: 17/0262).

This current application seeks consent for a canopy with a larger footprint measuring 6.2m projection x 9.5m width (5.2m X 8.9m approved), the canopy is indicated to be open sided having a glazed balustrade, with stone clad plinth, glazed fire doors and ornate detail to vertical supports.

A fully glazed canopy has been erected at the site, a retrospective application (ref: 18/0011) for that structure is also referred to this Planning Committee for consideration, being recommended for refusal.

The existing planning approval is material in the assessment of the current proposal. It is considered that the design changes, when compared to the existing planning approval, are minor in nature. The proposal could impinge on the longevity of protected trees and provide future justification for felling in the future - leaf litter, moss growth, insect depositions, and falling branches. The approved canopy had a similar relationship to adjacent trees, and it is not considered that this current proposal would impinge on trees to any significantly greater extent. In addition the applicant has provided reassurance that a request for tree felling post construction would not be forthcoming.

On this basis the resultant impact to the character and appearance of the Conservation Area is satisfactory and not sufficient to warrant refusal of the planning application when compared to the existing consent. Approval is therefore recommended.

Reason for Reporting to Committee

The Head of Planning and Housing agreed to requests that an earlier application for a canopy on this property should be considered at Committee and so it is necessary for this revised proposal to also be determined by the Planning Committee.

Site Description and Location

This proposal relates to the former Royal Bank of Scotland building which is a corner terrace premise fronting onto Clifton Street and the pedestrianised Clifton Square. The property is an imposing two storey building, which appears to have been purposely built as a bank premises, constructed of red brick and slate with contrasting stone surrounds to the windows and doors and ornate brick/ stone eaves level detail.

The property is Locally Listed, located centrally within the Lytham Town Centre Conservation Area and is designated as a Secondary Shopping Frontage in the adopted Fylde Borough Local Plan. There are 3 trees within the site frontage of the application site which, being located within the Conservation Area, are afforded protective status.

Details of Proposal

In this application planning consent is sought for an external open –sided canopy attached to the side elevation of the building opposing Clifton Square. The canopy that is proposed is of the dimensions of that which has been constructed and is to form part of the restaurant/bar use of the premises granted consent by 16/0728.

Planning consent has been previously granted for a canopy (17/0262). This current proposal seeks

consent for an open sided canopy that has been constructed on a larger footprint measuring 6.2m in projection x 9.5m in width (5.2m X 8.9m approved), eaves and ridge interface heights with the building remain as approved, fire escape doors have been included to a side elevation. The increased projection of the canopy requires a deeper plinth, measuring 0.56m above Square level at its tallest point, and has been clad in sandstone. Ornate detail is removed from the eaves but has been retained to the vertical supports.

A fully glazed canopy has been erected at the site and is not the development under consideration in this application. A retrospective application for that structure is also referred to this Planning Committee for consideration, being recommended for refusal.

Relevant Planning History

Application No.	Development	Decision	Date
17/0723	VARIATION OF CONDITION 2 (APPROVED PLANS) TO PLANNING PERMISSION 17/0262 TO FACILITATE MINOR MATERIAL AMENDMENT INVOLVING INCREASED PROJECTION AND WIDTH OF GLAZED CANOPY AND ASSOCIATED PLINTH	Refused	12/10/2017
17/0262	RE-SUBMISSION OF APPLICATION 16/0731 FOR ERECTION OF GLAZED SINGLE STOREY EXTENSION TO CLIFTON SQUARE ELEVATION INCLUDING BALUSTRADE AROUND AND ALTERATION OF EXISTING WINDOW OPENINGS TO BI-FOLDING DOORS TO ALLOW ACCESS TO EXTENSION	Granted	15/06/2017
16/0728	CHANGE OF USE OF EXISTING BANK (CLASS A2) TO RESTAURANT (CLASS A3) WITH ANCILLARY BAR (CLASS A4)	Granted	24/11/2016
16/0731	EXTERNAL CANOPY	Refused	13/01/2017

Planning history associated with previous bank use removed as no longer relevant.

Relevant Planning Appeals History

None

Parish/Town Council Observations

Not applicable.

Statutory Consultees and Observations of Other Interested Parties

Regeneration Team (Heritage)

As the records will show the Regeneration Team objected to the principle of extending to the frontage of this building as it was considered to be inappropriate in the context of the open nature of the central square as well as its impact on the building. However, taken in the round planning permission was granted and this sought to echo the traditional verandah, with open sides and effectively providing wet weather shelter. The detailing was aimed at being elegant and well detailed appropriate to the particular Edwardian host building and the broader conservation area. It was important that the projection

and the extended floor was minimal so that the verandah was seen as a sitting over the paved surface below. It is also important that the extension is lightweight so that the façade of the host building can clearly be seen through the structure.

Notwithstanding earlier decisions, it is considered important that any extension seeks to retain the same design principles as previously supported. The present structure, constructed on site, appears as being very bulky with full enclosure and very heavy framing. It appears more like an enclosed conservatory rather than a traditional verandah. This is not what seemed to have been envisaged. As such this is considered unacceptable. The alternative design as put forward is better in that it would have less 'heaviness' as the inner frames of the glazed panels to the three elevations are to be removed, being replaced by a lower glazed balustrade. The raised plinth also remains which is inevitable and increased in height since the floor area of the extension is larger than approved.

The alternative plan shows scrolled brackets. Traditionally these 'spandrel brackets' were structural giving support to the cross members. On plan these appear to be quite lightweight, almost flimsy and are obviously decorative giving the illusion of support rather than literal. If this is to be an illusion then I would suggest that they have the weight and appearance of being in proportion to the structure of the extension itself. To achieve this perhaps a condition would be appropriate such that this can be resolved with the aid of a larger scale plan. The issue of draining from the roof is also not resolved as far as can be seen.

This lovely building is elegant and finely detailed and is now on the Local List. If Committee is minded to 'go with' a scheme on this site that differs to that approved, then that which removes the full glazing is far preferable. I would also condition the other matters referred to.

Regeneration Team (Trees)

The main concern for the proposal relates to post construction pressure to fell adjacent trees – leaf litter, moss growth, insect depositions, and falling branches. Notwithstanding, this impact is not significantly greater than that which would be witnessed to the approved canopy structure. The matter of post construction pressure was raised as a significant concern to the originally approved scheme, with refusal being recommended on such grounds.

The approved canopy was subject to a foundation design to be agreed through condition discharge. The condition was imposed in order to minimise intrusive works within the root protection area and safeguard the longevity of an adjacent TPO tree. Works have been implemented without this condition being discharged. Whilst detail of the foundation has been provided, the Tree Officer considers that improvements to the design could have been made and so discharge cannot be confirmed. At this time, there is no way of knowing whether the unauthorised foundation will result in the premature deterioration of the tree. In any event, it would be extremely difficult to link any health issues of the tree with the foundation works.

Environmental Protection (Pollution)

Raise no objections to the above proposals in principle, but request that a condition is imposed to ensure that the outside area that the canopy covers shall be closed to patrons, except for smoking purposes from 22.00 each day.

Neighbour Observations

Neighbours notified:	15 November 2017
Amended plans notified:	Not applicable.
Site Notice Date:	28 November 2017.
Press Notice Date:	30 November 2017
Number of Responses	2
Summary of Comments:	<ul style="list-style-type: none">• Design – the external development appears to be some 30% bigger than the agreed plans, and given it is in a Conservation Area does not flatter Lytham Square.• Totally out of character and scale with the Square.• No Application for Planning Permission notices displayed.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
EP03	Development within conservation areas
EP12	Conservation trees & woodland
EP18	Natural features

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
ENV2	Biodiversity
ENV5	Historic Environment

Other Relevant Policy:

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

Site Constraints

Conservation area site

Environmental Impact Assessment

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

Comment and Analysis

The main issues pertinent to the assessment of this proposal are design and trees, bearing in mind the precedence of the approved canopy at the site.

Design

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 the heritage assets, the positive contribution that 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 EP3 of the adopted Local Plan states that development will only be supported where the character or appearance of the 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 GD7 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, with regards to public realm development should be managed so that they add to the character, quality and distinctiveness of the surrounding area. Policy ENV5 of the SV states that development within conservation areas should conserve or enhance those elements that make a positive contribution to their special character, appearance and setting. Proposals that better reveal the significance of these areas will be supported also.

More importantly, Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires that local planning authorities pay special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. This means that they must take account of this in development control decisions and controls relating to trees.

The application site maintains a highly prominent position in the Lytham Town Centre Conservation Area, being located to an exposed corner plot adjacent to the main thoroughfare of Lytham. Whilst not nationally Listed, 84 Clifton Street has been recently Locally Listed and is considered to be of architectural merit making a strong contribution to the special historic character of the street and Conservation Area. There are external views of the building façade, including at close quarters from Clifton Square, but also more distant views from adjacent streets. It is one of a number of commercial premises which has a front facing aspect over Clifton Square. This pedestrianised square is used by other businesses for alfresco dining, its openness and landscaped qualities have become an important feature of the Conservation Area.

The main issue of debate relates to the altered design of the canopy when compared to the approved structure and impact this would have on the host building and Conservation Area.

The increased projection away from the building results in a flatter roof profile and emphasises the horizontal form of the approved canopy against the vertical emphasis of the main building. The height of the plinth adds to the overall massing of the structure, which in turn does dominate this elevation of the building. The proposal will extend further in to Clifton Square, and impose on the openness of this important space. Ornate detail to the eaves of the building has been removed, though is still retained to the horizontal/ vertical juncture and acts to simplify the appearance of the canopy. The emergency door is fully glazed and located to a less prominent elevation of the structure, obscured in part by a tree sited in close proximity of the canopy. The increased width of the canopy has resulted in the structure being symmetrically framed about the created door

entrance within the host building and the canopy is of a similar projection away from the building as that of the approved canopy within the front yard area of Spago.

The existing planning approval is material in the assessment of the current proposal. Importantly the canopy sought in this application remains open, resulting in a lightweight structure. On this basis it is considered that the changes when compared to the existing planning approval are minor, the resultant impact to the character and appearance of the Conservation Area is satisfactory and not sufficient to warrant refusal of the planning application.

Trees

Policy EP12 of the adopted Local Plan states that trees which individually or in groups make a significant contribution to townscape, quality and visual amenity will be protected. Emerging Policies GD7 and ENV1 requires existing landscape feature to be conserved, maintained, protected and wherever possible enhanced.

This current proposal seeks revision to the approved canopy width, increasing it by 0.6m toward and siting the canopy footprint further beneath the crown of a mature lime tree. The siting of the canopy will could encourage tree resentment issues previously reported by the Tree Officer including leaf litter, moss growth, insect depositions, and, the potential for damage to the canopy from falling branches. The applicant has provided a written assurance that any subsequent request to fell trees will not be forthcoming.

It is considered that the close proximity of the proposal could impinge on the longevity of protected trees and provide future justification for felling in the future. Whilst it is recognised that the applicant has provided assurance that a request for felling would not be forthcoming, there is nonetheless a compelling case for the applicant to justify tree removal if damage was subsequently caused to the canopy. Notwithstanding this position, the approved canopy had a similar relationship to adjacent trees, and it is not considered that this current proposal would impinge on trees to any significantly greater extent than that already determined to be acceptable.

The approved canopy was subject to a foundation design to be agreed through condition discharge. The condition was imposed in order to minimise intrusive works within the root protection area and safeguard the longevity of an adjacent TPO tree. Works have been implemented without this condition being discharged. Whilst detail of the foundation has been provided, the Tree Officer considers that improvements to the design could have been made and so discharge cannot be confirmed. At this time, there is no way of knowing whether the unauthorised foundation will result in the premature deterioration of the tree. In any event, it would be extremely difficult to link any health issues of the tree with the foundation works.

Other Matters

The approved development sought to restrict the hours of use of the canopy, due to the potential noise disturbance for residents and amenity of the locality in general created by the open nature of the canopy. Identical restrictions are considered necessary for this current proposal.

Conclusions

The application relates to the construction of an external canopy at 84 Clifton Street, Lytham. It is considered that the design of the canopy and relationship to adjacent trees would not be significantly different to that previously approved.

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 drawing number LAN110510.
- Proposed elevation drawing number PL2 - G.
- Existing elevations RBS/3/003.

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

3. The area beneath the external canopy hereby approved, shall not be open to customers except between the hours of:

08:00 hours and 22:00 hours on each day

and

there shall be no amplified music or other amplified entertainment performed within the external canopy area.

Reason: To provide appropriate control over the use of the premises in the interests of safeguarding the amenity of the occupiers of nearby residential properties and the general area as required by Policy SH16 of the Fylde Borough Local Plan.

4. The external doors leading from the premises to the canopy area hereby approved shall remain closed between the hours of 22:00 hours and 08:00 hours on the following day.

Reason: To provide appropriate control over the use of the premises in the interests of safeguarding the amenity of the occupiers of nearby residential properties and the general area as required by Policy SH16 of the Fylde Borough Local Plan.

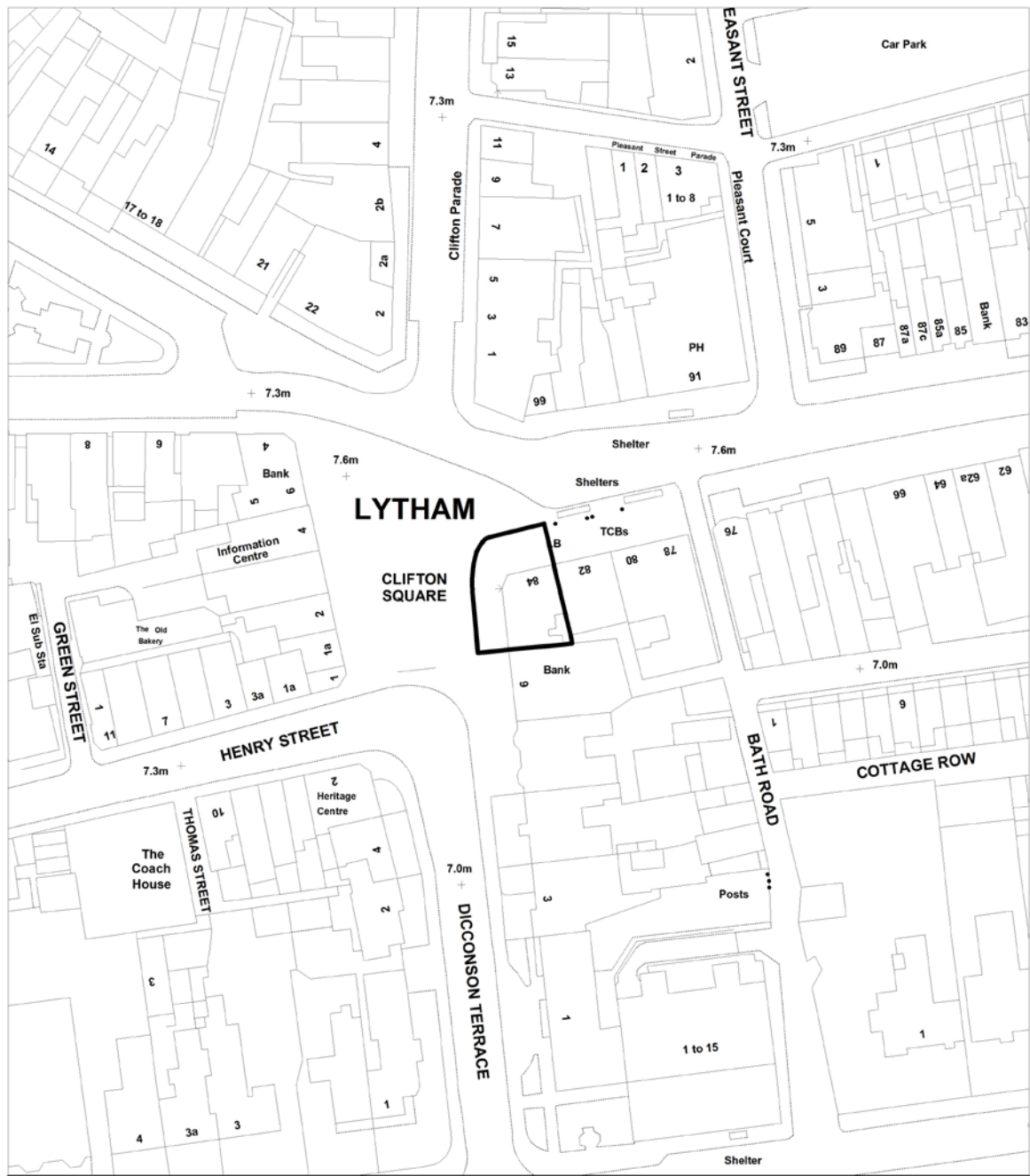
5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any legislation that subsequently amends or replaces that Order), the balustrade glazing surrounding the canopy hereby approved shall be retained as clear glazing and shall not be replaced with obscured, etched or frosted glazing without the prior extent permission of the local planning authority.

Reason: In order to ensure that the visual appearance of an open area is retained in the interests of the preservation of the character of the conservation area.

6. That prior to the commencement of development of the canopy feature hereby approved, details of the 'spandrel brackets' shall be submitted to and approved in writing by the Local Planning

Authority. The approved details shall be implemented during the construction of the canopy.

Reason: As such details are not shown in the application submission and are required to ensure that the overall development accords with the design requirements of a building in the Lytham Conservation Area as required by Policy EP3 of the Fylde Borough Local Plan and Policy ENV5 of the Fylde Local Plan to 2032.



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/17/0971	Address 84 Clifton Street, Lytham St Annes	Grid Ref. E.3364 : N.4272	Scale 0 5 10 15 20 m

Item Number: 3

Committee Date: 14 March 2018

Application Reference:	17/1004	Type of Application:	Full Planning Permission
Applicant:	Mr Ireland	Agent :	Engineering and Building Design
Location:	LAND TO THE NORTH OF PRIMROSE BANK CARAVAN PARK, SINGLETON ROAD, WEETON WITH PREESE		
Proposal:	CONSTRUCTION OF HORSE STABLES WITH GATEWAY ALTERATIONS TO HIGHWAY AND HARD STANDING FOR DRIVEWAY AND PARKING.		
Ward:	STAINING AND WEETON	Area Team:	Area Team 1
Weeks on Hand:	15	Case Officer:	Alan Pinder
Reason for Delay:	Design improvements		

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

<https://www.google.co.uk/maps/@53.8206945,-2.9315931,1107m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application seeks planning permission for the construction of a stable block within a field of agricultural land measuring 0.6 hectares in area and situated immediately to the north of Primrose Bank Caravan Park and to the west of Weeton Army Camp. The stables are for private use only and would provide housing for two horses and include a small foodstore and tack/washroom. Horse stables are traditionally considered to be an appropriate form of built development within a rural area. In this instance the scale, design and appearance of the proposed stable block are all considered to be appropriate and in accordance with the aims of policy SP2 of the adopted Fylde Borough Local Plan and policy GD4 of the emerging local plan to 2032 and accord in other respects with other relevant policies of both local plans. Members are therefore requested to approve the application.

Reason for Reporting to Committee

The parish council's objection is at odds with the officer's recommendation for approval.

Site Description and Location

The application site is an area of agricultural land, approximately 0.6 hectares in size, located within designated countryside and immediately to the north of Primrose Bank Caravan Park and opposite Weeton Army Barracks, the boundary of which lies approximately 70 metres to the west and on the opposite side of Singleton Road. Open countryside lies to the north and east of the site. The nearest settlements are Weeton to the south and Singleton to the North (both being approximately 1.5 miles distance from the site). The site has an open aspect and character, with low boundary

hedges and the land slopes gradually up from its western boundary with Singleton Road to its eastern boundary.

Details of Proposal

Planning permission is sought for the construction of a stable block for private use and the stabling of two horses. The application was originally submitted for 5 stables and for it to be sited on the southern boundary. Due to amenity concerns and the amount of land available for grazing at officers request this was reduced to two stables and the block was moved to the southern boundary. The block would be sited against the hedgerow on the northern boundary of the site, have a ground footprint measuring 14.5 metres by 3.6 metres, a maximum height of 3.4 metres, and feature timber clad elevations and a felted roof. An area of concrete hardstanding would be formed in front of the stables. They would be accessed via an existing field gate from Singleton Road and a short access track leading from the gate to the stable block would be formed using compacted road stone.

Relevant Planning History

Application No.	Development	Decision	Date
13/0797	OUTLINE APPLICATION FOR THE ERECTION OF 2 No. DETACHED DWELLINGS (ALL MATTERS RESERVED)	Refused	27/03/2014

Relevant Planning Appeals History

Application No.	Development	Decision	Date
13/0797	OUTLINE APPLICATION FOR THE ERECTION OF 2 No. DETACHED DWELLINGS (ALL MATTERS RESERVED)	Dismiss	12/08/2014

Parish/Town Council Observations

Weeton with Preese Parish Council notified on 28 November 2017 and comment: The parish council objects to the proposal on the grounds that the access to the site is hazardous and dangerous to road users.

Statutory Consultees and Observations of Other Interested Parties

Ministry of Defence - Safeguarding

No objections

Neighbour Observations

Neighbours notified: 28 November 2017
Amended plans notified:
Site Notice Date:
Press Notice Date:
Number of Responses Two objections to the original plans;

Summary of Comments

- The land is large enough to support two horses only
- The stables would be sited too close to the boundary with Primrose Bank Caravan Park, and would harm the amenity of holidaymakers by way of odour and noise
- The site has no supply of fresh water
- No midden details provided
- The size implies it would be for commercial use
- Singleton Road is very busy and unsuitable for this proposed use

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
EP11	Building design & landscape character
TREC10	Countryside Recreation

Fylde Local Plan to 2032:

GD4	Development in the Countryside
GD7	Achieving Good Design in Development
EC6	Leisure, Culture and Tourism 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

The issues to consider in the determination of this application are the criteria contained in policies SP2, EP11 and TREC10 of the adopted Fylde Borough Local Plan and policies GD4, GD7 and EC5 of the emerging local plan to 2032.

Principle of development

The application site comprises agricultural land located within designated countryside. Policy SP2 and policy GD4 both support development within countryside provided it is a form development that is appropriate to a rural area. Horse stabling is generally considered to be an appropriate form of rural development and hence is acceptable in principle at this location and accords with SP2 and GD4.

Design, appearance and siting

The design, scale and materials of construction of the stable block are all considered appropriate and

acceptable for private stables of this scale. The application originally proposed to site the stables on the southern boundary shared with the neighbouring Primrose Bank Caravan Park. However due to concerns over potential odour and noise nuisance to residents of the caravan park the siting of the stables has been revised and the application now proposes to site the stables against the hedgerow on the opposite (northern) boundary of the field. The land within the application site is lowest at the northern side and rises steadily to its highest level on the southern side. Hence the re-siting of the stables to the western boundary would reduce the visual prominence of the stable block and the boundary hedgerow (against which it would be sited) would further screen views of the structure from the public highway. Overall it is considered the stable block accords with the aims of policy EP11 of the adopted plan and the relevant criteria of policy GD4 of the emerging local plan.

Highways access

The Parish Council have objected to the application on the grounds that the site access is hazardous to the safety of traffic travelling along Singleton Road. This notwithstanding the stables would utilise an existing field access from Singleton Road into the field and this access can already lawfully be used by vehicular traffic to egress and access onto Singleton Road. Whilst the use of the stables would result in an increased use of this access the application proposes to set the field gates 6 metres back from the roadside to enable vehicles to pull off the road prior to opening the gates. Hence on balance it is not considered that a refusal on the grounds of the access would be sustainable.

Other matters

This application originally proposed stables for 6 horses. In response neighbours raised concerns regarding whether the land was sufficiently large to graze 6 horses and that this scale of stabling would likely be for a commercial purpose. As a result the proposed scheme has been reduced in scale to two horses only, which has substantially reduced the scale of the proposed building and also generally accords with the guidance provided by the Royal Horse Society in terms of grazing land area per horse. Furthermore it also reduces the scale to something less viable as a commercial operation, although this notwithstanding an appropriate condition restricting the use of the stables to private use would be attached to the permission, if granted.

Conclusions

The application proposes a traditional rural use within an area of countryside and neighboured to the south and west by developed sites (Primrose Bank Caravan Park and Weeton Army Camp). The proposal is considered to accord with the relevant policies of both the adopted local plan and the emerging local plan to 2032. As such the application 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 & Site Layout - Dwg no. C17-462/2, dated January 2018
- Proposed Plans & Elevations - Dwg no. C17-462/1, dated January 2018

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

3. That the site shall operate as a private equestrian facility only, with the extent of the stabling limited to no more than the 11 stables shown on the site layout plan hereby approved under condition 2 of this planning permission.

Reason: Due to the absence of any residential accommodation being available on the site, and to establish one in such an isolated location for security, welfare or other reasons would not be sustainable development and so would conflict with Policy SP2 of the Fylde Borough Local Plan and the NPPF.

4. Prior to the commencement of any development hereby approved full details of the proposed vehicular access (to include layout of the access and design/matwerials of the access gates) are to be submitted to and approved in writing by the Local Planning Authority. The access shall be completed in full accordance with these approved details prior to the stables being brought into first use.

In the interests of providing a safe vehicular interface between the approved development and Singleton Road



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/17/1004	Address Land north of Primrose Bank Caravan Park, Singleton Road, Weeton	Grid Ref. E.3388 : N.4365	Scale 0 20 40 60 80 m

Item Number: 4

Committee Date: 14 March 2018

Application Reference:	17/1046	Type of Application:	Reserved Matters
Applicant:	Hollins Homes	Agent :	
Location:	LAND WEST OF, WOODLANDS CLOSE, NEWTON WITH CLIFTON		
Proposal:	APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 16/0554 FOR THE ERECTION OF 50 DWELLINGS FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE.		
Ward:	NEWTON WITH TREALES	Area Team:	Area Team 1
Weeks on Hand:	12	Case Officer:	Rob Clewes
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/@53.7730341,-2.8439075,554m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application relates to a parcel of land to the western edge of Newton, immediately south of Blackpool Road (A583) Woodlands Close. The site has the benefit of outline planning permission (16/0554) for up to 50 dwellings. The access arrangements were approved at the outline stage with a single point of vehicular and pedestrian access to the site from Woodlands Close.

This proposal is for the remaining reserved matters of layout, scale, appearance and landscaping associated with that outline permission.

The reserved matters submission provides for the construction of 50 dwellings, predominantly 2 storey properties (2 are dormer bungalows) of an appropriate housing mix. The proposal is considered to respect the scale and appearance of the general vernacular in the locality. Landscaping enhancements provides for the retention/planting of trees/hedgerow to the western boundary and internally within the street scene. An area of Public Open Space is proposed on site opposite the site entrance and also includes a Local Area of Play. The proposal is reflective of the Illustrative Masterplan and is therefore considered to have limited visual harm to landscape character.

On this basis the proposal is considered to be acceptable, according with the requirements of the adopted Fylde Borough Local Plan (FBLP) and Submission Version of the Fylde Local Plan to 2032 (SV). Accordingly Committee are recommended to grant the approval of these reserved matters.

Reason for Reporting to Committee

The application is a major development which is recommended for approval by Officers. In accordance with the Councils adopted Scheme of Delegation the application must therefore be referred to the Development Management Committee for determination.

Site Description and Location

The application site is located adjacent to the western boundary of Newton, being bound by Blackpool Road to the north, housing to the east on High Gate, Woodlands Close and Avenham Place, and farm holdings to the south and west. The site is approximately 2.81 hectares in size and is a long, narrow area which stretches in a southerly direction from Blackpool Road, comprising of a relatively flat, grassed parcel of land with centrally located pond adjacent to Woodlands Close. Trees, hedgerow and residential fencing define the current site boundaries.

Details of Proposal

The application seeks approval of the remaining reserved matters to outline planning permission 16/0554 which granted outline consent for up to 50 dwellings with the access arrangements approved at that time. The matters sought from this current proposal are appearance, landscaping, layout and scale.

The proposal provides for a predominantly 2 storey scheme (2 units are dormer bungalows) of detached, semi-detached and mews style properties. The dwellings are in a mix of types within the accommodation schedule:

- 10 x 5 bedroom dwellings.
- 15 x 4 bedroom dwellings.
- 12 x 3 bedroom dwellings.
- 13 x 2 bedroom dwellings.

- 15 of the 2-3 bedroom properties are identified for affordable provision.

Vehicular access to the site will be as approved by the outline application from Woodlands Close and is the single point of entry to the site. Dwellings proposed have been sited to provide an outward or sideward facing aspect to the western boundary, which is the countryside edge of the site. The main access road is tree lined with dwellings fronting on to the carriageway and active gables provided where side elevations are prominent in the street. A formal area of Public Open Space with play area is provided, indicated on the submitted plan to the north of the site, opposite the main entrance to the site.

The dwellings proposed are of traditional form, with a mix of elevational detail and some have front facing gable roof detailing also.

Following an initial assessment of layout and landscaping a request was made for alterations to Plot 7 and for changes to some of the means of enclosure for the proposed properties. In addition LCC provided comments which required changes to the internal estates road. Revised plans have been received in response to those requests.

Relevant Planning History

Application No.	Development	Decision	Date
16/0554	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 50 DWELLINGS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Refused	12/12/2016

Relevant Planning Appeals History

Application No.	Development	Decision	Date
16/0554	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 50 DWELLINGS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Allowed	18/08/2017

Parish/Town Council Observations

Newton with Clifton Parish Council notified on 20 December 2017 and comment:

Reference was made to policy in planning documents; National Planning Policy Framework (NPPF), Fylde Borough Local Plan (as altered) October 2005, Joint Lancashire Minerals and Waste Local Plan and Fylde Local Plan to 2032 Part 1 Preferred Option and Sustainability Appraisal and emerging Local Plan to 2032 - Revised Preferred Option and emerging Local Plan to 2032. Newton-with-Clifton Parish Council's concerns prevail relating to the proposal failing to make a sufficient contribution towards meeting the borough wide housing shortfall of affordable homes by delivering a requisite number of affordable housing on the site together with financial contributions towards offsite requirements including educational provision, recreational provision and sustainable transport improvements. Notwithstanding the above deliberated concerns a resolution was subsequently adopted that Council submit a representation to the planning committee/officer recommending that the proposed development should be granted planning permission but subject to the following conditions and moreover to ensure that the developer is in full compliance with all the conditions associated with the related planning application 16/0554, approved by the Planning Inspectorate as part of Planning Appeal decision APP/M2325/W/17/3166394.

i) Section 106 Agreement/Planning Obligation/Community Infrastructure Levy. The Section 106 Agreement/Planning Obligation/Community Infrastructure Levy, determined as part of the Appeal Decision, between the local planning authority and developer(s) is/are linked and fully implemented in respect of any planning permissions. This is required as Council consider that the proposed development will have significant impacts on the local area that cannot be moderated only by means of conditions attached to a planning decision. It is anticipated that the planning obligation will include affordable housing, education, highways, improved foul and surface water sewerage infrastructure, public open space, &c. However, members understand that a planning obligation by way of a unilateral undertaking has been executed, signed and submitted and the deed secures contributions towards the provision of affordable housing, education facilities, highway improvements and recreation but does not secure any improved car parking in the neighbouring area or any foul and surface water sewerage infrastructure. Moreover, Council is of the opinion that the conditional public open space with equipped play area is imprecise, does not demonstrate a contribution commensurate with the scale of the development or how subsequent management will

be funded and require more information in this respect. Also, council consider that a Section 106 Agreement/Planning Obligation/Community Infrastructure Levy could also include provision for improved vehicular parking arrangements on Avenham Place and Bryning Lane, together with the agreed improved traffic control signals at the A583/Blackpool Road/New Hey Lane junction. The traffic signal improvements that form part of a Unilateral Undertakings for the related planning application 16/0554, approved by the Planning Inspectorate as part of Planning Appeal decision APP/M2325/W/17/3166394 would ease congestion for vehicles leaving the village from Bryning Lane onto the A583/Blackpool Road and also aid sustainable walking links across the A583/Blackpool Road. Some degree of co-operation with the developer in respect of application 17/0595 Outline application for residential development of 30 dwellings including 10 affordable, access and layout applied for (all other matters reserved) at land adj to 12a Oak Lane, Newton-with-Scales, Preston, PR4 3RR could be mutually beneficial and execution of an approved scheme may then be better expedited.

ii) Affordable housing (AH).

Clarification is required in respect of the AH provision. The application indicates it will deliver a 30% AH element. There are thirteen two-bedroom properties, i.e. those most likely to be "affordable", comprising 26% of the proposed development. Consequently the proposal fails to fully comply with policy H2 of the emerging Local Plan to 2032.

iii) Ecology.

Conditions to ensure the ecological features of the site are protected are necessary and should be consistent with those applicable to other developments in the locality e.g. no removal of, or works to, any hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds during the main bird breeding season 1st March and 31st July inclusive unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests and prior to occupation, a "lighting design strategy for biodiversity" for areas to be lit shall be submitted to and approved in writing by the local planning authority. Moreover, and in line with the requirements of the National Planning Policy Framework, the reserve matters application should include biodiversity enhancement measures for the site demonstrating net gain for biodiversity and therefore recommend that a condition be attached to any permission requiring a scheme for Biodiversity Enhancement Measures to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

iv) Education provision.

With regard to the education provision and the identified school capacity shortfall, it is the understanding of the Council that when assessing the need for an education contribution from this development Lancashire County Council education authority (LEA) considers primary and secondary school provision respectively within a 2 and 3-mile radius of the proposed site.

Based on their local knowledge members indicate that Newton Bluecoat CE Primary School and Kirkham Carr Hill High School, the nearest schools geographically, could both accommodate an expansion in numbers if both receive an education contribution to provide additional primary and secondary places. Based upon the latest assessment taking into account all approved applications, the annual pupil census and resulting projections the LEA will be seeking a contribution for nineteen primary and eight secondary school places.

Members request assurances that LEA direct its intended use of the primary and secondary school education contribution from the developer, pursuant to its assessment of growth in pupil numbers and related educational need arising from the development, towards Newton Bluecoat CE Primary School and Kirkham Carr Hill High School.

v) *Flood risk, drainage and sewerage assessment.*

Council requires the application to fully address the requirements expected to support and deliver Sustainable Urban Drainage Systems (SuDs) so limiting the use of culverts for drainage where deemed appropriate by the Lead Local Flood Authority and where alternative SuDs can be implemented.

vi) *Highways and sustainable transportation.*

While recognising that access is not a reserved matter Council is keen to ensure that the applicant/developer fully consults with Lancashire County Council highways authority and for Section 278/38 Agreements to be arranged in respect of securing the implementation of all its highways and transportation recommendations. It is currently proposed that vehicular access/egress to the fifty residential dwellings will be from constructing a single junction extension of Woodlands Close, off Bryning Lane. Members remain of the opinion that the proposed access gives rise to a number of concerns that need further consideration by the applicant if an acceptable access arrangement is to be agreed and to satisfactorily address all other matters;

- a. There is only one access into a development of this scale. The plan requires further consideration to ensure the application demonstrates, for any agreed access/egress that access provision is properly facilitated for emergency service, utility and other large vehicles.*
- b. Empirical evidence suggests vehicular speed require improved visibility splays to be provided.*
- c. In the interest of highway safety members consider that provision of traffic calming measures is required to achieve an acceptable access/egress arrangement, this remains to be established at this stage and further work is required by the developer.*
- d. Council is of the opinion that there is a need for an improved street lighting scheme to be provided at the access junction and other locations throughout the site.*
- e. Council consider that the connectivity of this site to the wider community, education and retail facilities and other amenities require to be fully addressed within the enhanced transport assessment which requires mitigation measures demonstrating that prevailing concerns can be overcome.*
- f. Specific concerns prevail relating to traffic seeking access/egress to/from both the site and A583/Blackpool Road.*
- g. Council requires the application to fully demonstrate that parking to appropriate standards is being provided.*
- h. The revised Indicative Layout Plan Rev O1 shows a pedestrian /cycle link to the A583 Blackpool Road. A similar link at the southerly end of the site to Avenham Place would provide a shorter walking route to the Post Office/General Store and to Newton Bluecoat Primary School and such provision would be a desirable addition.*
- i. Whilst the westbound bus shelter/stop on the A583 Blackpool Road is adjacent to the pedestrian/cycle site access it lacks the raised boarding area new bus stops have to provide for those with mobility issues. To further promote sustainable travel the bus shelter/stop needs upgrading. To further promote sustainable travel the eastbound bus shelter/stop should also be upgraded. The pedestrian route between the development site and the eastbound bus stop requires negotiating the traffic signals at the A583/Bryning Lane junction. While some pedestrian facilities exist here the signals are old and lack a number of features modern signals provide, e.g. lacks tactile paving and nearside red / green man indicators. The bus shelter/stop and traffic signal improvement measures must be provided as they form part of a Unilateral Undertakings for the related planning application 16/0554.*

vii) *Public open space and recreation.*

Council is of the opinion that the conditional public open space with equipped play area is imprecise, does not demonstrate a contribution commensurate with the scale of the development or how

subsequent management will be funded and require more information in this respect.

viii) Construction operations.

A construction method statement is fully agreed imposing conditions to restrict the hours of construction and mitigate other disturbance to protect the amenity of neighbouring residents of neighbouring occupiers and the safety of highway users.

Statutory Consultees and Observations of Other Interested Parties

National Grid

Comments - Standard informative letter received.

United Utilities - Water

Comments - No comments received. Provided a response to the outline application.

Strategic Housing

Comments - There will be a requirement for 30% affordable housing on this site and the planning statement references 11 x 3 bed and 4 x 2 bed. Due to the location of this site we would be expecting a local connection to the parish of Newton with Clifton and would be looking for a mix of 80%/20%. The affordable units are plots 14-20 and 24-31 are at the rear of the site separated by 3 larger units of market housing. Ideally units 14-20 would be better placed nearer the front of the site where 10-12 are.

Greater Manchester Ecology Unit

Comments - No comments received. Provided a response to the outline application.

Lancashire CC Flood Risk Management Team

Comments - No comments received. Provided a response to the outline application.

Lancashire County Council - Highway Authority

Comments - (LCC) Highways understands the current planning application is concerned with the internal layout of the site only and the site access and impact on the surrounding highway infrastructure was approved by planning application 16/0554.

(LCC) Highways has made the following comments based on MCK Associates drawing 17-111-0001 rev I "Proposed Site Layout".

Highway Safety and layout

- The internal spine road is to be designed as a 20mph road with better use of horizontal deflection, vertical deflection such as road humps and cushions should be limited and will not be permitted where the route is to be used by buses. Typically the speed reducing features to be at a maximum of 75m centres. (LCC Highways are of the opinion that the proposed ramps (along the main spine road) will have limited effect on slowing speeds due to the distances between the features and the gradients of the ramps. Additional issues with car mounting the footpath where a full kerb is not provided.
- Prove the access with Woodlands Close by swept path analysis for a twin axel refuse vehicles as there is a high chance that cars will be parked on road fronting 3 and 5 Woodlands Close.
- The Joint Lancashire Structure Plan recommends the following off-road parking: - Two to three bedroom properties to have two parking spaces, four to five bedroom properties to have three parking spaces. This recommendation may affect all properties with small garages as detailed below and plot 32.
- The Joint Lancashire Structure Plan recommends the minimum internal single garage size to be 6x3m and this includes integral garages. Where garages are smaller than

the recommended minimum internal dimension of 6 x 3m they should not be count as a parking space and the applicant should provide an additional parking space for each garage affected and this includes integral garages. This recommendation affects the integral garages for house type "Bronte" 6 No, "Collingwood" 4 No, "Nelson" 5 No, "Nightingale" 4 No and 4l separate garages

- The carriageway width around the radius associated with plots 1 to 7 to be widened to allow safe manoeuvring for refuse and fire appliances. Prove the bed with a twin axel refuse vehicle passing a car.

Future Highway adoption issues

The provisional comments below concern the future highway adoption under a section 38 agreement with Lancashire County Council and the applicant is advised to consider these comments as part of any future reserved matters application / this planning application, where they wish to offer the road for adoption. Where the recommendations below are not implemented the highways may not be considered suitable for adoption and they will remain private, which may have a long term detrimental impact on highway safety and maintenance of the roads unless an acceptable Private Management and Maintenance Company can be established by the applicant.

The guide lines within Manual for Streets and Lancashire County Council's "Creating Civilised Streets" do not provide specific highway adoption requirements to cover future highway risks, maintenance and access to properties and statutory undertaker's equipment etc. Further guidelines regarding acceptable highway adoptable layouts can be found in the "Lancashire County Council Residential Road Design Guide" and the construction of the highway to be found in the "Lancashire County Council Specification for Estate Roads 2011 edition".

The works required to bring the highway design up to an adoptable layout are listed below: -

- The internal spine road is to be designed as a 20mph road with better use of horizontal deflection, vertical deflection such as road humps and cushions should be limited and will not be permitted where the route is to be used by buses. Typically the speed reducing features to be at a maximum of 75m centres.
- Prove the access with Woodlands Close by swept path analysis for a twin axel refuse vehicles as there is a high chance that cars will be parked on road fronting 3 and 5 Woodlands Close, which will restrict access especially during the construction phase of the project.
- The carriageway width around the radius associated with plots 1 to 7 to be widened to allow safe manoeuvring for refuse and fire appliances. Prove the bed with a twin axel refuse vehicle passing a car.

Sustainable Transport Links

As part of planning application 17/0595 an off-road cycle link has been proposed to link up with the local shop, bus stop. (LCC) Highways considers there is a sustainable transport desire line for pedestrians from this site to link through with this link.

(LCC) Highways recommends a 3m wide cycle link is investigated to link this site with the

approved link on the southern site. It is understood there is an existing track between the two sites which is owned by a third party and the recommended link may not be possible to provide. The recommended link would provide better walking and cycling links to the local shops, the bus stop and the school on School Lane.

LCC Contributions

Comments - In line with the UU for outline permission 16/0554, the owner is to inform LCC within 20 working days following final RM approval to enable LCC to calculate the Primary & Secondary Education contribution of all RM approvals.

Regeneration Team (Trees)

Provided a response to the outline application.

Regeneration Team (Landscape and Urban Design)

Matter assessed at outline stage.

Environment Agency

Comments - No comments received. Provided a response to the outline application.

Environmental Protection (Pollution)

Comments - There are no objections to the above proposals in principle, however I would add the following conditions:

Construction times shall be restricted to 08.00 – 18.00 Mondays to Friday; 08.00 – 13.00 Saturdays and no work on Sundays or Bank Holidays.

The applicant shall produce a construction management plan to details mitigation measures and practices to put in place to minimise noise, dust and disruption to the neighbouring dwellings.

NHS Fylde and Wyre CCG

Comments - No comments received

Natural England

Comments - Do not wish to make comment on this application. Provided comments at outline stage.

HM Inspector of Health & Safety

Comments - No comments received. Pipeline matters addressed at outline stage.

Neighbour Observations

Neighbours notified:	20 December 2017
Amended plans notified:	20 February 2018
Site Notice Date:	26 January 2018
Press Notice Date:	11 January 2018
Number of Responses	8 responses received
Summary of Comments	Increase in traffic impacting highway safety Impact to protected species Concern over positioning of some plots. They should be re-positioned. Plot 7 should be single storey Plot 7 garage should be moved away from boundary and re-designed Plot 8 should be single storey Garage of Plot 8 should be made integral and reduced in height Open aspect to side of neighbouring property should be retained Who maintains the open spaces and boundaries in the site The road and pavement of Woodlands Close must be restored to the same standard as before.

Why is there no link path to the A583 to the north and Village shop and school to the south
 Access for emergency vehicles could be problematic
 Pleased to see repair of hedgerows proposed. Work should be done outside bird nesting season
 Management of parking of workers and contractors vehicles and the loading and unloading during the development are of a concern
 Have LCC Highways been consulted on the latest design
 Can conditions regarding biodiversity for the Oak Lane development be applied to this application
 Highway improvements should be conditioned as part of this application.
 Could a contribution to the village playing field be added into the Unilateral Undertaking
 Village suffers from poor electricity infrastructure. This issue needs to be addressed
 Foul and surface water are not fully addressed
 Residents should see details of conditions required via the outline consent

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
EMP5	Hazardous installations
TR01	Improving pedestrian facilities
TR05	Public transport provision for large developments
TREC17	Public Open Space within New Housing Developments
EP10	Protection of important landscape and habitat features
EP11	Building design & landscape character
EP12	Conservation trees & woodland
EP14	Landscaping of new developments
EP18	Natural features
EP21	Archaeology
EP19	Protected species
EP22	Protection of agricultural land
EP26	Air pollution
EP27	Noise pollution
EP29	Contaminated land
EP30	Development within floodplains

Fylde Local Plan to 2032:

NP1	Presumption in favour of Sustainable Development
S1	Proposed Settlement Hierarchy
DLF1	Development Locations for Fylde
SL5	Development Sites outside Strategic Locations for Devt
GD1	Settlement Boundaries
GD3	Areas of Separation
GD4	Development in the Countryside

GD7	Achieving Good Design in Development
GD9	Contaminated Land
H1	Housing Delivery and the Allocation of Housing Land
H2	Density and Mix of New Residential Development
H4	Affordable Housing
HW1	Health and Wellbeing
INF1	Service Accessibility and Infrastructure
INF2	Developer Contributions
T4	Enhancing Sustainable Transport Choice
T5	Parking Standards
CL1	Flood Alleviation, Water Quality and Water Efficiency
CL2	Surface Water Run-Off and Sustainable Drainage

Other Relevant Policy:

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

Site Constraints

- Pipelines
- 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 of Development

The principle of residential development on the site has been established through planning approval, via appeal 16/0554 which granted consent for up to 50 dwellings. Accordingly, whilst the concerns for the principle of development from the Parish Council and residents are noted, such matters are not to be revisited for assessment as part of this current application.

Design and Layout

Policy HL2 of the FBLP supports new housing development which would be in-keeping with the character of the locality in terms of scale, space around dwellings, materials and design, and retains features such as trees and hedges. Policy HL6 requires new housing schemes to respect the character of the area and provide an attractive, safe and crime free environment for residents. This reflects criteria contained within Policy GD7 of the submission version of the Fylde Local Plan to 2032 and Policy H2 also requires the mix of dwellings to provide at least 50% 1, 2 or 3 bedroom properties, in rural villages 33% should also be 1-2 bedroom dwellings.

The layout is comparable to that seen in the immediate locality, providing for a central access road with housing having a front or side facing aspect to the carriageway. Similarly, a traditional form of layout is provided through provision of a back to back relationship with existing housing neighbouring the site. Development is outward facing where possible, in particular the western countryside edge through provision of front facing and dual aspect properties. Dwellings are set back from Blackpool Road and the western edge enabling retention of the majority of existing hedgerow

and trees to the site boundary. A revision to Plot 7 has been received and has improved the spacing between itself and the immediate neighbouring property No. 6 Woodlands Close. This has been achieved by attaching the proposed garage to the side elevation and hipping the roof so as to attach the ridge of the garage roof to the side elevation. The relationship of plot 8 with the site boundary is considered acceptable.

A small open space buffer is provided to the northern edge of the development which allows for a softer aspect when travelling eastwards along Blackpool Road. Trees and hedges to the western edge are to be trimmed but retained and enhanced, where required, with additional planting. Several dwellings have a side facing aspect to the western edge of the development meaning that their rear gardens are bounded by the hedgerow. Revised landscaping plans show that this hedgerow will form the boundary and no "hard" boundaries (i.e. walls or fencing) are proposed. It is considered that this will ensure that the visual impact of the development will be mitigated by retaining this soft boundary and act to soften the appearance of the built form when viewed externally. Controls to ensure no new/additional fencing which would further dilute the visual appearance of this western edge can be controlled by condition. Boundary treatments are confirmed to be a mix of post and rail fence, timber fence, brick pier/ fence infill and brick walls which are all acceptable though detail with regards to siting should be conditioned for approval.

Overall the proposal layout is considered acceptable and reflects the Illustrative Masterplan where it was accepted that residential development would be placed in general terms.

With regard to house design, the dwellings are standard house types within the applicant's portfolio and so are not specifically designed to accord with the local vernacular. However, the properties immediately adjacent to the application site also present a standardised design through use of red/ brown brick and mix of dual/ hipped roof design and have little architectural distinctness so ensuring that this is not a particular concern. The dwellings proposed are to be constructed of brick and tile, pitched roofs, front gable detail and their appearance would be consistent with existing dwellings in the locality. The design and layout are considered to be appropriate and comply with the requirements of Policy HL2, HL6 and H2.

The development provides 50 dwellings, 13 units (26%) of which are 2 bedroom properties, 12 units (24%) have 3 bedrooms and 25 units (50%) 4 or 5 bedroom properties. Whilst not in strict accordance with the percentage mix requirements of Policy H2, it is recognised that there must be some flexibility to this policy so as not to prohibit residential development particularly as it has yet to gain full development plan status. On balance the mix of dwellings is supported, and would contribute toward meeting the demographic needs of the borough.

Landscaping within the site includes open plan garden fronted dwellings, the main access roads are tree planted. The Public Open Space (POS) provides for a focused open area at the entrance of the site, and provides occupants with an informal space for activities such as dog walking as well as a Local Area of Play. The POS space that is provided acts to soften the entrance of the site from Woodlands Close and the orientation of the proposed dwellings in this locality have either a front facing or dual aspect and provides for a degree of natural surveillance of the POS. The proposed landscaping is considered acceptable.

Highways

Policy HL2 of the FBLP supports new residential development provided satisfactory access and parking arrangements are provided, and do not adversely affect the safe and efficient operation of the highway network, either individually or cumulatively with other permitted developments. Policy

TR1 also encourages the improvement of facilities for pedestrians to encourage walking as an alternative means of travel. Policy GD7 and T5 of the submission version of the Fylde Local Plan to 2032 reiterate the above highway policy position.

Access to the site was assessed and determined at outline stage (ref: 16/0554) and those details submitted were approved via appeal and conditioned to be implemented as such. Therefore matters of site access and off-site highway works do not form part of this application and do not require consideration during assessment of this current application, only those relating to layout can be considered.

The proposed estate road layout within the application site is of standard design, providing for a 5.5m carriageway width and 2m wide footpaths, turning heads are indicated the end of each secondary road. It is considered that the layout is acceptable and would not prejudice the free flow of traffic on the site or compromise or highway safety. LCC Highways have commented that some properties would have an under supply of off-street parking due to the size of garaging not complying with their standards. This in turn would lead to additional on-street parking pressures resulting in amenity issues. Parking for each dwelling is a mix of garaging and/or driveway provision and whilst there may be some plots that do not strictly accord with adopted standards, most on the plots provide 2 spaces for 2-3 bedroom dwellings and 3 spaces for 4+ bedroom properties. This will ensure that parking is provided within curtilage and not displaced to the road. On this basis it is considered that proposal provides for a safe form of development, in accordance with policies of the development plan.

Initial comments from LCC Highways raised issue with the width of part of the estate road to the north of the site, the need for further traffic calming measures and a swept path analysis. A revised layout has been provided showing the required improvements and therefore these issues are now considered resolved. LCC's comments on this revised layout will be provided in the late observations.

Comments received from the Parish Council and members of the public (including the Newton Residents Association) have raised issue with regard to the provision of off site highway improvement works and general road safety. The offsite highway works are a matter that has been agreed via the agreement of a Unilateral Undertaking and highway safety was a matter addressed at outline stage as such these matters do not form part of this assessment.

The Parish Council also raised the issue of providing additional parking arrangements for residents of Avenham Place. Although it is acknowledged that parking for residents of Avenham Place is an issue it is not for the applicant to resolve this matter which falls outside of remit of this application.

Residential Amenity

Policy HL2 of the FBLP and GD7 of the submission version of the Fylde Local Plan to 2032 supports new residential development that would have no adverse effect on the amenity and privacy of neighbouring properties. This amenity impact includes privacy, dominance, loss of light, over shadowing or disturbance resultant from the development itself on neighbours, or during the construction period.

Existing neighbours which could be affected by the proposal adjoin the application site to the east, located on Woodlands Close, Highgate Close and Avenham Place. The submitted layout drawing indicates that separation distances from proposed dwellings to adjacent neighbouring properties are sufficient and therefore considered acceptable. Separation distances within the development also provide sufficient space between the proposed dwellings and are also considered acceptable. Each

dwelling proposed has an appropriate amount of external amenity space and off street parking, the amenity needs of prospective residents is catered for within the development.

Plot 7 has been revised by way of attaching the detached garage to the side of the bungalow and this has increased the spacing distance between this property and No.6 Woodlands Close. The resulting orientation and relationship has improved the impact to No.6 Woodlands Close. If the bungalow were to be moved further north into the plot it would create further relationship issue with Highgate Place and Woodlands Close, therefore on balance the revised position is considered acceptable.

Plot 8 is immediately to the west of No.11 Woodlands Close and is set slightly forward of the front elevation of No.11 Woodlands Close. Between the two properties is the garage for Plot 8. The spacing, orientation and relationship for Plot 8 and No.11 Woodlands Close is considered acceptable and the main elevations (front and rear) and the rear garden of No.11 will not suffer an increase in detrimental impact to its amenity.

It is inevitable that there will be some disruption for residents during the construction period. This disruption however is temporary, for duration of the build and is therefore acceptable. A conditions was attached to the outline consent requiring a Construction Management Statement and this issue and the means of mitigation can be addressed when discharging that condition to minimise amenity impact including agreement of hours of site works, wheel wash facilities, measures to control dust/ dirt and a strategy to inform neighbours of timing and duration of any required piling operations.

On this basis it is considered that the development would not unacceptably impinge on the amenity of existing or prospective residents.

Affordable Housing

Paragraph 50 of the NPPF requires affordable housing to be provided where needs have been identified. Policy H4 of the submission version of the Fylde Local Plan to 2032 requires a 30% provision of affordable housing in new development.

The Unilateral Undertaking (Legal Agreement) relating to the outline consent requires 30% affordable housing be provided. The submitted Layout drawing indicates 15 of the 50 dwellings (30%) are to be affordable houses. These are to be 12, 2 bedroom dwellings and 3, 3 bedroom dwellings so are an appropriate mix for the affordable needs in the area.

The Strategic Housing Manager has raised some concern over the location of the affordable units not being sufficiently dispersed on the site. Ideally, affordable housing should be pepper potted throughout the development. Whilst not located in various position throughout the site the affordable units are separated by and face market housing and it is considered that their location and spacing within the site are acceptable.

Developer Contributions

The following contributions are requisite for the outline approval by the agreed Unilateral Undertaking:

- Provision of 30% affordable housing on the application site.
- Financial contribution towards primary education of £256,016.07 (Newton Bluecoat Church of England Primary School) and £162,428.72 towards secondary education (Ashton Community Science College). The Legal Agreement requires the applicant to notify and

request that the Council recalculates both amounts within 20 days following the grant of a reserved matters consent.

These contributions have been secured through the agreement of a Unilateral Undertaking and therefore it is considered that no other mechanisms are required to secure this funding. Sufficient Public Open Space (POS) has been provided on site in compliance with Policy TREC17 and therefore no other contributions are required as a result of the reserved matters application.

Other Matters

Matters relating to drainage, ecology/biodiversity, construction management and environmental plans and site clearance were considered at the outline stage and details of those matters are to be agreed via the outline permissions conditions. This reserved matters application raises no further concerns with regards to these issues.

The Unilateral Undertaking (UU) agreed in connection with the development specifically refers to Affordable Housing, Education contributions and Highway matters. It has been queried as to whether contributions towards the village playing field can also be included. The UU has been signed and agreed prior to the submission of this application. Therefore it could only be varied if all relevant parties agreed. However Notwithstanding this it is considered that this request would not be reasonable when taking into account the adequate on-site provision of the Public Open Space within the development with accords with Policy TREC17 of the adopted Fylde Borough Local Plan.

Concerns were raised over the current electricity infrastructure serving the village and whether or not the development could offer solutions to this issue. It is not the responsibility of the applicant to provide resources to upgrade and maintain the existing electricity network as this is the responsibility of the relevant statutory undertaker. Therefore there this matter forms no part of this assessment.

Drainage matters were assessed at outline stage and relevant conditions added to the decision in respect of these, however there were no conditions relating to the provision of foul drainage and therefore it is considered appropriate to add a condition requiring that a foul drainage scheme be submitted to and agreed in writing by the Local Planning Authority.

At outline stage variants of the indicative layout plan showed pedestrian access from the north linking the site with the A583. LCC highways have also provided comments in their response stating that pedestrian access to the north and south would help with accessibility of the site. At decision stage the inspector listed the plans in condition 4 of the outline consent (ref: 16/0554) and included only the location plan and the site access plan off Woodlands Close. As access was a matter assessed at outline stage (which includes pedestrian and cycle access) new accesses cannot now be reassessed at this stage.

Conclusions

The application site is an area of land to the west of the settlement of Newton that has the benefit of outline planning permission for the erection of up to 50 dwellings. The site is outside of the settlement boundary but adjacent to it on the western and northern boundaries. This proposal is for the remaining reserved matters of layout, scale, appearance and landscaping associated with that outline permission. The access arrangements were approved at the outline stage for a single point of entry off Preston Old Road. The layout, scale, appearance and landscaping are considered acceptable and visual impact on the area is not considered sufficient to warrant refusal of the

proposal. Other matters raised outside of layout, scale, appearance and landscaping, from comments received by consultees and members of the public have been assessed at outline stage and therefore have no bearing on this assessment and there are no other material considerations of note.

Taking the above into account it is considered that the proposal accords with the requirements of the adopted Fylde Borough Local Plan (FBLP) and Submission Version of the Fylde Local Plan to 2032 (SV) and is recommended for approval.

Recommendation

That Reserved Matters Approval be GRANTED subject to the following conditions:

1. This permission / consent relates to the following details:

Approved plans:

- Location Plan - NEED TO INSERT
- Proposed Site Layout - 0001 Rev O
- 2 Bed Affordable - 17-111 HT01
- 3 Bed Affordable - 17-111 HT02
- Brunel - 17-111 HT03
- Nelson - 17-111 HT04
- Nelson DA - 17-111 HT05
- Victoria - 17-111 HT06
- Victoria (Plot 7) - 17-111 HT06(P7)
- Collingwood - 17-111 HT07
- Collingwood DA - 17-111 HT08
- Dickens - 17-111 HT09
- Nightingale - 17-111 HT10
- Nightingale DA - 17-111 HT11
- Bronte - 17-111 HT12
- Bronte DA - 17-111 HT13
- Wellington - 17-111 HT14
- Wesley - 17-111 HT15E
- Wesley - 17-111 HT15FP
- Landscape Proposal Plan - (96)001 Rev B (Sheets 1-4)
- Swept Path Analysis - SK21630-101
- Picket Fence Details - SD-ENC-1002
- Wall with Timber Infill Details - SD-ENC-1001
- Wall Details - SD-ENC-1000
- Metal Railings - 06
- 1800mm High Close Boarded Fence - Type: F2
- 900mm Post & Rail Fence
- Single Garage Ground Floor Plan - Single (04)-01
- Single Garage Elevations - Single (05)-01
- Single Garage Section a - Single (06)-01
- Single Garage Substructure Setting Out Plan - Single (10)-01
- Double Garage Ground Floor Plan - Double (04)-01
- Double Garage Elevations - Double (05)-01
- Double Garage Section a - Double (06)-01
- Double Garage Substructure Setting Out Plan - Double (10)-01

Supporting Reports:

- Supporting Statement (Prepared by Hollins Strategic Land - Dated December 2017)

Reason: To provide clarity to the permission.

2. The materials used in the construction of the external surfaces of the dwellings shall match those details described within Appendix 1 of the submitted Supporting Statement (Prepared by Hollins Strategic Land - Dated December 2017). Any change to these materials shall be agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance.

3. Prior to the commencement of works a scheme for the disposal/drainage of foul waters shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the foul drainage scheme shall be separate from the surface water drainage scheme required by Outline Consent ref: 16/0554. The agreed scheme shall be implemented in full prior to the first occupation of the dwellings hereby approved.

Reason: To ensure adequate drainage of the site and in the interests of public amenity.

4. The Public Open Space and Local Area of Play as shown on plan ref: (96)001 Rev B (Sheets 1-4) shall be made available for use on the occupation of the 25th dwelling of the development hereby approved.

Reason: In the interests of amenity for the occupiers of the development.

5. Prior to the commencement of development on site details of the play equipment to be installed in the Local Area of Play as shown on submitted plan ref: (96)001 Rev B (Sheets 1-4) shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented in accordance with condition 5 of this permission. Any changes to the agreed details shall be submitted and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity for the occupiers of the development.

6. Prior to the first occupation of any of the dwellings hereby approved, the boundary treatments for the site and plot boundaries for that dwelling shall be carried out as shown on the following submitted plans:

(96)001 Rev B (Sheets 1-4)
 SN-ENC-1000 – Wall Details
 SN-ENC-1001 – Wall with Timber Infill Details
 SN-ENC-1002 – Picket Fence Details
 1800mm High Close Boarded Fence - Type: F2
 900mm Post & Rail Fence
 1200mm High Metal Railing Fence - 06

Reason: To ensure a satisfactory appearance.

7. Notwithstanding the provision of Article 3, Schedule 2, Part 2, Class A of the Town and Country Planning General Permitted Development Order 2015 [or any Order revoking or re-enacting that Order], no further erection of means of enclosure along the western site boundary in relation to the curtilages of Plots 34, 36, 37, 40, 41, 45, 46 and 50 relevant to that class shall be carried out without Planning Permission.

CLASS VARIABLES

A Gates, Fences, Walls

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

8. The hard and soft landscaping of the site shall be carried out as shown on submitted landscaping plan ref: (96)001 Rev B (Sheets 1-4) and in compliance with conditions 7 and 8 of Outline Permission ref: 16/0554.

Reason: To ensure a satisfactory appearance.

9. Prior to the commencement of any development on site full details of the proposed construction of the internal access roads, including their, engineering, materials, drainage, street lighting and the phasing of construction and completion, together with the proposed arrangements for the future ownership, management and maintenance of the access road has been submitted to and approved by the local planning authority. The access roads shall thereafter be constructed and maintained in accordance with the approved details unless an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established, the details of which have been provided to the Local Planning Authority.

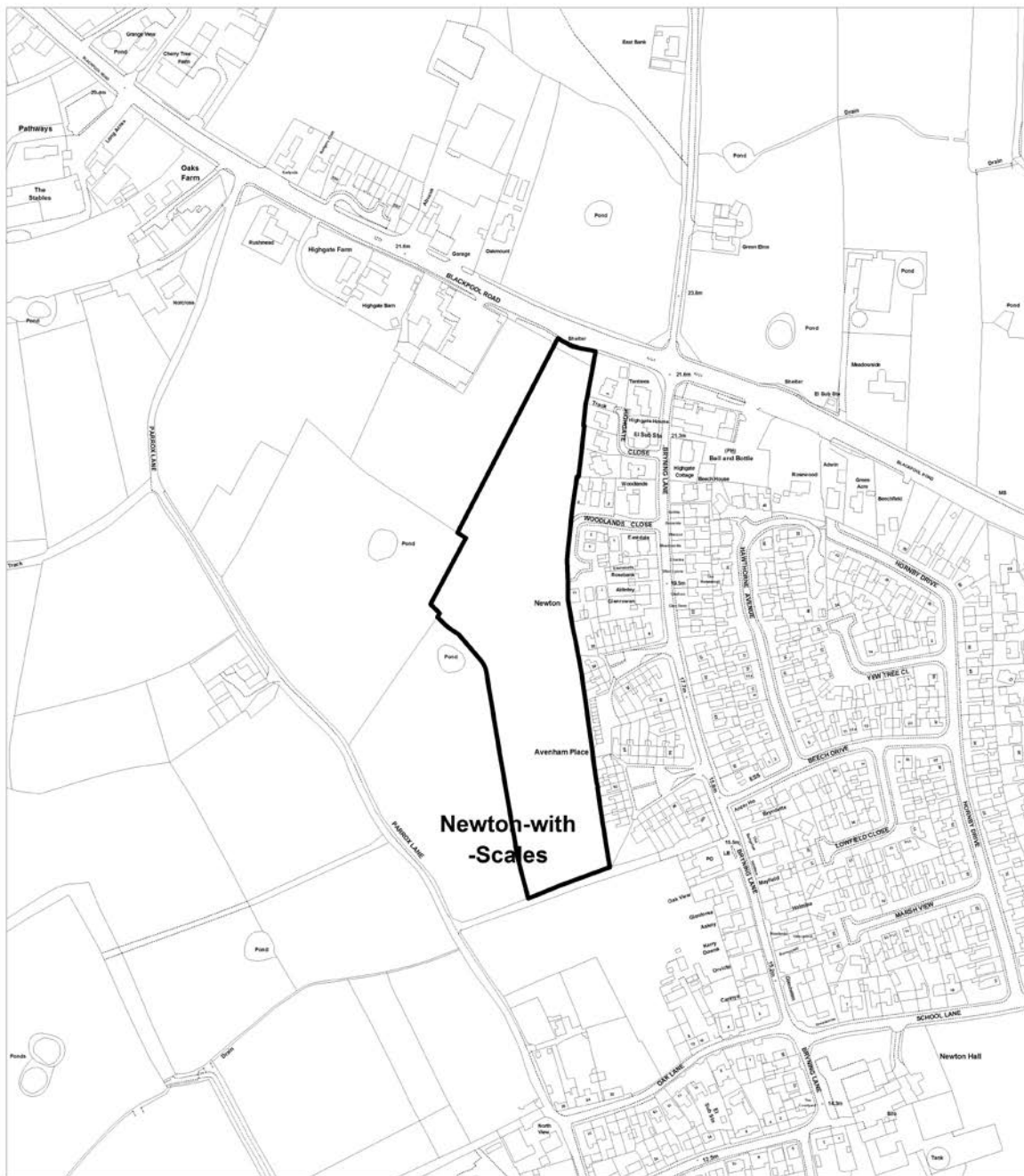
Reason: To ensure the access road is appropriately constructed and maintained.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all integral garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

Reason: To allow for the effective use of the parking areas.

11. The off street parking spaces shown on the submitted Site Layout Plan ref: 0001 Rev O shall be laid out and made available for use prior to the first occupation of each dwelling to which they serve. The spaces shall be retained thereafter for parking of vehicles.

Reason: In the interests of neighbour and visual amenity.



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/17/1046	Address Land west of Woodlands Close, Newton	Grid Ref. E.3445 : N.4310	Scale 0 20 40 60 80 m

Item Number: 5

Committee Date: 14 March 2018

Application Reference:	17/1051	Type of Application:	Variation of Condition
Applicant:	VBA (Volkerstevin)	Agent :	
Location:	FAIRHAVEN LAKE AND LAND BETWEEN ST PAULS CAR PARK AND SEAFIELD ROAD, LYTHAM ST ANNES, FY8 1BB		
Proposal:	VARIATION OF CONDITION 14 ON PLANNING PERMISSION 16/1015 TO EXTEND PERMISSIBLE WORKING HOURS TO BETWEEN 07:30 - 18:30 (MONDAY TO FRIDAY), 08:00 - 14:00 (SATURDAY), WITH NO ON SITE WORKS ON SUNDAY OR BANK HOLIDAYS. AND VARIATION OF CONDITION 2 AND 6 TO REMOVE CONCRETE UP STAND FROM BENEATH PROMENADE BALUSTRADE		
Ward:	FAIRHAVEN	Area Team:	Area Team 1
Weeks on Hand:	13	Case Officer:	Andrew Stell
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/@53.7356012,-2.9743605,1109m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

Planning permission 16/1015 granted consent for sea defence works at Fairhaven/ Grannys Bay/ Church Scar, and those works have recently commenced. Condition 14 of that approval restricted construction hours to between 08:00 - 18:30 Monday to Friday, 09:00-13:00 Saturday, with no operations on Sundays or Bank Holidays. This restriction relates to all phases of development, not just the Phase 1 works at Church Scar.

This application seeks to vary this control to permit a longer working day. The applicant refers to tidal influences restricting construction at the site since beach access is necessary. The original hours sought were 06:00 - 20:00, this has been revised to 07:30 - 18:30 Monday to Friday, 08:00 - 14:00 on Saturday.

The main issue in the assessment of this is to ensure that residents will not suffer increased dis-amenity resultant from the increased hours of construction, including vehicle activity and physical works associated to the development. The Environmental Protection officer has no objection to the suggested hours as revised, and it is considered that the limited extension sought will not cause undue amenity harm.

The application also seeks to revise the details of the Church Scar Promenade boundary to remove a concrete upstand detail that is shown on the approved drawings. This has no sea defence benefit and was felt to be an unattractive feature that is likely to attract debris and be subject to damage from cleaning vehicles. The removal of this is considered to be acceptable.

On this basis the application is recommended for approval.

Reason for Reporting to Committee

The proposal relates to a planning permission that was approved by Planning Committee and so it is necessary for this variation of those details to also be considered by Committee.

Site Description and Location

The site is the coastal strip of Fairhaven/ Grannys Bay/ Church Scar where sea defence replacement works are currently underway.

Details of Proposal

The application seeks to vary two conditions that were imposed on these works when planning permission 16/1015 was granted.

The first is condition 14 which limits the hours of construction to between 08:00 - 18:30 Monday to Friday, 09:00-13:00 Saturday, with no operations on Sundays or Bank Holidays. This restriction relates to all phases of development, not just Phase 1 works at Church Scar.

This application seeks to vary this restriction in order permit a longer working day as the applicant is concerned that the tides will restrict construction at the site since beach access is necessary. The original hours sought were 06:00 - 20:00, this has been revised to 07:30 - 18:30 Monday to Friday, 08:00 - 14:00 on Saturday. No working on Sundays or Bank Holidays is proposed.

The second is condition 2 which lists the approved plans. One of these indicated the balustrade that is proposed for the edge of the Promenade on the Church Scar element of the project. The approved scheme includes a concrete upstand on the seaward side of this siting underneath the balustrade. The application seeks consent to replace that details within one that provides just the black balustrade with the concrete upstand omitted. The reason for this change being that the feature served no flood defence benefit and was likely to attract debris and prove difficult to mechanically clean without damage. Its omission will also provide a 'cleaner' finish to this element of the works.

Relevant Planning History

Application No.	Development	Decision	Date
17/0928	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS ON PLANNING PERMISSION 16/1015 CONDITION 3 (REVTMENT CEMENT COLOUR), CONDITION 8 (FAIRHAVEN LANDSCAPING), CONDITION 10 (LANDSCAPE & ECOLOGICAL MGMT PLAN), CONDITION 11 (ENVIRONMENT MANAGEMENT) & CONDITION 16 (CONSTRUCTION METHOD STATEMENT).	Advice Issued	20/12/2017
16/1015	DEMOLITION OF EXISTING SEA WALL AND REVTMENT, REPLACEMENT WITH NEW COASTAL PROTECTION SCHEME CONSISTING OF	Granted	21/04/2017

16/0984	STEPPED AND SLOPING REVETMENTS, INCLUDING PUBLIC REALM IMPROVEMENTS TO PROMENADE AND CONSTRUCTION OF TEMPORARY COMPOUND AREAS. 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

Not applicable.

Statutory Consultees and Observations of Other Interested Parties

Environmental Protection (Pollution)

Concerns were raised to the original hours proposed in this variation. The Environmental Protection officer accepts that the flood work defence is essential but expressed concern that the 06.00 start time and the close proximity of neighbouring dwellings along the proposed site boundary or vicinity would be too disruptive to these occupiers. Noise from vehicle movements, reversing beepers and other machinery and equipment could cause statutory nuisance at early morning hours.

He advises that whilst there are measures to mitigate against sound on construction sites they are not always practical and so the main way of control is to limit times of operation to hours that would not disturb sleep.

Comment to revised construction hours proposal:

There were and still are concerns regarding operating hours in the early morning with respect to potential noise nuisance however further consideration needed to be given when taking into account the location of the site and the necessity of the work. Work would be restricted on some occasions by the tides and requests to operate from 06.00 were made to take account of this in addition to an extended work time up to 20.00. However there are residents within the immediate vicinity of the site compound and proposed work area that would be severely disturbed by these proposals.

However I am now in agreement with the working hours detailed below that in my opinion offer a compromise between the work requirement and the amenity of the residents living close by. The agreed times of operation are:

07:30 – 18:30 Monday to Friday.

08:00 – 14:00 Saturday.

No on site works on Sundays or Bank Holidays.

Neighbour Observations

Neighbours notified: Neighbours notified 16 February 2018

Amended plans notified: n/a

Site Notice Date:

Press Notice Date: 4 x Posted 16 February 2018

Number of Responses 2

Summary of Comments:

One letter raises no objection to the later finish time, but believes that working before 8am would be too disruptive to local occupiers. They also query the notification of the application.

One resident of Fairlawn Road refers to the early morning disturbance that they have suffered during the works and ask that the hours are revised to prevent working before 8.30 am on weekdays and restricted to 10.00 - 14.00 on Saturdays.

Relevant Planning Policy

Fylde Borough Local Plan:

EP27 Noise pollution

EP28 Light pollution

Fylde Local Plan to 2032:

GD7 Achieving Good Design in Development

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

Hours of Construction

The main issue pertinent in the assessment of this proposal relates to whether residents will suffer increased dis-amenity resultant from the increased hours of construction. It is important to note that any agreed change to working hours relates to the development in its entirety and not just the Church Scar phase of works.

The site compound area has been constructed at Fairlawn Road to facilitate works on the sea defence scheme. It is understood that this compound will be removed following completion of the Church Scar Phase, being relocated to the car park at St Pauls Avenue to support the Phase 2 works at Fairhaven Lake. The location of compounds and required vehicular access to such will impinge on adjacent residents, as will the physical works of constructing the sea defence scheme. It is therefore imperative that the amenity of residents is safeguarded, though this should be reasonable so as not to be overly restrictive on the construction programme. On this basis it was considered that the earlier and later construction times of 06:00 - 20:00 and 7 day working would not satisfactorily safeguard amenity. Indeed objection has been received from the Environmental Protection officer on such grounds.

The applicant has revised the construction hours sought to 07:30 - 18:30 Monday to Friday and 08:00 - 14:00 on Saturday. The Environmental Protection officer has no objection to the suggested hours as revised. On this basis the revised construction hours are supported.

In their original comment, the Environmental Protection officer states that a statutory nuisance is likely to occur prior to a 08.00am start on site. Notwithstanding, it is considered that the revised proposal offers an acceptable compromise between the working requirement and amenity of residents living adjacent. The suggested 07:30 start time is not considered to unacceptably impinge on resident amenity to such an extent to warrant refusal of the proposal.

Omission of Concrete Upstand

The approved plans indicate that a pre-cast concrete upstand was to be provided underneath the railing to be installed along the seaward side of the Church Scar Promenade. The proposal is to omit this feature on the basis that it adds nothing to the sea defence quality of the scheme and would provide a future maintenance issue by providing a location for sand and other debris to collect that would be difficult to clean and susceptible to damage during that cleaning by mechanical sweepers. The proposal is therefore to swap the approved plans listed under condition 2 for a revised plan with just the black balustrade detail.

This change is considered to be an improvement to the design by removing an unnecessary cluttering feature, and so the approved details in condition 2 should be varied to incorporate this change.

Conclusions

Planning permission 16/1015 granted consent for sea defence works at Fairhaven/ Grannys Bay/ Church Scar, and those works have recently commenced.

This application seeks to slightly extend the construction hours to allow the contractor to work around the tides better, and to revise the details of the Church Scar Promenade to remove a concrete upstand detail that is shown on the approved drawings.

These elements are both considered to be acceptable and so it is recommended that the consent be granted. The decision will repeat all the conditions from the original application with the appropriate amendments made to condition 2 and 14.

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:

- 267-RYD-XX-XX-DR-L-1000 Corresponding construction and ownership boundaries.

- 267-RYD-XX-XX-DR-L-2000 Red Line & Ownership Boundaries.
- 5150214-VBA-XX-FL-DR-C-0100 P5 Site Location Plan.
- 5150214-VBA-XX-FL-DR-C-0101 P4 General Arrangement (Sheet 1 of 8).
- 5150214-VBA-XX-FL-DR-C-0102 P4 General Arrangement (Sheet 2 of 8).
- 5150214-VBA-XX-FL-DR-C-0103 P4 General Arrangement (Sheet 3 of 8).
- 5150214-VBA-XX-FL-DR-C-0104 P2 General Arrangement (Sheet 4 of 8).
- 5150214-VBA-XX-FL-DR-C-0105 P5 General Arrangement (Sheet 5 of 8).
- 5150214-VBA-XX-FL-DR-C-0106 P5 General Arrangement (Sheet 6 of 8).
- 5150214-VBA-XX-FL-DR-C-0107 P5 General Arrangement (Sheet 7 of 8).
- 5150214-VBA-XX-FL-DR-C-0108 P5 General Arrangement (Sheet 8 of 8).
- 5150214-VBA-XX-FL-DR-C-0109 P3 Fairhaven Cross Sections (Sheet 1 of 3).
- 5150214-VBA-XX-FL-DR-C-0110 P3 Fairhaven Cross Sections (Sheet 2 of 3).
- 5150214-VBA-XX-FL-DR-C-0115 P2 Fairhaven Cross Sections (Sheet 3 of 3).
- 5150214-VBA-XX-CS-DR-C-0111 P2 Grannys Bay Cross Section (Sheet 1 of 2).
- 5150214-VBA-XX-CS-DR-C-0112 P3 Grannys Bay Cross Section (Sheet 2 of 2).
- 5150214-VBA-XX-CS-DR-C-0113 P5 Church Scarr Cross Section (Sheet 1 of 2).
- 5150214-VBA-XX-CS-DR-C-0114 P5 Church Scarr Cross Section (Sheet 2 of 2).

Revised Drawings:

- 267-RYD-XX-XX-DR-L-2001 rev B General Arrangement (1 of 8).
- 267-RYD-XX-XX-DR-L-2002 rev B General Arrangement (2 of 8).
- 267-RYD-XX-XX-DR-L-2003 rev B General Arrangement (3 of 8).
- 267-RYD-XX-XX-DR-L-2004 rev B General Arrangement (4 of 8).
- 267-RYD-XX-XX-DR-L-2005 rev B General Arrangement (5 of 8).
- 267-RYD-XX-XX-DR-L-2006 rev B General Arrangement (6 of 8).
- 267-RYD-XX-XX-DR-L-2007 rev B General Arrangement (7 of 8).
- 267-RYD-XX-XX-DR-L-2008 rev B General Arrangement (8 of 8).
- 267-RYD-XX-XX-DR-L-2009 rev B Alternative Grannys Bay Transitions (1 of 2).
- 267-RYD-XX-XX-DR-L-2010 rev B Alternative Grannys Bay Transitions (2 of 2).
- 267-RYD-XX-XX-DR-L-2011 Signage and Street Furniture Plan.
- 267-RYD-XX-XX-DR-L-2014 Lighting Plan (1 of 3).
- 267-RYD-XX-XX-DR-L-2015 Lighting Plan (2 of 3).
- 267-RYD-XX-XX-DR-L-2016 Lighting Plan (3 of 3).
- 267-RYD-XX-XX-DR-L-2017 St Pauls Avenue Car Park - line marking re-aligned.
- 267-RYD-XX-XX-DR-L-2026 Visualisations.
- 267-RYD-XX-XX-DR-L-3001 rev B Promenade Entrance Elevation.
- 267-RYD-XX-XX-DR-L-3002 rev B Fairhaven Seating Plan.
- 267-RYD-XX-XX-DR-L-3003 rev B Sea Defence Sections 1 of 2.
- 267-RYD-XX-XX-DR-L-3004 rev B Sea Defence Sections 2 of 2.
- 267-RYD-XX-XX-DR-L-3005 rev B Scollop Seating Plan.
- 267-RYD-XX-XX-DR-L-3006 Sloped Revetment Imprinting.
- 5158758-VBA-XX-CS-SK-C-0001 Alternate Proposed Detail at Church Scar.omitting PCC Upstand
- 267-RYD-XX-XX-DR-L-5000 Softworks Plan Sheet 1 of 2.
- 267-RYD-XX-XX-DR-L-5001 Softworks Plan Sheet 2 of 2.

Supporting Reports:

- Construction Noise Assessment (Atkins, 24th October 2016).
- Fylde Coastal Protection Scheme - Overview of Environmental Reporting (January 2017).
- Fylde Coastal Protection Scheme - Heritage Statement (January 2017).
- Fylde Coastal Protection Scheme - Flood Risk Assessment (January 2017).
- Tree Survey and Constraints Report (Amenity Tree Care).
- Design and Access Statement.

- Ecological Impact Assessment (VBA, 30th March 2017)

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, Grannys Bay and Church Scarr 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. Unless otherwise agreed in writing through discharge of this condition, the submitted scheme shall accord with approved drawing number 267-RYD-XX-XX-DR-L-3006 (Sloped Revetment Imprinting) 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 public realm works:
 1. Balustrades 5158758-VBA-XX-CS-SK-C-0001(ALTERNATE PROPOSED DETAIL AT CHURCH SCAR OMITTING PCC UPSTAND): with the balustrades being coloured black. The location plan/alignment of the balustrades as plans 5150214-VBA-XX-FL-DR-C-0105 P5 General Arrangement (Sheet 5 of 8), 5150214-VBA-XX-FL-DR-C-0106 P5 General Arrangement (Sheet 6 of 8) and 5150214-VBA-XX-FL-DR-C-0107 P5 General Arrangement (Sheet 7 of 8)
 2. Seating as detailed on drawing numbers 267-RYD-XX-XX-DR-L-3002 (Fairhaven Seating Plan) and 267-RYD-XX-XX-DR-L-3005 (Scollop Seating Plan).
 3. Street lighting as detailed on drawing numbers 267-RYD-XX-XX-DR-L-2014 (Lighting Plan 1 of 3), 267-RYD-XX-XX-DR-L-2015 (Lighting Plan 2 of 3), 267-RYD-XX-XX-DR-L-2016 (Lighting Plan 3 of 3) and 267-RYD-XX-XX-DR-L-2011 (Signage and Street Furniture Plan).
 4. Signage and bins as detailed on drawing number 267-RYD-XX-XX-DR-L-2011 (Signage and Street Furniture Plan).

The above public realm works shall be located as per drawing numbers 267-RYD-XX-XX-DR-L-2001 B, 2002 rev B, 2003 rev B, 2004 rev B, 2005 rev B, 2006 rev B, 2007 rev B and 2008 rev B.

Artwork, including Entrance Namewall, shall be located as detailed on drawing numbers 267-RYD-XX-XX-DR-L-2001 B, 2003 rev B, 2004 rev B, 2005 rev B, 2007 rev B, 20029 rev B and 2010 rev B.

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 footpaths, roads and parking bays within the development hereby approved shall be constructed in accordance with drawing numbers 267-RYD-XX-XX-DR-L-2001 rev B, 2002 rev B, 2003 rev B, 2004 rev B, 2005 rev B, 2006 rev B, 2007 rev B and 2008 rev B. 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 (30th 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).

14. Works on site, including any heavy vehicular movements and deliveries to/ from the site, shall be restricted to between the hours of:

07:30 - 18:30 Monday to Friday.

08:00 - 14:00 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).

15. 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).

16. 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).

17. 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).

18. The Beach Access Ramp located to the St Pauls Avenue area of the Fairhaven Phase of works shall only be implemented in accordance with siting as detailed on drawing number 267-RYD-XX-XX-DR-L-2001 rev B (General Arrangement Sheet 1 of 8).

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 (2018). Ordnance Survey (100006084).	
Application No. 5/17/1051	Address Fairhaven Lake & Land between St Pauls Car Park & Seafield Road, Lytham St Annes	Grid Ref. E.3347 : N.4272	Scale 0 60 120 180 240 m

Item Number: 6

Committee Date: 14 March 2018

Application Reference:	18/0033	Type of Application:	Full Planning Permission
Applicant:	Mr Butterworth	Agent :	
Location:	69 RIBBY ROAD, KIRKHAM, PRESTON, PR4 2BB		
Proposal:	DROPPED KERB TO FORM VEHICULAR ACCESS		
Ward:	KIRKHAM SOUTH	Area Team:	Area Team 1
Weeks on Hand:	7	Case Officer:	Alan Pinder
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/@53.7810781,-2.8813149,139m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application seeks planning permission for the formation of a dropped kerb to the front of No.69 Ribby Road to allow vehicles to cross the footpath and park within the front curtilage of the property. The development would require the removal of the existing front boundary wall however this part of the works can be carried out as permitted development under Part 2 Class A of Schedule 2 of the Town and Country (General Permitted Development) Order 2015. County highways have been consulted on the proposal and raised no objections to the development. Overall the proposal therefore accords with the relevant policies of both the adopted Fylde Borough Local Plan and the emerging local plan to 2032, and the application is recommended for approval.

Reason for Reporting to Committee

The officer recommendation for approval is at odds with the Town Council's objection to the application

Site Description and Location

The application site is a two storey terraced dwelling located on the southern side of Ribby Road within a predominantly residential area of the settlement of Kirkham. The property is one of six terraced dwellings all of similar appearance with approximately 6 metre deep front gardens featuring low boundary walls with a single pedestrian access. The property is not within a conservation area and has retained its permitted development rights.

Details of Proposal

Planning permission is sought for the formation of a new vehicular access to the front garden and a dropped kerb. The access would be formed by the removal of the front boundary wall pedestrian gate posts. The garden is already largely formed by hardstanding to provide parking area for two vehicles.

Relevant Planning History

None

Relevant Planning Appeals History

None

Parish/Town Council Observations

Kirkham Town Council notified on 26 January 2018 and comment: The town council objects to the proposal for the following reasons:

- It would result in the loss of on street parking for other residents.
- It would disrupt the street scene of Ribby Road by creating a large gap in a stretch of garden walls and removing 'green space'.
- It would set a precedent for the removal of other walls along this stretch of Ribby Road to the detriment of the pleasant street scene.

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

LCC Highways does not have any objections regarding the proposed dropped kerb and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Cllr Oades

The development would result in the loss of on street parking for other residents, and harm the symmetry of the existing attractive street scene on this stretch of Ribby Road.

Neighbour Observations

Neighbours notified: 26 January 2018
Number of Responses None

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL05	House extensions

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

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 two issues to consider in the determination of this application are the visual impacts of the proposed development and impacts on the local highway.

Visual impact

The frontage of this terrace of dwellings is characterised by low brick boundary walls with each dwelling featuring a single pedestrian access. Both Kirkham Town Council and the local ward councillor have expressed concern over the large gap created by the removal of a section of boundary wall proposed by this application, and the impact this would have in the otherwise visually uniform frontage of this terrace of dwellings. Notwithstanding these concerns this terrace of properties all retain their householder permitted development rights. Part 2 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 allows boundary walls such as this to be removed without the requirement to obtain formal permission from the local planning authority. Hence whilst the removal of the wall would undoubtedly disrupt the visual uniformity of frontage of this terrace of dwellings it remains that the wall can be removed in any event and thus a refusal of permission on the grounds of visual harm would be unsustainable at appeal.

Highway impacts

The front garden of this property is already formed largely of hardstanding and this area would be used for the off-street parking of up to two cars following the formation of a dropped kerb. Concerns have been raised by the Town Council and the ward councillor that this would result in the loss of an on-street parking space for use by other residents within the locale. It is accepted that other residents within the locale would no longer be able to park on the road outside the application property, however the proposed development would permit two vehicles to be parked off-street within the front curtilage of the application property and thus create a potential net benefit of one additional on-street parking space. Furthermore county highways have been consulted on the application and raise no objections regarding detrimental impacts on local highway safety.

Conclusions

This application seeks planning permission for the formation of a dropped kerb to the front of No.69 Ribby Road to allow vehicles to cross the footpath and park within the front curtilage of the property. The development would require the removal of the existing front boundary wall however this part of the works can be carried out as permitted development under Part 2 Class A of Schedule 2 of the Town and Country (General Permitted Development) Order 2015. County highways have been consulted on the proposal and raised no objections to the development. Overall the proposal therefore accords with the relevant policies of both the adopted Fylde Borough

Local Plan and the emerging Local Plan to 2032, and the application is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

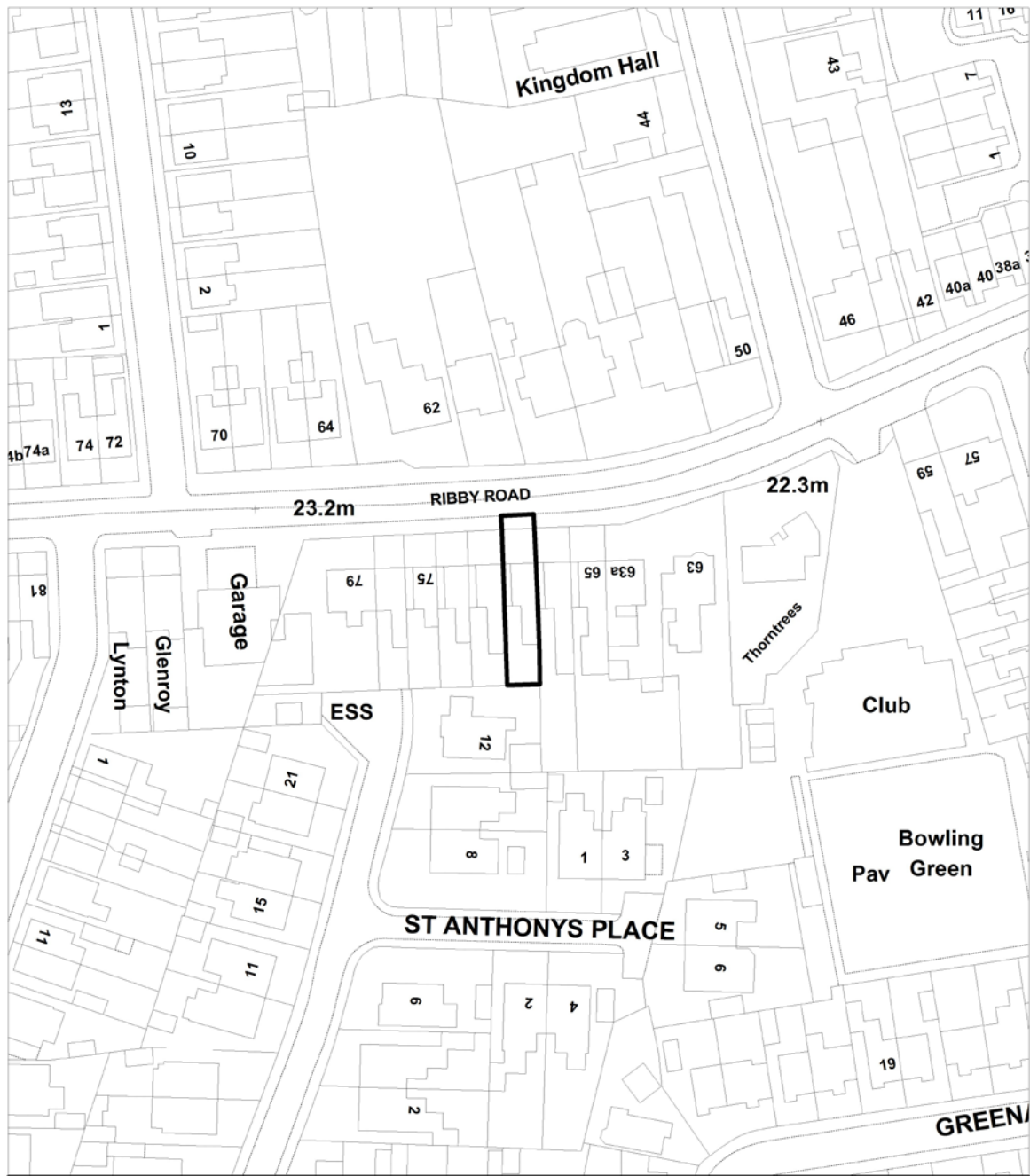
Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission / consent relates to the following details:

Approved plans:

- Location Plan - provided by Streetwise Maps, scale 1:1250
- Proposed Site Layout

Reason: To provide clarity to the permission.



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/18/0033	Address 69 Ribby Road, Kirkham	Grid Ref. E.3420 : N.4319	Scale 0 5 10 15 20 m

Item Number: 7

Committee Date: 14 March 2018

Application Reference:	18/0050	Type of Application:	Full Planning Permission
Applicant:	Mr SCHREIBER	Agent :	RDJ CREATIVE LTD
Location:	60 BRYNING LANE, RIBBY WITH WREA, PRESTON, PR4 2NL		
Proposal:	ERECTION OF TWO STOREY DETACHED DWELLING AND DOUBLE GARAGE IN REAR GARDEN TO EXISTING DWELLING		
Ward:	RIBBY WITH WREA	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/@53.770788,-2.9138214,277m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application seeks permission for the erection of a detached dwelling on garage on land to rear of 60 and 62 Bryning Lane, Wrea Green. Permission has previously been granted for a dwelling to the rear of number 60 which is due to expire on 13th July 2018. This application proposes the dwelling to the rear of number 62 with the garage situated to the rear of number 60.

Given the previous permission on this land and the appeal decisions for the land to the rear of this site the principle of dwellings in this countryside location has been accepted. It is considered that the siting of the dwelling has minimal impact on the visual amenity and amenity of neighbours and complies with the requirements of the adopted Local Plan and the submission version of the Local Plan to 2032. Accordingly, the application is recommended for approval by Members, subject to conditions.

Reason for Reporting to Committee

The application is on the agenda as a result of the comments of Ribby with Wrea Parish Council.

Site Description and Location

The application site is 60 Bryning Lane, Wrea Green. More specifically the land in this application is to the rear of number 62 Bryning Lane which is being proposed for the siting of a new dwelling, with the access provided off Bryning Lane and alongside no. 60.

The area of land proposed is roughly 'L' shaped and measures 1,038 square metres and currently forms part of the garden curtilage to number 60 however, a lleylandi hedge has been planted to separate an area proposed as garden to serve number 60 and the application land.

The dwelling at no. 60 was a former bungalow with an 'eyebrow' dormer, permission was granted under application 16/0267 for extensions to modernize the property which has resulted in the redevelopment of the dwelling to provide a contemporary styled property with two storey gable features to the front elevation which has been finished in a mix of brick and render throughout the dwelling.

The neighbouring properties are a mix of bungalows and two storey properties, situated to the north and south of the site with open fields to the east. To the west of the site the land is currently being developed by Hollinwood Homes for 36 dwellings, which was granted approval on appeal.

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

Details of Proposal

This application seeks permission for the erection of a new dwelling to the rear of no. 62 with a double garage to the rear of no. 60 Bryning Lane.

The dwelling measures 14 metres in overall length by 9.7 metres in depth which is designed with a dual pitched roof with an eaves height of 3.55 metres and an overall ridge height of 7.5 metres.

The garage measures 5.6 metres by 6 metres with a dual pitched roof to a height of 4.1 metres.

The dwelling provides an open plan kitchen/dining/living facilities at ground floor with three bedrooms and a bathroom at first floor.

The dwelling is proposed to be constructed with a grey tiled roof and finished in white 'K-rend'.

Relevant Planning History

Application No.	Development	Decision	Date
16/0267	TWO STOREY SIDE EXTENSION, TWO STOREY FRONT EXTENSION AND DORMERS TO FRONT AND REAR.	Granted	06/06/2016
15/0212	PROPOSED DETACHED DWELLING	Granted	13/07/2015
14/0884	PROPOSED 2 STOREY FRONT, SIDE AND REAR EXTENSION, EXTENSION TO REAR DORMER, AND NEW FRONT BOUNDARY WALL	Granted	19/02/2015

Relevant Planning Appeals History

None

Parish/Town Council Observations

Ribby with Wrea Parish Council notified on 23 January 2018 and comment:

"At the February parish meeting, it was resolved that the following issues be raised.

The proposed application seems to be over-development of the site. The location of the property is

directly behind the neighbouring property and not the existing property on site.

The double storey aspect will impinge on the neighbouring property.

Therefore if these issues are raised as an issued by the owner of the affected neighbouring property, the parish council will resolve to recommend refusal. Otherwise the parish council would request the issues be considered on their merit by FBC planning".

Statutory Consultees and Observations of Other Interested Parties

United Utilities

The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Lancashire County Council - Highway Authority

Comments

LCC Highways does not have any objections regarding the proposed erection of two storey dwelling and double garage and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

To protect pedestrians passing the drive the applicant should provide 45° visibility splays between the back of the existing adopted carriageway measured 3m back from the nearside edge of the carriageway. The applicant should provide accurate details of the required sight line requirement, before determining the application, ensuring the entire sight line requirement is fully achievable over land within the applicants control and to fully show all works which would be required to provide the sight lines.

The Joint Lancashire Structure Plan recommends the following parking provision: -

- One-bedroom properties to have 100% parking.
- Two to three bedroom properties to have 200% parking.
- Four to five bedroom properties to have 300% parking.

The recommended minimum internal double garage size to be 6x6m and this includes integral garages.

The Joint Lancashire Structure Plan "Car Parking Standards" page 5 recommends the minimum internal dimension for all double garages to be a minimum of 6x6m and page 17 clause F.4.3 states "Individual garages, of minimum dimensions of 6x6m, count as two parking spaces." The Joint Lancashire Structure Plan "SPG access and parking" page 29 also states for residential parking "A garage is counted as one parking space. Where constructed single garages should have minimum dimensions of 6x3 metres". Where double garages are smaller than the recommended minimum internal dimension of 6x6m they should not be counted as two parking spaces and the applicant should provide an additional parking space for each garage affected.

The plans submitted show the double garage as 5.6m x 6.6m. The width of the garage should be 6.0m as a minimum.

All off road proposed car parking spaces to have 6m manoeuvring space to prevent collisions with property and vehicles etc. and to ensure highway safety and maintenance

is not significantly affected by the movements. Alternatively prove the turning area by swept path analysis for each parking bay.

LCC Highways then recommend a series of conditions as part of the formal planning decision to provide suitable parking, access and visibility.

Neighbour Observations

Neighbours notified:	23 January 2018
Site Notice Date:	24 January 2018
Number of Responses	1 letter received
Summary of Comments	<ul style="list-style-type: none">• location and vastness of proposal will have major impact on my property in regard to privacy and value.

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
HL02	Development control criteria for new housing proposals
EP14	Landscaping of new developments
EP19	Protected species

Fylde Local Plan to 2032:

GD4	Development in the Countryside
H1	Housing Delivery and the Allocation of Housing Land
H2	Density and Mix of New Residential Development
GD7	Achieving Good Design in Development
ENV1	Landscape
ENV2	Biodiversity

Other Relevant Policy:

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

Site Constraints

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

This application seeks full permission for a detached two storey dwelling and detached garage on land to the rear of 60 and 62 Bryning Road, Wrea Green. The application is a revision to that approved under application 15/0212 which expires on 13th July 2018.

Principle of the development

As the site is within designated countryside Policies SP2, HL2 and EP14 of the current local plan are relevant and Policies GD4, H1, H2, GD7, ENV1 and ENV2 of the submission version of the Local Plan to 2032 together with the aims of the National Planning Policy Framework.

Policies SP2/GD4 refer to development in countryside areas and is generally restricted to that essentially required for the purposes of agricultural.

Whilst this proposal is not for any agricultural purpose regard should be had to the aims and guidance of the NPPF and the criteria of other policies of the local plan, expanded upon below.

The National Planning Policy Framework re-emphasises the importance of councils being able to deliver at least a 5 year supply of housing land and is supportive of sustainable development which is described as a 'golden thread' to the document. This is articulated in Paragraph 14 which states that councils should grant planning permission for such proposals where the development plan is silent on their subject unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or there are conflicts with other material planning considerations.

Whilst the council now has a deliverable 5 years supply of housing land, the land at the rear of number 60 has an extant permission for a dwelling, providing that a lawful start is made before 13th July 2018. Therefore the main issue to be considered in this application is the potential impact the new siting may have. In addition the Hollinwood Homes site to the west is also within designated countryside and the development of this land was allowed by the Inspector on appeal which extends beyond this application site.

Character and appearance

The application site is outside of the defined settlement boundary for Wrea Green and is roughly 'L' shaped situated to the west of Bryning Lane and to the rear of numbers 60 and 62.

The land has the appearance of semi cultivated garden land which is separated from the development land to the rear, by a close boarded timber fence and a Lleylandii hedge. Lleylandii has also been planted between the dwelling at no. 60 and the application plot to subdivide these areas, although this is newly planted. This same hedging is to the rear of the property at number 62 but this is more dense and mature than that to the rear of number 60.

As reported above, permission has been granted for the land to the west of the site to be developed for housing and permission has previously been granted for a dwelling to the rear of number 60 thereby allowing back land development with dwellings beyond. The proposed dwelling and detached garage will therefore be seen against the backdrop of properties currently under construction and will be partially screened by the dwellings at number 60 and 62 and associated outbuildings thereby the development will have limited impact on the visual amenity when viewed from Bryning Lane.

Given the location of the site and other permissions granted to the rear of the plot the proposal is considered to be reasonably well located to the form of development around the site and accordingly is considered to comply with Policy HL2 and Policies H2 and GD7 of the local plan.

Impact on neighbours.

The proposed siting in this application differs from that previously granted approval in that the

dwelling is now to the rear of the property at number 62 Bryning Lane with a 16.5 metres separation distance between the properties. This separation is above the generally accepted 13 metres for a 'back' to 'side' arrangement, as is the case with this proposal. In addition the design of the dwelling orientates the views so that these are from windows located on the north and south elevations and not those on the east side elevation which face numbers 60 and 62 and the dwellings under construction on the west side. Only oblique views of the rear gardens of these properties are likely to be achievable from the front and rear elevations of the proposed dwelling and as such the proposal is considered acceptable.

Whilst a letter of objection has been received from the neighbours at no. 62 regarding loss of privacy it is considered that the amenity of the occupiers of this dwelling will be protected for the reasons set out above. Loss of value is not a matter which can be taken into account in the determination of planning applications.

On this basis it is considered that the dwelling will not result in a detriment for any neighbours and is in accordance with Policy HL2 of the adopted plan and H2 and GD7 of the submission version of the local plan to 2032.

Access and highways

The County surveyor raised no objections in principle to the proposed development subject to conditions in regards to the setting out of property and access. The proposal provides a double garage to serve the dwelling and so has sufficient off street parking provision and turning space within the site and therefore will not result in a detriment to highway safety.

Ecology

The site does not contain any ecological or biodiversity designations, however, the site is surrounded by hedges and ponds some of which are capable of supporting Great Crested Newts.

The adjoining Hollinwood Homes site is to include a 'Newt corridor' to enable the passage of the protected species from pond to pond which is situated along the boundary with this application site.

In order to prevent Newt being trapped within excavations or colonising spoil/materials which is then subsequently moved, precautionary and reasonable avoidance measures will be the subject of a condition of this recommendation which will include erecting a temporary amphibian exclusion fence (TAF) around the perimeter of the proposed disturbance area, this should be erected prior to any work on site and shall follow the specification set out in the 'English Nature (2001) Great Crested Newt Mitigation Guidelines'.

Providing that the development is carried out in accordance with the proposed mitigation methods it is considered that the proposal is in compliance with Policies EP19 and ENV2 of the local plan and Paragraph 117 of the NPPF.

Drainage

The site is in Flood Risk Zone 1 which does not raise any particular concerns with regards to flooding. Drainage is a matter which can be addressed by condition.

Conclusions

The proposed development whilst not strictly complying with Policy SP2 of the local plan in that it is located within land designated as countryside, it is considered to be in a sustainable location in that it is adjacent to the settlement of Wrea Green and the proposed use is compatible with adjacent residential uses. Due to the distance from the neighbouring residential properties it is considered that there will be no detrimental impact to amenity of those neighbours. The scale of the new dwelling being proposed is in keeping with the surrounding properties and the impact on the openness of the countryside is considered acceptable due to the recent approval for a dwelling in this area and the planning appeals for dwellings adjacent to this site.

Issues of ecology and drainage can be adequately controlled via the use of appropriate conditions. Taking the above into account the application complies with the provisions of the NPPF and Policies SP2, HL2, HL6, EP11 and EP14 of the Fylde Borough Local Plan, as adopted (October 2005) and Policies H1, H2, GD7, ENV1 and ENV2 of the submission version of the Local Plan to 2032.

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 plans and / or reports:

- Location plan - 'Streetwise Maps'
Proposed site plan, floor plan and Elevation plan - drawing no.s F/17/109/01 REV. A dated 24/02/2018

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

3. That prior to the commencement of any construction work on the dwelling hereby approved a schedule of the materials for the walls, roofs, windows and doors (supported by samples where appropriate) shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall be constructed in accordance with the approved schedule of materials.

In order to secure a satisfactory appearance to the development as required by criteria 1 and 2 of Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD7 of the submission version of the Local Plan to 2032 and the aims of the NPPF.

4. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

5. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and the vehicular turning space and three off road parking spaces shall be laid out and be available for use before the development is brought into use.

Vehicles reversing to and from the highway are a hazard to other road users.

6. The proposed first floor window on the east elevation of the dwelling hereby approved, shown on drawing no. F/17/109/01 REV. A shall be fitted with 'Pilkington' glass of at least level 4 obscurity (or other manufacturer's glazing of the same obscurity level) and shall be of a type that are either fixed or do not fully open inwards or outwards. After insertion only the agreed type of window shall be subsequently refitted as a repair or replacement.

To safeguard the amenities of the occupants of adjacent residential properties in accordance with Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD7 of the submission version of the Local Plan to 2032 and the aims of the NPPF.

7. Prior to the commencement of development a scheme for landscaping, including hard surface landscaping, shall be submitted to and approved in writing by the Local Planning Authority. Specific details shall include finished levels, means of enclosures, car parking [as applicable] hard surfacing materials, minor artifacts and street furniture, play equipment, refuse receptacles, lighting and services as applicable soft landscape works shall include plans and written specifications noting species, plant size, number and densities and an implementation programme. 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 in accordance with Policy HL2 and EP14 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD7 and ENV1 of the submission version of the Local Plan to 2032 and the aims of the NPPF.

8. 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.

9. Prior to the commencement of the development full details of the means of foul sewerage and surface water treatment and disposal shall be submitted to and approved in writing by the Local Planning Authority the facilities shall be fully installed on site to satisfactory working order prior to the occupation of the first dwelling on the development.

To ensure satisfactory sewage treatment and surface water disposal on the development site in

accordance with Policy EP25 of the Fylde Borough Local Plan, as altered (October 2005) and Policy INF1 of the submission version of the local plan to 2032 and the aims of the NPPF.

10. That development works shall not commence in the months of March - August inclusive, unless a walkover survey of the site and its boundary hedges has first been undertaken by a suitable qualified person to establish the presence of any sites which could provide nesting opportunities to birds. Should such sites be identified, then a mitigation and phasing scheme for any construction works in the vicinity of the identified nesting site shall be submitted to the Local Planning Authority and approved in writing, with the development undertaken in accordance with this approved scheme.

Reason: To ensure that the development does not have any harmful impact on protected and priority species as required by Policy EP19 of the Fylde Borough Local Plan.

11. Prior to commencement of the development hereby approved a temporary amphibian exclusion fence (TAF) around the perimeter of the proposed site shall be erected this fence shall follow the specification set out in the 'English Nature (2001) Great Crested Newt Mitigation Guidelines'.

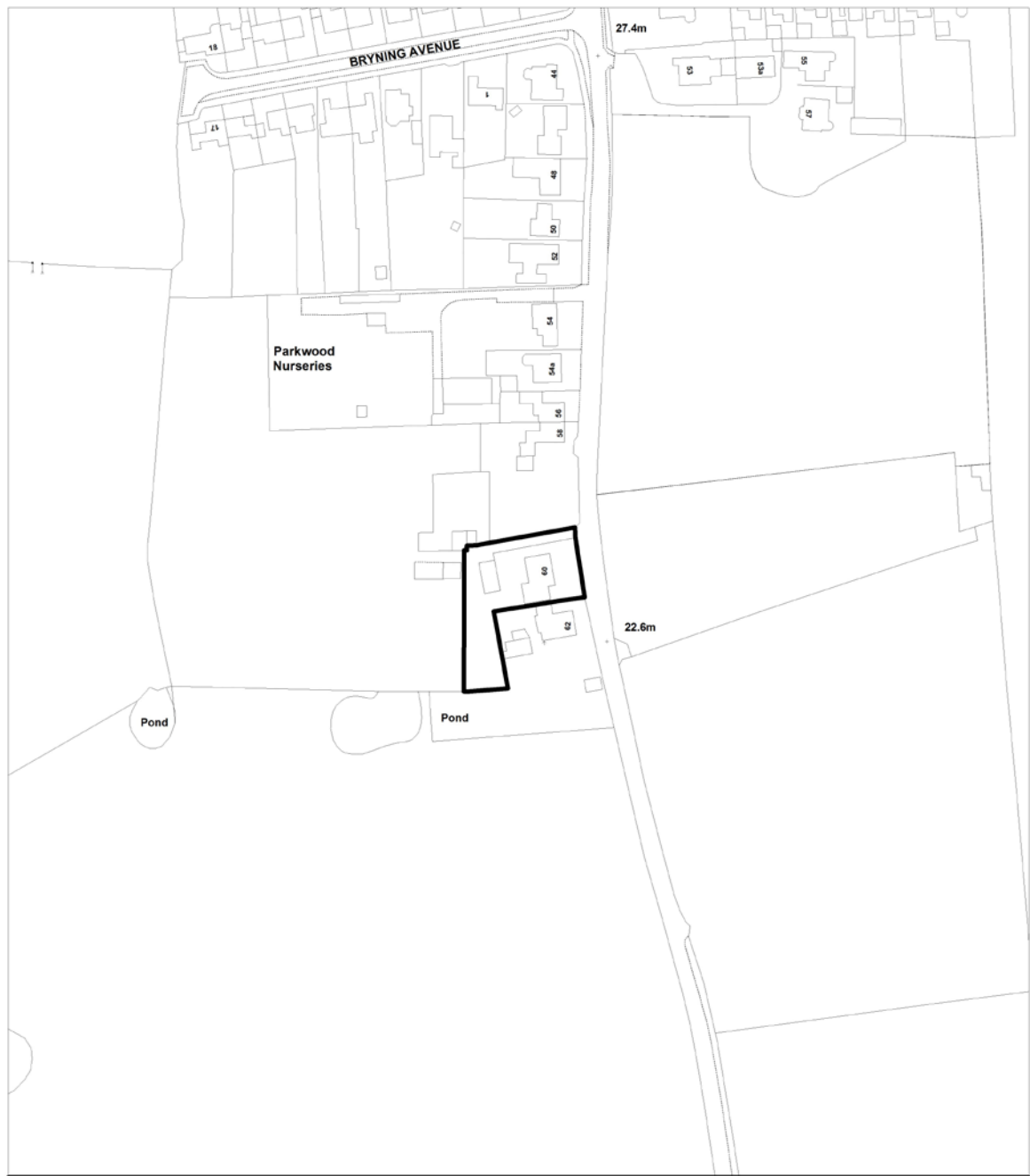
Reason: In order to prevent Newt being trapped within excavations or colonising spoil/materials and to safeguard the population of Great Crested Newt during the development as they are protected species; in accordance with Policy EP19 of the Fylde Borough Local Plan, as altered (October 2005), Policy ENV2 of the submission version of the Local Plan to 2032 and Paragraphs 117 and 118 of the NPPF.

12. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class(es) A, B, C, D, E, F & G of the Town and Country Planning General Permitted Development (England) 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	Chimneys
H	Satellite antenna]

Reason: o 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 (2018). Ordnance Survey (100006084).	
Application No. 5/18/0050	Address 60 Bryning Lane, Wrea Green	Grid Ref. E.3398 : N.4308	Scale 0 10 20 30 40 m

Item Number: 8

Committee Date: 14 March 2018

Application Reference:	18/0056	Type of Application:	Householder Planning Application
Applicant:	Ms Morrison	Agent :	Firebuild Solutions Ltd
Location:	16 POULTON AVENUE, LYTHAM ST ANNES, FY8 3JR		
Proposal:	DEMOLITION OF EXISTING GARAGE AND ERECTION OF SINGLE STOREY EXTENSION TO SIDE AND REAR TO FORM RESIDENTIAL ANNEXE		
Ward:	HEYHOUSES	Area Team:	Area Team 2
Weeks on Hand:	8	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/@53.7592874,-3.0099724,139m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to the erection of a rear and side extension to form ancillary living accommodation at a dwelling in the settlement of Lytham St. Annes. Having viewed the proposal and assessed the issues raised, it is considered that the proposal accords with Policy HL5 / GD7 of the Fylde Borough Local Plan and other relevant development plan policies, and the guidance in the House Extensions SPD. The development will have an acceptable impact on the visual amenities of the area and not have a detrimental impact on the amenities of neighbouring properties. Accordingly the application is recommended for approval.

Reason for Reporting to Committee

The application is on the agenda as the applicant is a member of staff and under the Council's scheme of delegation such applications are to be determined by the Planning Committee.

Site Description and Location

The application site is 16 Poulton Avenue, Lytham St. Annes. In particular the application refers to a semi-detached bungalow with a projecting front gable, in a street characterised by other semi-detached and detached dwellings of a similar design. The property is on the south side of Poulton Avenue and has previously been extended with a conservatory to the rear. The property currently has a detached garage set back from the rear elevation of the property and alongside a garage of the same scale on the neighbouring dwelling at no. 14 Poulton Avenue which has a small 'lean-to' extension to the rear. The attached neighbour at no. 18 has benefitted by a rear extension to provide a conservatory.

The site is located 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 in the submission version of the Local Plan to 2032.

Details of Proposal

This application seeks permission for the demolition of the existing garage and conservatory and the erection of a side and rear extension to provide an extension to the dwelling and an attached residential annexe to be occupied in association with the main dwelling.

The extension is approximately 'L' shaped, projecting from the side of the property by 2.3 metres extending for 13 metres in overall length where it widens to 3.6 metres. The rear extension element projects 2.8 metres from the rear elevation by 3.1 metres to link with the linear annexe element. The extensions have dual pitched roofs having an eaves height of 2.5 metres and a ridge height of 4.3 metres to the rear extension with a lower ridge at 4 metres to the annexe.

The extension provides a rear dining room to the main property with a utility, bathroom and combined bedroom/sitting room provided in the annexe.

The development is proposed to be finished in an Ivory coloured 'K Rend' with facing brickwork, to the front elevation facing Poulton Avenue, to blend with the existing dwelling.

Relevant Planning History

None

Relevant Planning Appeals History

None

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 19 January 2018 and comment:

None received to-date.

Statutory Consultees and Observations of Other Interested Parties

None.

Neighbour Observations

Neighbours notified:	19 January 2018
Number of Responses:	1 letter received
Summary of Comments:	<ul style="list-style-type: none">• proposal is excessively large• same length as original house• 9 m over the recommended 4 m extension• more fitting for a large detached dwelling in a rural setting• amplified by tapering garden• dominate view from neighbouring windows

- up to limits of 50% building to land rule
- length should be reduced.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL05	House extensions

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
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
JHE	Joint House Extensions SPD

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 within the settlement area under Policy SP1 of the adopted Fylde Borough Local Plan, As Altered, October 2005, and Policy GD1 of the emerging Fylde Local Plan to 2032 (Submission Version). In these areas the principle of residential extensions is acceptable subject to the normal planning criteria as examined below with reference to Policy HL5 and Policy GD7 of the aforementioned plans.

Design and Appearance in Streetscene

The property is a semi-detached dwelling which currently has a detached garage situated alongside the boundary with no. 14. The property has been extended with a conservatory to the rear elevation. Both of these elements are to be demolished to provide the new development which extends from the side and rear elevation of the host dwelling.

The extension is to be set back from the front elevation by 8.5 metres and whilst it is higher than the existing garage this set back position reduces its impact in the street scene. The front elevation is to be finished in matching brick to blend with neighbouring development and as a consequence the proposal will not be so prominent as to result in a detriment of the visual amenity of this area.

Taken together the design and scale of the extension accord with the requirements of criteria 1 of Policy HL5, and Policy GD7.

Relationship to Neighbours

As reported the property has neighbours either side at no.s 14 and 18 Poulton Avenue.

The annexe is situated in close proximity to the boundary with the neighbours at no. 14 and extends for 13 metres in overall length. However, this projection is broken up, with 3 metres situated alongside the side elevation of the dwelling at no. 14, with 6 metres abutting the boundary and the neighbours garage and a further 4 metres beyond the length of the neighbour's garage into the applicants rear garden.

As a consequence of the location of the development part of it will be screened by the 2 metre high close boarded timber fence and the neighbour's garage. That part of the extension that projects beyond the garage is away from the neighbour's dwelling and will not result in any loss of light or privacy for the occupiers.

The design of the proposed development includes the provision of patio style glazed doors to the sitting room area which faces towards the boundary with the property at no. 18. Notwithstanding its design and orientation there is a brick and timber structure on the boundary which varies in height from 1.8 to 2.0 metres which provides some privacy screening as such, the occupiers of the neighbouring property will not suffer undue loss of privacy and given the separation distance between the extension and the adjoining neighbours the occupiers will not suffer and loss of light as a result of the development.

As such the proposal has an acceptable relationship to its neighbours in all regards and complies with criteria 2 of Policy HL5, and Policy GD7.

Scale of development on the plot

Whilst the proposal will occupy a large proportion of the applicant's existing rear garden, some amenity area will remain to the side of the development and further amenity areas remain to the front of the property which will provide an acceptable level of amenity space for the occupiers of the application property. As such, the proposal complies with criteria 3 of Policy HL5, and Policy GD7.

Parking and Access Arrangements

The proposal will result in the loss of parking within the garage however sufficient off street parking will remain within the confines of the site and the development 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

Similar scaled residential annexes have been approved on neighbouring properties on Poulton Avenue, for instance no. 10 Poulton Avenue has benefitted from permission for a detached residential annexe which measured 4.3 metres in width by 12.47 metres in length - application 08/0490 refers.

Conclusion

The application relates to the erection of extensions at a dwelling in the settlement of Lytham St. Annes. Having viewed the proposal and assessed the issues raised, it is considered that the proposal accords with Policy HL5 / GD7 of the Fylde Borough Local Plan and other relevant

development plan policies, and the guidance in the House Extensions SPD. Accordingly the application is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission / consent relates to the following details:

Approved plans:

- Location Plan - drawing no. PL01
- Proposed floor and elevation plans - drawing no. PL02

Supporting Reports:

- Design and Access Statement - not applicable in this instance.

Reason: To provide clarity to the permission.

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.



Development Services Fylde Council		(c) Crown Copyright and database right (2018). Ordnance Survey (100006084).	
Application No. 5/18/0056	Address 16 Poulton Avenue, Lytham St Annes	Grid Ref. E.3335 : N.4296	Scale 0 6 12 18 24 m

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	14 MARCH 2018	5

ST ANNES REGENERATION : WOOD STREET

PUBLIC ITEM

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

SUMMARY

This report outlines the proposal to undertake a further area of regeneration within St Annes Town Centre. This would follow on from the virtual completion of St. Andrews Road South as of the end of February. At its meeting on the 26th July 2017, Planning Committee agreed that in accordance with the adopted Regeneration Framework and the Lytham St. Annes 2020 Vision, the next area to be targeted for enhancement should be Wood Street (The easterly end).

The Councils Capital Programme for 2017 contained a specified amount (£237,000), allocated to St. Annes, which has covered the costs associated with St. Andrews Road South (£170,000), with a sum of £67,000 remaining, as yet unallocated.

Subject to Full Council approval (at the time of preparing this report), a sum of £50,000 derived from its own resources will be allocated to the St. Annes Regeneration Programme. In addition, a further sum of £190,000 is held by The Council, accumulated by way of four Section 106 agreements but not yet contained within the Capital Programme.

To meet the projected costs of Wood Street (c. £300,000) and smaller commitments within the town centre, the aforementioned £190,000 would need to be included within the Capital Programme for 2018/19.

Planning Committee is therefore asked to recommend to the Finance and Democracy Committee approval to an addition to the Capital Programme scheme for regeneration works in St Annes for 2018/19 in the sum of £190,000, fully-funded from Section 106 contributions now held by The Council for this purpose to provide the necessary resource for the implementation of the next phase of regeneration.

When the final cost for the scheme has been determined a further report containing full details of the scheme will be presented to the Planning Committee for approval, prior to the commencement of the works.

RECOMMENDATIONS

The Committee is requested to:

1. Recommend that the Finance and Democracy Committee approve an addition to the Capital Programme scheme for regeneration works in St Annes for 2018/19 in the sum of £190,000, fully-funded from Section 106 contributions now held by The Council for this purpose; and
2. To note that a further report containing full details of the scheme will be presented to the Planning Committee for approval, prior to the commencement of the works.

SUMMARY OF PREVIOUS DECISIONS

On the 26th July 2017. (Resolution 2)

3. The Committee authorised the commencement of the design for the next phase of the Regeneration Programme namely Wood Street (Park Road to St Andrews Road South and Back St Annes Road West) including the appropriate level of public engagement and present, in due course, a scheme(s) in detail with its full costs of implementation.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	
Delivering the services that customers expect of an excellent council (Clean and Green)	
Working with all partners (Vibrant Economy)	√
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	√
Promoting Fylde as a great destination to visit (A Great Place to Visit)	√

REPORT

Background

1. The Regeneration Programme for St. Annes has been extensive, spanning some 18 years. This has been aimed at physically enhancing buildings and public spaces, financed from a number of sources including Government grants and negotiated Section 106 contributions through planning permissions, where justified.
2. The Council agreed to undertake the most recent street enhancement to St. Andrews Road South which is nearing completion. This was fully funded by way of Section 106 contributions. In approving the details of the scheme for St Andrews Road South on 26th July 2017, it also agreed that the next phase of regeneration should be directed towards Wood Street.
3. Within the Capital Programme for 2016/17 a sum of £237,240 was included for St. Annes, with the assumed outturn cost of the St. Annes Road South scheme being £170,000. The residual amount within the Capital Programme being approximately £67,000. At the time of preparing this report, a sum of £50,000 is (subject to full Council approval *) to be allocated to the St. Annes Regeneration Programme. The Council currently hold some £190,000 as a result of Section 106 contributions although at present this particular sum is not contained within the Capital Programme.
4. The sum of £190,000 is derived from the following schemes.
 - Pontins Phase 1 : £26,000
 - McCarthy and Stone, South Promenade : £56,000
 - Pontins Phase 2 : £100,000
 - Petros House, St. Andrews Road North : £8,000

All of these sums are the result of negotiated Section 106 agreements relating to public realm enhancement.

5. In order to progress the scheme for Wood Street and other smaller commitments – tied to specific planning permissions – including an extension to the recently delivered street lighting scheme for The Crescent and St. Andrews Road North, a call would need to be made on all of these contributions. Preliminary costings for Wood Street and the other commitments total approx. the £307,000 that is to be available*.
6. The scheme for Wood Street is likely to be developed in two phases but preliminary estimates suggest a cost of approx... £300,000. The scheme as designed in concept form will be subject of potential alteration as a result of consultation and property owners being engaged in the process.
The request is, therefore, that the £190,000 currently being held be added to the Capital Programme for 2018/19 for St. Annes, as distinct from other named regeneration schemes within the Programme.
The detailed design for the scheme will be presented to Planning Committee in due course, for its approval.

Scheme Details

7. The proposed scheme for Wood Street relates to that section between Park Road and St. Andrews Road South incorporating the Council car park and opposite, large areas of forecourt, two areas of which remain in Council ownership. In essence the refurbishment of this part of the street will naturally join together Park Road, which was completed in 2016 and St Andrews Road South, now almost completed. This part of the town centre has often been seen as somewhat marginal with significant levels of business turnover although there are some well-established operating companies that attract custom to the area.
8. The principal reason for the regeneration of this part of the town centre will be one of increasing its attractiveness, stimulating business confidence and increasing footfall. The area benefits from off street car parking as well as private forecourt parking.
9. The concepts for the scheme include the refurbishment of the car park around its outer edges (the forecourt areas in front of the shops), removing and enhancing the existing 'dated' planters and street furniture and introducing specimen trees and other landscaping. The surfacing of the car park is presently in good condition and therefore, it is proposed to retain it, subject to cleaning and 'spot' repairs. To the opposite side, a rationalisation of car parking and access points, formation of a focal point seating area at either end, a series of lawns and the introduction of mature tree specimens. The property owners have been contacted and negotiations and discussions are to begin in the short term. As the car park side rests in the full ownership of this Council, then it is proposed that this section will be completed as a first phase. This should take place in late spring/early summer.
10. Full details of the scheme, detailed costings, the method of procurement and timescales will be presented to Planning Committee in due course. The draft initial scheme is shown at Appendix 1.

Conclusion

11. A number of Section 106 agreements were negotiated in respect of relevant planning permissions, each relating to and supporting the St. Annes Regeneration Programme. The request to include the sum of £190,000 within the Council's Capital Programme for 2018/19 will enable it to be utilised for its intended purpose namely, to implement further regeneration activity complimenting the funding already contained within the Council's capital programme.

IMPLICATIONS	
Finance	The Committee is requested to recommend that the Finance and Democracy Committee approve an addition to the Capital Programme scheme for regeneration works in St Annes for 2018/19 in the sum of £190,000, fully-funded from Section 106 contributions now held by The Council for this purpose.
Legal	The Section 106 agreements require that the public realm contribution paid under them be used to secure works to the public spaces within St. Annes Town Centre. The recommended scheme in all probability will involve an element of works to private forecourts although these are for all intents and purposes public rights of way. Members will need to be satisfied that those works in particular fall within the purposes of the section 106 agreement. If they do not fall within the purposes of the section 106 agreement, the funds could be the subject of a clam for repayment by the developer. It should be noted that virtually all of the schemes, within other town centres as well as St. Annes that have been the subject of regeneration schemes have included forecourts. These forecourts have, due to the nature and relationship to the streets in question are deemed to form part of the public realm.
Community Safety	Not relevant.
Human Rights and Equalities	No specific issues. The scheme is aimed at benefitting all sections of the community.
Sustainability and Environmental Impact	Scheme aimed at sustaining and enhancing the role of St. Annes an important service centre and market town.
Health & Safety and Risk Management	Dealt with as part of the contractual arrangements.

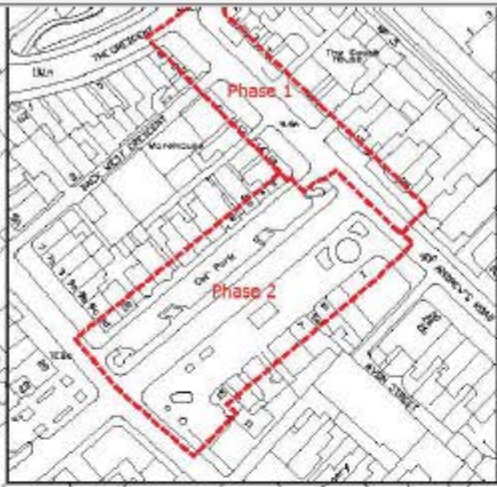
LEAD AUTHOR	CONTACT DETAILS	DATE
Paul Drinnan	01253 658434	2nd March 2017.

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Planning Application & s106 Agreements 10/877, 14/327,16/0062	2010/14/16	Town Hall, St. Annes
Planning Committee Report	27.7.17	www.fylde.gov.uk/planning

Attached documents
Appendix 1 : Concept schemes for Wood Street

PHASE 1

Refer to Drawing No.
REG-002/17-SARS01



Warehouse



INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	14 MARCH 2018	6

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 attached appeal decisions between 26/1/18 and 1/3/2018.

SOURCE OF INFORMATION

Development Services

INFORMATION

List of Appeals Decided attached.

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

APPEALS DECIDED

The following appeal decisions were received between the 26 January 2018 and the 1 March 2018.

Rec No: 1

04 December 2017	17/0289	ST ANNES MEDICAL CENTRE AND FORMER RAILWAY PLATFORM, DURHAM AVENUE, LYTHAM ST ANNES, FY8 2EP	Written Representations
		PARTIAL ROOF LIFT TO EXISTING MEDICAL CENTRE TO CREATE ADDITIONAL OFFICE SPACE ON SECOND FLOOR. FORMATION OF ADDITIONAL PARKING FACILITIES AND LANDSCAPING ON PART OF FORMER RAILWAY PLATFORM	Case Officer: RC

Fylde Dec. Level COMM
Appeal Decision: Allowed: 16 February 2018

Rec No: 2

28 November 2017	16/1038	LAND WEST OF WEST VIEW, WEST VIEW, ELSWICK, PR4 3UA	Written Representations
		OUTLINE APPLICATION FOR ERECTION OF UP TO 9 DWELLINGS (ALL MATTERS RESERVED)	Case Officer: RB

Fylde Dec. Level COMM
Appeal Decision: Dismiss: 23 January 2018

Rec No: 3

16 November 2017	17/0534	BARRIQUE, 2 & 3 MARKET HALL, MARKET SQUARE, LYTHAM ST ANNES, FY8 5LW	Written Representations
		VARIATION OF CONDITION 3 ON PLANNING PERMISSION 16/0074 TO ALLOW THE EXTERNAL AREA TO BE USED FOR THE CONSUMPTION OF FOOD AND DRINK BETWEEN THE HOURS OF 9AM AND 10PM ON ANY DAY, AND THE INTERNAL AREA BETWEEN THE HOURS OF 8AM AND 11PM SUNDAY TO THURSDAY AND 8AM TO 12PM FRIDAY AND SATURDAY.	Case Officer: RC

Fylde Dec. Level COMM
Appeal Decision: Allowed: 13 February 2018

Rec No: 4

15 January 2018	15/0686	LAND TO THE SOUTH EAST OF WHITEHILL ROAD, WESTBY WITH PLUMPTONS	Informal Hearing
		ERECTION OF 14 DWELLINGS AND NEW ACCESS TO WHITEHILL ROAD WITH PROPOSED CLOSURE OF A SECTION OF WHITEHILLS ROAD TO VEHICULAR TRAFFIC	Case Officer: AS

Fylde Dec. Level DEL
Appeal Decision: Withdrawn: 25 February 2018

Rec No: 5

09 January 2018	17/0796	235 INNER PROMENADE, LYTHAM ST ANNES, FY8 1BB	Householder Appeal
		RETROSPECTIVE APPLICATION FOR ERECTION OF TIMBER FENCE ON TOP OF BOUNDARY WALL FACING PUBLIC HIGHWAYS	Case Officer: RT

Fylde Dec. Level DEL
Appeal Decision: Allowed: 31 January 2018

Appeal Decision

Site visit made on 23 January 2018

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

an Inspector appointed by the Secretary of State

Decision date: 16th February 2018.

Appeal Ref: APP/M2325/W/17/3182109

St Annes Medical Centre and former railway platform, Durham Avenue, St Annes, Lancashire FY8 2EP

- 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 Harry Ashworth of Rushcliffe St Annes PCC Ltd against the decision of Fylde Borough Council.
 - The application Ref 17/0289, dated 7 April 2017, was refused by notice dated 26 July 2017.
 - The development proposed is described as "partial roof lift to existing medical centre to create additional office space on second floor, formation of additional parking facilities and landscaping on part of former railway platform".
-

Decision

1. The appeal is allowed and planning permission is granted for "partial roof lift to existing medical centre to create additional office space on second floor, formation of additional parking facilities and landscaping on part of former railway platform" at St Annes Medical Centre and former railway platform, Durham Avenue, St Annes, Lancashire FY8 2EP in accordance with the terms of the application, Ref 17/0289, dated 7 April 2017, subject to the conditions attached in the Schedule to this Decision.

Application for costs

2. An application for costs was made by Mr Harry Ashworth of Rushcliffe St Annes PCC Ltd against Fylde Borough Council. This application is the subject of a separate Decision.

Procedural Matters

3. I have taken the site address and the description of development from the appeal form, as these are consistent with the Council's decision notice.
4. There is a planning history relevant to the appeal, which I have taken into account. In particular, a split decision was issued on appeal.¹ This decision granted permission for B1 (office) use of the existing second floor, demolition of No 5 Stephen Street and an extension to the car park. Permission was refused for a proposed roof lift to the existing medical centre to create additional office space on second floor. The appellant describes the current appeal proposal as a re-submission of that partially dismissed on appeal. A key

¹ Ref APP/M2325/W/16/3150374 dated 29 September 2016

difference is that the current appeal scheme includes 16 additional car parking spaces, which would be provided on acquired land that was formerly part of the railway platform.

5. The Council considers that the provision of an extra car parking space in the layby on the Durham Avenue frontage should be discounted as the dimensions would be too small for two vehicles. In contrast, the appellant's Technical Note² indicates that the layby is already in use and can accommodate two vehicles. It is clear from the proposed site plan that one of the layby spaces would be additional. I appreciate that alterations to the layby may be required which would impact on the adjoining area of landscaping, but this would be achievable and the additional space could be provided. I have determined the appeal on this basis.
6. There is a suggestion from local residents that the Council's consultation was misleading, and incorrect information has been provided in relation to ownership certificates. The Council has rejected these assertions, and I have no reason to find otherwise.

Main Issue

7. The main issue is the effect of the development on the living conditions of nearby residents, with particular regard to disturbance and congestion.

Reasons

8. St Annes Medical Centre comprises two GP surgeries, the NHS Trust providing non-GP services, and an on-site pharmacy. The building is located within a predominantly residential area, and borders the railway line. There is car parking surrounding the medical centre, with vehicular access from Durham Avenue and Stephen Street. The application form states that the site provides 125 car parking spaces in total.
9. The proposal includes a roof lift to create an additional 296 square metres of office floorspace, which would enable the relocation of existing offices on the ground and first floors. I understand that another surgery, Poplar House, would transfer to the medical centre. The extended site would provide 146 car parking spaces, 16 of which would be on the former railway platform, as described above, and a further five would be created from within the existing parking areas. It is proposed that the 16 spaces on the former railway platform would be used by staff, freeing up space within the car park.
10. I understand that staff and service vehicles tend to access the site from Stephen Street, with patients and visitors habitually accessing the site from Durham Avenue. It is proposed that existing bollards which separate the car park into two distinct areas would be removed, allowing the free flow of traffic around the building. This would address any perceived distinction between the parking areas. It is intended that the car park would be managed through a one-way system.
11. The Council is concerned that there is a lack of clarity on the extent of vehicle movements and parking demand at present. I accept that the information on existing patient numbers is limited, and the staff figures provided may not reflect accurately the demand for parking due to working patterns. However,

² Technical Note 1 (28 March 2017) PSA Design

- more detailed information of this type would not necessarily assist in establishing an accurate assessment of the likely parking demand. Nonetheless, it is necessary to understand existing demand at the site, and the Poplar House Surgery.
12. I have had regard to the appellant's Technical Note, which provides a car parking assessment, including beat surveys covering the medical centre car park and surrounding residential roads. I have also considered the information from the Highway Authority and the report submitted on behalf of local residents (the Residents' Report).³
 13. The appellant's survey indicates that peak demand for parking within the medical centre car park was between 1400 and 1500 hrs. During surgery hours the car park remained very busy and, at times, was operating close to capacity. This is consistent with evidence supplied by local residents. The appellant's survey indicates that demand for on-street parking along Stephen Street, St David's Road North and Durham Avenue is relatively high. The parking numbers did fluctuate throughout the day, but the level of demand was fairly constant. I note that the parking demand was generally lower after 0800 hrs and before 1700 hrs, which is likely to be due to working hours. However, I understand that this situation has worsened in recent months due to the establishment of a day nursery and a kennels.
 14. On the day of the survey, there was spare capacity on the surrounding roads, although the availability of on-street parking was not quantified. I also note the observations of the Highway Authority which suggests that on-street parking is not at capacity. This accords with what I saw on my site visit, conducted during the early afternoon on a weekday.
 15. The Technical Note states that the potential increase in car parking resulting from the development will be that associated with the transfer of the Poplar House Surgery, which I consider to be a fair assumption as this proposal forms the basis of the application. This is quantified as 21 patients using cars during the observed peak period, which gave a maximum parking demand of 11 spaces, assuming a 30 minute parking duration. The staff parking demand is estimated to be 13 spaces, based on existing staff numbers. This would result in a combined maximum parking demand of 24 spaces.
 16. Representations suggest the analysis is flawed as it takes no account of non-patient visits, for example, people visiting the pharmacy only. Also, further information contained in the Residents' Report indicates that the Poplar House parking demand is higher than that suggested. The maximum number of total visits by car was recorded at 35, between 0900 and 1000hrs on a Monday. However, it is unlikely that those visitors would remain for the full hour and, applying the duration of 30 minutes for all visits, the visitor parking demand would be 17 to 18 cars. Staff parking would be additional and there is some concern that numbers are inaccurate or may increase if the surgery moves to the medical centre. However, the evidence to support this assertion is not conclusive.
 17. Despite the fact that the medical centre is well located for public transport, it is apparent that the car park is well used and, at times, it is close to capacity. It has been demonstrated that there is a relatively high level of demand for on-

³ Turner Lowe Associates dated January 2018

street parking along local roads, particularly Stephen Street and Durham Avenue. This demand is fairly constant throughout the day. However, on-street parking is not at capacity.

18. It is highly likely that the development will result in additional demand for parking, which may well be around 18 visitor spaces plus 13 staff spaces at certain times of the day. The proposal makes provision for the increased demand through alterations to the car park, in particular, the creation of a new 16 space staff car park. Also, improvements to the management of the car park would assist in its efficient operation. I am satisfied that, as a result of these measures, the car park would accommodate a significant proportion of the increased demand.
19. I agree that there would still be likely to be a modest increase in demand for on-street parking on local roads. However, it has been demonstrated that there is capacity in the vicinity. Moreover, the demand associated with the development would most likely only occur during surgery opening hours and not in the evenings or at weekends, when it can reasonably be assumed that residents' demand for parking would be highest.
20. I appreciate that the inability of residents' to park in front of their home would be inconvenient. However, I am not persuaded that the increase in demand for parking on-street, as a consequence of the development, would exacerbate the inconvenience to local residents to the extent that the appeal should be dismissed for this reason. I have considered the effect of noise and disturbance associated with staff or patients arriving or leaving a parking space and using local roads. However, the vehicle movements would occur during surgery hours, and not during the evening or overnight when local residents would expect to relax in their homes.
21. The Council's concerns about significant congestion are not supported by the evidence, either in respect of vehicle numbers or existing levels of traffic using the local road network.
22. I have considered the concerns about the ability of patients and staff to readily find available spaces due to the configuration of the site, and the possibility of staff ignoring their designated areas and taking up patient space. I consider that the improvements to the site circulation and car park management would address this, which could be secured through a planning condition as the Council suggests. I appreciate that the area of informal parking in front of the gates to the former railway platform would be lost, but this is unlikely to have a material impact. I also note the concerns about the lack of dedicated ambulance parking but emergency access, if required, can be secured through the car park management plan.
23. It is suggested that there is no agreement with Network Rail to acquire the land. I have, therefore, imposed a planning condition to ensure the car parking areas are laid out prior to the occupation of the development.
24. I have noted the suggestion that the development would mean that the streets would be less likely to be used for play or recreational purposes. However, these sorts of activities would be extremely limited at present, given the nature of the local road network.

25. To conclude on this issue, I find that a significant proportion of the car parking demand generated by the development would be accommodated in the extended and altered car park. The likely increase in demand for on-street parking could be accommodated without resulting in a material adverse impact on the living conditions of local residents. The proposal would, therefore, accord with Policy CF1 of the Fylde Borough Local Plan (as altered 2005) and Policy GD7 of emerging Fylde Local Plan, which seek to, amongst other things, protect residential amenity and ensure adequate access and parking facilities are provided.
26. The development would also accord with Policies GP1 and DH1 of the Saint Anne's on the Sea Neighbourhood Plan (2016 – 2031), which support development in settlement areas whilst seeking to ensure development takes account of the surrounding character of the area.

Others Matters

27. I have considered the representations made in respect of highway safety matters. However, neither the Highway Authority nor the Council raise any issue with the highway safety implications of the development. I have taken into account the concerns of local residents, but there is no evidence that leads me to a different conclusion.
28. Concerns have been expressed about over-development and the impact of the extended building on residential amenity. However, these matters were considered by a previous Inspector and the Council accepts these findings. I have not seen or read anything that causes me to disagree with these conclusions. However, I do agree that a planning condition is necessary to ensure new second floor windows would be obscure glazed to protect the privacy of neighbouring residents. I have also imposed a condition requiring a construction method statement to minimise the impacts of construction on local residents.
29. Significant concerns have been expressed about breaches of planning control at the medical centre. Some of these matters have been addressed by subsequent planning permissions, but it is suggested that there are additional outstanding matters. The full details of the alleged breaches are not before me. In any event, I am required to deal with this appeal as set out in the application form and supporting plans.
30. Similarly, there are concerns that granting permission for the additional office space on the second floor would enable the unrestricted use of the premises, not associated with the health use. However, it is clear that the development is sought to enable the relocation of the Poplar House Surgery. Consequently, I consider it unlikely that the proposal is a means to diversify the use of the building to include general office use.
31. I note the suggestion that the Poplar House Surgery would not need the amount of space that would be freed up by the development. However, I am advised that the existing surgery is operating from a facility that no longer meets modern requirements and in many respects is substandard. Comparing the existing facility to that proposed is not straightforward as it appears that the existing surgery is constrained by site-specific circumstances. Also, it does not follow that the Poplar House Surgery would expand as a result of its new location. It is equally as likely that there would be economies of scale.

32. I understand that there is new residential development planned within the catchment of the three surgeries, but I have no information on this. It cannot be assumed that this would have a direct consequence for the operations at the medical centre, as there may be several means of addressing increased demand for healthcare.
33. Part of the wall to the former platform would be removed to provide access to the new parking area. The Council considers that the loss of the small section of the wall would not have a detrimental impact on the character of the area. I agree with this conclusion. Also, concerns about tree loss can be addressed through a condition requiring a landscaping scheme to be implemented.
34. It is suggested by some residents that the development would affect house prices. However, the planning system does not exist to protect the interests of some people over the interests of others. Consequently, I have given this consideration no weight.
35. Also, the suggestion that there are better sites for the development, or the Poplar House Surgery should be upgraded, are not matters that I can take into account, as I have to determine the appeal before me. There no evidence that patient care would be adversely affected by the proposal.
36. Improvements to public transport and residents' parking schemes are not part of the proposal, and the Council has not suggested that such measures would be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonable related in scale and kind. As such, I have attached little weight to this matter.

Conditions

37. In addition to the standard time limit condition (1), I have specified the approved plans, as this provides certainty (2). I have imposed a condition requiring matching materials to ensure the development complements the host building (3). I have imposed a pre-commencement condition, which is necessary to ensure the use of obscure glazing, where appropriate, to protect the privacy of neighbouring residents (4).
38. A Travel Plan is necessary to encourage alternative modes of transport (5). I have also imposed a pre-commencement condition requiring a car park management plan, which is necessary to encourage the effective use of the car park (6). A condition to ensure that the new car parking areas are provided and retained is necessary (7). I have imposed a condition to restrict the use of the premises to that which was applied for (8). A landscaping scheme is necessary to improve the appearance of the site and ensure the development does not conflict with the operation of the adjoining railway line (9 and 10). Finally, a pre-commencement condition requiring a construction method statement is necessary in the interests of residential amenity (11).

Conclusion

39. For the reasons given above, the appeal is allowed.

Debbie Moore

Inspector

Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan: Ref 1840-01-01 Rev B;
 - Proposed Site Plan: Ref 1840-01-02 Rev B;
 - Proposed Elevations Sheet 1: Ref 1840-01-09 Rev A;
 - Proposed Elevations Sheet 2: Ref 1840-01-10 Rev B;
 - Proposed Second Floor Plan Sheet 1: Ref 1840-01-05;
 - Proposed Second Floor Plan Sheet 2: Ref 1840-01-06;
 - Existing and proposed roof plan: 1840-01-11.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building in form, colour and texture.
- 4) Development shall not commence until a glazing scheme has been submitted to and approved in writing by the local planning authority. The scheme shall identify the new windows to be fitted with obscure glazing, the method of restricting or prevent opening of the windows, and the type and specification of the glazing to be used. The glazing scheme shall be implemented in full prior to the occupation of the development hereby permitted, and retained as such thereafter.
- 5) Prior to the occupation of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the local planning authority. The Travel Plan shall include measures to encourage alternative modes of transport and reduce the number of car journeys associated with the development hereby permitted. The Travel Plan shall include an implementation timetable, and a mechanism to audit the measures introduced and their effectiveness. The Travel Plan shall be implemented in accordance with the approved timetable, and updated at intervals not greater than 18 months to ensure that the approved Travel Plan is carried out and working affectively.
- 6) Development shall not commence until a Car Park Management Plan (including the removal of bollards and addition of directional signage) for the existing and proposed parking areas has been submitted to and approved in writing by the local planning authority. The Car Park Management Plan shall be implemented in full prior to the occupation of the development hereby permitted and thereafter the car park shall be operated in accordance with the approved details.
- 7) The development hereby permitted shall not be occupied until space has been laid out within the site (in accordance with drawing no. 1840-01-02 Rev B) for 146 cars to be parked and that space shall thereafter be kept available at all times for the parking of vehicles.

- 8) The development hereby permitted shall be used for office space in association with the use of the premises as a medical centre and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- 9) Development shall not commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
- i) soft landscape works including planting plans; schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate;
 - ii) land levels, including surface water drainage from the new parking areas;
 - iii) means of enclosure and retaining structures;
 - iv) boundary treatments adjacent to the railway line;
 - v) hard surfacing materials;
 - vi) an implementation programme, including phasing of work.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

- 10) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 11) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i) the identification of the site access for construction traffic, the timing of its provision and standard of construction;
 - ii) times of routes of deliveries to the site;
 - iii) parking of vehicles of site operatives and visitors;
 - iv) arrangements to ensure appropriate parking levels are retained on-site throughout construction;
 - v) loading and unloading of plant and materials;
 - vi) storage of plant and materials used in constructing the development;
 - vii) the erection and maintenance of security hoarding;
 - viii) wheel washing facilities;
 - ix) measures to control the emission of dust and dirt during construction;

- x) measures to control the generation of noise and vibration during construction;
- xi) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- xii) delivery and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

[end]

Costs Decision

Site visit made on 23 January 2018

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

an Inspector appointed by the Secretary of State

Decision date: 16th February 2018.

**Costs application in relation to Appeal Ref: APP/M2325/W/17/3182109
St Annes Medical Centre and former railway platform, Durham Avenue,
St Annes, Lancashire FY8 2EP**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Harry Ashworth of Rushcliffe St Annes PCC Ltd for a full award of costs against Fylde Borough Council.
 - The appeal was against the refusal of planning permission for "partial roof lift to existing medical centre to create additional office space on second floor, formation of additional parking facilities and landscaping on part of former railway platform".
-

Decision

1. The application for an award of costs is refused.

Reasons

2. The Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The applicant considers that the Council behaved unreasonably in disregarding the advice of the Highway Authority and its professional officers. It is argued that the planning application should not have been refused for the reason stated on the decision notice, and as a consequence the applicant has incurred unnecessary expense in pursuing the appeal.
4. It is clear from the Planning Officer's report, and the advice of the Highway Authority, that it was considered the development would not be detrimental to highway safety. However, it was acknowledged that the development would lead to increased parking on nearby streets, which may be considered an amenity issue for residents. The members of the Planning Committee accepted the advice insofar as the reason for refusal did not state that the development would be detrimental to highway safety. Ultimately, the Committee disagreed with its Officers over the likely levels of on-street parking, and the magnitude of the impact on residents.
5. The Committee formed an opinion after hearing evidence from its professional advisers and from local people. The Committee are entitled to reach a different view, provided this is based on evidence. Although I disagreed with the Council over the impact of the development on the living conditions of residents, the concerns expressed were not without foundation.

6. Consequently, I conclude that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. An award of costs is, therefore, not justified.

Debbie Moore

Inspector

Appeal Decision

Site visit made on 23 January 2018

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

an Inspector appointed by the Secretary of State

Decision date: 9th February 2018.

Appeal Ref: APP/M2325/W/17/3185249

Land West of West View, West View, Elswick, Preston PR4 3UA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr David Hollingworth against the decision of Fylde Borough Council.
 - The application Ref 16/1038, dated 16 December 2016, was refused by notice dated 24 May 2017.
 - The development proposed is described as "outline application for erection of up to 9 dwellings (all matters reserved)".
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr David Hollingworth against Fylde Borough Council. This application is the subject of a separate Decision.

Procedural Matters

3. The application was made in outline, with all matters reserved for subsequent approval. I have dealt with the appeal on this basis, treating the site plan (Ref SP01 Rev A) as illustrative.
4. I note that revisions were made to the application to reduce the number of dwellings to nine, whilst retaining the original site area. It is clear that the Council based its decision on the amended proposal. I have therefore dealt with the proposal as amended, and I have taken the description of development from the appeal form.
5. The Council has confirmed that the request for a financial contribution towards affordable housing and public open space is no longer being sought. Consequently, I have not considered the Council's second reason for refusal in my determination of this appeal.

Main Issue

6. Therefore, the main issue is the effect of the development on the character and appearance of the area.

Reasons

The Development Plan

7. The most relevant development plan policies are saved policies from the Fylde Borough Local Plan (as altered) dated October 2005. The appeal site is within the designated countryside area and the proposal would be contrary to Policy SP2, which seeks to restrict development in the countryside.
8. I understand that the emerging Fylde Local Plan has been submitted to the Secretary of State for examination. This includes an updated five-year housing land supply position. The Council acknowledges that the housing land supply position is currently subject to scrutiny, and it appears that there are outstanding objections. Moreover, the Council originally determined the application on the basis that it was unable to demonstrate a five-year supply of deliverable housing sites. I accept that the position has moved on since the application was determined, but the information submitted by the Council remains inconclusive.¹ Therefore, in the light of paragraphs 14 and 49 of the National Planning Policy Framework (the Framework), I consider that the relevant policies for the supply of housing should not be considered up-to-date and the proposal should be determined in the context of the presumption in favour of sustainable development.
9. The appellant refers to the Supreme Court Judgement² in the context of policies for the supply of housing, which I have considered in my assessment of the relevant policies. The settlement boundaries were established several years before the Framework was published and the application of Policy SP2 is not achieving a five-year supply of deliverable housing in accordance with the objectives of paragraph 47 of the Framework. Consequently, Policy SP2 carries limited weight.
10. Policy HL2 is partially concerned with the supply of housing, and in this respect it cannot be considered up-to-date. However, the policy also addresses the social and environment impacts of development and establishes a series of criteria against which proposals for new housing development will be assessed. The policy is consistent with the Framework insofar as it seeks to direct development towards sustainable locations, take account of the different roles and character of different areas, and ensure a good standard of amenity for existing residents. Overall, I find that Policy HL2 carries significant weight.
11. Paragraph 215 of the Framework states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework. Policy EP10 seeks to protect the distinct character and important habitats of the Borough. The use of the word protected is restrictive and there is no scope to weigh any benefits against the harm. Similarly, Policy EP11 states that new development in rural areas should be sited in keeping with the distinct landscape character types identified in the Landscape Strategy for Lancashire and the characteristic landscape features defined in Policy EP10. It is worded in such a way that leaves no room to accommodate harm without breaching the policy. However, EP11 also seeks to secure development of a high quality design that reflects the local vernacular style, which is consistent

¹ Housing Land Supply Statement, March 2017 (Dec)

² *Suffolk Coastal DC v Hopkins Homes Ltd & another and Richborough Estates & another v Cheshire East BC [2017] UKSC 37*

with the design objectives of the Framework. Nevertheless, I consider that there is a degree of conflict with the Framework, due to the absence of any scope to weigh benefits against harm. This reduces the weight I attach to Policies EP10 and EP11.

12. In the decision notice, the Council also cites conflict with emerging Policies ENV1 and GD7. Policies S1, GD4, DLF1 and SL5 have been referenced subsequently. Paragraph 216 of the Framework states that decision-takers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections and the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.
13. Policy ENV1 requires development to have regard to its visual impact within its landscape context and landscape type in which it is situated, and Policy GD7 seeks to achieve good design in development. The Council explains that only minor alteration is proposed to these policies as set out in its Schedule of Proposed Main Modifications. However, I understand that this document will be subject to public consultation, which limits the weight I can give to Policies GD7 and ENV1.
14. Policies S1 and GD4 seek to direct development towards the most sustainable locations, and restrict development in the countryside. Policy DLF1 is concerned with the location and distribution of development and is supported by the settlement hierarchy set out in Policy SL5. Despite the relatively advanced stage of the emerging Local Plan, the extent and significance of any objections to these policies is unclear and, consequently, I afford the emerging policies limited weight.
15. I am aware that Elswick Parish Council is preparing a Neighbourhood Plan for the Parish Area. However, this is only at a relatively early stage of preparation and carries no weight.

Character and Appearance

16. The appeal site is located on the western edge of the village of Elswick. It is bounded to the south by existing residential development and to the east by West View. To the north and west are open fields. The site is currently in use as grazing land, and there is a hedgerow along the northern and eastern boundaries.
17. Elswick is a relatively compact village, based around a central core. The village is bisected by the B5269, which runs east to west through the settlement. Elswick is surrounded by agricultural land, which is largely flat. The landscape is characterised by irregular shaped fields with boundary hedges, and crossed by rural lanes. There is limited evidence that the site has distinguishing characteristics or that the surrounding landscape is not typical of the wider area. I do not consider, therefore, that the landscape is valued in the context of the paragraph 109 of the Framework.
18. The existing ribbon development fronting onto Grange Road and West View forms the western limb of the settlement. Although this part of the village projects into the surrounding countryside, the residential development acts as a transition between the countryside and the denser village core further east.

19. At present the site is undeveloped and it makes a positive contribution to the village setting, as it softens the appearance of the ribbon development at the settlement edge. The development would result in the loss of the greenfield site, which would have a noticeable change to the local landscape and village character. The transition between the village and the countryside would be eroded as the development would square off the existing development, forming a hard edge. The development would also amount to encroachment into the countryside away from the settlement's core.
20. Due to the largely flat topography, the site is visible from a number of public viewpoints. The proposal would intensify the development on the western limb of the village, and its impact would extend beyond the immediate locality. There is little opportunity for effective mitigation by way of landscaping due to the restricted size of the site and its prominent location. Overall, I find that the development would have a significant adverse effect on the local landscape and the village character and setting.
21. The B5269, Thistleton Road, forms one of the primary routes into the village, running close to the northern boundary of the site. Despite the intervening hedgerows, the site is visible from a relatively long stretch of the B5269, before the roads bends to the north-west. The development would have a moderate adverse effect on views towards the village as people using the B5269 would be more aware of the presence of development in this edge of settlement location. Similarly, the site is visible from views looking west along High Street and south from Meagles Lane, which is a pleasant rural lane. Although existing trees and boundary hedgerows provide some screening, the residential development would still be visible especially during the winter months when foliage is thinner.
22. The site would be less visible from Grange Road and the southern part of West View, due to the existing houses and boundary hedgerow. However, the development would still be evident, and residents on Grange Road and West View, in particular, would experience a significant degree of change to their outlook. Overall, I find that the development would result in a moderate amount of visual harm.

Planning Balance

23. The development would fall outside the settlement boundary of Elswick and would be in the countryside for development plan purposes. It would have a significant adverse effect on the local landscape and the village character and setting, and there would be a moderate amount of visual harm. Consequently, the development would be contrary to the development plan. Whilst I appreciate that the emerging Local Plan is progressing, it has not been conclusively demonstrated that the Council has a five-year supply of deliverable housing sites, and housing supply Policy SP2 is considered out-of-date. The weight attached to the conflict with the policies is reduced. Also, for the reasons set out above, Policies ENV10 and ENV11 have been found to be not entirely consistent with the Framework and their weight is reduced. I have also found that the policies of the emerging Local Plan carry limited weight. I have found, however, that Policy HL2 carries significant weight.
24. The development would provide up to nine additional homes and would make a modest contribution to local housing supply, but it is not clear whether this

development is likely to come forward within the next five years. Overall, I find that the provision of housing would be a moderate benefit.

25. The main parties agree that the site is in an accessible location. Also, there would be economic benefits in the form of jobs within the construction industry and the associated supply chain, and increased spending in local shops and businesses. I do not agree that the development would contribute to the strain on local goods and services, as evidence on this issue is limited.
26. I have noted the recent decisions for residential development in the locality referred to by both parties. However, the full balance of considerations that informed those decisions is not before me, and I am unable to judge whether the site-specific circumstances were similar to the appeal before me.
27. The balancing exercise in paragraph 14 of the Framework is a 'tilted balance' because planning permission must be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. In this case, I find that there would be significant harm to the local landscape and the village character and setting, and there would be a moderate amount of visual harm, weighed against the moderate benefit provided by the housing provision, and the associated, but more limited, economic and social benefits. Consequently, the adverse impacts identified would significantly and demonstrably outweigh the benefits.

Conclusion

28. Having regard to all that I have seen and read, and taking into account all matters raised, I conclude that the appeal should be dismissed.

Debbie Moore

Inspector

Appeal Decision

Site visit made on 16 January 2016

by Katie McDonald MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2018

Appeal Ref: APP/M2325/W/17/3187493

Barrique, 2 & 3 Market Hall, Market Square, Lytham FY8 5LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Charles Furnell (Lytham Wine Company Limited) against the decision of Fylde Borough Council.
- The application Ref 17/0534, undated application, was refused by notice dated 6 September 2017.
- The application sought planning permission for change of use of existing retail unit to mixed use as bar (class a4) / retail unit (class a1). Replacement of windows to front with doors and replacement window to side without complying with a conditions attached to planning permission Ref 16/0074, dated 29 June 2016.
- The conditions in dispute is No 3 which states that:
That the external fore court area to the front of the premises shall only be used for the consumption of food and drink between the hours of 9am and 9pm on any day, with the internal area only open for customers between the hours of 8am and 11pm on any day.
- The reason given for the condition is:
In the interests of preserving the amenity of occupiers of neighbouring and nearby residential properties as required by Policy EP27 of the Fylde Borough Local Plan.

Decision

1. The appeal is allowed and planning permission is granted for change of use of existing retail unit to mixed use as bar (class a4) / retail unit (class a1) at Barrique, 2 & 3 Market Hall, Market Square, Lytham FY8 5LW in accordance with the application Ref 17/0534, undated, without compliance with condition number 3 previously imposed on planning permission Ref 16/0074 dated 29 June 2016 and subject to the following conditions set out in the attached schedule.

Procedural Matter

2. Policy GD7 of the Fylde Council Local Plan to 2032 (submission version) is referred to in the reason for refusal. Policy EC5 of the same draft plan is also referred to in the Council's statement. The purpose of a Local Plan examination is for the Examiner to consider whether the plan is 'sound'. Accordingly, it is possible that a policy could be amended or deleted as a result of the examination or that the plan is withdrawn or found unsound. However, I note that the examinations have concluded and the Council expect to adopt their new local plan in Spring 2018. Therefore, having regard to paragraph 216 of the National Planning Policy Framework (the Framework); I will give these draft policies some weight in my assessment.

Background and Main Issue

3. Planning permission to change the use of the appeal site to a mixed use as a bar and retail unit included a condition to restrict opening hours, both internally and externally. The Council's statement indicates that the part of the condition that controls the hours of use for the external forecourt is necessary to ensure the development would not harm living conditions at surrounding residential properties. The proposed hours of opening in relation to the internal use of the building are considered acceptable by the Council, and I have no reasons to disagree.
4. As a result, I consider the main issue is the effect of the proposed hours of use of the external forecourt on the living conditions of nearby residents, with particular reference to noise and disturbance.

Reasons

5. The site is located in the town centre of Lytham, fronting onto the War Memorial gardens and being sited within part of the former Market Hall, a Grade II Listed Building. It is also set within the Lytham Conservation Area.
6. The Market Hall contains other commercial businesses including a bank and clothes shop; closely linked to other shops, bars and services on Hastings Place and Market Square. The County Hotel public house is situated behind the building, with another bar, Zest, located to the east on Hastings Place. The area has a predominantly commercial character with residential dwellings sited to the north of Hastings Place. The residential dwellings are two storey, set back from the road by small front gardens and curve around the corner. Between the site and the residential dwellings is a two way road with parking bays and footpaths to either side.
7. The site features a modestly sized front forecourt area for outside eating and drinking. It is covered by two large umbrellas and featured heaters over 8 small tables, each seating around 3-4 people. Given the boundary treatments, the forecourt area was well defined and separated from the memorial gardens.
8. The current condition permits use of the outside seating area until 2100 and the proposal is to increase this by one hour to 2200. There are various bars, restaurants and public houses near to the site and night time activity in the area is not uncommon. Indeed, as the internal area of the appeal site is permitted to open until 2300, it would be reasonable to expect general comings and goings of customers beyond both the authorised and proposed time of use of the outside seating area. Furthermore, the width of the road somewhat ameliorates the effect due to the separation between the dwellings and the appeal site. Given these factors, I consider that the additional hour of outside customer activity between 2100 and 2200 would not make a significant difference to the noise and activity already experienced in the area.
9. Consequently, on balance, I am not persuaded that the proposal would lead to any adverse harm to neighbouring living conditions of residents on Hastings Place. I find compliance with Policy EP27 of the Fylde Borough Local Plan as Altered (October 2005) (LP), which seeks to minimise or prevent noise pollution. Whilst not quoted in the reason for refusal, I have also had regard to Policies SH8, EP3 and SH16 of the LP. I also find that there would be compliance with these policies which seek to control uses within secondary

shopping frontages, to conserve or enhance the character or appearance of the area, and protect the amenities of nearby residents, taking into account the characteristics of the area concerned.

10. I also find that the proposal would be in accordance with draft Policies GD7 and EC5 of the Fylde Council Local Plan to 2032 (submission version) of which I accord some weight. These policies seek to ensure that uses involving operational hours in the evening or night should not create unacceptable disturbance to residents.
11. I have considered the Framework and also find compliance, mainly paragraphs 122 and 123 which advises that decisions should aim to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

Other matters

12. Whilst I sympathise with local residents that the proposed hours of use may have been in operation for some time, it is not a matter before me and I have considered the proposal on its merits.
13. There are no physical changes taking place to the building proposed by this appeal and as such there would be little effect upon the character and appearance of the Conservation Area and the Listed Building.

Conditions

14. In terms of conditions, the guidance in the Planning Practice Guidance makes clear that decision notices for the grant of planning permission under section 73 should repeat the relevant conditions from the original planning permission, unless they have already been discharged.
15. In view of the Council's submission, I have imposed conditions that are considered to be relevant, taking account of those already discharged. As a result, condition 1 of 16/0074 has been deleted as the development is complete and condition 4 of 16/0074 has been amended to reflect the refuse management details already approved.

Conclusion

16. For the reasons above, I conclude that the appeal should be allowed and the condition varied as proposed.

Katie McDonald

INSPECTOR

Schedule of Conditions

- 1) The external forecourt area to the front of the premises shall only be used for the consumption of food and drink between the hours of 0900 and 2200 on any day, with the internal area only open for customers between the hours of 0800 and 2300 Sunday to Thursday and between the hours of 0800 and 0000 Friday and Saturday.
- 2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the building shall be used for mixed Class A1 (retail) and Class A4 (drinking establishment) purposes (as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) only, and for no other purpose including solely as either of the two approved uses.
- 3) That the ground floor doors and any opening windows shall remain closed between the hours of 2100 hours and 0700 hours on every day of the week, except when in use to enter/exit the building.
- 4) That the scheme of refuse management approved under condition 5 of planning permission 16/0074 which includes details of the siting, size, design and materials of the refuse storage area for the premises shall be maintained and operated in full accordance with the approved scheme at all times thereafter.



The Planning Inspectorate

Item 6 - Appeal 4 - 15/0686

3P Direct Line: 0303 444 5371
Temple Quay House Customer Services:
2 The Square 0303 444 5000
Bristol
BS1 6PN Email: West1@pins.gsi.gov.uk

www.gov.uk/planning-inspectorate

Your Ref: 15/0686
Our Ref: APP/M2325/W/17/3188337

Mark Evans
Fylde Borough Council
Fylde Borough Council
Town Hall
LYTHAM ST. ANNES
Lancashire
FY8 1LW

26 February 2018

Dear Mark Evans,

Town and Country Planning Act 1990
Appeal by Kensington Developments Limited
Site Address: Land South of Whitehill Road, Wyrefields, Westby, Lancashire,
FY4 5FT

I enclose for your information a copy of a letter received withdrawing the above appeal(s).

I confirm no further action will be taken.

Yours sincerely,

Adam Hill
Adam Hill

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through the Planning Portal. The address of our search page is - www.planningportal.gov.uk/planning/appeals/online/search

Appeal Decision

Site visit made on 22 January 2018

by **Gareth Wildgoose BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 January 2018

Appeal Ref: APP/M2325/D/18/3192787

235 Inner Promenade, Lytham St Annes FY8 1BB

- 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 G Broughton McCabe against the decision of Fylde Borough Council.
 - The application Ref 17/0796, dated 15 September 2017, was refused by notice dated 3 November 2017.
 - The development proposed is erection of timber fence on top of boundary wall facing public highways.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of timber fence on top of boundary wall facing public highways at 235 Inner Promenade, Lytham St Annes FY8 1BB in accordance with the terms of the application, Ref 17/0796, dated 15 September 2017, and the plans submitted with it.

Preliminary Matter

2. The timber fences have been erected and the application was made retrospectively.

Main Issue

3. The main issue is the effect on the character and appearance of the area.

Reasons

4. The appeal site is a detached two storey property located at the corner of Inner Promenade and Miletas Place within a residential area opposite to Fairhaven Lake and the seafront beyond. The front building lines of properties which face Inner Promenade, including No 235, are staggered due to the alignment of the road and each property has a significant set back that results in sizeable front garden areas. The set back of No 235 from Miletas Place is shallower as the alignment of its side elevation is broadly consistent with the front building lines of properties which are located closer to that road. The site is not located within a Conservation Area or the setting of a Listed Building.
5. The front boundary of the appeal property facing Inner Promenade consists of a low brick wall with tall brick gate posts which surround the pedestrian entrance, with a mix of trees and hedging behind the wall that largely screen the garden area. The boundary treatment continues around the corner and along Miletas Place up to tall gate posts which surround the vehicular access to

the property, after which the low wall continues adjacent to a timber shed up to the rear boundary. The appeal proposal is in-situ and consists of a section of fence above the low brick wall from the boundary with the tall landscaping along the frontage of No 237 and the nearest gatepost associated with the pedestrian entrance of No 235 onto Inner Promenade. Along the Miletas Place boundary, a separate section of fencing is positioned above the low brick wall between the gatepost to the vehicular access and a tall pillar which defines the shared boundary with 3 Miletas Place (No 3).

6. The immediate surroundings of the site along the northern side of Inner Promenade consist of predominantly two storey detached properties or bungalows with differing architectural styles, scale, materials and proportions. The variety of property styles and proportions is also reflected in the detached and semi-detached properties that face Miletas Place. The mixed character of individual properties extends to the boundary treatments that front Inner Promenade, which include brick walls of varying styles, heights and colours, together with examples of timber fencing and gates, railings and supplementary trees and hedging. The boundary treatments of Miletas Place are predominantly low walls with tall gateposts and pillars of varied styles with examples of substantial landscaping, railings and tall gates visible.
7. Having regard to the above, it is evident that low boundary walls and taller brick pillars are common boundary elements of both Inner Promenade and Miletas Place that positively contribute to the unity of the street scenes and were intended to provide a sense of space to property frontages. However, as supplementary landscaping has matured over time on a significant number of property frontages it has established an increased sense of enclosure of front gardens with tall boundary treatments in the respective street scenes, particularly on corner plots. Furthermore, other boundary features have been added such as tall timber fencing, gates and railings that have integrated with the verdant character of the setting.
8. In the context of the above, the boundary fences do not appear unduly prominent, intrusive or out of place. The section of fence facing Inner Promenade assimilates with the height of the adjoining gatepost and consists of a dark unobtrusive colour which is softened by the backdrop of supplementary landscaping, together with taller and denser adjoining landscaping along the frontage of No 237. The section of fence which adjoins Miletas Place, set against the backdrop of a timber shed, is a complementary addition to that boundary which assists the transition to the different character and appearance of the low boundary walls, railings, pillars and supplementary landscaping that are evident to No 3 and beyond. The low brick wall and gateposts are to be retained and sufficient landscaping remains around the corner to integrate with the verdant boundary treatment on the opposite corner. Consequently, I am satisfied that the timber fencing assimilates with, and does not detract from, the character and appearance of the site and the surrounding area.
9. In reaching the above findings, I also observed that in the wider setting of Inner Promenade it is a common feature that corner properties have taller boundary treatments than neighbouring properties to achieve privacy for garden areas, including a number with similar boundary fencing. In that respect and given the close proximity of Fairhaven Lake and the seafront beyond, the boundary screening provided by the fencing in-situ is an appropriate manner to safeguard the privacy and security of No 235 and also

provide some weather protection for the amenity space, which are matters that support my conclusion on the main issue. The more distant example of fencing drawn to my attention in terms of a recent appeal decision at 234 Clifton Drive South, Lytham St Annes¹ is not an influential factor on the outcome of this appeal as the locational context is distinct from the street scenes of Inner Promenade and Miletas Place.

10. I conclude that the development does not harm the character and appearance of the area. The development, therefore, does not conflict with Policy HL5 of the Fylde Borough Local Plan (as altered), October 2005. The policy relates specifically to house extensions rather than means of enclosure, and in any case, the proposal does not conflict with the relevant requirements for scale, design and external appearance in keeping with the existing building, and that it does not adversely affect the street scene. There is also no conflict with the approach of the National Planning Policy Framework relating to matters of design.
11. The Council's decision notice also makes reference to Emerging Policy GD7 of the Fylde Council Local Plan to 2032 - Submission version. However, the Emerging Local Plan has yet to be adopted and there is no evidence before me as to whether the policy is subject to any unresolved objections, which limits the weight I can give to it. In any case, based on my previous reasoning, I find no conflict with Emerging Policy GD7 in so far as it requires a high standard of design, with regard for the character and appearance of the area and local distinctiveness, including responding to its context in terms of siting, design, scale, materials and landscaping.

Other Matters

12. The Council have offered no concerns relating to highway and pedestrian safety or with respect to the living conditions of occupiers of surrounding properties. Based on the evidence before me and my observations I have no reason to take a different view on those matters. The fencing does not obstruct the existing footpath or visibility from the vehicular access of the appeal property and those surrounding, whilst the height and scale of the respective sections would not have an overbearing effect on the outlook from neighbouring properties.

Conditions

13. The Council have recommended that time limit and plans compliance conditions should be imposed if the appeal were to be allowed. However, as the development has already been carried out and I have identified no harm arising from it, I do not consider that the recommended conditions are necessary.

Conclusion

14. For the reasons given above and taking all other matters into account, I conclude that the appeal should be allowed and planning permission granted.

Gareth Wildgoose

INSPECTOR

¹ Appeal Ref: APP/M2325/D/16/3159254 – Allowed – 20 December 2016