

# Agenda

## DEVELOPMENT MANAGEMENT COMMITTEE

Date:	Wednesday, 8 July 2015 at 10:00am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Christine Akeroyd, Peter Collins, Michael Cornah, Tony Ford JP, Neil Harvey, Kiran Mulholland, Barbara Nash, Linda Nulty, Liz Oades, Albert Pounder.</p>

### Public Speaking at the Development Management Committee

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

	PROCEDURAL ITEMS:	PAGE
1	<b>Declarations of Interest:</b> Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	<b>Confirmation of Minutes:</b> To confirm the minutes, as previously circulated, of the meetings held on 17 June 2015 and 18 June 2015 as correct records.	1
3	<b>Substitute Members:</b> Details of any substitute members notified in accordance with council procedure rule 25.	1
	<b>DECISION ITEMS:</b>	
4	<b>Development Management Matters</b>	3 - 91
5	<b>List of Appeals Decided</b>	92
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2	15/0246	PARK VIEW PLAYING FIELDS SITE, PARK VIEW ROAD, LYTHAM ST ANNES VARIATION OF CONDITION 4 OF PLANNING PERMISSION 14/0322 TO EXTEND RANGE OF USES PERMITTED IN ECO CLASSROOM TO INCLUDE HOSTING CHILDREN'S PARTIES.	Grant	39
3	15/0296	LAND TO THE NORTH OF NORTH VIEW FARM, RIBBY ROAD, RIBBY WITH WREA, PRESTON, PR4 2NA PROPOSED ERECTION OF 13 DWELLINGS TOGETHER WITH ASSOCIATED INFRASTRUCTURE.	Approve Subj 106	44
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5	15/0334	ELSWICK TRADING PARK, HIGH STREET, ELSWICK, PRESTON, PR4 3ZZ PROPOSED VARIATION OF CONDITION 1 OF PLANNING PERMISSION 14/0253 TO ALLOW DWELLING ON PLOT 9 TO BE RE-POSITIONED	Grant	85

# Development Management Committee Schedule 08 July 2015

**Item Number:** 1

**Committee Date:** 8 July 2015

<b>Application Reference:</b>	15/0124	<b>Type of Application:</b>	Outline Planning Permission
<b>Applicant:</b>	Duerden Bros. Ltd	<b>Agent :</b>	PWA Planning
<b>Location:</b>	SUNNYDALE NURSERIES, GARSTANG ROAD, LITTLE ECCLESTON WITH LARBECK, PRESTON, PR3 OXA		
<b>Proposal:</b>	OUTLINE APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF UP TO 25 DWELLINGS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)		
<b>Parish:</b>	ELSWICK AND LITTLE ECCLESTON	<b>Area Team:</b>	Area Team 2
<b>Weeks on Hand:</b>	18	<b>Case Officer:</b>	Matthew Taylor
<b>Reason for Delay:</b>	Design Improvements		

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

### Summary of Officer Recommendation

The proposed residential development represents a proportionate extension to the village on a previously developed site located to the edge of Little Ecclestone between pockets of development to either side. The scheme would follow the pattern of built development on the periphery of the settlement and would be contained within the established boundaries of Sunnydale Nurseries in order that it would not result in encroachment into the open countryside. Whilst the site is located outside the settlement boundary and within the Countryside Area as defined on the Fylde Borough Local Plan Proposals Map, the Council is presently unable to demonstrate a five year supply of housing land and, accordingly, the principle of residential development within the Countryside Area cannot be resisted where the development is sustainable in all other respects.

The scheme would not result in the loss of the Borough's best and most versatile agricultural land and there are no other landscape designations to restrict its development for housing. The proposal, by virtue of the size, scale, density and number of dwellings proposed, and its relationship to the urban fringe of the village, would not have any significant adverse effects on landscape character or quality, and appropriate mitigation can be introduced as part of the scheme in order to minimise its impact in this regard. Satisfactory arrangements (including infrastructure improvements) would be made for vehicle access, parking and manoeuvring in order that the development would not have a detrimental impact on the safe and efficient operation of the surrounding highway network, either adjacent to or further away from the site. Enhanced provision would also be made for pedestrian access and greater connectivity between the settlements of Little Ecclestone and Great Ecclestone.

The proposal would result in an acceptable relationship with surrounding uses and appropriate mitigation can be provided to ensure that the development would have no adverse impacts in terms of ecology, flooding, drainage and contamination. Appropriate

contributions would also be secured in respect of open space and affordable housing to make the development acceptable in planning terms. The proposal is therefore considered to represent sustainable development in accordance with the requirements of the relevant policies of the National Planning Policy Framework and the Fylde Borough Local Plan.

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

The application is for major development and the officer recommendation is for approval. In addition, the officer recommendation conflicts with that of the Parish Council, who have objected to the application.

### **Site Description and Location**

The application relates to an irregularly-shaped parcel of land measuring approximately 1.9 hectares in area to the north side of the A586 (Garstang Road), Little Eccleston. The site is located to the south-western tip of the village (though outside the settlement boundary) and is currently occupied by a series of industrial-style buildings, glasshouses and polytunnels associated with an outlet for the storage and distribution of bedding plants (Sunnydale Nurseries). The land falls within the Countryside Area as defined on the Fylde Borough Local Plan (FBLP) Proposals Map and is also designated as grade 2 (very good quality) agricultural land on the Agricultural Land Classification Map.

The site is presently dominated by a collection of industrial units and glasshouses which form a rectangular block running diagonally in an east-west direction across nearly the full width of the site. Two detached polytunnels are located to the northeast corner of the main buildings. In total, buildings on the site cover an area of approximately 9,100 square metres and, with the exception of the polytunnels, follow dual-pitched roofs of a prevailing single storey height. Building eaves and ridge levels do, however, vary across the site, with the tallest (and largest) building to the eastern end forming a prominent feature which is readily visible along the site's frontage to Garstang Road.

A hardstanding car park and service yard wraps around the front, side and rear of the building to the eastern end, with triangular grass verges flanking the southwest and northwest corners of the units. A man-made pond is located to the northeast corner of the site. Whilst the site is slightly elevated to Garstang Road the land is generally flat, with no appreciable change in levels occurring across the site. Boundary treatments include a strip of hedgerow along the southern perimeter which is partially interrupted by fencing around the access and a combination of fencing, hedging, trees and shrubs to the remaining boundaries.

The site is accessed via a single opening onto Garstang Road which occupies a central position to the southern boundary. The carriageway is flanked by grass verges and footways to both sides, with rows of mature trees forming a linear belt along the verges outside the site. Ghost island approaches to three turning lanes narrow the carriageway to the west of the site, with the junction to Blackpool Old Road located to the east. Bus stops are located directly opposite the site on the westbound carriageway and immediately after the junction with Blackpool Old Road on the eastbound side.

The site is bounded by open farmland to the north and Queensgate Caravan Park to the west which includes a collection of static chalet-style caravans laid out on a rectangular parcel extending beyond the northern site boundary. A pair of semi-detached houses (Sunnydale Cottages) fall within the site boundaries to the southwest corner fronting onto Garstang Road and a row of five detached dwellings form a linear ribbon along the southern frontage of the A586. Rows of dwellings flank both

sides of Blackpool Old Road to the east of the site, with the closest of these (Flonura) forming a detached bungalow with a steep hipped roof separated from the site by a coniferous hedge and benefitting from its own access onto Garstang Road. Blackpool Old Road forms a semi-circular route linking with Garstang Road. The highway of Cartford Lane branches in a northerly direction off Blackpool Old Road, with the bulk of the village being organised around this Y-shaped highway network.

### **Details of Proposal**

When initially submitted, the application sought permission for a mixed use development of 25 dwellings and five light industrial units to provide up to 950 square metres of B1(c) floorspace. The scheme has since been amended to omit the industrial units and now seeks permission for 25 dwellings only. The application for the dwellings is submitted in outline, with the only matter applied for being access. This is defined in the Development Management Procedure Order as follows:

*Access* – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where “site” means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made.

Matters of layout, scale, external appearance and landscaping are reserved for later consideration.

The development would utilise the existing site access off Garstang Road which occupies a broadly central position to the southern boundary. The indicative layout shows the access to merge with the main estate road running in a northerly direction through the site, with four cul-de-sacs branching off at right angles in easterly (two) and westerly (two) directions. The application includes the following off-site highways works as part of the access arrangements:

- The formation of a ‘ghost island’ right hand turn lane into the site along the westbound carriageway of Garstang Road.
- The introduction of two pedestrian refuges forming central ‘islands’ within the carriageway of Garstang Road at the following locations:
  - Adjacent (to the immediate west) to the ghost island right hand turn lane into the site.
  - Between the two ghost island right hand turn lanes at the junction of Garstang Road with Blackpool Old Road and the B5293 (High Street), approximately 425 m to the east of the site.

Maximum scale parameters indicate a mix of three house types comprising 13 two storey and 12 three storey dwellings, though the third storey (to type A) would be formed within the roof space. An indicative layout has been submitted as part of the application. This shows a development of 23 detached and two semi-detached properties with individual garages fronting onto cul-de-sacs branching off the main estate road to the east and west of the site. Each property is shown to be served by two in-curtilage off-road car parking spaces (plus garages) with garden areas to the front and rear.

With respect to landscaping, the existing trees and hedges along the southern boundary with Garstang Road would be retained, as would those along the eastern boundary with the adjacent bungalow and to the northeast corner around the pond. The existing belt of trees along the northern boundary with the field would also be retained and additional planting would be introduced to form a buffer along the western boundary.

The existing pond would be retained to the northeast corner of the site as a focal point for on-site public open space. A viewing platform and informal seating area are shown to the southern edge of the pond, with a second strip of landscaping forming a continuous swale and wildlife garden alongside the eastern flank of the estate road. The indicative layout shows a total of 4,145 square metres of open space on site as follows:

- A 1,130 square metre pond.
- 2,180 square metres of open space surrounding the pond (including a viewing platform and informal seating area).
- A wildlife garden bordering a swale alongside the eastern flank of the estate road covering an area of 835 square metres.

It should, however, be noted that as access is the only matter applied for, these elements of the layout are illustrative only and are not for detailed consideration as part of the scheme.

### **Relevant Planning History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
05/0618	RETROSPECTIVE APPLICATION FOR TWO MULTISPAN HORTICULTURAL POLY TUNNELS AND PHASE 2 WORKS TO REPLACE SECTIONS OF EXISTING GLASS HOUSES.	Granted	04/11/2005
98/0490	ERECTION OF 3 SECTORED ANTENNAES AND 2 X 600 MM MICROWAVE DISHES MOUNTED ON A 20 METRE HIGH, POLE; ALSO GROUND BASED SUPPORT EQUIPMENT CABIN HOUSED IN A 12 METRE SQUARE SECURE COMPOUND	Refused	02/12/1998
98/0489	ERECTION OF 3 SECTORED ANTENNAES AND 2 X 600 MM MICROWAVE DISHES MOUNTED WITHIN A 25 METRE HIGH, TREE STYLE CONSTRUCTION ; ALSO GROUND BASED EQUIPMENT CABIN HOUSED IN A 12 METRE SQUARE SECURE COMPOUND	Refused	02/12/1998
98/0491	ERECTION OF 3 SECTORED ANTENNAES AND 2 X 600 MM MICROWAVE DISHES MOUNTED ON A 20 METRE HIGH, SLIMLINE LATTICE TOWER; ALSO GROUND BASED EQUIPMENT CABIN HOUSED IN A 12 METRE SQUARE SECURE COMPOUND	Refused	02/12/1998
97/0541	ERECT A 30M TOWER COMPLETE WITH SIX SECTOR ANTENNAS, FOUR DISH ANTENNAS AND ONE RADIO EQUIPMENT CABIN	Withdrawn by Applicant	02/03/1998
94/0180	PROFILE STEEL SHEET CLAD AGRICULTURAL STORAGE SHED	Granted	27/04/1994
86/0008	ALTERATIONS TO EXISTING ACCESS, LANDSCAPING AND CAR PARKING.	Granted	26/03/1986
85/0509	NEW STORAGE BUILDING - CLASS 2.	Granted	06/11/1985

## Relevant Planning Appeals History

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
98/0490	ERECTION OF 3 SECTORED ANTENNAES AND 2 X 600 MM MICROWAVE DISHES MOUNTED ON A 20 METRE HIGH, POLE; ALSO GROUND BASED SUPPORT EQUIPMENT CABIN HOUSED IN A 12 METRE SQUARE SECURE COMPOUND	Dismiss	10/08/1999

## Parish Council Observations

**Little Eccleston with Larbreck Parish Council** were notified of the application on 6 March 2015. The Parish Council object to the application on the following grounds:

- Little Eccleston is not a sustainable location for a development of the size proposed. Fylde Council's emerging local plan provides a settlement hierarchy which scores Little Eccleston 18 out of 19, citing particular constraints with respect to accessibility to public transport, shops, community facilities and schools.
- The site is outside the settlement boundary for Little Eccleston and this extension to the settlement was not considered as part of the Council's Strategic Housing Land Availability Assessment (SHLAA).
- The emerging local plan states that development in Little Eccleston will only be allowed in exceptional circumstances and limited to infill plots and reuse of existing buildings. The principle of development is therefore contrary to the Council's own policies.
- The proposed development represents an enlargement of approximately 25% to the existing hamlet of Little Eccleston. This is an unacceptable and disproportionate increase.
- The development would have no link to Little Eccleston and sets a precedent for further ribbon development along the A586.
- The site occupies a prominent position on a high point within the village and, therefore, the development would be clearly visible when travelling along Garstang Road. The scheme would result in housing being located in closer proximity to the road than the existing building with ridgelines several metres higher. The rear of the development would also be readily visible on lower lying land from Out Rawcliffe.
- The Highways Agency have previously resisted any form of crossing along Garstang Road due to safety concerns as this route is subject to a 50mph limit and has a number of blind stretches. There has been a recent fatal accident on the road where a pedestrian was knocked down.
- Access to public transport is restricted with respect to the frequency and number of bus journeys along Garstang Road and these routes do not serve commuters (there being few employment opportunities nearby) and local primary schools.
- The public consultation undertaken by the applicant showed a reply rate of 9% from the hamlet. The Parish Council held a meeting on 8 April at which 40% of the properties were represented and 39% of the hamlet is in opposition to the proposal.
- The current density of the hamlet is 13 dwellings per hectare. The proposed density, at 16 dwellings per hectare, is some 21% greater.
- The pond to the northeast corner of the site is not an appropriate open space for children. Representations from the Constabulary recommend that a 1m fence should be erected around the edge of the pond.
- The applicant suggests a commitment to provide enhanced energy efficiency for the buildings. However, there is no guarantee that a standard above existing Building

Regulations will be achieved.

- Garstang Road only has street lights in the vicinity of the staggered junction between Blackpool Old Road and West End. Most of the 500m route is unlit and will be in darkness at night.
- The supporting documentation suggests that 3,500 square metres of open space will be provided as part of the scheme, averaging at 129 square metres per dwelling. However, if the pond is discounted this is reduced to approximately 17 square metres per dwelling. Moreover, if the pond is discounted then the claim that 20% of the site area would comprise open space reduces this to 3%.
- There is no demand for industrial units locally. This is evidenced by the closure of similar units in Elswick and the availability of units for rent in Out Rawcliffe. It is likely that the industrial units will prove unviable and result in an additional application at a later stage to add more houses on the site of the proposed warehouse accommodation.
- Regular power outages occur in Little Ecclestone. The existing houses will exacerbate this situation.
- The Development Management Committee should undertake a site visit in order to appreciate the impact that the proposal would have on the hamlet in this rural location.

**Great Ecclestone Parish Council** have also objected to the application on the following grounds:

- The development would increase the size of the hamlet of Little Ecclestone by 25%, contrary to the proposed policy in the emerging Local Plan which states that development in Little Ecclestone will only be permitted in exceptional circumstances and limited to infill plots and the reuse of existing buildings.
- Little Ecclestone is based on the two roads of Cartford Lane and Blackpool Old Road. If this development is approved it will have no link with the existing hamlet and will set a precedent for further development along the A586.
- The proposed development is outside the former settlement boundary for Little Ecclestone and such an extension to the hamlet was not considered as part of the SHLAA exercise.
- The proposed development is in flood zone 3.
- Fylde Council's own assessment of Little Ecclestone in the emerging local plan scored the hamlet second bottom of the settlements assessed. Little Ecclestone has no train services, no local store, no schools, no GP or health centre, no community facilities, no sport or leisure facilities and no open space. The development would put increase pressure on the currently overstretched Health Centre, dentist and primary school in Great Ecclestone and would add to parking congestion in the village.
- The developer envisages providing a pedestrian crossing on the A586. This has been repeatedly refused by County Highways despite the death of a nine year old girl several years ago.

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

#### **LCC Highways:**

- The developer has submitted a Transport Statement (TS) in support of this application. A number of revisions to the TS and supplementary plans were subsequently submitted as a result of comments about access and connectivity.
- The means of access to the site is directly onto the A586. At this location the A586 is subject to a 50mph speed limit and is unlit. To provide a suitable access to the development here it is necessary to provide a right turn lane (with traffic island / pedestrian refuge) and to provide street lighting. Due to the proximity of the junction of Blackpool Old Road, both the site access junction and the Blackpool Old Road junction will need to be lit. This provides a safe means of access to the site and connectivity to bus stops near to the site.

- To address issues with site accessibility and connectivity a pedestrian refuge will need to be provided on the A586 between its junctions with Blackpool Old Road and West End. This provides safe pedestrian access to Great Eccleston where primary schools, shops and health facilities exist.
- The developer should refer to Manual for Streets and Creating Civilised Streets prior to submitting a reserved matters application.
- There are no highway objections subject to the following conditions being imposed on any permission granted:
  - No part of the development shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.
  - No part of the development hereby approved shall be occupied until the approved scheme referred to above has been constructed and completed in accordance with the scheme details.
- The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council in the first instance to ascertain the details of such an agreement and the information to be provided.

**Planning Policy:**

- The emerging Local Plan includes both strategic sites (accommodating 100 or more homes) and smaller non-strategic sites accommodating between 10 and 99 homes in both the main urban area and in the rural settlements.
- The draft Revised Preferred Options (RPO) version of the Local Plan was reviewed at Development Management (Policy) Committee on 17 June 2015. The draft RPO includes Sunnydale Nurseries, Garstang Road, Little Eccleston as a non-strategic site providing 25 dwellings over the Plan period to 2032.
- The draft RPO will go before Development Management (Policy) Committee on 16 September, to be approved for consultation in the autumn 2015.
- The emerging Plan is a material consideration but the weight to be attached to it is for the decision maker to determine.

**Greater Manchester Ecology Unit (GMEU):**

- The Ecology Surveys and Appraisal submitted as part of the application have been undertaken by a suitably qualified consultant and are to appropriate and proportionate standards. No further surveys are necessary prior to determining the application.
- 

**Environmental Protection:**

- Raise no objections subject to a condition relating to appropriate assessment of ground conditions and remediation to prevent the development causing harm to human health during construction or habitation.

**LCC (Education):**

- The application has been assessed by the LCC Education team, and has not resulted in a request for a planning contribution towards new school places.

**LCC (Flood Risk Management Team):**

- No objections subject to the imposition of conditions relating to the design and implementation of an appropriate surface water sustainable drainage scheme.

**Environment Agency:**

- Raise no objection subject to the imposition of conditions relating to a surface water drainage strategy to demonstrate that the surface water run-off generated by the 1 in 100 year critical storm will not exceed 5 litres per second and should include details of how the drainage system will be maintained and managed after completion, and to require a site investigation with respect to any contamination affecting the site.

**Electricity Northwest:**

- The development is shown to be adjacent to or affect Electricity North West operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements.
- Within the outline of the boundary of the development there are 2 LV cables which will have to be made dead off site before redevelopment works can commence. There is also a LV cable in the footpath, to the front of the development, over which a new access is to be developed. This cable may require placing in ducts or at increased depth at this point.
- The applicant should be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of Electricity Northwest's requirements for access to inspect, maintain, adjust, repair, or alter their distribution equipment.

**Lancashire Constabulary Architectural Liaison Officer:**

- They make a host of recommendations aimed at minimising the opportunity for crime and disorder as part of the development, and so are appropriate for consideration as part of the detailed layout of the site and the design of the dwellings rather than this outline application.

**Regeneration (Landscape and Design):**

- The proposal aims to retain existing trees and hedgerows to the perimeter which would ensure that the development is adequately screened from adjacent properties and the main road.
- The design and layout should reflect the site's rural setting. At present, the images in the submitted Design and Access Statement show a modern development with a contemporary appearance which would not sit comfortably in its context. The design principles which guide the external layout are synonymous with an urban, rather than rural, setting.

**Regeneration (Trees):**

- They made initial comments on the scheme that express concern over the potential impact of the new access that was proposed to serve then industrial units would have on protected trees that make an important contribution to the streetscene. This access has been removed from the scheme under consideration and so the officer no longer raises any issue with the proposal.

**United Utilities:**

- As the site currently operates as a commercial nursery the majority of rainfall is likely to have been captured (most notably by the pond) and used on site to water plants. Therefore, unless the existing drainage strategy is confirmed through detailed survey, the land should

be treated as a greenfield site for the purposes of considering drainage.

- The FRA suggests that geocellular/modular systems should be used to attenuate surface water runoff. However, as the developer intends to drain to a combined sewer, the use of such systems would not be permitted.
- No investigations have been undertaken to determine whether surface water could drain directly to the on-site pond. This option should be explored as part of a detailed drainage strategy for the development.
- The site should be drained on separate systems for foul and surface water disposal. The hierarchy in the Building Regulations identifies preferences for surface water drainage as follows: (1) soakaways; (2) a watercourse; and (3) a sewer. Permeable paving should be used on all driveways and other hard surfaced areas to reduce the volume of run-off from the site.
- A condition should be attached to any permission granted requiring details of foul and surface water disposal to be submitted before any development takes place. The condition should require that surface water drains separately to foul water and should restrict surface water run off to a maximum pass forward flow of 5 litres per second.
- Unless otherwise agreed in writing, no surface water should be allowed to drain into the public foul/combined sewer.

### **Neighbour Observations**

<b>Neighbours notified:</b>	6 March 2015
<b>Site notice posted:</b>	10 April 2015
<b>Press notice:</b>	12 March 2015
<b>Amended plans notified:</b>	5 June 2015 (14 days for additional comments)
<b>No. Of Responses Received:</b>	29
<b>Nature of comments made:</b>	25 individual objections, 1 petition signed by 3 residents and 1 neutral representation

The points raised in the objections are summarised as follows:

- Little Eccleston is a hamlet that has no shops, train service, school, post office or other public facilities or open spaces. The nearest supermarket is six miles away. The hamlet was ranked second bottom of the sustainability hierarchy in Council's emerging Local Plan. The proposed enlargement of the village would occur without any additional provision of local facilities/amenities and is therefore unsustainable. Due to the current lack of services in Little Eccleston, existing residents are required to visit Great Eccleston (or travel further afield) to access public services. There are also a lack of employment opportunities in Little Eccleston.
- There are already a number of properties for sale in the locality and, accordingly, the development is not required in order to meet any local housing need. An expansion of the existing village of the scale proposed (around 25%) would represent a disproportionate enlargement to the hamlet outside the settlement boundary and would be unsympathetic to the site's rural setting and fail to retain the character and identity of the village. The only development which has been allowed in the past has been to infill plots or the conversion of existing buildings. This site has no link to the existing village which is confined to a ribbon along Cartford Lane and Blackpool Old Road and any development would set an undesirable precedent.
- The proposed development for 25 new dwellings will result in an additional demand for new school places and increased strain on local services including doctors and dentists where it is already difficult to get an appointment. It is unclear whether these services have sufficient

capacity to accommodate the population of the development as a number of places have been filled due to the permanent occupation of several holiday caravans.

- There is no demand for the proposed industrial units and these are not appropriate in what is predominantly a residential area. It is likely that these will not be constructed and, instead, this land will be developed for additional housing in the future. There is also an increased risk of crime associated with this type of use given the isolated location of the site and the units will result in hoardings and other unsightly advertisements being erected along Garstang Road.
- The existing nursery buildings are in a poor state of repair. It would be more efficient to improve the existing premises and allow its development on site rather than redevelop the site and relocate the Duerden Bros business elsewhere. However, if the business is to relocate, the site would be better used by returning it to its rural state or introducing a children's play area or nature reserve.
- The following details are lacking from the application: (i) the position, height and design of boundary fencing in relation to adjoining properties; (ii) the method of tree protection during construction; (iii) mitigation for wildlife; (iv) how noise will be controlled during the course of construction.
- The proposed introduction of a new Toucan crossing over Garstang Road would cause a danger to road safety along this busy, 50mph stretch of the road and would restrict the free flow of traffic. This type of crossing has repeatedly been resisted by LCC Highways for safety reasons, despite a pedestrian fatality. As Little Eccleston does not have any schools, children attending the primary school in Great Eccleston would need to cross the A586, as would those accessing bus services to the secondary schools further afield. This would increase the risk of accidents for pedestrians (including children). The location for the crossing between Little Eccleston and Great Eccleston would place it between two turning lanes. This area has recently been reduced in size by Lancashire County Council making it more difficult to decelerate in the defined space provided. It is also a notorious site for accidents and near misses and it is not unusual to be sat in the allocated area waiting to turn right into Little Eccleston and have an approaching vehicle overtake another vehicle by crossing the turning lane. Therefore, this is not a safe location for a pedestrian crossing.
- The development would generate additional traffic and vehicle movements onto an already busy road which would be detrimental to highway safety and increase the risk of accidents along a route where speeds are already high. The siting of the access to the houses in close proximity to that with Blackpool Old Road would increase the potential for collisions around these junctions, due to poor visibility, as would its siting on the crest of a hill on the approach into the hamlet. Furthermore, for traffic approaching from the Garstang direction and wishing to turn right into the proposed development, the road narrows at this point and has a bus stop sited across from it. There is no provision in the proposal to remedy this and this undoubtedly has the potential for an incident while contravening the Local Plan's objectives for road safety.
- The access to the new industrial units is in close proximity to existing dwellings on the opposite side of the road and would cause additional vehicle conflicts and disturbance for neighbouring occupiers.
- The development would lead to additional traffic pressure on Blackpool Old Road and Cartford Lane towards Wyre. These roads are inadequate to accommodate the existing volume of traffic using them and, for the most part, have no footways. Accordingly, they are unable and unsuitable to accommodate any additional traffic.
- The existing bus service along Garstang Road is limited and, accordingly, residents would be reliant on journeys by car.
- The new access will require the removal of mature trees along the highway frontage which would be detrimental to visual amenity and the street scene.

- The development would be located in flood zone 3 and, therefore, is at a high risk of flooding.

### **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
TR01	Improving pedestrian facilities
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
EP19	Protected species
EP22	Protection of agricultural land
EP25	Development and waste water
EP29	Contaminated land
EP30	Development within floodplains

#### **Draft Fylde Local Plan to 2032 – Revised Preferred Option:**

DLF1 – Development Locations for Fylde

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

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

#### **Site Constraints**

Within countryside area

### **Environmental Impact Assessment**

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended), but does not exceed the threshold in Column 2 of the table relating to category 10(b) developments. Therefore, it is not Schedule 2 development for the purposes of the Regulations and, accordingly, is not EIA development.

### **Analysis**

#### **Principle of development:**

With respect to the principle of development, objectors have raised concerns regarding the mix of uses proposed, the location, size and pattern of development, the site's sustainability credentials and conflicts with the emerging Local Plan. Each of these issues are, amongst others, addressed in turn below.

*Mix of uses:*

When originally submitted, the application sought permission for a mixed-use development of 25 dwellings and five light industrial units delivering up to 950 square metres of class B1(c) floorspace. Amended plans were received on 2 June which indicate the following amendments to the scheme:

- The omission of all the industrial floorspace in order that the development now seeks permission for 25 dwellings only.
- The deletion of the second access point to the southwest corner of the site originally proposed to act as a separate access to the industrial units.
- The inclusion of a ghost island right hand turn lane into the site from Garstang Road.
- The omission of a Toucan crossing and inclusion of pedestrian refuges at two locations along Garstang Road.
- The inclusion of a swale and wildlife garden forming a strip of landscaping alongside the main estate road.

The application is to be considered in accordance with the amended plans and, accordingly, any concerns regarding the industrial units have been resolved by virtue of their exclusion from the scheme. The supporting reports have also been updated to reflect the revisions.

*Policy context and the emerging Local Plan:*

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 indicates that development proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for Fylde comprises the saved policies of the Fylde Borough Local Plan (2005). However, paragraph 215 of the NPPF makes clear that, where there is conflict with between the policies in the Local Plan and the Framework, the NPPF should prevail.

As outlined at paragraph 14, the underpinning principle embedded within the NPPF is a presumption in favour of sustainable development. In terms of decision taking, this means:

- approving development proposals that accord with the development plan without delay; and
- (i) where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the] Framework taken as a whole; or
  - specific policies in [the] Framework indicate development should be restricted.

A number of objectors have made reference to policies contained within the emerging Local Plan, having particular regard to Little Eccleston's ranking in the settlement hierarchy and an indication that development will be permitted "in exceptional circumstances only and limited to infill plots and the re-use of existing buildings". Reference is also made to the Council's Strategic Housing Land Availability Assessment (SHLAA).

In terms of the references made to the emerging Local Plan, the citations by objectors are taken from the June 2012 'Issues and Options' version of the document. This has now been superseded by the Preferred Options version of the emerging Local Plan. The latest (draft) version of the Revised Preferred Options Local Plan (RPO – dated June 2015) does not include the same restrictions to development in rural areas. Specifically, policy DLF1 makes allowances for residential development on windfall and small, non-strategic sites (those between 10 and 99 dwellings) within and adjacent to rural settlements. Table 3 at paragraph 7.83 of the RPO (shown in Figure 1 below) identifies the

number of homes to be completed outside the Strategic Locations for Development during the emerging plan period. This includes provision for 25 dwellings within Little Ecclestone. It is noted that the comments from the Council’s Planning Policy Service identify the site of Sunnydale Nurseries as the non-strategic site which is intended to deliver this number of dwellings.

**Table 3: Housing Delivery located outside the Strategic Locations for Development**

<u>Settlement</u>	<u>Homes completed during Plan period</u>
Staining	141
Wrea Green	157
Freckleton	26
Singleton	15
Weeton	20
<b>Other non-settlements</b>	
Little Ecclestone	25
Greenhalgh	17

Figure 1 – Extract from RPO.

With respect to the SHLAA, the latest document (published October 2012) does not include the application site (though this significantly pre-dates the RPO). Table 6 of the document does, however, highlight that Little Ecclestone has a potential capacity for expansion in the order of 50 dwellings. Appendix 2 identifies two sites (LE07 and LE08) where these dwellings could be delivered as follows:

Ref	Address	Dwelling yield	Deliverability/Developability
LE07	Land rear of Cartford House, Cartford Lane, Little Ecclestone	12	Settlement Extension-Potentially Suitable
LE08	Land off Cartford Lane, Little Ecclestone	38	Settlement Extension-Potentially Suitable

Whilst the SHLAA does not, in itself, form an allocations Development Plan Document, it indicates the potential for a degree of residential development within Little Ecclestone through the modest expansion of the village, notably in excess of that proposed by this application and in the RPO.

*Sustainability:*

It is recognised that Little Ecclestone occupies a rural location to the periphery of the Borough away from major settlements and, in addition, lacks a number of public amenities. The application site falls outside the settlement boundary defined on the FBLP Proposals Map and is located in the Countryside Area. This does, however, need to be balanced with the positive sustainability credentials of the development and also considered in the context of the Borough’s current housing land supply position.

Policy SP 2 indicates that, in Countryside Areas, development will only be permitted where it falls

into 5 categories. None of these categories are applicable to the proposed development and, accordingly, there is conflict with policy SP2 in this regard. The FBLP indicates that the only circumstance where housing would be permissible within the countryside area would be in the case of rural exception sites for affordable housing in accordance with the provisions of policy HL3. However, this approach to resist private market housing in the countryside area cannot be considered to be up-to-date (and, accordingly, sustainable) for the purposes of the NPPF where a Local Planning Authority is unable to demonstrate a 5 year supply of housing. Indeed, paragraph 55 of the NPPF supports the principle of sustainable housing developments in rural areas, indicating that “housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances”.

Having specific regard to residential developments, paragraph 47 of the NPPF requires Local Planning Authorities to *“boost significantly the supply of housing”* in order to *“provide five years worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”*. Paragraph 49 of the NPPF states that: *“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”*.

The Council is presently unable to demonstrate a 5 year supply of housing land. The Council’s most recent five year housing land supply position statement (dated December 2013) indicates that it is able to demonstrate a supply equivalent to 4.5 years (including a 20% buffer to deal with a period of persistent under delivery). Therefore, the absence of a 5 year supply places policy SP2 (and, allied to this, the approach in policy HL3) in conflict with the NPPF.

The Council has been successfully challenged at a number of recent appeals where it has sought to resist housing within the countryside area as a matter of principle. For example, in allowing an appeal for a residential development of 30 dwellings within the countryside area at Kings Close, Staining (appeal ref APP/M2325/W/14/2220410), paragraphs 8, 30, 31 and 32 of the Inspector’s decision identify that:

- It is common ground between the main parties that there is not a five year supply of housing land in Fylde. I note that the Fylde District Group of the Campaign to Protect Rural England (CPRE) disputes this position, but I am satisfied that the evidence before me supports the view expressed in the statement of common ground. Accordingly, having regard to paragraph 49 of the National Planning Policy Framework (NPPF), relevant policies for the supply of housing cannot be considered to be up-to-date.
- The provision of additional housing in a Borough which does not have a five year land supply [is a] significant social benefit.
- Policies in the Local Plan concerning the supply of housing are out-of-date. In this situation, paragraph 14 of the NPPF explains that the presumption in favour of sustainable development means granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits, or policies in the NPPF indicate that development should be resisted.
- The proposal would cause moderate harm to the character and appearance of the area, thereby conflicting with Policy HL2 of the Local Plan. By virtue of the site’s location beyond the limits of development there is also conflict with Policy SP2, although given the

acknowledged need for some housing to be built in countryside areas and that the limits of development, in representing a mechanism for the supply of housing, are out-of-date, this is a matter of limited weight. On the other side of the balance, the provision of additional housing and affordable homes both carry significant weight. I conclude that the benefits of the proposal would not be significantly and demonstrably outweighed by the adverse effects, but that they would outweigh the harm identified. Accordingly the proposal would comply with the approach to sustainable development set out in paragraph 14 of the NPPF.

Given the above, reasons for refusal which, in effect, seek to place a moratorium on housing development within the countryside area in accordance with the provisions of out-of-date policy SP2 will not be sustainable. Therefore, despite conflicting with FBLP policy SP2, the release of windfall housing sites in the countryside area is, in principle, permissible in accordance with paragraphs 47 and 49 of the NPPF providing that there are no overriding policy or other material considerations to indicate that development should be resisted for other reasons.

The eighth bullet point to paragraph 17 of the NPPF indicates that one of the Framework's core planning principles is to:

- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Previously developed land is defined in Annex 2 of the NPPF as follows:

- "Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time".

The majority of the site is currently occupied by either buildings or hardstandings associated with the existing nursery business. Exceptions to this include the pond and surrounding greenspace to the northeast corner and the grass verge to the southwest corner alongside Garstang Road. Nevertheless, the extent of built development on the site means that most of the site area constitutes previously developed land for the purposes of the definition in the NPPF. Therefore, the re-use of brownfield land weighs heavily in favour of the scheme, particularly as this would avoid the need for the release of greenfield land within the Open Countryside.

Criteria (7) of FBLP policy HL2 states that planning applications for housing will be permitted where they *"are in a sustainable location having regard to the local availability of shops, schools, employment sources, public transport and other community facilities"*.

It is inevitable that sites within the countryside will not benefit from the same accessibility to services as those within the urban area. It does not, however, follow that all development within the rural area is always unsustainable and, as acknowledged at paragraph 55 of the NPPF, the introduction of housing in rural areas is capable of enhancing the vitality of rural communities by supporting local shops and services elsewhere. Whilst Little Eccleston lacks any substantial shops and services (the only provision being the Cartford Inn Public House at the bottom of Cartford Lane), it is located within comfortable walking distance of Great Eccleston (being approximately 650m from the village centre). Great Eccleston is a larger village which includes a number of shops and services

of a scale to serve local need including a convenience store, other specialist shops, churches, pubs, health facilities and two primary schools. The close proximity of the two settlements means that they are closely allied to one another with respect to sharing services. Whilst objectors consider that facilities in Great Eccleston are oversubscribed, no specific evidence of this has been provided and, having particular regard to schools, it is noted that LCC have not requested any contribution towards education on the basis of a deficiency in school places (either at present or arising as a result of the development).

In accordance with paragraph 55 of the NPPF and FBLP policy HL2, the development is capable of being adequately served by facilities in Great Eccleston and would support and enhance the vitality of shops and services in the adjacent village. Future occupiers would not be reliant on car-borne journeys in order to access these facilities and pedestrian access to Great Eccleston would also be enhanced as part of the scheme through the introduction of two pedestrian refuges providing crossing points over Garstang Road. Accordingly, the development would not result in the provision of isolated homes in the countryside in conflict with the NPPF.

*Location, size and pattern of development:*

Paragraph 17 of the NPPF set outs core land-use planning principles which should underpin decision-taking. The fifth bullet point states that planning decisions should:

- “take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it”.

Criteria (1), (2) and (3) of FBLP policy HL2 state that planning applications for housing will be permitted where they are:

- Acceptable in principle and compatible with nearby and adjacent land uses;
- In keeping with the character of the locality in terms of scale, space around buildings, materials and design; and
- Developed at a net density of between 30-50 dwellings per hectare.

In addition, policy HL6 indicates that well designed housing schemes which respect the character of the area will be permitted. Proposals which involve poor designs and/or layouts which would prejudice the character of the area will not be permitted.

The site occupies a prominent location fronting onto Garstang Road on the edge of the settlement boundary to the western periphery of Little Eccleston. The site is located between a ribbon of housing fronting onto Blackpool Old Road to the east and a caravan park which follows a rectangular parcel of land running in a north-south direction to the west. A pair of semi-detached houses lie to the southwest corner of the site and a row of five dwellings and a second caravan park are located on the opposite side of Garstang Road.

The site boundaries are formed by established trees and hedging to the northern, eastern and southern perimeters, with an access track to Wyre View intervening with the caravan park alongside the site's western boundary. These boundaries, combined with the extent of built development on the site and its relationship to surrounding buildings, form a physical connection with the remainder of the village and visual segregation between the site and areas of adjoining open countryside, most notably that beyond the treeline to the north. The site's relationship with and connection to other built development within Little Eccleston means that it forms part of the Y-shaped pattern of development and does not sit outside or in isolation to the remainder of the settlement.

A number of objectors have raised concerns with the size of the development, opining that the number and density of dwellings proposed would result in a disproportionate enlargement to the settlement – specifically a 25% enlargement has been mentioned. Excluding caravan pitches and non-residential buildings, the Ordnance Survey plan indicates the presence of some 126 dwellings in Little Eccleston. Therefore, the development of 25 dwellings on the site would result in a 20% enlargement to the village with respect to the number of houses. In terms of density, the site area is 1.9 hectares. The submitted plans indicate that 0.41 hectares of this is to be given over to open space, leaving a net developable area of 1.49 hectares and, resultantly, a housing density of 16.8 dwellings per hectare. Whilst this falls significantly below the density range identified in FBLP policy HL2, lower densities such as this are considered to be appropriate in order to preserve rural character in accordance with paragraph 47 of the NPPF which states that housing densities should reflect local circumstances.

Whilst there is no definition in the FBLP or NPPF as to what will be considered to constitute an appropriate (or inappropriate) extension to an existing village, a development which follows the pattern of an existing settlement, is physically connected to it, is already previously developed, does not encroach beyond established boundaries and is capable of delivering a layout which is compatible with the density and character of surrounding housing, can be seen as a proportionate extension by reason of its size.

*Conclusion regarding principle:*

The site lies within the Countryside Area and outside the settlement boundary of Little Eccleston as identified on the FBLP Proposals Map. The proposed residential development does not fall within any of the categories of appropriate development outlined in FBLP policy SP2 and, accordingly, is in conflict with this policy. However, given the absence of a five year supply of housing land within the Borough, policy SP2 is out-of-date and is in conflict with the NPPF. As a result, little weight can be attached to this policy in the decision making process. The site is allocated as a non-strategic development location in the latest revision of the Preferred Options Local Plan (June 2015). Whilst the draft version of the emerging Local Plan has not yet been subject to formal public consultation or examination and, accordingly, carries limited weight in the decision making process, it establishes the principle of allowing a limited amount of residential development on the edge of Little Eccleston.

As has been demonstrated through numerous appeals, the principle of housing development cannot be resisted in the Countryside Area providing that it is sustainable in all other respects and that no other demonstrable harm would arise as a result of the development. It is considered that the scheme would result in an appropriate and proportionate extension on the edge of the village of Little Eccleston and would deliver several benefits which, in combination, weigh heavily in favour of the development. In particular, the proposal would:

- Make efficient use of previously developed (brownfield) land on the edge of the settlement and would not encroach onto surrounding open countryside outside the built-up area of the village.
- Make a valuable contribution to the supply of housing within the Borough in the absence of a five year supply.
- Result in an extension of the settlement which, by virtue of its size, scale and density, would be compatible with the rural character and setting of the existing village, and would not result in isolated homes in the countryside.
- Be accessible to shops and services in Great Eccleston located within comfortable walking distance of the site, including enhancing their vitality and viability.

Given the above, it is considered that the principle of development is acceptable, having particular regard to the core planning principles (paragraph 17) and the requirements of paragraphs 47, 49 and 55 of the NPPF, and FBLP policy HL2.

#### Loss of agricultural land:

The site is designated as grade 2 (very good quality) agricultural land on the Agricultural Land Classification Map. Paragraph 112 of the NPPF stipulates that:

- “Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality”.

In addition, FBLP policy EP22 states that development will not be permitted which would involve the permanent loss of the best and most versatile agricultural land (grades 1, 2 and 3a) where it could reasonably take place on previously developed sites, on land within the boundaries of existing developed areas or on poorer quality agricultural land. Policy EP22 identifies that there is no Grade 1 agricultural land within the borough and, resultantly, Grades 2 and 3a will be considered the best and most versatile (BMV).

The Agricultural Land Classification Map is based on the Ministry of Agriculture, Fisheries and Food Soil Survey of England and Wales 1969 which is intended for strategic purposes. This map is not sufficiently accurate for use in the assessment of individual sites. In this case, the Grade 2 classification covers the whole of Little Eccleston and a substantial section of the built-up area of Great Eccleston. Moreover, as the site is already previously developed and not in agricultural use, the proposal would not result in the loss of the Borough’s BMV agricultural land, having particular regard to the scheme’s compliance with the intention of FBLP EP22 to direct development onto previously developed sites which are not in agricultural use. Therefore, there is no conflict with the requirements of FBLP policy EP22 and the NPPF in this case.

#### Visual and landscape impact:

The site is located between housing forming a ribbon of development on Blackpool Old Road to the east and a caravan park to the west. Boundaries are characterised by established trees and hedgerows along the northern, eastern and southern perimeters, and scattered planting along the western boundary adjacent to the caravan park. A man-made pond encircled by grassland is located to the northeast corner of the site.

Paragraph 17 of the NPPF set outs core land-use planning principles which should underpin decision-taking. The fifth bullet point states that planning decisions should:

- “take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it”.

Criterion (5) of FBLP policy HL2 states that planning applications for housing will be permitted where they:

- Maintain or enhance biodiversity in the locality and retains or replaces important features and habitats including trees, hedgerows, woodlands, ponds and watercourses.

Policy EP10 indicates that the distinct character and important habitats of Fylde will be protected. The policy identifies that particular priority will be given to the protection of important landscape and habitat features, including sand dunes, mud flats, marine marshes, beaches, broadleaved woodland, scrub meadows, hedgerows, wetlands, ponds and watercourses.

Policy EP11 states that new development in rural areas should be sited in order that it is in keeping with the distinct landscape character types and features defined in policy EP10. Development should be of a high standard of design and matters of scale, features and building materials should reflect the local vernacular style.

Policy EP12 states that trees and hedgerows which make a significant contribution to townscape or landscape character, quality and visual amenity will be protected and EP18 encourages, where possible, the retention/replacement of existing natural features and, where appropriate, the introduction of additional features as part of the development.

Policy EP14 requires new housing developments to make suitable provision for landscape planting.

Whilst the site is not subject to any specific landscape designations, it contains features listed in FBLP policy EP10 – specifically hedgerows and ponds – which it would be beneficial to retain and incorporate into the development layout. In particular, the row of mature trees which provide a linear belt along Garstang Road and the hedgerow behind form prominent landscape features and a soft edge to the road. Similarly, existing vegetation to the northern boundary provides visual relief and separation with open land beyond where the built-up area of the village transitions into open countryside.

The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) which considers the development's impact on landscape character and views from surrounding receptors. The LVIA concludes that the development's effects in both respects would be no more than "moderate". The LVIA does, however, outline an indicative landscape strategy to reduce its impact through "the provision of improved boundary planting and further tree planting within the site". In particular, this strategy provides for:

- The retention of all existing hedges along the eastern, southern and western boundaries;
- The retention of all existing trees along the southern and northern boundaries;
- The introduction of landscaped buffers in the form of additional tree planting alongside the western site boundary and adjacent to the southern and western edges of the pond;
- The creation of a wildlife habitat to the northern and eastern edges of the pond.
- The formation of a tree-lined gateway into the site along the main estate road into the site including a swale and wildlife garden along the eastern flank.

The indicative landscape strategy in the LVIA would ensure the retention of important landscape features which occur within the site as required by FBLP policies HL2, EP10, EP11, EP12 and EP18, and further strengthening of these features through the provision of additional planting.

Objectors have referred to the increased height and prominence of the proposed dwellings in comparison to the existing nursery buildings. Despite the presence of a hedgerow and trees along the southern boundary with Garstang Road, the existing single storey concrete block/steel clad building to the eastern end and adjoining glasshouses to the west are prominently in view when travelling along the highway.

Whilst details relating to layout shown on the illustrative masterplan are indicative only, scale parameters indicate a maximum building height of three storeys (the third storey to be provided in

the roof), with the majority of dwellings to be two storeys in height. Although the new dwellings would be taller than the existing nursery buildings, the proposal would result in a reduction in the overall massing of built development on the site and a more spacious layout with larger areas of open space and additional planting when considered in comparison to the existing nursery which forms a continuous, rectangular block. The new dwellings would follow the prevailing two-storey height of adjacent properties to the southwest corner of the site (Sunnydale Cottages) and to the east on Blackpool Old Road, including those backing onto Garstang Road. Houses on the opposite side of Garstang Road occupy a recessed position set back from the highway and the indicative layout demonstrates that the development is capable of incorporating a similar arrangement to provide appropriate separation with the highway in order that it would not appear unduly dominant or obtrusive when viewed from vantage points along the A586 in conjunction with surrounding dwellings.

The proposal would result in the redevelopment of a previously developed site on the western edge of the settlement. Whilst the scheme would alter the existing character of the site with respect to building scale, height, layout, style and massing, it would be contained wholly within the established boundaries of Sunnydale Nurseries (defined by existing boundary treatments) and, accordingly, would not encroach into open countryside. Moreover, the development would also have positive visual effects through the strengthening of existing planting, an overall reduction in massing in comparison to the existing nursery buildings and the provision of a spacious, low-density layout appropriate to its rural setting. Therefore, appropriate measures can be provided as part of the scheme in order to ensure that the development is sympathetically assimilated into the surrounding landscape. An appropriate condition has been recommended requiring any future application for reserved matters to demonstrate compliance with the principles of the submitted landscape strategy in order to satisfactorily minimise its visual impact. Accordingly, the proposal is considered to be in compliance with the requirements of FBLP policies HL2, EP10, EP11, EP12, EP14 and EP18, and the NPPF.

#### Relationship with surrounding development:

Criterion (4) of FBLP policy HL2 states that planning applications for housing will be permitted where they “would not adversely affect the amenity and privacy of neighbouring properties”.

The site lies adjacent to dwellings on Blackpool Old Road to the east and on the opposite side of Garstang Road to the south, and alongside a group of static caravans on Queensgate Park to the west. Houses on Blackpool Old Road are orientated at an oblique angle to the site, with the closest of these (Flonora) – a bungalow to the east – following a northeasterly orientation with its garden backing onto the pond. Garstang Road forms a prominent intervening feature with dwellings to the south and the existing pair of semis (Sunnydale Cottages) are contained on a modest land parcel to the far southwest corner of the site and benefit from enclosed gardens. Static Caravans to the west are orientated at right angles to the site and are separated from it by intervening hedging and an access track. Single dwellings to the northwest (Wyre View) and east (The Bungalow) are located a substantial distance from the site and are extensively screened by existing planting which is to be retained as part of the scheme.

The proposed development would be compatible with the prevailing residential character of surrounding buildings and would not introduce any noise-generating uses which would have implications for adjoining occupiers with respect to additional noise and disturbance. The development is capable of achieving an appropriate relationship with surrounding properties in order that it would have no undue impact on the privacy and amenity of adjoining occupiers through overlooking, overshadowing, loss of outlook or any other nuisance for the purposes of FBLP policy

HL2. Such detailed issues will, however, require further consideration at reserved matters stage.

#### Highways:

The third bullet point to paragraph 32 of the NPPF states that, decision makers should take account of whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Criteria (9) of FBLP policy HL2 indicates that planning applications for housing will be permitted where they would have satisfactory access and parking and would not have an adverse effect on the safe and efficient operation of the highway network, either individually or cumulatively with other permitted developments.

In addition, criteria (2) and (5) of policy TR1 encourage the improvement of facilities for pedestrians to promote walking as an alternative means of travel through:

- The provision of comprehensive high quality pedestrian facilities which will be attractive to pedestrians within and between new developments and between new development and public transport routes and stops;
- The provision and maintenance of direct pedestrian routes to local shopping centres, schools and other community facilities.

The application is accompanied by a Transport Statement (TS) which considers the development's impact on the surrounding highway network and its accessibility by modes of transport other than private car.

#### Access:

The site is to be accessed via a single opening forming a priority ('give way') junction onto Garstang Road. The development would reuse the existing access to the nursery, with this opening to be adapted for residential traffic. A dedicated right hand turn lane with a ghost island approach would be provided to the centre of the carriageway to facilitate access for vehicles travelling westbound along Garstang Road. Visibility splays of 65m x 2.4m (looking east) and 140m x 2.4m (looking west) would be achieved at the junction. The site access would merge with a 4.8m estate road.

A number of improvements would be made to the existing highway infrastructure in order to facilitate safe and convenient access to the site and to ensure that the development's impact is satisfactorily mitigated. These include:

- The formation of a ghost island right hand turn lane into the site along the westbound carriageway of Garstang Road.
- The introduction of two pedestrian refuges forming central 'islands' within the carriageway of Garstang Road at the following locations:
  - Adjacent (to the immediate west) to the ghost island right hand turn lane into the site.
  - Between the two ghost island right hand turn lanes at the junction of Garstang Road with Blackpool Old Road and the B5293 (High Street), approximately 425 m to the east of the site.

In addition to ensuring a dedicated access for vehicles, the above infrastructure improvements would enhance the site's accessibility for pedestrians through the provision of refuges to form crossing points at two locations along Garstang Road – one immediately outside the site and a

second further to the east near the junction of Garstang Road and High Street in order to allow improved pedestrian access into Great Ecclestone.

The proposed infrastructure improvements would ensure safe and convenient access for vehicle traffic and would provide enhanced accessibility for pedestrians, both adjacent to and further away from the site. An appropriate condition has been recommended to secure the implementation of the proposed infrastructure improvements before any of the dwellings are first occupied.

The TS also considers the development's accessibility by non-car based journeys including walking, cycling and public transport, concluding as follows:

- Great Ecclestone falls within an 11 (western end) to 20 (eastern end) minute walking distance of the site.
- The settlements of Elswick and Great Ecclestone are within a 15 minute cycle distance of the site and there are both on and off road cycle routes providing connectivity with these settlements.
- There are bus stops opposite and adjacent to the site which provide an hourly service between Lancaster and Blackpool (no. 42) and between St Annes and Blackpool (no. 76).

Given the above it is considered that there is reasonable access to other modes of transport (proportionate to the scale of development and its rural location) which is capable of reducing the number of car-borne journeys from the site and preventing it from being unduly isolated from local amenities both adjacent to and further away from the site.

#### *Traffic generation:*

The submitted Transport Statement (TS) refers to the Department for Transport's publication "Guidance on Transport Assessment" which sets out the criteria for transport assessments in new developments. The guidance identifies that, in circumstances where a development would generate less than 30 two-way vehicle trips during any one-hour period, the level of impact is likely to be sufficiently limited in order that no formal, operational assessment is required.

The two-way trip rate for the proposed development would be 20 vehicle movements per hour. As this falls below the threshold of 30 two way movements in the Department for Transport's Guidance, no operational assessment of the development's impact on network capacity is required and, accordingly, the TS concludes that the proposal would not have any severe impact on the highway network which would place it in conflict with paragraph 32 of the NPPF.

The conclusions in the TS are not disputed by LCC Highways and, therefore, it is considered that there is sufficient capacity for the development to be accommodated within the existing network (as altered via the proposed infrastructure improvements) in order that it would not have any detrimental impact on highway safety.

#### *Parking:*

The indicative layout shows each property to be served by individual driveways and garages providing in-curtilage parking at a minimum of two spaces (plus garage space). The car parking standards in Appendix 4 of the emerging local plan require a maximum provision of 2 parking spaces for 2-3 bed dwellings and 3 spaces for 4+ bed properties. Whilst indicative, the illustrative layout demonstrates that the development is capable of providing sufficient space to accommodate satisfactory off-road parking for each plot in accordance with the parking standards outlined in Appendix 4 of the emerging plan.

### *Conclusion on highway matters:*

The proposed development would deliver a number of physical improvements to highway infrastructure for both vehicle and pedestrian traffic in order to facilitate safe and convenient access to the site. Sufficient capacity would be available within the highway network (as improved) to accommodate the level of traffic generated by the development and the site is accessible by modes of transport other than private car. The illustrative layout demonstrates that satisfactory access, parking and manoeuvring arrangements can be achieved as part of the scheme. Therefore, it is considered that the development is capable of being accommodated on the site without having an adverse impact on the safe and efficient operation of the surrounding highway network, both adjacent to and further away from the site. No objections have been received from LCC Highways on transport grounds and appropriate conditions can be imposed to ensure that the development delivers the stipulated highway improvements. The proposal is therefore in accordance with the requirements of FBLP policies HL2 and TR1, and the NPPF.

### Ecology:

The third bullet point to paragraph 109 of the NPPF indicates that the planning system should contribute to and enhance the natural and local environment by:

- Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 118 of the NPPF states that, when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following (relevant) principles:

- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- Opportunities to incorporate biodiversity in and around developments should be encouraged.

FBLP policy EP19 identifies that development which would have an adverse impact upon species specifically protected under schedules 1, 5 or 8 of the wildlife and countryside act 1981, (as amended) or their habitats will not be permitted.

The application is accompanied by an ecology survey which assesses the value of existing habitats within the site and the development's potential impact on protected species, including specific surveys for badgers, bats, birds and Great Crested Newts (GCN). The report makes the following conclusions:

- Habitats on the site are generally of low ecological value. Those of the greatest value include the on-site pond and boundary hedgerows.
- There is no suitable habitat within the site for roosting bats. Visual inspections of existing buildings and emergence/re-entry surveys did not reveal the presence of roosting bats, though foraging habitat is available around the pond and hedgerows to site boundaries.
- There are 3 ponds within 250m (including that falling within the site) which have a direct habitat linkage to the site and the potential for use by amphibians. However, all 3 ponds have poor to below average habitat suitability and a detailed survey of each pond revealed no signs of GCN. In addition, there are no historic records of GCN within any of these ponds.

- There is low to moderate bird breeding potential associated with existing vegetation and a number of bird species were recorded on site. However, the existing habitat is not suitable for ground nesting birds and appropriate mitigation can be achieved by avoiding the removal of vegetation during the bird breeding season and through retention/enhancement of existing planting along the site boundaries.

Greater Manchester Ecology Unit (GMEU) have assessed the ecology appraisal and consider its methodologies and conclusions to be valid. GMEU do not consider any further surveys to be necessary prior to determining the application. Given the lack of any specific designations and the site's existing character/use, GMEU consider it to be of limited nature conservation value with low potential to support any specially protected or priority species, except for foraging bats. Habitats of local value (including the pond and peripheral vegetation, broadleaved trees and hedges) are to be retained as part of the scheme. Therefore, GMEU have raised no objection to the application on nature conservation grounds and, instead, recommend that conditions are attached to any permission granted requiring that:

- The proposed development would retain existing habitats of greatest value (namely vegetation to the perimeter and the existing pond) and would supplement these in order to provide suitable biodiversity enhancements as part of any landscaping scheme. Appropriate surveys have been carried out by a suitably qualified ecologist to demonstrate that the site is not used by any specially protected species and, accordingly, would not affect their favourable conservation status. The proposal is therefore in accordance with the objectives of FBLP policy EP19 and the NPPF, and appropriate conditions have been recommended in accordance with the advice of GMEU.

#### Flooding and drainage:

A number of objectors have suggested that the site lies within flood zone 3 and, accordingly, opine that it is at a high risk of flooding. This is not, however, the case. Instead, the site is shown to fall wholly within flood zone 1 (land with a less than 1 in 1,000 or <0.1% annual probability of river/sea flooding) as defined on the Environment Agency's Flood Map. However, as the site is over 1 hectare in area, a Flood Risk Assessment (FRA) has been submitted with the application.

Paragraph 100 of the NPPF states that "inappropriate development in areas at risk of flooding [land within Flood Zones 2 and 3; or land within Flood Zone 1 which has critical drainage problems and which has been notified to the local planning authority by the Environment Agency] should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere".

FBLP policy EP 30 indicates that development will not be permitted which would:

- Itself be subject to an unacceptable risk of flooding;
- Create an unacceptable increase in the risk of flooding within the development site, or elsewhere;
- Adversely affect the water environment as a result of an increase in surface water run-off;
- Prejudice the capability of the coast to form a natural sea defence;
- Result in excessive culverting;
- Prejudice essential access requirements to watercourses or flood defence.

The submitted FRA considers the site's risk of flooding from sources including rivers, groundwater, surface water, sewers, reservoirs, canals and other artificial sources. The FRA concludes that there is a low risk of flooding from all these sources and, as the Environment Agency's Flood Map shows the

site to be in zone 1 (that at the lowest risk of flooding), the main issue to be considered in this case is the strategy for the disposal of surface water in order that the development does not increase the risk of flooding either on the site or elsewhere.

FBLP policy EP25 stipulates that development will only be permitted where foul sewers and sewerage treatment facilities of adequate design and capacity are available to meet additional demand or their provision can be secured as part of the development.

The submitted FRA indicates that, due to the low permeability soil types across the site and the presence of public combined sewers across the southern part of the site and within Garstang Road, surface water from the existing site drains into the combined public sewer. Whilst the detailed drainage design cannot be determined until reserved matters stage (being intrinsic to the development layout), an indicative drainage strategy outlined in the FRA identifies the following principles:

- The use of permeable paving on driveways and car parking areas to store surface water.
- The installation of subterranean pipe networks beneath access roads to direct surface water towards underground attenuation tanks to be located in the vicinity of the site access onto Garstang Road.
- Measures to attenuate surface water discharge in order that the post-development rate of surface water run-off from the site does not exceed the equivalent greenfield rate (calculated at 5 litres per second).

The Environment Agency, LCC (as the lead local flood authority) and United Utilities have been consulted on the application. Whilst United Utilities and LCC have indicated that the applicant should explore alternative (sustainable drainage) options to direct surface water away from the combined sewer network, no objections have been received with respect to the principle of development. Instead, conditions have been recommended requiring submission of a detailed drainage strategy to limit the rate of surface water discharge from the site to the equivalent greenfield rate of 5 litres per second and, in the case of United Utilities and LCC, that no surface water drains to the combined sewer unless it can be demonstrated that there is no suitable alternative. An appropriate condition is recommended in this regard in accordance with the advice of the relevant consultees. Therefore, adequate measures can be put in place to ensure that the development poses no unacceptable risk in terms of flooding in accordance with the requirements of FBLP policies EP25 and EP30, and the NPPF.

#### Contamination:

The fifth bullet point to paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by:

- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 121 of the NPPF indicates that planning policies and decisions should ensure that:

- the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;
- after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- adequate site investigation information, prepared by a competent person, is presented.

In addition, FBLP policy EP29 states that development on land known or suspected of being contaminated will only be permitted where:

- the proposed development is an acceptable land-use in principle;
- the applicant can demonstrate the degree of contamination, if any, and where appropriate can identify acceptable measures to remove or treat the source(s) of contamination commensurate with the proposed use;
- the treated land and the measures necessary to achieve it do not produce any unacceptable risks to human health or the wider environment, including the contamination of surface water, ground water or sewers.

The application is accompanied by a ground investigation report which identifies the potential sources of contamination on the site as:

- Existing buildings which may have been constructed in asbestos containing materials;
- Existing bituminous macadam hardstanding; and
- Spillages associated with existing fuel oils and diesel tanks and associated bunds.

The report recommends that a watching brief is implemented during the removal of the fuel tanks to ascertain whether any contamination of the underlying soils has taken place as a result of spillages. However, the Environment Agency disagree with this approach and, instead, consider that a condition should be imposed on any permission granted requiring intrusive site investigations in respect of contamination.

As the site is previously developed and has also been used for the storage of fuels, it is considered appropriate to impose a condition requiring intrusive site investigations in order to determine whether the site is contaminated and, if so, what remediation measures are necessary to address this in accordance with the advice of the Environment Agency. An appropriate condition has been recommended in this regard in order to ensure that the development does not conflict with the requirements of FBLP policy EP29 and the NPPF.

#### Other matters:

The Lancashire Constabulary have requested that conditions be attached to any permission granted requiring the dwellings to be built to Secured by Design standard and that fencing to a height of at least 1 metre is erected around the perimeter of the pond to be retained to the northeast corner of the site. Objectors have also made reference to need for the latter in the interests of the safety of future occupiers.

There is no policy justification, either nationally or locally, to support a condition requiring the dwellings to be built to Secured by Design standard. Therefore, it would be unreasonable to impose a condition to this effect. It is, however, considered appropriate to attach a condition requiring a fence to a minimum height of 1 metre to be installed to the perimeter of the pond. As identified in the supporting reports (including the FRA), the pond is relatively deep and has steep banks. Therefore, whilst it represents an attractive feature with respect to visual amenity and biodiversity, it is correct to take measures to ensure the safety of future occupiers of the development in accordance with FBLP policy HL6. A suitable condition has been recommended in this regard.

#### Developer contributions:

The Council's Interim Housing Policy (IHP) outlines the circumstances where contributions will be sought towards affordable housing, public open space and public realm improvements. As a threshold of 15 dwellings is identified, contributions towards open space and affordable housing are

applicable in this case in accordance with the IHP.

Paragraph 204 of the NPPF indicates that planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

In addition, regulation 12(d)(iv) of the Community Infrastructure Levy (Amendment) Regulations 2014 provides that, from the 6<sup>th</sup> April 2015, the use of planning obligations will be restricted where there have been five or more obligations in respect of a specific infrastructure project or a type of infrastructure which is capable of being charged under the levy. For these purposes, the pooling of contributions is backdated to those entered into on or after 6<sup>th</sup> April 2010 (paragraph 099 of the Community Infrastructure Levy chapter to the NPPG).

*Open space:*

FBLP policy TREC 17 states that, within new housing developments, the provision of amenity open space (Including facilities for children's play where appropriate) will be required in accordance with the following standards:

- 16 sq m per 1 bedroom dwelling
- 24 sq m per 2 bedroom dwelling
- 32 sq m per 3 bedroom dwelling
- 40 sq m per 4 bedroom dwelling
- 48 sq m per 5 bedroom dwelling

The policy clarifies that, where the above standards would require the provision of open space of less than 0.2 ha (2000 square metres) or where for other reasons it is agreed between the developer and the council that the open space would be better provided off site, payment of a commuted sum will be sought to help provide additional or improved open space or other recreational facilities nearby where the benefits would serve the occupiers of the new development. This is reiterated in paragraph 12 of the IHP which indicates that, in respect of proposals for 15 or more dwellings, provision for public open space can be made by the payment of a financial contribution in accordance with policy TREC 17 where public open space cannot be provided on site.

Whilst bedroom numbers will not be fixed as part of the outline, the indicative layout shows a mix of 7 three-bed, 6 four-bed and 12 five-bed houses. This would result in a requirement for 1040 square metres of open space. Whilst this falls below the threshold for on-site provision in FBLP policy TREC 17, there are no existing parks or other recreational facilities in the locality where an off-site contribution could be fairly and reasonably related to the development. Therefore, it is considered that open space should be delivered on site in this case.

The indicative layout includes an area of 4,145 square metres of open space on site. As highlighted by a number of objectors, the overall figure includes the existing pond which is to be retained. It is acknowledged that, whilst providing biodiversity enhancement and an incidental amenity feature, the pond does not form a functional area of open space. The pond has an area of approximately 1130 square metres and, accordingly, when this is discounted, the total area of open space shown on the indicative masterplan is 3,015 square metres (incorporating the open space encircling the pond and the wildlife garden alongside the estate road). Therefore, even when discounting the pond, the indicative layout shows that the development is capable of providing adequate open space on site in accordance with the requirements of FBLP policy TREC17.

### *Affordable housing:*

Paragraph 7 of the IHP requires that, for proposals of 15 or more dwellings, 30% of the houses should meet the definition of affordable housing in the NPPF. Therefore, the proposed development for up to 25 dwellings would generate a requirement for up to 7 dwellings on the site to be offered as on-site affordable homes. The developer has agreed to make this on-site provision through planning obligation in accordance with the requirements of the IHP.

### *Education:*

Paragraph 72 of the NPPF indicates that:

- The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools.

In addition, policy CF2 of the FBLP states that the Council will negotiate agreements with developers, through planning obligation, to ensure the provision of additional primary and secondary school places which will be needed as a result of new housing development in the Borough.

Objectors have referred to a lack of capacity in nearby primary schools in order to accommodate the increase in pupil numbers which would arise as a result of the scheme. However, LCC have not requested any contribution on the basis of an identified deficiency in the provision of new school places in the locality and, accordingly, there is no conflict with the requirements of FBLP policy CF2 and the NPPF in this respect.

A resolution is included below which requires a planning obligation to be entered into to secure recreational open space and affordable housing in accordance with the provisions of FBLP policy TREC17 and the IHP.

### **Conclusions**

The proposed residential development represents a proportionate extension to the village on a previously developed site located to the edge of Little Ecclestone between pockets of development to either side. The scheme would follow the pattern of built development on the periphery of the settlement and would be contained within the established boundaries of Sunnydale Nurseries in order that it would not result in encroachment into the open countryside. Whilst the site is located outside the settlement boundary and within the Countryside Area as defined on the Fylde Borough Local Plan Proposals Map, the Council is presently unable to demonstrate a five year supply of housing land and, accordingly, the principle of residential development within the Countryside Area cannot be resisted where the development is sustainable in all other respects.

The scheme would not result in the loss of the Borough's best and most versatile agricultural land and there are no other landscape designations to restrict its development for housing. The proposal, by virtue of the size, scale, density and number of dwellings proposed, and its relationship to the urban fringe of the village, would not have any significant adverse effects on landscape character or quality, and appropriate mitigation can be introduced as part of the scheme in order to minimise its impact in this regard. Satisfactory arrangements (including infrastructure improvements) would be made for vehicle access, parking and manoeuvring in order that the development would not have a

detrimental impact on the safe and efficient operation of the surrounding highway network, either adjacent to or further away from the site. Enhanced provision would also be made for pedestrian access and greater connectivity between the settlements of Little Eccleston and Great Eccleston.

The proposal would result in an acceptable relationship with surrounding uses and appropriate mitigation can be provided to ensure that the development would have no adverse impacts in terms of ecology, flooding, drainage and contamination. Appropriate contributions would also be secured in respect of open space and affordable housing to make the development acceptable in planning terms. The proposal is therefore considered to represent sustainable development in accordance with the requirements of the relevant policies of the National Planning Policy Framework and the Fylde Borough Local Plan.

### **Recommendation**

That, PLANNING PERMISSION be granted subject to the completion of a Section 106 agreement in order to secure:

- The provision of open space on site in accordance with the standards set out in Fylde Borough Local Plan policy TREC17.
- The provision, tenure, delivery mechanism, occupation criteria and phasing of 30% of the dwellings to be offered as affordable housing (as defined in the National Planning Policy Framework) on site in accordance with the requirements Fylde Borough Council's Interim Housing Policy (as revised 13 February 2013).

(Note: The agreement will be expected to meet the full amounts quoted above in all cases, unless a viability appraisal has been agreed with the Local Planning Authority)

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

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

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

2. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development is commenced:- the layout of the development, the scale and external appearance of the buildings and the landscaping of the site.

Reason: The application is granted in outline only under the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

3. This permission relates to the following plans:

- Drawing no. 1430/LP1 Rev A – Location plan.
- Drawing no. 1430/14 Rev B – Proposed access with additional context.
- Drawing no. 1430/15 Rev C – Illustrative site plan.

Notwithstanding the requirements of condition 2 of this permission, any application for reserved matters shall accord with the outline permission insofar as it relates to matters of access.

Reason: The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015. Access has been applied for and any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission.

4. No development shall take place until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

- (i) a survey of the extent, scale and nature of contamination
- (ii) an assessment of the potential risks to:
  - human health;
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
  - adjoining land;
  - groundwaters and surface waters;
  - ecological systems;
  - archaeological sites and ancient monuments.
- (iii) where unacceptable risks are identified, an appraisal of remedial options and proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the apartments hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Fylde Borough Local Plan policy EP29 and the National Planning Policy Framework.

5. Details of finished floor levels and external ground levels for each plot shall be submitted to and approved in writing by the Local Planning Authority before any development at that plot takes place. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: In order to ensure a satisfactory relationship between the new dwellings and their surroundings (including buildings and the street scene) and to ensure that the development is not at risk of flooding in accordance with the requirements of Fylde Borough Local Plan policies HL2 and EP30, and the National Planning Policy Framework.

6. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site, which gives priority to the use and principles of sustainable drainage systems, has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- (i) separate systems for the disposal of foul and surface water, including measures to ensure that no surface water drains directly or indirectly to the public foul/combined sewer;

- (ii) a detailed drainage strategy to demonstrate that the post-development surface water discharge rate to any soakaway, watercourse or sewer does not exceed the equivalent greenfield rate of 5 litres per second (as calculated in the Flood Risk Assessment by Thomas Consulting – ref P5225 issue 2). The drainage strategy shall include information regarding: (a) the peak surface water runoff rate from the development for the 1 in 30 year and 1 in 100 year rainfall event (+30% climate change allowance); (b) site investigation and test results to confirm infiltration rates; and (c) details of temporary storages facilities and flow attenuation measures (including the use of SUDS where appropriate) to delay/control the rate of surface water discharge from the site;
- (iii) details of the measures taken to prevent flooding and pollution of any receiving groundwater and/or surface waters (including watercourses) and of any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (including refurbishment of existing culverts and headwalls or removal of unused culverts where applicable);
- (iv) flood water exceedance routes, both on and off site;
- (v) a timetable for implementation, including any phasing of works.

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

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Fylde Borough Local Plan policies EP25 and EP30, and the National Planning Policy Framework.

7. None of the dwellings shall be first occupied until details of a management and maintenance scheme for any sustainable drainage system required by condition 6 of this permission has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover the full lifetime of the drainage system and, as a minimum, shall include:
- (i) arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Residents' Management Company.
  - (ii) arrangements concerning funding mechanisms for the ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) to include elements such as:
    - a. on-going inspections relating to performance and asset condition assessments.
    - b. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets.
    - c. any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
  - (iii) means of access for maintenance and easements.

The drainage system shall be installed in accordance with the details in the duly approved scheme before any of the dwellings are first occupied, and shall be managed and maintained as such thereafter.

Reason: To ensure that satisfactory measures are put in place for the management and maintenance of any sustainable drainage system throughout the lifetime of the development, to

minimise the risk of flooding and to limit the potential for surcharging of the sewer network in accordance with the requirements of Fylde Borough Local Plan policies EP25 and EP30, and the National Planning Policy Framework.

8. Notwithstanding the requirements of condition 3 of this permission, no development shall take place until a scheme for the design (including provision of an adequate visibility splay at the junction with Garstang Road), construction, drainage and lighting of the site access (the layout of which is shown on drawing no. 1430/15 Rev C) has been submitted to and approved in writing by the Local Planning Authority. The site access shall be constructed in full accordance with the duly approved details and made available for use before any of the dwellings hereby approved are first occupied, and the visibility splay kept free of any obstructions over 0.6 metres in height thereafter.

Reason: To ensure safe and convenient access to the site for vehicular traffic and to achieve a satisfactory standard of engineering works in accordance with the requirements of Fylde Borough Local Plan policy HL2 and the National Planning Policy Framework.

9. None of the dwellings hereby approved shall be first occupied until the following highway improvement works (as shown on drawing nos. J481/Access/Fig1 and J481/Offsite/Fig2 appended to the Transport Statement by DTPC ref J481/TS Rev A) have been implemented and made available for use in accordance with details (including their siting, layout, design, construction, lighting and drainage) which have first been submitted to and approved in writing by the Local Planning Authority:

- (i) The provision of a ghost island right hand turn lane for westbound vehicles entering the site from Garstang Road.
- (ii) A pedestrian crossing over the carriageway of Garstang Road in the position shown on drawing no. J481/Access/Fig1.
- (iii) A pedestrian crossing over the carriageway of Garstang Road in the position shown on drawing no. J481/Offsite/Fig2.

Reason: In order to secure improvements to the highway network to ensure safe and convenient access and circulation for vehicle traffic and enhanced provision for pedestrian access to the site and the adjacent settlement of Great Eccleston in the interests of road safety in accordance with the requirements of Fylde Borough Local Plan policies HL2 and TR1, and the National Planning Policy Framework.

10. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include details of the following: - (i) hours for site preparation, delivery of materials and construction; (ii) the parking of vehicles of site operatives and visitors; (iii) loading and unloading of plant and materials; (iv) storage of plant and materials used in constructing the development; (v) the erection and maintenance of security hoarding; (vi) wheel washing facilities; (vii) measures to control the emission of dust and dirt during construction; and (viii) a scheme for recycling/disposing of waste resulting from construction works. The duly approved CMS shall be adhered to throughout the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings during the construction of the development in accordance with the requirements of Fylde Borough Local Plan policies HL2 and EP27, and the National Planning Policy Framework.

11. Any application which seeks approval for the reserved matter of landscaping pursuant to condition

2 of this permission shall include a scheme which demonstrates compliance with the principles of the 'Landscape Strategy' Annexed as "Plan 3" to Appendix 3 of the Landscape and Visual Impact Assessment by Urban Green – ref 29<sup>th</sup> May 2015 Rev B. The scheme shall include, but not be limited to, the following details (as shown indicatively on 'Plan 3')

- (i) the extent of existing hedgerows and other vegetation to be retained;
- (ii) a compensatory planting scheme to replace any trees, shrubs or hedgerows to be removed as part of the development;
- (iii) the introduction, retention and/or strengthening of landscaped buffers along all boundaries of the site;
- (iv) the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i) to (iii);
- (v) the type, size, species, siting, planting distances and the programme of planting of hedgerows, trees and shrubs.

The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedgerows or shrubs removed, dying, being severely damaged or becoming seriously diseased within three years of planting shall be replaced by trees, hedgerows or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that a suitable landscaped buffer is introduced between the site and adjoining land in order to soften the development's visual impact on the open countryside and surrounding occupiers, and to ensure the introduction of appropriate compensatory landscaping, habitat replacement and biodiversity enhancement as part of the development in accordance with the requirements of Fylde Borough Local Plan policies HL2, EP10, EP12, EP14, EP18, EP19 and the National Planning Policy Framework.

12. No development shall take place until a Construction Exclusion Zone has been formed around the Root Protection Areas of those trees/hedgerows identified as being retained as part of the landscaping scheme submitted pursuant to condition 10. The Construction Exclusion Zone shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012 and shall be maintained as such during the entirety of the construction period.

Reason: To protect existing trees and hedgerows to the periphery of site which are to be retained as part of the development in accordance with the requirements of Fylde Borough Local Plan policy EP12.

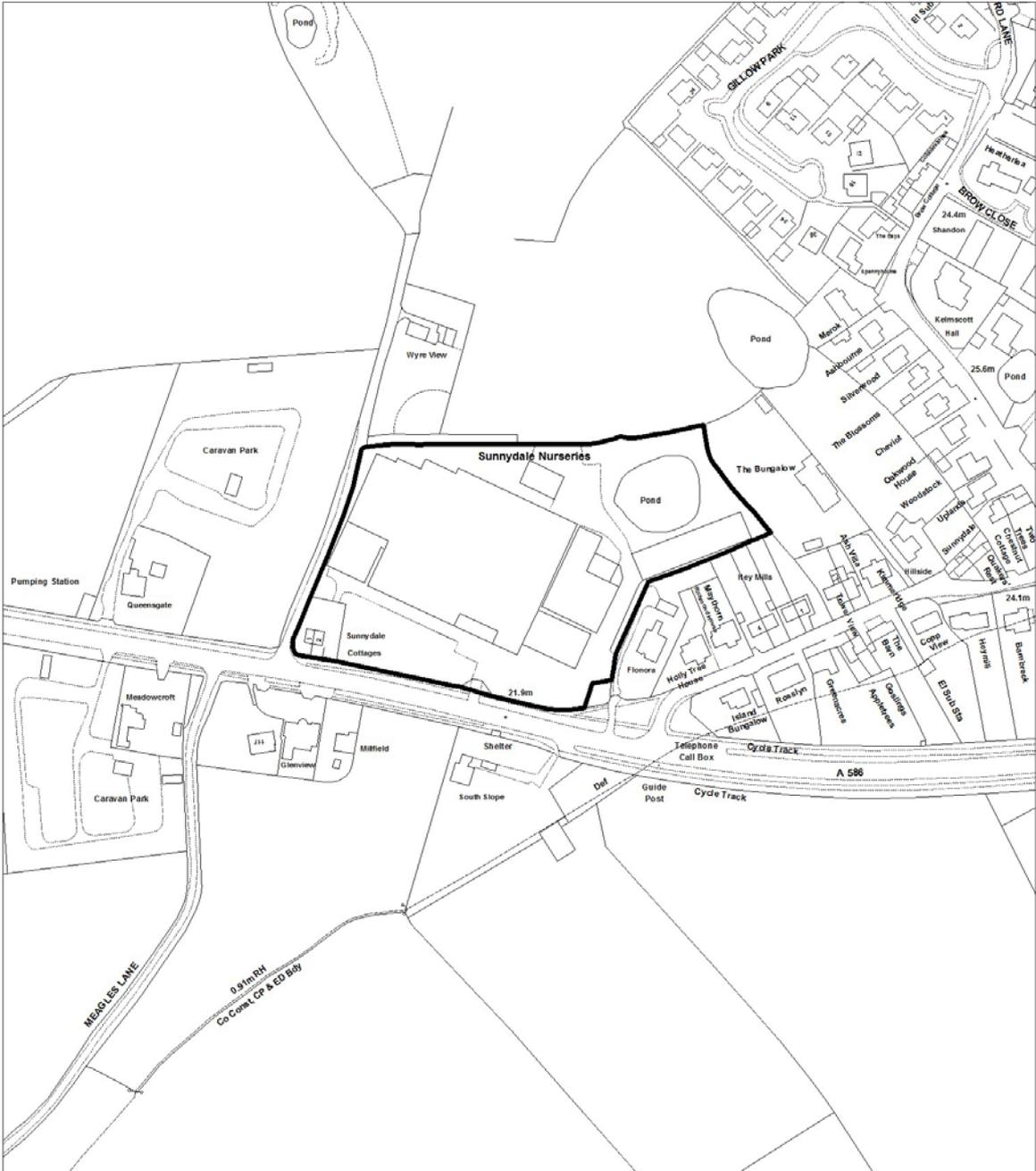
13. No clearance of trees and shrubs in preparation for or during the course of development shall take place during the bird nesting season (March to July inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that 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 Fylde Borough Local Plan policy EP19, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

14. None of the dwellings hereby approved shall be first occupied until a scheme for the installation of fencing to the perimeter of the on-site pond which is to be retained as part of the development (as

shown on drawing no. 1430/15 Rev C) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the height (which shall be no less than 1 metre), position, design, materials and finish (including colour treatment) of the fencing. The fencing shall be installed in accordance with the details in the duly approved scheme before any of dwellings hereby approved are first occupied, and retained as such thereafter.

Reason: In order to ensure the safety of future residents of the development and to minimise the risk of accidents in accordance with the objectives of Fylde Borough Local Plan policy HL6.



Development Services Fylde Council		(c) Crown Copyright and database right (2015). Ordnance Survey (100006084).	
Application No. 5/15/0124	Address Sunnydale Nurseries, Garstang Road, Little Ecclestone	Grid Ref. E.3418 : N.4403	Scale 0 10 20 30 40 m 

**Item Number:** 2

**Committee Date:** 8 July 2015

<b>Application Reference:</b>	15/0246	<b>Type of Application:</b>	Variation of Condition
<b>Applicant:</b>	Park View 4U	<b>Agent :</b>	
<b>Location:</b>	PARK VIEW PLAYING FIELDS SITE, PARK VIEW ROAD, LYTHAM ST ANNES		
<b>Proposal:</b>	VARIATION OF CONDITION 4 OF PLANNING PERMISSION 14/0322 TO EXTEND RANGE OF USES PERMITTED IN ECO CLASSROOM TO INCLUDE HOSTING CHILDREN'S PARTIES.		
<b>Parish:</b>	CLIFTON	<b>Area Team:</b>	Area Team 2
<b>Weeks on Hand:</b>	10	<b>Case Officer:</b>	Alan Pinder
<b>Reason for Delay:</b>	Need to determine at Committee		

**Summary of Recommended Decision:** Grant

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

This application seeks to vary the terms of condition 4 attached to planning permission ref. 14/0322, which granted permission for the construction of a detached classroom building on Park View playing fields in Lytham. Condition 4 restricts the use of the building to that of a classroom and associated education purposes. The applicant wishes to vary the condition to allow children's parties to be held in the building on up to 5 occasions per week. It is considered that 5 parties is sufficiently low as to remain ancillary to the main lawful use as a classroom and would not be at odds with the aims of Policy CF01 of the Fylde Borough Local Plan. Hence members are requested to approve the variation of the terms of condition 4 to planning permission 14/0322 to allow up to 5 children's parties a week to be held in the premises.

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

The application relates to development on council owned land and so the Scheme of Officer Delegation requires that it be determined by Committee.

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

This application relates to the eco classroom previously approved under planning permission ref. 14/0322 and which is located in the south east corner of Park View Playing Fields, to the side of the cafe building. The neighbouring land uses are residential properties on the opposite side of Park View Road and beyond, and the employment use at Aegon across Liggard Brook to the south.

This playing fields site contains a couple of football pitches and a large array of open space facilities such as play equipment, BMX track, amphitheatre, etc. much of which has been provided, and is managed, by the applicants who are a community organisation that has had success in bringing funding in to the area to deliver and maintain these facilities.

## **Details of Proposal**

Planning permission 14/0322 granted planning permission for the construction of the eco classroom to provide a classroom facility associated with teaching events that are provided on the park. Condition 4 of that permission states:

*That the building hereby approved shall be used for classroom and associated purposes as shown on the approved plans listed in condition 3 to this planning permission only. Should the building cease to be needed for that use it shall be removed from the site and the land reinstated as grass for general open space use within 6 months of the classroom use ending unless a subsequent planning permission for an alternative use has been granted.*

The reason for this condition was *“To ensure that the building is operated for an appropriate educational/recreational purpose in line with Policy TREC14 for the Fylde Borough Local Plan”*.

This application seeks to vary condition 4 in order to allow an additional use of the building for hosting children's parties between 10am and 5pm on weekends, and between 3pm and 6pm on weekdays.

## **Relevant Planning History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
14/0322	PROPOSED SINGLE STOREY DETACHED CLASSROOM WITH ASSOCIATED OFFICE, WCS & STORE ROOMS.	Granted	07/07/2014

## **Relevant Planning Appeals History**

None.

## **Parish/Town Council Observations**

N/A

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

### **Principle Estates Surveyor**

Raises no objection in stating:

*“Minded, as landlord, to allow a variation to allow children's parties so long as such use is ancillary to the use for education purposes.”*

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

They raise no objections stating:

*“Varying the condition to allow the building to be used for children's parties potentially increases the level of vehicular traffic in the local area but this is not considered to be at a level that will have a material impact on highway safety or highway capacity.*

*The development proposal is also likely to increase the demand for car parking. The existing site relies on the availability of on-street car parking and the increased demand*

*from the change of use is not considered to be of a level where it will have a significant impact on highway access and therefore not impact on highway safety.*

*I can confirm that there are no highway objections to this proposal.”*

### **Neighbour Observations**

**Neighbours notified:** 30 April 2015

**No. Of Responses Received:** Two

**Nature of comments made:**

Summarised as follows:

- The lack of available parking would put the safety of children at risk
- If approved will lead to teenage parties, evening events, barbeques, discos, etc. and may then progress to applications for alcohol licences

### **Relevant Planning Policy**

#### **Fylde Borough Local Plan:**

SP01	Development within settlements
CF01	Provision of community facilities

#### **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 building is one of a number of facilities that have been developed in recent years on the Park View Playing Fields. It was granted planning permission under 14/0322 for use as a classroom for educational purposes particularly associated with teaching children about wildlife and other ‘outdoor’ aspects of their curriculum. On that basis it was considered to comply with Policy TEC 14 which requires that any development on playing fields be ancillary to that recreational use with the imposition of condition 4 designed to ensure the educational use is retained so as to confirm the link to the recreational use of the site.

This application proposes a relaxation of that condition to extend then lawful use to allow the building to host children's parties. This is moving towards a function room type use (which would not be considered compatible with the aims of TREC 14), however the building is sited adjacent to a large array of play equipment that would prove attractive to such events and offers an opportunity to host them where they would be separated from the existing refreshment arrangements available in the adjacent café building. The application proposes that such parties would be limited in number and would be for children only so limited in their timings to be during the day time. With these restrictions imposed by a revised condition it is considered that a variation of the condition to allow children's parties is acceptable.

Two objections have been received from residents on the grounds of there being insufficient

parking/congestion and that if approved it would lead to other social events being carried on in the building. With regard to the parking issue LCC Highways have been consulted on the proposal and although they acknowledge that the proposed variation would potentially increase the level of traffic in the local area it is not considered to be at a level that would have a material impact on highway safety or capacity. They also opine that whilst there is likely to be an increase in demand for parking this increase is not considered to be of a level where it would significantly impact on highway access or highway safety. Hence LCC have no objections to the proposed variation.

With regard to the other concern raised, as detailed above if approved the condition would be varied in such a way as to ensure that the main use of the building remains as a classroom and that the only authorised ancillary use would be for the holding of children's parties. Hence the use of the building for any other social functions would be in breach of the permission.

### **Conclusions**

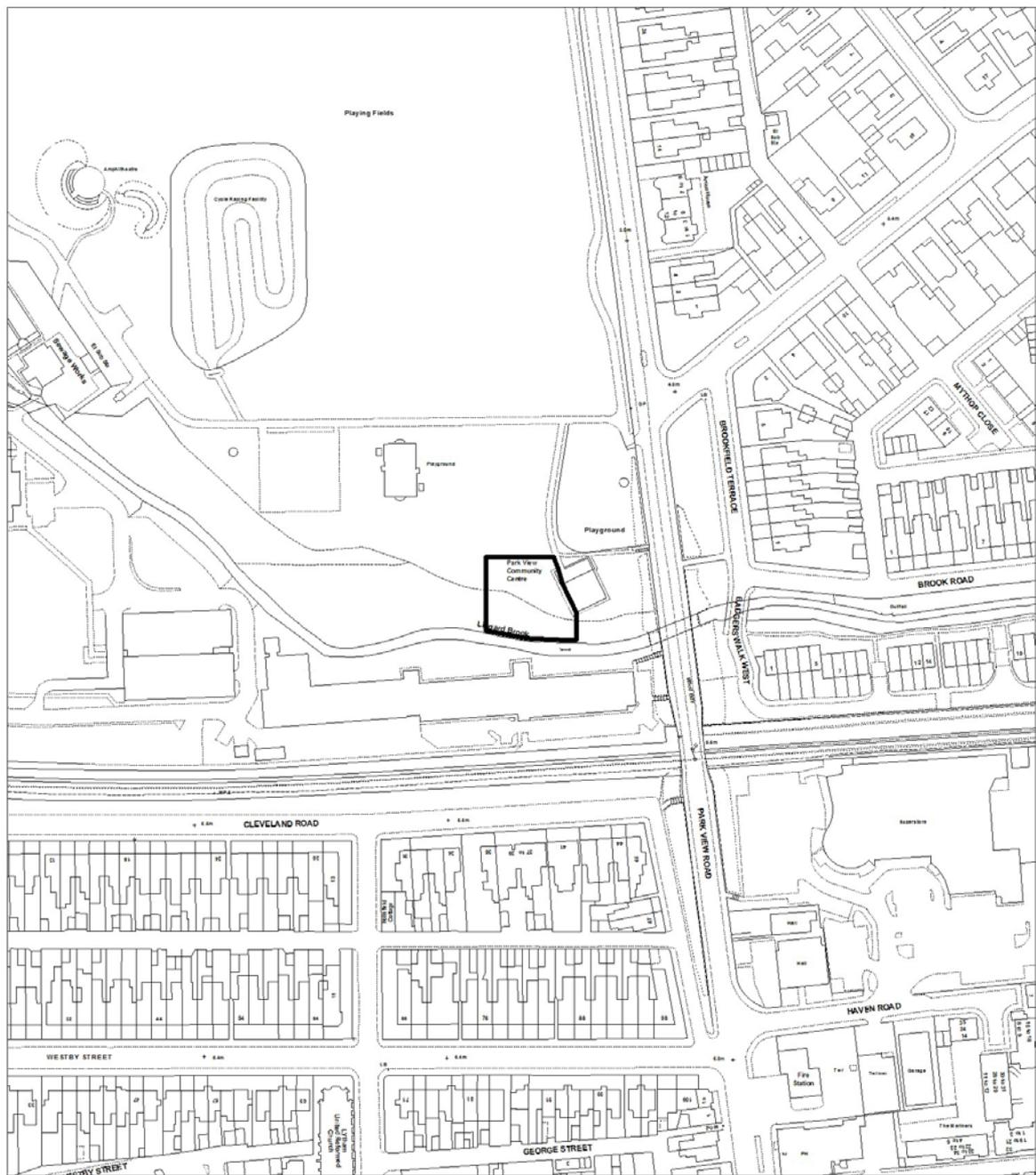
Subject to the number of children's parties being restricted in order to ensure the main use remains as that of a classroom it is considered that the variation of the condition is acceptable.

### **Recommendation**

That Condition 4 of Planning Permission ref. 14/0322 be varied as follows:

4. That the building hereby approved shall be used for classroom and associated purposes as shown on the approved plans listed in condition 3 to this planning permission, and also for the holding of up to 5 children's parties per calendar week, only with these hosted only between the hours of 1500-1800 Mon to Fri and 1000 to 1800 Sat and Sun.. Should the building cease to be needed for that use it shall be removed from the site and the land reinstated as grass for general open space use within 6 months of the classroom use ending unless a subsequent planning permission for an alternative use has been granted.

To ensure that the building is operated for an appropriate educational / recreational purpose in accordance with Policy TREC14 of the Fylde Borough Local Plan.



Development Services Fylde Council		(c) Crown Copyright and database right (2015). Ordnance Survey (100006084).	
Application No. 5/15/0246	Address Park View Playing Fields Site, Park View Road, Lytham St Annes	Grid Ref. E.3368 : N.4274	Scale 0 10 20 30 40 m 

**Item Number:** 3

**Committee Date:** 8 July 2015

<b>Application Reference:</b>	15/0296	<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Redrow Homes Lancashire	<b>Agent :</b>	MCK Associates Limited
<b>Location:</b>	LAND TO THE NORTH OF NORTH VIEW FARM, RIBBY ROAD, RIBBY WITH WREA, PRESTON, PR4 2NA		
<b>Proposal:</b>	PROPOSED ERECTION OF 13 DWELLINGS TOGETHER WITH ASSOCIATED INFRASTRUCTURE.		
<b>Parish:</b>	RIBBY WITH WREA	<b>Area Team:</b>	Area Team 1
<b>Weeks on Hand:</b>	10	<b>Case Officer:</b>	Kieran Birch
<b>Reason for Delay:</b>	Not applicable		

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

**Summary of Officer Recommendation**

The proposal is a full planning application for 13 dwellings on a 1.7 hectares site located on the north side of Ribby Road in Wrea Green on land allocated as Countryside in the Fylde Borough Local Plan. The site is directly adjacent to, and will be accessed from, the adjacent residential development site to the east which was granted its Reserved Matters through application 14/0694 and its outline at appeal through application 13/0507.

The residential development of Countryside land in contrary to Policy SP2 of the Fylde Borough Local Plan. However, a key material consideration in the determination of residential planning applications is the need for the council to deliver a supply of housing land equivalent to 5 years of its agreed annual target. The council's latest published information (from December 2013) is that it is unable to deliver the necessary housing supply and so a proposal that delivers sustainable development must be supported unless it will cause significant and demonstrable harm.

Having assessed the relevant considerations that are raised by this proposal it is officer opinion that the development is of acceptable scale and is in an acceptable location to form sustainable development. The visual impact is also considered to be acceptable and the development would not have a detrimental impact on the amenities of the area. There are no objections from LCC Highways with regard to traffic generation or safety. As such it is considered that it does deliver sustainable development and so it is recommended that the application be supported by Committee and so assist in delivering the housing supply requirements of para 17 of NPPF.

Moreover, the Committee supported the outline development of this site for the erection of 15 dwellings under reference 14/0880 on 4 March 2015, and whilst that application remains undetermined as the s106 agreement has not been completed, the Committee's decision establishes the principle of the development of the site.

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

The application is a Major application and therefore under the Council's scheme of delegation is to be considered by the Development Management Committee.

### **Site Description and Location**

The application site comprises two areas of land to the north of Ribby Road. The red edge site location plan submitted with the application includes the access to the site from Ribby Road through the adjacent site's narrow frontage along the sinusoidal road that has been approved through to the northern part of the site which is agricultural land used for grazing. The land undulates gently with a series of hawthorn hedges around its perimeter and an area of trees along the boundary. Wrea Brook runs to the northern boundary of the site with a smaller watercourse running east to west in between the two main parts of the site. The area of land that forms the southern area is classed as a protected open space within the village and is not proposed for development in this application. To the east of the site are fields that have planning permission for housing development, beyond that is Wray Crescent. To the north of the site are open fields and to the south and west are residential dwellings.

### **Details of Proposal**

The application as proposed is a full planning application for up to 15 dwellings. The access point has already been approved through outline planning application 13/0507 which approved the principle of developing the adjacent site and that approved access is to be used in this application.

The proposed site layout plan shows the application site as part of the approved larger site to the east with the main spine road running through the existing eastern boundary hedgerow with a small section of hedgerow to be removed to facilitate this access. Within the application site the spine roads splits into two smaller roads lead off this with the dwellings arranged around these off private drives. To the north of the site a balancing pond is shown, the layout is similar to the adjacent approved site. The existing trees are shown to be retained. The southern area of the site is not shown to be developed and will form public open space. The 13 dwellings proposed consist of two semi-detached dwellings which will form the affordable housing and 11 detached dwellings and a variety of designs is proposed.

### **Relevant Planning History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
15/0070	PROPOSED REVISION TO RESERVED MATTERS APPROVED UNDER REFERENCE 14/0491 TO AMEND HOUSE TYPE ON PLOTS 44 AND 45	Granted	14/04/2015
14/0880	OUTLINE PLANNING APPLICATION FOR UP TO 15 DWELLINGS WITH ACCESS FROM RIBBY ROAD. (ALL OTHER MATTERS RESERVED).	Supported by Committee but outstanding due to lack of completed s106 agreement	
14/0605	PROPOSED ERECTION OF DOUBLE GARAGE TO SIDE WITH DRIVEWAY AND GATES, AND SINGLE	Granted	07/11/2014

#### GARAGE TO REAR

14/0491	APPLICATION FOR APPROVAL OF RESERVED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR ERECTION OF 42 DWELLINGS, ASSOCIATED WITH OUTLINE PLANNING PERMISSION 13/0507	Approved with 106 Agreement	16/12/2014
13/0507	OUTLINE APPLICATION FOR UP TO 49 DWELLINGS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Refused	18/11/2013
88/0805	OUTLINE; CHANGE OF USE FROM AGRICULTURAL LAND TO RESIDENTIAL USE	Refused	22/02/1989
75/0077	1 DETACHED HOUSE AND GARAGE.	Refused	07/05/1975

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

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
13/0507	OUTLINE APPLICATION FOR UP TO 49 DWELLINGS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Allowed	16/04/2014
88/0805	OUTLINE; CHANGE OF USE FROM AGRICULTURAL LAND TO RESIDENTIAL USE	Dismiss	27/09/1990

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

**Ribby with Wrea Parish Council** notified on 07 May 2015 and comment as follows:

*“The parish council has no issue with the number of houses within the development. Issues were raised to the type and function of the proposed housing. Cllr. P .Naylor made reference to the Draft Neighbourhood Plan, indicating that sufficient family homes exist and are planned for the parish. However, it was noted that there is a need for housing that is both affordable and suited to elderly residents and first-time buyers (people starting out on the property ladder). Initially, a suggestion that the two ‘affordable homes’ be tailored to elderly residents (not sheltered housing) – low cost, designed to accommodate and with priority given to the local elderly residents, in order to retain their presence in the village. Thereafter, it was agreed by all councillors that the complete application should ideally be tailored to the elderly as this is the real requirement within the parish.”*

**Westby with Plumpton Parish Council** notified on 12 May 2015 as a neighbouring Parish but have not made any comments.

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

##### **Regeneration Team (Tree Officer)**

No objections, please use the standard pre-commencement conditions and make reference to the tree protection plan requiring HERAS fencing and other protective measures to be implemented as per that plan.

**Lancashire County Council - Highway Authority**

*"This proposal will add 13 dwellings to a site where planning permission for up to 49 dwellings was granted through the appeal process. Whilst this development proposal will add additional vehicle movements the proposal represents a relatively modest increase and will have little impact on highway capacity and safety. As such I have no objections to the principle of this development. A number of highway access conditions were imposed on the previous permission and I would ask that these are repeated should you be minded to grant planning permission."*

**United Utilities Group Plc**

Do not raise an objection. Request condition that development carried out in accordance with the FRA submitted with the application.

**Environment Agency**

No comments to make and state that the proposal is not one listed that they should be consulted on.

**Strategic Housing**

No comments received on this application but commented on previous application;

*"I have looked at this application and note that the planning statement that accompanies the application confirms that 'an element of affordable housing will be provided on site together with a contribution towards delivery elsewhere in the borough'. This approach is similar to that accepted with recent applications in Wrea Green and I think it is acceptable in this case. I would suggest that 2 x 2 bed houses on site would be appropriate with the balance to be made up by way of a financial contribution. I would caution against an offer of apartments for affordable housing, particularly if such an offer would result in a mixed tenure use of a block of apartments."*

**The Ramblers Association**

No comments received.

**Lancashire CC Flood Risk Management Team**

*"The LLFA supports the principles identified in section 5.3 of FRA (April 2015) and notes that the exact SuDS features to be incorporated into the site are still to be confirmed. The Drainage Layout Plan (4346/ENG001-1) submitted in support of this development indicates that a pond will be introduced at the north of the site. The plan does not identify the storage requirements of this pond but the supporting FRA (April 2015) states that the storage requirements for a 1 in 100 year event (+30% for climate change) will be between 127 and 190m<sup>3</sup>. The LLFA supports the storage requirement calculations identified in the FRA and would recommend the pond identified on the Drainage Layout Plan (4346/ENG001-1) is designed to accommodate the maximum storage requirements.*

*In accordance with the Environment Agency's guidelines, the Building Regulations and Planning Practice Guidance the preferred means of surface water drainage for any new development is into a suitable soakaway or infiltration drainage system. The FRA (April 2015) submitted in support of this application indicates that infiltration is unlikely to be a suitable method of surface water disposal due to the ground conditions but that it may be appropriate in some sections of the site. It is accepted that the ground conditions may make the use of infiltration techniques unsuitable however, the LLFA would recommend an appropriate ground assessment (using Building Research Establishment*

*(BRE) Digest 365) is undertaken to fully explore the option of using ground infiltration to manage the surface water. This is in preference to discharging to a surface water body, sewer system or other means in accordance with Paragraph 80 of the Planning Practice Guidance.*

*The FRA (April 2015) submitted in support of this application indicates that the site is located in Flood Zone 1 and is at relatively low risk of flooding from other sources. Section 4.1.3 of the FRA (April 2015) does however identify some surface water flood risk, particularly ponding at the points of lowest elevation. It is recommended that the site layout and design takes this into consideration and the LLFA supports the minimum floor level requirements identified in section 4.7.2 and recommends that Fylde Council condition this appropriately.*

*The main issue for consideration is the effective management of surface water arising from the proposed development. As identified above, the FRA (April 2015) indicates that infiltration is unlikely to be an appropriate method for managing surface water run-off. The proposal therefore intends to discharge to two ordinary watercourses which run adjacent to the site. The proposed development will lead to an increase in the surface water run-off due to the increase in the impermeable area of the site. The LLFA supports the proposal identified in the FRA (April 2015) to use a Hydrobrake in order to restrict the surface water run off to the pre-development Q-bar rate of 9 l/s.*

*The FRA (April 2015) also recommends the use of SuDS features to attenuate larger volumes which may occur as a result of more intense rainfall events. This will ensure the onsite surface water drainage system can cope with all storm events up to a 1 in 100 year with a 30% allowance for climate change. The LLFA supports the recommendation to introduce additional storage to manage surface water drainage and requests to be consulted on the final drainage design proposals. This is to ensure the proposals meet the identified storage requirements.*

#### Water Quality: Water Framework Directive

*Under the Water Framework Directive (WFD), all water bodies should reach 'good ecological status' by 2015. No activities or works, including the proposed development, should deteriorate the status of any nearby watercourse as the main objectives for the WFD is to prevent deterioration in 'status' for all waterbodies. The ecological health of any receiving watercourse can be protected by the implementation of a SuDS scheme with an appropriate number of treatment stages that are appropriately maintained. Current WFD ecological status of all assessed water bodies is available on the EA website. It is recommended that the developer has regard for the WFD in developing a detailed drainage strategy and that the local planning authority considers appropriate conditions to secure this, where applicable.*

#### Land Drainage Consent

*The proposals indicate that the applicant intends to discharge surface water into two watercourses at the north (Wrea Brook) and western boundary (unknown watercourse) of the site. Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), consent is needed from the LLFA to build a culvert or structure (such as a weir) or carry out works within the banks of any ordinary watercourse which may alter or impede the flow of water, regardless of whether the watercourse is culverted or not.*

#### Historic/Unidentified Culverts

Maps suggest that watercourse on the western boundary of the site could be culverted in some sections. Unidentified culverts have the potential to cause a flood risk if they remain unidentified and unaccounted for in the drainage design and layout of development proposal. The LLFA therefore requests that the applicant identifies the current location and condition of the culverted watercourse to ensure that it is appropriately accounted for and considered in the sustainable drainage design for the development proposal.

The Lead Local Flood Authority has no objection to the proposed development subject to the inclusion of conditions relating to the drainage of the site.”

### **Community Association for the Protection of Wrea Green**

“Whilst we must accept that this development is within the total of “up to 100 houses” regarded as sustainable by the Appeals Inspector in his Decision Letters of April 2014, we still have very grave doubts as to the sustainability of this development in relation to infrastructure, amenities, flood risk and sewage overload. That said, we still object to this planning application for the following additional reasons:

1. In accordance with the Housing Needs Survey and Draft Neighbourhood plan, this type of housing is NOT as required by the Community. Given the position of the site and the potential for a pedestrian access via a direct link to Ribby Road and not via Phase 1, a retirement complex for purchase by local residents– for which there is a local need – would be better suited to the site. These single storey properties could have easy access directly onto Ribby Road via a walkway, bearing in mind their intended use. The proposals are mainly for detached houses AGAIN but, despite the 2012 Housing Needs Survey stating that NO such housing is required in Wrea Green, over 120 have been approved since that survey. It is about time developers listened to the REQUIREMENTS of the Community. This proposal does NOT deliver a wide choice or even a wider choice of high quality Homes (NPPF paras 47 and 50), it merely proposes what is expected to be most profitable for the developer.
2. The proposals are for 2 affordable houses and 10 x 4 bedroomed and one 5 bedroomed houses. This is inconsistent with the FBC Housing Survey (2012) and the draft Neighbourhood Plan. We consider this development does NOT provide for the Community Needs and therefore should be rejected until it does. The two affordable properties are NOT required as houses but could be required as bungalows as part of a down-sizing retirement complex. The use of bungalows would also reduce the change of character of this area when viewed from other parts of the Village.
3. The proposal includes mostly two or three garages which says little for sustainable transport!
4. No Community Involvement/consultation has been undertaken in respect of this application, despite it being a requirement to do so.
5. We fail to see that the SHLAA in the Design and Access Statement has any relevance whatsoever since this relates merely to land put forward and not necessarily required.
6. The Flood Risk assessment takes no account of the regular flooding in this area of Ribby Road (photos already supplied) and it is unclear without considerable re-landscaping how any attenuated flow to Wrea Brook would be achieved.”

### **Neighbour Observations**

**Neighbours notified:** 12 May 2015

**No. Of Responses Received:** One

**Nature of comments made:**

Being developed after appeal only, the ceiling on numbers has been reached and probably exceeded, please maintain this beautiful village and its status as a village.

### **Relevant Planning Policy**

#### **Fylde Borough Local Plan:**

SP02	Development in countryside areas
SP01	Development within settlements
SP02	Development in countryside areas
EP01	Environmental Improvement Schemes
EP10	Protection of important landscape and habitat features
EP11	Building design & landscape character
EP13	Planting of trees, hedgerows and woodland
EP14	Landscaping of new developments
EP17	Development in or near Biological & Geological Heritage Sites
EP18	Natural features
EP19	Protected species
EP21	Archaeology
EP22	Protection of agricultural land
EP23	Pollution of surface water
EP24	Pollution of ground water
EP30	Development within floodplains
HL02	Development control criteria for new housing proposals
HL06	Design of residential estates
TR05	Public transport provision for large developments
TR09	Car parking within new developments
TREC17	Public Open Space within New Housing Developments
CF01	Provision of community facilities
CF02	Provision of new primary schools

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

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

#### **Site Constraints**

Within countryside area  
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**

The main issues when considering this proposal are;

The principle of the development/impact of development on character of area

Design/layout  
Highways issues  
Impact on residential amenity  
Flooding/Drainage  
Trees/Ecology  
Other issues

### **The principle of the development**

The application site forms an extension to the site granted planning permission at appeal to its east through application 13/0507 which was an outline application for up to 49 dwellings. This was followed by a Reserved Matters application 14/0694 which granted the details of 42 dwellings at the site, a reduction of seven dwellings from the number allowed by the Planning Inspector. This application site was granted planning permission by members in outline for up to 15 dwellings through application 14/0880 though at the time of writing the decision notice for that permission had not been issued due to the legal agreement not being completed. This application proposes 13 dwellings on the field directly adjacent to the appeal site, therefore totalling 6 more dwellings than the Inspector allowed for the adjacent site, but with the support for the scheme for 15 dwellings on this site the principle of residential development has therefore been previously accepted at this site.

The site is located directly adjacent to the rural settlement of Wrea Green. It is adjacent to existing and approved housing to the south, east and west. The site is located north of Ribby Road, a main road that runs through Wrea Green and its associated bus routes and is within reasonable distance of local and community services in Wrea Green which include a primary school, pre-school, a public house, shop, dental practice, garage, café and tea rooms, restaurant, hair salon, sporting clubs and facilities and two places of worship. Wrea Green does lack retail facilities, this is due to the size of the settlement and its constraints. The lack of shops means that existing residents must travel or get shopping delivered and it would be the same for the residents of the proposed site. The proposed development is located directly adjacent to the existing settlement, and it is considered that the sites is sustainable in relation to the settlement and would not be an unacceptable growth to the settlement in terms of scale and would therefore comply with the NPPF requirement that housing applications should be considered in the context of the presumption in favour of sustainable development and that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural areas and that Local Planning Authorities should avoid new isolated homes in the countryside (paragraph 55).

Furthermore when considering the housing objective of the NPPF the most up to date evidence of housing need in Fylde is the Strategic Housing Market Assessment which has been recently updated and again through an analysis of housing need in light of the 2002 sub-national population projections (May 2014) and finds that in order to meet the authorities housing needs approximately 300-420 dwellings per annum will need to be provided. The 2013 SHMA is part of the evidence base for the local plan, and is a material consideration in the determining of planning applications. The proposal would therefore contribute to meeting this identified need for dwellings in the emerging Local Plan and the housing supply for the Borough as a whole. This site is considered to be a suitable location for development, and the scheme of a scale that can be accommodated without causing evidenced harm to the settlement of Wrea Green. On this basis the proposal is considered to be sustainable in relation to the settlement and would therefore comply with the NPPF requirement that housing applications should be considered in the context of the presumption in favour of sustainable development.

### **Design/layout**

The layout of the site has been influenced by its constraints and shape. This dictates that the

access to the site will be from the adjoining site, and the dwellings laid out to respect the significant trees located adjacent to boundaries and Wrea Brook which runs to the northern boundary of the site.

The proposed layout incorporates the application site into the larger site adjacent whilst retaining hedgerows and trees in and around the site. The site is accessed from Ribby Road through the adjacent site approved at outline and reserved matters application and splits into two dwelling access roads and private drives with the dwellings arranged around these roads. The POS is located in a large area to the south of the site and would be available for use by all. The existing trees around the periphery of the site are to be retained. The proposed dwellings are appropriately sited within the site and are situated so that they comply with the Council's spacing standards, as such having an acceptable impact on the amenity of existing dwellings and dwellings proposed within the site. A condition will be placed on any permission granted so that any first floor side elevation windows are obscure glazed.

The dwellings proposed are two-storey which is an appropriate scale taking into account the character of the surrounding area. The design of the dwellings varies throughout the site which adds character to the development itself, with a mix of designs and materials enriching the street scene. A number of house types are proposed including The Welwyn, which is a detached dwelling with a gable frontage, integral garage and pitched roof to be built in brick and mixed russet roof tiles. Some of the dwellings are proposed to be rendered on the front gable element of the front elevation. The Tavy which forms the semi-detached dwellings, with a pitched roof, porches over front doors and brick with a mixed russet roof tile. All of the different house types have different features which help to break up their elevations. The materials proposed are shown on a materials layout plan and the development can be approved to be carried out in accordance with that plan. The materials to be used throughout the development consists of six different brick types mixed throughout the development, detail bricks, heads and sills will be constructed in Ibstock Leicester red. There will be rendering to part of the frontage of some of the dwellings. The roof tiles will either be slate grey or mixed russet. All windows will be white upvc, all rainwater goods will be black upvc and all timber cladding will be treated waney larch lapped boarding. The front doors of the dwellings are a mix of white, beige, sand and green colours.

The application has been submitted with a boundary treatment plan which shows that the dwellings frontages will be open plan, with the more prominent boundary lines such as those on corner properties to be a 1.8m high brick wall and the rear and side boundaries to be formed by a 1.8m close board timber fence. Railings are proposed around the balancing pond at the north of the site. The design and appearance of all dwellings proposed is acceptable. The details of these boundary treatments is acceptable. The development is open plan with shared surface roads and landscaping such as hedgerows to be retained and trees within the site proposed which will mean the development has a green appearance which is appropriate given its semi-rural location. LCC Highways have stated that the layout is acceptable and that they have no highway issues with the proposal. The proposed layout and design is considered to be appropriate and comply with the requirements of criteria 1 & 2 of Policy HL2 and Policy HL6 of the Fylde Borough Local Plan and the paragraphs in the design chapter of the NPPF which they relate to.

The comments of CAPOW and the Parish refer to the need for bungalows on the site and in the village in general. Whilst there is evidence of need for smaller dwellings within the village in the SHMAA in this instance the application site benefits from outline planning permission for 15 dwellings where there was no requirement to provide bungalows, furthermore as stated above it is considered that two storey development in this location is appropriate given the scale of the surrounding development, both on the new estate and Vicarage Close. However in future

applications in the village it would be appropriate to consider an increased housing mix.

### **Highways**

It is proposed that the site will utilise the access permitted through outline application 13/0507 at North View Farm and will add 13 further dwellings to that access. The access has already been considered acceptable and appropriate in previous applications and remains so for this one. The addition of 13 houses to the highways network is not seen as unacceptable and LCC Highways raise no objection on either capacity or safety grounds, stating that whilst the development will add additional vehicle movements the proposal represents a relatively modest increase. The Transport Statement submitted for the application which was approved for upto 15 dwellings indicated that the maximum number of vehicular trips arising from the development will be 8 two way trips which occur during both the AM and PM peak hours, this equates to one additional vehicular movement every 7 to 8 minutes at the site access, with the traffic then split east and west on Ribby Road, meaning the traffic impact of the development will be imperceptible when having regard to the daily fluctuations in traffic. LCC request that the highway related conditions imposed on the previous permission be repeated on this application. These conditions related to the construction of the access and the improvement of the nearest bus stops. No contributions were sought from that application or from this one. There are therefore no highways issues with this application.

### **Impact on residential amenity**

The proposed site layout meets the councils spacing guidance and would not harm residential amenity. The proposed dwellings sited at their nearest point approximately 40m from the rear elevations of properties located on Vicarage Close, at such distances there would be no unacceptable loss of light or overlooking created. There is also a large amount of tree cover between these dwellings and the application site. The Vicarage and the dwellings on Ribby road would not be impacted upon by the proposal. The relationship on the indicative plans between the dwellings in the site and the adjacent one is acceptable. There are therefore no issues with this proposal in terms of impact on residential amenity.

### **Flooding/Drainage**

The site is not located in a flood zone and is therefore located in an area where the development of a more vulnerable use such as dwellings is acceptable. The site constitutes 1.7 hectares and therefore the application has been submitted with a Flood Risk Assessment by Betts Associates. The submitted FRA indicates that as a result of the development the sites impermeable area will increase to approximately 0.333 hectares which is 23% of the site area. If left unrestricted this would result in a run off rate of 13.4/s and based on the 1 in 100 year storm event with a 30% allowance for climate change this would be 53.5l/s, compared to the undeveloped site which is 7.8l/s and 18.6l/s for the 1 in 100 year event.

In order to restrict surface water run off to the same as the undeveloped site sustainable urban drainage systems (SUDS) should be used. The FRA considers discharge via infiltration, to watercourse and to public sewer system as means of surface water drainage. Because of the existing ground condition it is considered that infiltration across the whole site would not be suitable as they are slowly permeable, seasonally wet, slightly acidic clay rich soils. It is therefore proposed that surface water drainage is into one or both of the adjacent watercourses to mimic the existing situation with surface water drains placed within the highways of the development. The flow of the water would be restricted by a hydrobrake to pre-development rates. Because of the restricted flow there will be storage requirement during periods of intense rainfall, with soft landscaping and a pond system proposed. With regard to foul water the peak flow would be 0.69l/s based on 4000 litres per dwelling per 24 hours. Consultation with UU had identified the sewer on Ribby Road as being the nearest public sewer to the development and it is proposed that the foul water generated by this

development be discharged into this sewer, at a location to be agreed with UU.

The Environment Agency have been consulted on the proposal and state they have no comments to make on the proposal because the site is located within Flood Zone 1 and the scale of the development is not to the degree where they should be consulted. United Utilities have no objections to the development, and state that in accordance with the NPPF and building regulations the site needs to be drained on a separate system with foul water draining to the public sewer and surface water in the most sustainable way. They request a condition requiring the development to be carried out in accordance with the principles outlined in the submitted FRA, specifically that surface water must drain into the watercourse at the restricted rate of 9.1 l/s. The LLFA (LCC) have also commented on the application, they have not commented on previous applications as they were not in place as a body at that time, they also have no objections but require a number of conditions in relation to the development being carried out in accordance with the FRA, obtaining land drainage consent for discharging into a watercourse, surface water drainage and details of SUDS and information on the lifetime management and maintenance of the surface water drainage system. There are therefore no drainage or flooding issues with the proposal and with these conditions in place the site can be adequately drained without increasing the risk of flooding to neighbouring properties or those proposed.

### **Trees/Ecology**

#### Trees

With regard to trees the application is supported by a Tree Survey Report and indicative layout which sites the proposed dwellings well away from existing trees. The Council's Tree Officer has considered these and states that the layout is sensible and as the development is intended only for the northern part of the site where trees are few there are no real arboricultural concerns. He has requested a condition requiring tree protection and the carrying out of the measures on the tree protection plan submitted.

#### Ecology

The application is supported by an Ecological Survey and Assessment by Ribble Ecology and a Tree Survey report to ascertain the impact of the proposal on local wildlife and trees. The Ecological survey and assessment was undertaken on site in October and November last year and through desk study, it is the same ecological assessment that was considered as part of the outline application 14/0880. The ecological assessment makes reference to the ecological work undertaken for the adjacent site as survey work undertaken of for example ponds within 250m of the site are relevant for this application, as is therefore the Inspectors conclusions regarding ecology about the application.

The report states that the application mainly constitutes agricultural grassland which is typically heavily grazed by cattle, the grassland did not contain any rare plant species and does not comprise priority habitat. This is where the bulk of the developed site will be located. There are seven hedgerows within the site, hedges 1 to 4 surround the application site where the housing will be, with 2 and 3 within the report forming the boundary with the adjacent permitted housing. Hedges 5 -7 are located adjacent to the open space to be retained at the south of the site. The four hedgerows surrounding the site do not qualify as 'important' hedgerows but are examples of UK BAP Priority Habitat and Habitat of Principal Importance. All of the hedgerows are located on the perimeter of the site and asides a small section that will be removed to create the access through from the adjacent site are to be retained. The two watercourses to the north and south of the site were both surveyed as part of the previous application, this application confirms that the unnamed course to the south does not contain aquatic plants and it not an example of priority habitat. Wrea Brook to the north of the site was found to have local presence of Himalayan balsam and hemlock

waterdropwort amongst the arisings and local rejuvenation was recorded in the channel but there was no NVC community and Wrea Brook does not constitute priority habitat.

No evidence of water voles or otters were found in these channels. The survey also did not find any presence of badgers at the site or adjoining land. A number of different bird species were recorded during the walkover of the site with the only priority species being Dunnock. In relation to ground-nesting birds, habitat assessment indicates that there is negligible potential for occurrence, with the fields being heavily trampled by cattle and displaying poor structure and proximity to trees, which is detrimental. The presence of newts in ponds within 200m of the site was considered in the ecological assessment undertaken at the adjacent site and with both channels north and south of the containing flowing water indicates that their presence is unlikely. With regard to bats four species were recorded as either present or potentially present, with the trees being assessed and a number being afforded either Category 1 or 2 status, therefore any work to these trees will need to be done having due consideration for the potential occurrence of roosting bats. As no trees are to be removed there should be no impact to these trees and therefore bats but conditions can be used to ensure this. As a consequence of the finding of the survey the report recommends a number of precautionary measures to prevent any impact on ecology. Seen as essential is protection of hedgerows and trees, removal of invasive species, protection of breeding birds, protection of bats, voles and hedgehogs, other measures such as appropriate external lighting, planting and boundary fences permeable to wildlife can also be provided.

With regard to the measures proposed and the potential of the development to impact upon protected species, from assessment of the report and Natural England's standing advice on protected species, and considering the findings of the Planning Inspector to ecology on the adjacent site it is considered that with appropriate conditions the impact of the development on biodiversity will be acceptable. Whilst the development will result in some loss of biodiversity this will not be priority habitat with the features of greatest biodiversity retained, with the submitted site layout plan showing the existing trees and hedgerows that surround the site are to be retained. The majority of the development is located on the grassland which is not priority habitat. In order to ensure the development has an acceptable impact on the ecology of the area and appropriate mitigation/habitat enhancement occurs in order enhance biodiversity conditions need to be included in any approval, these should relate to the mitigation and recommendations made in the report and serve to protect trees and hedgerows. These would correlate with the conditions used by the Planning Inspector on the adjacent site which is appropriate as the two separate permissions would form one larger site and therefore should be treated the same with regard to ecology.

With these conditions ensuring appropriate mitigation and protection of existing landscape features, and the provision of the pond to the north of the site some degree of biodiversity enhancement will be possible in the development of the site. The report submitted shows there will not be any unacceptable effect on protected species or priority habitat and conditions will be used to ensure this. There are no significant features within the site, and features along the periphery will be retained including hedgerows and trees. The scheme results in a loss of biodiversity, as does any scheme in a mainly undeveloped site such as this, however this proposal retains the biodiversity of greatest value and a landscaping condition will be put on any permission to mitigate the loss of biodiversity to a degree. It is considered that whilst there will be some loss of biodiversity that with mitigation the development of the site is acceptable and that the loss does not warrant justification for refusal of the application.

## **Other issues**

### Open Space

The application within its red edge includes an area of land allocated within the adopted Local Plan under policy EP2 as an open space within Towns and villages where development will not be permitted as it is considered to be essential to the setting, character or visual amenities of the village. This application site is currently under private ownership and contains significant features such as trees that will be retained. It is proposed that this area of open space form part of the site and be open to the general public, with a residents management company set up at the outset with responsibility for maintaining the POS in perpetuity in accordance with a management plan/specification to be approved by the Council. Plot purchasers would automatically become members of the management company on completion and there would be a restriction on each title protecting a covenant on future re-sales which requires the payment of an annual maintenance charge to the management company. It is intended that the POS will be kept open and available to all. This is a model which is widely used by housing developers. The legal agreement for the development will include the open space and that no dwelling will be occupied until a landscaping and management plan has been approved in writing and that the open space be thereafter retained.

#### Affordable housing provision

The application proposes that the proposed development will meet the requirement to provide 30% affordable housing, providing a mix of 50% on site and 50% as a commuted sum in lieu. This will help contribute towards meeting the Council's affordable housing needs. This contribution would be secured through a legal agreement. This approach was accepted in the outline application for 15 dwellings when the Council's affordable housing officer states that this approach is similar to that accepted with recent applications in Wrea Green and he thinks it is acceptable in this case. He would suggest that 2 x 2 bed houses on site would be appropriate with the balance to be made up by way of a financial contribution. He would caution against an offer of apartments for affordable housing, particularly if such an offer would result in a mixed tenure use of a block of apartments. Proposed in this application is 2 x 2 bed houses on the site therefore it is in accordance with the housing officer's preferred approach.

The council has recently undertaken a survey of the specific needs and demands for affordable housing in Wrea Green with the Parish Council. This has found that the stable and elderly nature of the local population reduces the demand for affordable housing in the village. As a consequence it is likely that a lower percentage of dwellings on new developments will be required to be delivered as affordable units, with the balance of the provision provided elsewhere, or a financial contribution made to assist in the delivery of affordable units elsewhere in the borough such as Lytham or Kirkham where the Housing Needs Study confirms that there is a significant shortfall in the supply of affordable properties. This approach was taken in the schemes recently considered at appeal and was supported by the Inspector as a suitable mechanism for delivering affordable housing. It is considered that the proposal allows for a mix of on-site and off-site and is appropriate. An element of affordable housing on-site is considered necessary as it is important to maintain the housing mix in Wrea Green. It is considered that subject to this section 106 that the development with regard to affordable housing is acceptable.

#### Loss of agricultural land

The development would result in the loss of approximately 0.8 hectares of open grassland. The land is classed as Grade 3 agricultural land according to Natural England records. Paragraph 112 of the NPPF states that local authorities should take into account the economic and other benefits of the most versatile agricultural land and that where significant development of such land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference. This particular area of Fylde has a large amount of Grade 2 and 3 agricultural land, according to Natural England records 33.9% of Fylde is grade 2 quality. Therefore a re-location of the development to a greenfield site would likely be to other land classed as versatile agricultural

land or better quality. Whilst the loss of agricultural land is not a good thing, the loss of this small isolated site is not significant and could not justify a reason for refusing the application, especially when balanced against the economic benefit and support at local and national level in planning policy.

### Education

The application has resulted in a request for a contribution towards 2 secondary school places totalling £36,253. No primary school contributions are required. As specific bedroom numbers are known this contribution is exact, however if there are amendments to the scheme which increases or decreases the number of bedrooms on site these amounts will be reassessed. Policy CF2 of the Fylde Borough Local Plan allows for the council to secure financial contributions from developments to assist in increasing education provision in an area. This is consistent with para 72 of the NPPF which confirms the government's commitment to education and encourages local planning authority's to work with developers to meet the education needs of the area. The legal agreement will include this contribution within it and with its provision there will not be an unacceptable impact on educational establishment's capacity.

### Conclusions

This proposal is a full application for the development of 13 dwellings on a greenfield site designated as Countryside in the Fylde Borough Local Plan. Residential development of such areas is contrary to Policy SP2 and so this would require a refusal of the application unless there were material considerations that outweighed the determination of the application in accordance with the development plan.

As members are aware, the NPPF requires that the council is 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 or out of date on the subject unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or there are conflicts with other material planning considerations. The council continues to be unable to deliver a 5 year supply of housing land as is required by the NPPF, and no part of the development plan currently provides any realistic method of doing so without the development of out-of-settlement sites that deliver 'sustainable development'.

This proposal is considered to deliver a sustainable form of housing development as is required by NPPF. The scale of development and its context in relation to the setting of Wrea Green is considered acceptable and whilst there would be some visual impact when viewed from the north it is not considered that there would be sufficient harm to warrant refusal of the application. The proposed layout protects residential amenity and respects biodiversity. Planning conditions can be used to ensure this. The design of the dwellings is considered acceptable. The proposal is considered to form sustainable development and so it is recommended that the application be supported by Committee and so assist in delivering the housing supply requirements of para 17 of NPPF. The authority to grant planning permission should be delegated to officers so that they can issue the decision on satisfactory conclusion of a s106 agreement that provides for affordable housing and funding for investment in local education capacity.

### Recommendation

That, PLANNING PERMISSION be granted subject to the completion of a Section 106 agreement in order to secure:

- provision, phasing, retention and operational details for 30% of the proposed dwellings to be affordable properties with either off site provision or a financial contribution for any of that 30% not provided on site.
- a financial contribution of £36,254 towards secondary school places, and the phasing of that payment

(Note: The agreement will be expected to meet the full amounts quoted above in all cases, unless a viability appraisal has been agreed with the Local Planning Authority)

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

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on the 29 April 2015, including the following plans:

Location Plan – 14-126 LP01  
 Materials layout – DSL-02  
 Highways materials layout – 4346/ENG026  
 Drainage layout – 4346/ENG001-1  
 Boundary details layout – DSL-05  
 Detailed Site layout - DSL-01  
 Affordable Homes Layout - DSL-06  
 Land disposal layout – DSL-04  
 Waste Management Layout - DSL-03  
 Vehicle swept path – 4346/ENG025  
 Tree Protection Plan - 4450.09  
 Landscape Proposals plots 46-59 - 4450.10  
 Landscape proposal POS  
 The Welwyn (Elevations and floor plans)  
 The Richmond (Elevations and floor plans)  
 The Henley (Elevations and floor plans)  
 The Tavy (Elevations and floor plans)  
 The Balmoral Elevations and floor plans)  
 The Blenheim (Elevations and floor plans)  
 Double Garage C-DG03- 001 REV B  
 Triple Garage 4240-TG1 001 REV A

For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.

3. Prior to the commencement of development full details of surface water drainage for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The submitted information shall follow the principles set out the submitted Flood Risk Assessment Dated 22 April 2015 which was prepared by Betts Associates and the drainage layout plan as approved by condition 2 of this permission. For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water must drain to watercourse at the restricted rate of 9.1 l/s. There shall be provision of compensatory flood storage up to 190m<sup>3</sup> to accommodate all events up to a 1 in 100 year + climate change and finished floor levels are set no lower than 150 m above Ordnance Datum (AOD). No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed, maintained and managed in accordance with the approved details.

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

4. Prior to the commencement of any on-site demolition or other development associated with this permission a construction plan shall be submitted to the local planning authority and approved in writing. The plan shall include methods and details of demolition and construction; vehicle routing to the site; construction traffic parking; any temporary traffic management measures; and times of construction, access and deliveries. The construction plan shall be adhered to during demolition and the construction of the development.

Reason: To protect local amenity.

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

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

6. Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

7. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved by, the Local Planning Authority. This scheme shall include the phasing of works and shall be constructed in accordance with that phasing.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable and so to secure the proper construction of the site access.

8. No development shall take place until the applicant has obtained land drainage consent, agreed in writing, from the consenting authority. Thereafter the works shall be carried out in accordance with the approved land drainage consent and any subsequent amendments shall be agreed in writing with the consenting authority. The applicant must notify the consenting authority no less than seven days before commencement of the works of their intention to start works on site. For the avoidance of doubt the 'consenting authority' is the Lead Local Flood Authority which, within the administrative boundary of Lancashire, is Lancashire County Council.

Reason: To ensure water quality is not compromised as a result of any construction work on the development site or to the watercourse.

9. All existing lengths of hedgerow within the proposed residential development area shall be retained, except for where their removal is required for the formation of access points or visibility splays, or in other limited circumstances where an equivalent or greater length of hedge is provided as a replacement and has been previously agreed in writing by the local planning authority. No removal, relaying or works to existing hedgerows shall be carried out between March and August inclusive in any one year unless otherwise agreed in writing by the local planning authority.

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

10. No development shall take place until there has been submitted to and approved in writing by the local planning authority a fully detailed scheme for habitat creation and management, including details of bat habitat creation. The scheme shall include details of mitigation and compensation measures, the management of public access, and on-going monitoring regimes.

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

11. A tree protection scheme for all trees and retained hedges on the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The plan shall be in accordance with the Tree Protection Plan ref 4450.09 dated April 15 submitted with the application. No work of any kind shall take place until the protective fences are erected around the retained trees in the position and to the specification agreed by the local planning authority. Such fencing shall be retained throughout the development where work of any kind is undertaken in proximity to trees and hedging.

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

12. All trees currently on the site shall be retained. If any future management works or tree removal is proposed it should be supported by appropriate ecological survey assessments in order to assess the potential for bat roosts and agreed in writing with the Local Planning Authority.

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

13. Prior to the commencement of the development a scheme for the removal of the invasive non-native plant species identified in the submitted Ecological Survey and Assessment (Himalayan Balsam) shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented prior to the occupation of the development.

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

14. Prior to the commencement of development a precautionary survey of water courses within and adjacent to the site for the presence of water voles shall be submitted to and approved in writing by the local planning authority. This survey shall identify suitable mitigation and preventative measures to be implemented to minimise the opportunity for disturbance or harm to this protected species, and shall be fully implemented in accordance with the scheme as approved.

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

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

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

16. All landscape works shall be carried out in accordance with the approved details shown on landscaping proposal sheets 4450.10 and Landscape proposal - POS prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority and shall thereafter be retained and maintained. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees of similar size and species to those originally required to be planted.

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

17. No external lighting shall be installed until details of a lighting scheme have been submitted and approved in writing by Fylde Borough Council. The principles of relevant guidance shall be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009).

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

18. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development has been submitted which, as a minimum, shall include:

1. the arrangements for adoption by an appropriate public body or statutory undertaker,

- management and maintenance by a Residents' Management Company
2. arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
  3. on-going inspections relating to performance and asset condition assessments
  4. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
  5. means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reasons To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance, and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

19. The development shall be carried out using those materials specified on the approved plan DSL-02 received by the Council 29/04/15, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the visual amenities of the area.

20. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the proposed garages shall be retained solely for the housing of a private motor car, and at no time shall any works be undertaken that would prevent it from being used for that purpose.

Reason: The use of the garage for any other purpose would result in the loss of an off-street parking space and would therefore require consideration by the Local Planning Authority.

21. Obscure glazing shall be provided in the first floor side elevation windows of the dwellings hereby approved and shall thereafter be retained.

Reason: To safeguard the privacy of adjoining residents



Development Services Fylde Council		(c) Crown Copyright and database right (2015). Ordnance Survey (100006084).	
Application No. 5/15/0296	Address Land to the north of North View Farm, Ribby Road, Wrea Green	Grid Ref. E.3399 : N.4318	Scale 0 10 20 30 40 m 

**Item Number:** 4

**Committee Date:** 8 July 2015

<b>Application Reference:</b>	15/0310	<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Octopus Healthcare	<b>Agent :</b>	AKA Planning
<b>Location:</b>	CARE HOME, FORMER ELECTRONIC DATA SITE, HEYHOUSES LANE, LYTHAM ST ANNES, FY8		
<b>Proposal:</b>	ERECTION OF TWO STOREY BUILDING PROVIDING 76 BEDROOM CARE HOME WITH ASSOCIATED CAR PARKING, LANDSCAPING AND INFRASTRUCTURE		
<b>Parish:</b>	HEYHOUSES	<b>Area Team:</b>	Area Team 1
<b>Weeks on Hand:</b>	7	<b>Case Officer:</b>	Matthew Taylor
<b>Reason for Delay:</b>	Not applicable		

**Summary of Recommended Decision:** Grant

**Summary of Officer Recommendation**

The proposal relates to the erection of a care home on part of the former EDS site on Heyhouses Lane which has seen recent development of a pub, retail store and residential properties.

The scheme will make efficient use of a previously developed site within the settlement boundary of Lytham St Annes and would form part of a wider development to regenerate redundant employment land. The care home, by virtue of its size, scale, massing, height, layout, materials and design, would be compatible with the character of surrounding buildings and the street scene, and would have no adverse impact on the privacy and amenity of adjoining occupiers. The development would facilitate safe and convenient access for vehicles and pedestrians, and would make satisfactory arrangements for parking and servicing in order that it would not have any detrimental impact on the safe and efficient operation of the surrounding highway network. Landscaping to be introduced as part of the scheme would ensure a pleasant visual aspect to the street, a screening buffer with adjacent uses and an appropriate balance of hard and soft landscaping (including adequate provision of private garden space). The development would have no prejudicial impact on designated sites of ecological/geological importance and would not affect the favourable conservation status of any protected species. Satisfactory measures can be put in place to ensure that the development poses no unacceptable risk in terms of flooding, noise or contamination.

The proposal is therefore in accordance with the relevant policies of the Fylde Borough Local Plan and the National Planning Policy Framework.

**Reason for Reporting to Committee**

The application is for major development and the officer recommendation is for approval. Therefore, in accordance with the Council's scheme of delegation, the application is to be determined by the Development Management Committee.

## **Site Description and Location**

The application relates to the former stocks and bonds offices located to the south side of Heyhouses Lane, Lytham St Annes. Although allocated as an 'Existing Industrial Area' on the Fylde Borough Local Plan (FBLP) Proposals Map, the site is in the process of being redeveloped for a combination of uses including a Public House, Booths Supermarket and a residential development of 162 dwellings by Morris Homes. At present, the Public House (The Water's Edge) to the northeast corner of the site is now open and the supermarket to the northwest corner is nearing completion. Both buildings form a prominent frontage onto Heyhouses Lane. Construction of the dwellings is underway to the southern part of the site, with a handful having been completed along the southeastern boundary. The above developments have been brought forward (either through reserved matters or separate, full planning applications) following the issuing of outline planning approval 12/0465 which gave permission for:

- A 1860 square metre retail foodstore;
- A 930 square metre buildings for a mix of uses;
- 250 dwellings; and
- A retirement village comprising up to 85 dwellings

The outline approval was followed by full planning applications for the Public House (13/0635) to the northeast corner and supermarket (13/0450) to the northwest corner fronting onto Heyhouses Lane, and a reserved matters application for 162 dwellings (13/0448) to the southern end of the site.

This application relates to the last remaining plot on the site which has not been the subject of any further applications since outline approval 12/0465. The site comprises a rectangular parcel of land with an area of approximately 0.5 hectares and lies alongside the northwestern boundary between the car park to the rear of the supermarket and the Morris Homes site further to the southwest, and to the immediate rear of dwellings on Elswick Place. The site is generally flat and presently comprises a hardstanding surface occupied by cabins and materials forming the site compound for ongoing developments on adjacent plots. A *circa* 3m high weld mesh fence encloses the northwestern boundary with dwellings on Elswick Place. This is supplemented by a brick wall topped by timber fencing to the rear gardens of these properties.

The site is flanked by a large car park to the supermarket along its northeastern boundary, by the main estate road serving the development off Heyhouses Lane to the southeast and by semi-detached dormer bungalows on Elswick Place to the northwest. The southwestern boundary would run parallel to car ports, gardens and dwellings (specifically plots 81-92) which are yet to be constructed as part of the ongoing Morris Homes development.

The main estate road branches into the site in a southwesterly direction off Heyhouses Lane via a wide, bell mouth priority ('give way') junction. The estate road is flanked by footways backed by strips of landscaping to both sides. A substantial area of soft landscaping provides a buffer between Heyhouses Lane and the two-storey pub behind to the northeast corner, with the taller (though still two storey) supermarket to the northwest corner built up to the footway.

## **Details of Proposal**

The application seeks full planning permission for the erection of a 76 bed care home including associated parking and landscaping. With the exception of single storey protrusions to the northwest and southeast corners, the building would be two storeys in height and would follow an I-shaped layout comprising three rectangular blocks as follows:

- Two 'wings' running latitudinally to the northern and southern ends parallel to the northwestern boundary and new estate road respectively;
- A central, longitudinal 'spine' running at right angles connecting the two wings.

The main (longitudinal) section of the building would occupy a broadly central position within the site flanked by a 21 space car park to the east accessed via an opening off the main estate road to the northeast corner. A strip of landscaping would intervene between the car park for the care home and that of the adjacent supermarket. Communal garden areas would be provided to the west of the main building and alongside the northwestern boundary in order to provide buffers with the new dwellings proposed on the adjacent site and those on Elswick Place. A tree-lined boulevard alongside the southeastern boundary with the estate road would flank the estate road.

### **Relevant Planning History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
13/0448	APPLICATION FOR THE APPROVAL OF ALL RESERVED MATTERS (LANDSCAPE, LAYOUT, ACCESS, APPEARANCE, SCALE) PURSUANT TO APPLICATION 12/0465 FOR THE DEVELOPMENT OF 162 RESIDENTIAL DWELLINGS	Granted	23/12/2013
12/0465	RESUBMISSION OF APPLICATION 11/0173 FOR OUTLINE APPLICATION FOR THE REDEVELOPMENT OF THE SITE FOR A 1,860 m2 RETAIL FOODSTORE (CLASS A1); 930 m2 COMMERCIAL FLOORSPACE TO BE OCCUPIED BY A RANGE OF POTENTIAL USES INCLUDING RETAIL (CLASS A1) AND/OR FINANCIAL & PROFESSIONAL SERVICES (CLASS A2) AND/OR RESTAURANTS & CAFES (CLASS A3) AND/OR TAKEAWAYS (CLASS A5) AND/OR COMMUNITY USES (CLASS D1); A RESIDENTIAL DEVELOPMENT OF UP TO 250 DWELLINGS; A RETIREMENT VILLAGE (CLASS C3) COMPRISING UP TO 85 DWELLINGS AND ASSOCIATED ACCESS WORKS, ROADS, CAR PARKING, OPEN SPACE AND HARD & SOFT LANDSCAPING INCLUDING THE ERECTION OF A SECURE FENCE BETWEEN THE PROPOSED DEVELOPMENT & THE RETAINED OFFICE ACCOMMODATION ADJACENT TO THE SITE.	Approved with 106 Agreement	02/10/2012
DEM/11/0003	DEMOLITION OF EXISTING SINGLE AND TWO STORY PRE-FABRICATED AND BRICK BUILDINGS, TIMBER BUILDINGS.	Approve Prior Determination	20/12/2013
11/0173	OUTLINE APPLICATION FOR THE REDEVELOPMENT OF THE SITE FOR A 1,860 SQUARE METRE RETAIL FOODSTORE (CLASS	Refused	08/03/2012

A1); 930 SQUARE METRES OF COMMERCIAL FLOORSPACE TO BE OCCUPIED BY A RANGE OF POTENTIAL USES INCLUDING RETAIL (CLASS A1) AND/OR FINANCIAL & PROFESSIONAL SERVICES (CLASS A2) AND/OR RESTAURANTS & CAFES (CLASS A3) AND/OR TAKEAWAYS (CLASS A5) AND/OR COMMUNITY USES (CLASS D1); A RESIDENTIAL DEVELOPMENT OF UP TO 250 DWELLINGS; A RESIDENTIAL CARE INSTITUTION (CLASS C2) OR A RETIREMENT VILLAGE (CLASS C3) COMPRISING UP TO 85 APARTMENTS AND ASSOCIATED ACCESS WORKS, ROADS, CAR PARKING, OPEN SPACE AND HARD & SOFT LANDSCAPING INCLUDING THE ERECTION OF A SECURE FENCE BETWEEN THE PROPOSED DEVELOPMENT & THE RETAINED OFFICE ACCOMMODATION ADJACENT TO THE SITE.

**Relevant Planning Appeals History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
11/0173	<p>OUTLINE APPLICATION FOR THE REDEVELOPMENT OF THE SITE FOR A 1,860 SQUARE METRE RETAIL FOODSTORE (CLASS A1); 930 SQUARE METRES OF COMMERCIAL FLOORSPACE TO BE OCCUPIED BY A RANGE OF POTENTIAL USES INCLUDING RETAIL (CLASS A1) AND/OR FINANCIAL &amp; PROFESSIONAL SERVICES (CLASS A2) AND/OR RESTAURANTS &amp; CAFES (CLASS A3) AND/OR TAKEAWAYS (CLASS A5) AND/OR COMMUNITY USES (CLASS D1); A RESIDENTIAL DEVELOPMENT OF UP TO 250 DWELLINGS; A RESIDENTIAL CARE INSTITUTION (CLASS C2) OR A RETIREMENT VILLAGE (CLASS C3) COMPRISING UP TO 85 APARTMENTS AND ASSOCIATED ACCESS WORKS, ROADS, CAR PARKING, OPEN SPACE AND HARD &amp; SOFT LANDSCAPING INCLUDING THE ERECTION OF A SECURE FENCE BETWEEN THE PROPOSED DEVELOPMENT &amp; THE RETAINED OFFICE ACCOMMODATION ADJACENT TO THE SITE.</p>	Withdrawn	14/01/2013

## **Parish/Town Council Observations**

**St Annes on the Sea Town Council** were notified of the application on 20 May 2015. No response had been received at the time of writing the report (and following the expiration of the statutory consultation period). Any late representations will be reported to members at the committee meeting.

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

### **LCC (Highways):**

Raise no objections and comments are summarised as follows:

- A Transport Statement (TS) and Framework Travel Plan (FTP) have been provided in support of this application.
- The development forms part of a larger site which is currently under construction. As a result of the other developments a number of changes to the highway network will be implemented, including bus stop provision and pedestrian crossing facilities on Heyhouses Lane. The traffic from this proposal will have little impact on highway safety and capacity.
- The level of car parking proposed and the layout of the car park is acceptable. The developer is proposing to provide space for 10 bicycles which is acceptable. However, this should be covered and secure. The FTP is also acceptable.
- The access to the development is from the spine road to the wider site. The access is acceptable. It is, however, currently a private road although there is a S38 in place for its adoption.
- There are no highway objections to this proposal, though the following conditions should be attached to any permission granted:
  - The car park shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the cycle space, car parking spaces and manoeuvring areas be provided and marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.
  - The provisions of the Framework Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

### **Natural England**

No objections.

### **Regeneration (Landscape and Design):**

Raise no objections and comments are summarised as follows:

- The Heyhouses site is located on the former Stocks and Bonds site. It has been planned as a mixed use development containing a supermarket for Booths, a public house/restaurant, residential development, a 'care village' and public open space. The development has been carefully planned to present a high quality edge to Heyhouses Lane with a principal access road serving all of the development sites within the overall site boundary. The supermarket and the frontage green, framing the public house and residential development, is highly visible. This site for the care village sits behind the supermarket and will be highly visible from the car park and the main access into the site. The site in question is of an oblong shape with the long side to the car park – the shorter side fronting on to the development's access road.
- The care 'village' actually takes the form of a single building extending through the site. However, it will contain a number of 'wings' which gives the development an interesting form. In early discussions with the developer it was stipulated that the development should

be a maximum of two storeys, though importantly, it should be arranged on a number of planes to provide interest and definition to the site and the open spaces within. As a result, and following further discussions, it is noted that various features have been deployed to add visual interest to the development. These include, projecting gables, glazed sections, a corner 'turret' feature to link two elevations of the building towards the frontage, a pronounced entrance to the building, brick and stone banding and a variety of gabled and hipped roofs.

- It is also noted that the soft landscaping has been increased by reappraising the car parking requirement, which offers more space to add trees and shrubbery. This should also offer the scope for undulating the ground contours of the soft planted areas that should add interest and visually integrate the development more appropriately into the site. The access way into the site, reduced parking and new wall to enclose the amenity area is an improvement.
- It is noted that the end of the building closest to the proposed residential properties has been significantly improved by reducing the height of this part of the building to single storey and placing a duo hipped roof over. This would have the effect of improving significantly the residential amenity for the nearest property.
- From an urban design perspective, the scheme is now considered to be one that can be supported. It is suggested that the materials/finishes will have a bearing on the final quality of the building and as a result these should be conditioned. Likewise, the indicative soft landscaping indicates that a satisfactory design can be achieved, but again, this will rely on the appropriate details being approved and implemented. As far as possible the planting to the boundary adjoining the supermarket should be integrated as it will appear as one block of planting. Likewise the suggested avenue of trees to the road frontage on the application site should complement the general planting philosophy of the access road, namely the creation of a tree lined boulevard.
- It would also be appropriate to condition the surface materials and street furniture as such details are important and if appropriately detailed would add to the overall quality of the completed development.

**Environmental Health Officer (EHO):**

Raised no objections and recommend the following conditions:

- Construction times shall be limited to 08.00 - 18.00 Mondays to Friday; 08.00-13.00 Saturdays and no works on Sundays or Bank Holidays.
- The documentation provided states that piling will take place in order to provide suitable footings/foundations. Due to the close proximity of dwellings the applicant shall inform nearby residents when piling shall take place. It may be necessary to include contact details for complaints especially if structural damage is reported.

**National Air Traffic Services (NATS):**

No objections on safeguarding grounds.

**United Utilities:**

No objections. Comments as follows:

- The site should drain in accordance with the hierarchy in the Building Regulations as follows: (i) a soakaway; (ii) a watercourse; (iii) a sewer.
- In accordance with the principles set out in the submitted foul and surface water drainage strategy, a condition should be imposed on any permission granted ensuring that surface water from the development drains to the culverted watercourse at a rate of no more than 26 litres per second. No surface water should drain directly or indirectly to the public sewerage system.

## **Neighbour Observations**

**Neighbours notified:** 20 May 2015  
**Site notice posted:** 27 May 2015  
**Press notice:** 28 May 2015  
**No. Of Responses Received:** None

The appropriate neighbouring properties have been notified of the application by letter. In addition, as the proposal represents major development notices have also been posed on site and in the local press. No representations have been received.

## **Relevant Planning Policy**

### **Fylde Borough Local Plan:**

SP01	Development within settlements
EMP2	Existing business & industrial uses
CF05	Residential care facilities
TR10	Car park design
EP14	Landscaping of new developments
EP16	Development in or near SSSI's
EP18	Natural features
EP19	Protected species
EP25	Development and waste water
EP27	Noise pollution
EP28	Light pollution
EP29	Contaminated land
EP30	Development within floodplains

### **Other Relevant Policy:**

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

### **Site Constraints**

SSSI

## **Environmental Impact Assessment**

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended), but does not exceed the threshold in Column 2 of the table relating to category 10(b) developments. Therefore, it is not Schedule 2 development for the purposes of the Regulations and, accordingly, is not EIA development.

## **Analysis**

### **Principle of development:**

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 indicates that development proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for Fylde comprises the saved policies of the Fylde Borough Local Plan (2005). However, paragraph 215 of the NPPF makes clear that, where there is conflict with between the policies in the Local Plan and the Framework, the

NPPF should prevail.

As outlined at paragraph 14, the underpinning principle embedded within the NPPF is a presumption in favour of sustainable development. In terms of decision taking, this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the] Framework taken as a whole; or
  - specific policies in [the] Framework indicate development should be restricted.

The site is allocated as an 'Existing Industrial Area' on the FBLP Proposals Map and is identified as being appropriate for B1 uses only in FBLP policy EMP2. However, this allocation sought to retain the former use of the site as offices and, following the closure/demolition of these premises and the subsequent grant of permission for a mix of non-employment uses on the site pursuant to outline planning approval 12/0465, the site's allocation in the FBLP is now out-of-date. Therefore, the safeguarding criteria for employment uses set out in policy EMP2 should not be seen as a constraining factor to the development.

Whilst the outline permission did not include a care home (a C2 use), it did make provision for a retirement village comprising up to 85 dwellings. As the current application seeks full planning permission for the care home, it is not reliant on the mix of uses permitted under the outline (i.e. it is not an application for reserved matters). Nevertheless, the outline permission does establish the principle of the site's redevelopment for non-employment uses and a number of other strategies with respect to the delivery of a comprehensive, mixed-use development on the land (e.g. with respect to ecology, flooding and highways).

The site presently comprises an informal, hardstanding surface used as a site compound for the storage of cabins, materials and other appurtenances associated with the ongoing Morris Homes development. All buildings which previously stood on the site have now been demolished and the land cleared. Previously developed land is defined in Annex 2 of the NPPF as follows:

- "Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time".

The eighth bullet point to paragraph 17 of the NPPF indicates that one of the Framework's core planning principles is to:

- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

In addition, FBLP policy SP1 seeks to direct development towards built-up areas within the boundaries of existing settlements, including St Annes.

The site falls within the settlement boundary of Lytham St Annes and occupies a sustainable location

in close proximity to local amenities. The scheme would make efficient use of previously developed land in accordance with the objectives of the NPPF, and when considered in combination with the permission for non-employment uses approved elsewhere on the wider site the principle of development is acceptable.

Layout, scale and design:

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

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

Criteria (2) and (3) of FBLP policy CF5 state that the development of residential care facilities will be permitted provided that:

- The development in conjunction with other similar uses does not alter or adversely affect the character of the area.
- The development is acceptable in terms of its scale, design and appearance and effect on the street scene.

The care home would follow an I-shaped layout on a rectangular parcel of land adjacent to the car park at the rear of the Booths supermarket. The proposed building is of a considerable massing and, whilst located a minimum of approximately 135m from the junction with Heyhouses Lane, would be prominently in view from public vantage points along the highway, particularly as it would be seen across open land forming the supermarket's car park.

From the junction of the site access and Heyhouses Lane, the care home would be seen between the supermarket and Public House and, importantly, in conjunction with the massing of these commercial buildings. In particular, the care home would, in terms of its scale, height, massing and roof profile, be directly comparable to the supermarket (albeit of a different layout and shape). Accordingly, when viewed alongside the two commercial buildings fronting onto Heyhouses Lane, it would not appear as a dominant or incongruous feature. The care home would be compatible with the mix of uses on the site permitted as part of the outline and would provide a transitional buffer between commercial uses to the northern end of the site and housing to the south.

The building would be organised with a 'spine' running longitudinally through the centre of the site and protruding 'wings' at right angles flanking the northwest and southeast boundaries. The building's shape affords undulating façades onto the car park to the north (this forming the front elevation) and the main courtyard garden to the south (the rear of the building). The southeast side of the care home would present the main frontage to the estate road, with the northwest side flanking dwellings on Elswick Place. The elevational treatment of the building makes use of a number of architectural features in order to address the site's most prominent visual aspects and to break up the elevations. These include:

- A protruding two-storey 'turret' to the northeast corner adjacent to the access including a parapet surround and curtain wall glazing.
- Hipped roofs of varying heights to distinguish the central spine and flanking wings.
- A staggered facing gable to define the main entrance.
- Indentations forming recessed roof terraces at first floor level to either side of the main entrance.
- A parapet protrusion to the southeast corner of the elevation fronting onto the main estate road.

With the exception of single storey protrusions to the southeast and northwest corners, the building would be two storeys in height. A facing gable would frame the main entrance and parapet roofs would distinguish protruding features, though the main building would be topped by a hipped roof. Window proportions and alignment would ensure rhythm and symmetry across the elevations, with larger areas of glazing emphasising key areas. Externally, the building is to have a red brick finish to complement the adjacent supermarket, an artificial slate roof and grey aluminium windows.

Landscaped buffers are proposed in the form of communal garden areas to the rear and northwest side of the building, with a wide swathe of greenspace forming a tree lined boulevard to the estate road and a narrow strip of landscaping supplemented by protruding notches to the northeast boundary alongside the car park. Boundary treatments to the site perimeter would include:

- A low (400mm high) knee rail to the boundary with the estate road.
- A 1.8m wall alongside the boundary with the supermarket car park comprising a 600mm dwarf wall topped by 1.2m high railings.
- A 1.8m high close boarded fence along the southwest and northwest boundaries.
- A service yard and bin store within an indentation to the northeast corner of the building enclosed by a 1.8m brick wall and timber gates.

The proposed building, by virtue of its size, shape and siting, would sit comfortably within the site and the external layout would ensure a satisfactory buffer with adjacent uses and an attractive visual aspect in the street scene. The care home, by reason of its scale, height, massing, roof profile, materials and design, would be compatible with the character of adjacent buildings and the mix of uses on the site and would not appear as a dominant or intrusive addition. The proposal is therefore in accordance with the requirements of FBLP policy CF5 and the NPPF.

Relationship with surrounding development:

Criterion (1) of FBLP policy CF5 states that the development of residential care facilities will be permitted provided that:

- The development will not have any detrimental effect on the amenities of neighbouring properties.

FBLP policy EP27 indicates that development which would unnecessarily and unacceptably result in harm by way of noise pollution will not be permitted.

In addition, policy EP28 stipulates that development proposals involving external lighting facilities should avoid or minimise harm with respect to loss of local character, loss of amenity or reduction in highway safety. The policy requires that external lighting schemes should not be excessive for their function and that light sources are directed to avoid extraneous emissions.

Although relating more closely to residential extensions, policy 1D of the Council's SPD 'Extending Your Home' identifies recommended separation distances to be achieved between neighbouring dwellings in order to ensure satisfactory levels of privacy. In particular, criterion (iii) of the policy

states that:

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

The care home would be located between a supermarket to the northeast, dwellings approved as part of the Morris Homes development to the southeast and southwest, and existing dormer bungalows on Elswick Place to the northwest (nos. 17 - 20). The two storey elements of the building would achieve the following minimum separation distances with these uses:

- Approximately 60m with the rear elevation of the supermarket.
- 21m with the front elevations of dwellings proposed on the opposite side of the estate road.
- 3.5m with the side elevations of dwellings proposed beyond the southwest boundary.
- 24m with the rear elevations of dormer bungalows on Elswick Place.

All the above spacing distances exceed the 21m standard between principal elevations (those containing habitable room windows) outlined in the SPD and, when combined with the screening to be introduced along intervening boundaries with adjoining properties (having particular regard to boundary treatments and perimeter treelines), it is not considered that the development would have an oppressive or overbearing impact on existing or future occupiers. Whilst substantial in its massing, the care home would be no taller than two storeys in height and its hipped roof would slope away from neighbouring dwellings to a flat top which minimises the bulk of the roof space.

Single storey projections are proposed to the southeast and northwest corners of the building and would be substantially screened by intervening boundary treatments and landscaping. In particular, it is considered that the reduced height of the building on the southeast corner would be of significant benefit to the amenity enjoyed by future occupiers of plots 81 and 82 of the Morris Homes development by stepping down adjacent to their garden areas. The southwest corner of the building would run alongside part of the gable elevation to plot 89 of the adjacent development and, accordingly, would not affect views from any principal, habitable room windows for future occupiers of this property. Views of the staggered elevation from the front of plot 89 would be at an oblique angle and the separation between the two would ensure no undue impact with respect to outlook.

Windows are proposed in all elevations of the building, though these are kept to a minimum (a ground floor doorway and first floor landing) alongside plot 89 in order to restrict any direct overlooking towards this dwelling. Elsewhere, the abovementioned separation distances and screening with surrounding buildings would ensure that the development does not infringe upon the privacy of adjoining occupiers. Large areas of glazing are confined to the building's principal elevations onto public areas (the estate road and supermarket car park) and would not afford intrusive views towards existing or proposed dwellings.

The proposed C2 use, although different to dwellinghouses, would be inherently residential in character. Whilst there would be comings and goings associated with staff and deliveries (the applicant anticipating that there would be a maximum of 25 staff on site at any one time working in shifts between 08:00-20:00 and 20:00-08:00) this is unlikely, given that the parking/servicing areas are enclosed by the building to the front of the site and run adjacent to the supermarket car park, to cause any specific or distinguishable noise nuisance beyond ambient levels in the area. No details of external lighting have been provided as part of the application. However, there is no reason to suggest that this could not be adequately dealt with by requiring specific details regarding the siting and spillage of external lighting through condition.

The proposed development, by virtue of its size, scale, height, massing, layout, orientation and design (including the position and proportions of fenestration), would result in an acceptable

relationship with neighbouring properties (both existing and proposed) and would achieve sufficient screening and separation with these uses in order that it would have no undue impact on the privacy and amenity of adjoining occupiers through overlooking, overshadowing, loss of outlook or loss of daylight. The proposed use would not give rise to any unacceptable noise nuisance and any external lighting can be appropriately controlled via condition so as to ensure no visual intrusion. The proposal is therefore in accordance with the requirements of FBLP policies CF5, EP27 and EP28, and the NPPF.

#### Landscaping and amenity space:

Criteria (4) and (5) of FBLP policy CF5 state that the development of residential care facilities will be permitted provided that:

- Adequate private garden space is available.
- A satisfactory standard of landscaping can be achieved.

In addition, policy EP14 requires new developments to make suitable provision for landscape planting.

Landscaped gardens with a combined area of some 1,384 square metres (equating to 18.2 square metres per bedroom) are proposed to the rear (southwest) and side (northwest) of the building. These garden areas would include a combination of outdoor seating on patios, flower beds, footpaths and linear tree planting along the site perimeter. Additional incidental landscaping is also proposed:

- Along an entrance plaza approaching the main entrance.
- Within a 7.5m deep tree-lined boulevard alongside the estate road.
- Within a narrow strip alongside the northeastern site boundary flanking the landscaping to the edge of the supermarket car park.

The car park and access road into it would comprise block paving, with stone paving to footpaths leading from the site access to the main entrance.

The proposed landscaping would provide visual relief and a green buffer with adjoining land and uses in order to soften the development's visual impact on the street scene. In particular, the landscaping arrangement would present an attractive frontage to the estate road via a deep strip of open space alongside the southeastern boundary, and would soften the visual impact of the car park when viewed in conjunction with that at the adjacent supermarket. The scheme would achieve a satisfactory balance of hard and soft landscaping across the site and a pleasant visual aspect from surrounding public vantage points. The level of provision made for outdoor garden space for future residents would also be sufficient for the size of the care home. The proposed development is therefore in accordance with the requirements of FBLP policies CF5 and EP14, and an appropriate condition has been recommended requiring submission of a detailed landscaping scheme and planting plan to ensure appropriate species and planting distances.

#### Highways:

The third bullet point to paragraph 32 of the NPPF states that decision makers should take account of whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Criteria (6) and (7) of FBLP policy CF5 state that the development of residential care facilities will be permitted provided that:

- Satisfactory access and parking requirements can be met.
- The provision of parking facilities would not unduly affect the residential character of the

area by involving the significant loss of garden areas or trees of townscape value.

In addition, policy TR10 sets out six criteria for developments including car parks as follows:

- the car parking scheme provides a high degree of safety for vehicle drivers, cyclists and pedestrians;
- the car park is accessible to emergency service vehicles;
- the car park includes the provision of a landscaping scheme which will enhance the character and quality of the development without compromising security;
- the car park is well designed using surface materials, boundary treatments, lighting and other street furniture items of high quality;
- the scheme provides facilities for the parking of motorcycles and cycles;
- where car parks are being provided for employees or the general public, the scheme incorporates facilities for the vehicles of disabled persons.

The car parking standards in Appendix 4 of the emerging Local Plan require a maximum provision of 1 space per 5 beds for care homes, including 3 bays or 6% (whichever is greater) for disabled parking. For a 76 bed care home this would equate to the need for 16 car parking spaces, including 3 dedicated bays for disabled parking.

The scheme includes provision for a total of 21 car parking spaces within the forecourt to the front of the building, including 3 disabled bays adjacent to the main entrance. A total of 10 cycle parking spaces would also be made available. This level of provision exceeds the standard set out in Appendix 4 of the emerging Local Plan and, accordingly, the development makes adequate provision for off-road parking as required by FBLP policy CF5. In addition, the layout, siting and design of the car park (including landscaping provision to soften its visual impact) is considered to be acceptable for the purposes of policy TR10.

The site access would be located to the northeast corner of the plot and would form a priority T-junction junction with the main estate road which serves the remainder of the site. The access would be of a sufficient size to allow two-way vehicle movements and a turning head at the end of the entrance drive would ensure adequate turning space for service and emergency vehicles. The application is accompanied by a Transport Statement (TS) which considers the development's impact in comparison to the approved outline scheme on the site (specifically the 85 dwelling retirement village). The assessment of the retirement village for the outline application identified peak two-way traffic flows of 7 and 18 vehicles in the am and pm periods respectively. As the number of bedrooms proposed as part of the care home would be less than that permitted for the retirement village, the TS concludes that there would be a proportionate reduction in traffic generation in comparison to the levels anticipated under the outline permission.

LCC Highways have raised no objection to the application on the grounds of traffic generation, access, parking or servicing, nor do they disagree with the conclusion in the TS that "*the predicted peak hour trip generation from the development is very low overall and would be insignificant in the context of the capacity of the surrounding highway network*". Appropriate conditions have been recommended in accordance with the request from LCC. Therefore, it is not considered that the development would have any severe impact on the safe and efficient operation of the surrounding highway network, either adjacent to or further away from the site. The proposal is therefore in accordance with the requirements of FBLP policy CF5, and the NPPF.

#### Ecology:

The Site of Special Scientific Interest (SSSI) of 'Lytham Coastal Changes' is located adjacent to the site's frontage onto Heyhouses Lane. The newly constructed Public House lies to the immediate rear

of the SSSI, with this area having been preserved and landscaped as part of the wider development.

FBLP policy EP16 states that development proposals within or likely to prejudicially affect SSSIs will not be permitted unless damaging impacts on the nature conservation interest of the site can be appropriately avoided or mitigated.

In addition, policy EP18 requires that existing natural features are retained where possible, within development schemes and where appropriate, additional features created as part of the development.

FBLP policy EP19 identifies that development which would have an adverse impact upon species specifically protected under schedules 1, 5 or 8 of the wildlife and countryside act 1981 (as amended) or their habitats will not be permitted.

The third bullet point to paragraph 109 of the NPPF indicates that the planning system should contribute to and enhance the natural and local environment by:

- Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 118 of the NPPF states that, when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following (relevant) principles:

- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- Opportunities to incorporate biodiversity in and around developments should be encouraged.

The site is located wholly outside the boundaries of the Lytham Coastal Changes SSSI and its impact risk zone. The SSSI has been notified for its geological interest and, as the pub development adjacent to it (including associated landscaping and mitigation measures) has now taken place, it is not considered that the proposed development has any further implications with respect to impacts on the SSSI or the features for which it has been notified. Indeed, Natural England have raised no objections to the development on this basis.

The land currently forms a cleared site with an informal hardstanding surface void of any vegetation or other features capable of providing roosting or foraging habitat for protected species. Adjoining land forms a construction site which creates a barrier with any external pathways into the site. Therefore, it is not considered that the development has any potential to adversely affect the favourable conservation status of protected species. In addition, the development would introduce new landscaping and planting to the site which has the potential to provide biodiversity enhancements as part of the scheme.

The proposed development would have no prejudicial impact on the nature conservation status of the Lytham Changes SSSI and would not result in the loss of any habitats which are capable of supporting specially protected species. Biodiversity enhancements would be introduced as part of the scheme to supplement the mitigation works already undertaken as part of the wider development (having particular regard to the SSSI). The proposed development is therefore in accordance with the requirements of FBLP policies EP16, EP18 and EP19, and the NPPF.

### Flooding and drainage:

Paragraph 100 of the NPPF states that *“inappropriate development in areas at risk of flooding [land within Flood Zones 2 and 3; or land within Flood Zone 1 which has critical drainage problems and which has been notified to the local planning authority by the Environment Agency] should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere”*.

FBLP policy EP 30 indicates that development will not be permitted which would:

- Itself be subject to an unacceptable risk of flooding;
- Create an unacceptable increase in the risk of flooding within the development site, or elsewhere;
- Adversely affect the water environment as a result of an increase in surface water run-off;
- Prejudice the capability of the coast to form a natural sea defence;
- Result in excessive culverting;
- Prejudice essential access requirements to watercourses or flood defence.

FBLP policy EP25 stipulates that development will only be permitted where foul sewers and sewerage treatment facilities of adequate design and capacity are available to meet additional demand or their provision can be secured as part of the development.

The site lies within flood zone 1 (land with a less than 1 in 1,000 or <0.1% annual probability of river/sea flooding) as defined on the Environment Agency’s Flood Map and is under 1 hectare in area. Accordingly, it does not need to be accompanied by a Flood Risk Assessment (FRA). A foul and surface water drainage strategy has, however, been submitted in support of the application. This strategy considers the site comprehensively and includes surface water discharge allowances for each element of the wider development to ensure that adequate measures are put in place in respect of the 30 year storm event (including a 20% allowance for climate change).

The strategy calculates the pre-development rate for the whole site at 672 litres per second and seeks to achieve a reduction of 218 litres per second (or 32.5%) to this. In respect of the care home, an attenuated maximum discharge rate of 26 litres per second has been identified on this part of the site as its site-specific contribution to the overall discharge rate. Foul water is to be connected to the existing foul sewer.

United Utilities have indicated that they are satisfied with the principles outlined in the drainage strategy subject to the imposition of an appropriate condition to limit the rate of surface water discharge to that set out in the strategy (a maximum of 26 litres per second). Therefore, adequate measures can be put in place and secured by condition to ensure that the development would not itself be at risk of flooding or increase flood risk elsewhere, nor would it overload the capacity of the sewer network.

### Contamination:

The fifth bullet point to paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by:

- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 121 of the NPPF indicates that planning policies and decisions should ensure that:

- the site is suitable for its new use taking account of ground conditions and land instability,

including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;

- after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- adequate site investigation information, prepared by a competent person, is presented.

In addition, FBLP policy EP29 states that development on land known or suspected of being contaminated will only be permitted where:

- the proposed development is an acceptable land-use in principle;
- the applicant can demonstrate the degree of contamination, if any, and where appropriate can identify acceptable measures to remove or treat the source(s) of contamination commensurate with the proposed use;
- the treated land and the measures necessary to achieve it do not produce any unacceptable risks to human health or the wider environment, including the contamination of surface water, ground water or sewers.

The application is accompanied by a ground investigation report which includes details of both phase I (desk study) and phase II (intrusive) site investigations which include:

- A source-pathway-receptor geo-environmental assessment.
- Details of ground investigations (including intrusive investigations and laboratory testing).
- A geotechnical assessment of ground conditions.

The phase I and II investigations conclude that, in the absence of any contamination sources, there is a low risk to human health and controlled waters arising as a result of the development. Accordingly, no further assessments or remedial actions are considered to be necessary with respect to contamination. In addition, no special gas protection measures are considered to be required in this case. The Council's EHO does not dispute the conclusions in the report and, accordingly, no conditions requiring further ground investigations are considered to be necessary.

The report does, however, identify the need for piled foundations. The Council's EHO has recommended that a condition be attached to any permission granted restricting hours of construction and requiring the applicant to notify surrounding residents when piling works are taking place. An appropriate condition requiring the submission of a construction method statement has been recommended in this regard.

#### Developer contributions:

The Council's Interim Housing Policy (IHP) outlines the circumstances where contributions will be sought from residential developments towards affordable housing, public open space and public realm improvements. As the proposed development (a C2 use) falls within a different use class to dwellinghouses (C3 uses), it is not considered that these contributions are applicable for the care home development, nor are such contributions required by FBLP policy CF5. Accordingly, no contributions are considered to be necessary to make the development acceptable in planning terms for the purposes of the three tests in paragraph 204 of the NPPF.

#### Conclusions

The proposal would make efficient use of a previously developed site within the settlement boundary of Lytham St Annes and would form part of a wider development to regenerate redundant employment land. The care home, by virtue of its size, scale, massing, height, layout, materials and design, would be compatible with the character of surrounding buildings and the street scene, and

would have no adverse impact on the privacy and amenity of adjoining occupiers. The development would facilitate safe and convenient access for vehicles and pedestrians, and would make satisfactory arrangements for parking and servicing in order that it would not have any detrimental impact on the safe and efficient operation of the surrounding highway network. Landscaping to be introduced as part of the scheme would ensure a pleasant visual aspect to the street, a screening buffer with adjacent uses and an appropriate balance of hard and soft landscaping (including adequate provision of private garden space). The development would have no prejudicial impact on designated sites of ecological/geological importance and would not affect the favourable conservation status of any protected species. Satisfactory measures can be put in place to ensure that the development poses no unacceptable risk in terms of flooding, noise or contamination. The proposal is therefore in accordance with the relevant policies of the Fylde Borough Local Plan and the National Planning Policy Framework.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission relates to the following plans:

- Drawing no. PL001 Rev H – Proposed site layout.
- Drawing no. PL002 Rev F – Proposed ground floor plan.
- Drawing no. PL003 Rev F – Proposed first floor plan.
- Drawing no. PL004 Rev F – Proposed elevations – sheet 1 of 2.
- Drawing no. PL005 Rev F – Proposed elevations – sheet 2 of 2.
- Drawing no. PL006 Rev B – Location plan.
- Drawing no. PL007 Rev A – Street scene.
- Drawing no. PL008 Rev A – Proposed ground floor layout with landscaping.
- Drawing no. PL009 Rev A – Proposed boundary treatments.
- Drawing no. 2239-02B – Landscape strategy.

The development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Fylde Borough Local Plan and the National Planning Policy Framework.

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

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Fylde Borough Local Plan policy CF5 and the National Planning Policy Framework.

4. No above ground works shall take place until details of finished floor levels for the building and ground levels for the external areas of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: In order to ensure a satisfactory relationship between the development, surrounding buildings and the street scene in the interests of residential and visual amenity in accordance with the requirements of Fylde Borough Local Plan policy CF5 and the National Planning Policy Framework.

5. Within 3 months of development first taking place, details of the design, materials, finish and colour of the boundary treatments shown on drawing no. PL009 Rev A shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in accordance with the duly approved details (including those relating to their height and siting as shown on drawing no PL009 Rev A) before the building is first occupied, and retained as such thereafter.

Reason: In the interests of site security and to ensure a satisfactory relationship with the character of surrounding buildings and the street scene in accordance with the requirements of FBLP policy CF5.

6. Within three months of development first taking place a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall demonstrate compliance with the principles identified on drawing no. 2239-02B and shall include details of the type, species, siting, planting distances and the programme of planting of trees and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within three years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of FBLP policies CF 5 and EP14.

7. Notwithstanding the requirements of condition 2 of this permission, no above ground works shall take place until a scheme for the design and construction of the site access, vehicle parking and other hardstanding areas (including their surface treatment and provision for the drainage of surface water from them) hereby approved has been submitted to and approved in writing by the Local Planning Authority. The access, parking and hardstanding areas shall be constructed and made available for use in accordance with the duly approved scheme before the building hereby approved is first occupied.

Reason: To ensure a satisfactory standard of engineering works, that there is adequate provision for vehicles to be parked clear of the highway and to achieve suitable visibility at the junction between the site access and the estate road in the interests of highway safety in accordance with the requirements of Fylde Borough Local Plan policy CF5 and the National Planning Policy Framework.

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

- separate systems for the disposal of foul and surface water, including measures to ensure that no surface water drains directly or indirectly to the public foul/combined sewer;
- a detailed drainage design to demonstrate that the post-development surface water discharge rate to any soakaway, watercourse or sewer does not exceed 26 litres per second, including details of any necessary flow attenuation measures to achieve this;
- means of access for maintenance and easements (where applicable);
- (i) a timetable for implementation, including any phasing of works;
- (ii) a management and maintenance plan for the lifetime of the development which, as a minimum, shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company, arrangements concerning appropriate funding mechanisms for the ongoing maintenance of all elements of any sustainable drainage system (including mechanical components), ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

The scheme shall be implemented in accordance with the duly approved details before the building is first occupied, or within any other timescale first agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Fylde Borough Local Plan policies CF5, EP25 and EP30, and the National Planning Policy Framework.

9. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include details of the following: - (i) hours for site preparation, delivery of materials and construction; (ii) the parking of vehicles of site operatives and visitors; (iii) loading and unloading of plant and materials; (iv) storage of plant and materials used in constructing the development; (v) the erection and maintenance of security hoarding; (vi) wheel washing facilities; (vii) measures to control the emission of dust and dirt during construction; (viii) a scheme for recycling/disposing of waste resulting from construction works; and (vix) a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjoining the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring properties during the construction of the development in accordance with the requirements of Fylde Borough Local Plan policies HL2 and EP27, and the National Planning Policy Framework.

10. The bin store shown on drawing no. PL009 Rev A shall be constructed in accordance with the details (including its size, height, siting, design and materials) indicated on the approved plan and made available for use before the building is first occupied. The duly constructed bin store shall be retained as such thereafter.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse in the interests of visual amenity in accordance with the requirements of Fylde Borough Local Plan policy CF5.

11. Before the building is first occupied, details of the size, materials and design of the cycle stands

shown on drawing no. PL001 Rev H shall be submitted to and approved in writing by the Local Planning Authority. The duly approved cycle stands shall be installed and made available for use before the building is first occupied, and retained as such thereafter.

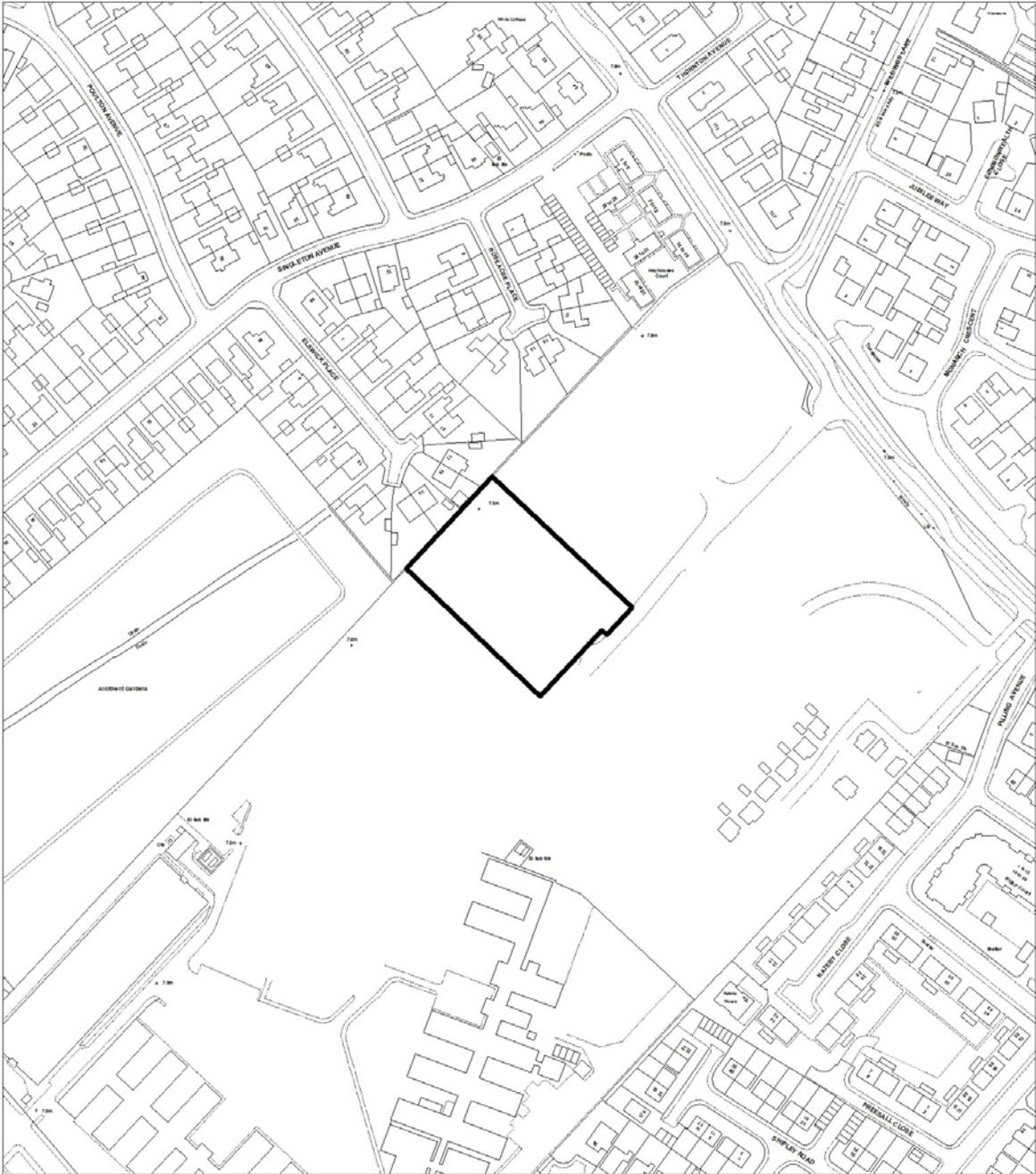
Reason: To promote modal shift and encourage travel to the site by more sustainable modes of transport in accordance with the objectives of the National Planning Policy Framework.

12. Notwithstanding any details contained within the application, full details of any external lighting to be installed on the building and the external areas of the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. Such details shall include its position and height on the building or site and its luminance, angle of installation and any hoods to be fixed to the lights. Any lighting shall thereafter be installed in accordance with the duly approved details.

Reason: To ensure that any external lighting to be installed on the buildings does not cause a nuisance to surrounding occupiers in accordance with the requirements of Fylde Borough Local Plan policy CF5.

13. The measures to promote a choice of transport modes outlined in chapters 6 and 7 of the Framework Travel Plan (FTP) by Fairhurst (report reference D/I/D/109110/601) shall, unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, be implemented in accordance with the details and timescales contained therein. An annual monitoring report which assesses the effectiveness of the measures introduced by the FTP (and which, as a minimum, shall include the details outlined in paragraph 8.5 of the FTP) shall be submitted to and approved in writing by the Local Planning Authority for the first three years following the implementation of the FTP.

Reason: In order to ensure that the development encourages people to travel to the site by sustainable modes of transport in accordance with the objectives of the National Planning Policy Framework.



Development Services Fylde Council		(c) Crown Copyright and database right (2015). Ordnance Survey (100006084).	
Application No. 5/15/0310	Address Care Home, Former EDS Site, Heyhouses Lane, Lytham St Annes	Grid Ref. E.3337 : N.4294	Scale 0 10 20 30 40 m 

**Item Number:** 5

**Committee Date:** 8 July 2015

<b>Application Reference:</b>	15/0334	<b>Type of Application:</b>	Reserved Matters
<b>Applicant:</b>	Baxter Homes Ltd	<b>Agent :</b>	CFM Consultants Ltd.
<b>Location:</b>	ELSWICK TRADING PARK, HIGH STREET, ELSWICK, PRESTON, PR4 3ZZ		
<b>Proposal:</b>	PROPOSED VARIATION OF CONDITION 1 OF PLANNING PERMISSION 14/0253 TO ALLOW DWELLING ON PLOT 9 TO BE RE-POSITIONED		
<b>Parish:</b>	ELSWICK AND LITTLE ECCLESTON	<b>Area Team:</b>	Area Team 2
<b>Weeks on Hand:</b>	8	<b>Case Officer:</b>	Ruth Thow
<b>Reason for Delay:</b>	Not applicable		

**Summary of Recommended Decision:** Grant

**Summary of Officer Recommendation**

This application seeks to vary condition no. 1 on reserved matters approval reference 14/0253 which relates to the erection of 9 dwellings on a former commercial site in the centre of Elswick village. The development has commenced and this application seeks consent to substitute the approved site layout drawing with one which revises the position of Plot no 9 which is currently under construction on site.

The revision results in the plot moving 300mm nearer to the existing neighbouring property at 'The Bungalow'. Given the minor change of the new position from that approved by Members it is considered that the revised layout is acceptable as the neighbours are not so significantly prejudiced by this variation. As such the application is recommended for approval by Members.

**Reason for Reporting to Committee**

This application is on the agenda as the Parish Council comments are contrary to the officer recommendation and under the Council's Scheme of Delegation such applications are to be decided by the Development Management Committee.

**Site Description and Location**

The application site is the former Elswick Trading Park, High Street, Elswick. The site was granted planning permission for nine dwellings under outline application number 08/0829 and 'Reserved Matters' application 14/0253. The latter application approved by Members on 1st October 2014.

The site is an irregular shaped site situated on the south side of High Street, Elswick. Vehicular access is provided from two points from the High Street.

Work to construct the dwellings is well under way, the site having been cleared of the previous industrial buildings.

The site is located within the settlement of Elswick as identified in the Fylde Borough Local Plan, As Altered, October 2005.

### **Details of Proposal**

This application seeks permission for a Variation of Condition no. 1 of permission granted under application number 14/0253 to allow the re-positioning of the dwelling proposed to be sited on Plot no. 9 situated to the south eastern corner of the site.

The dwelling is angled on the plot and is adjacent to the dwelling situated at 'The Bungalow', Roseacre Drive. The separation distances as approved under application no. 14/0253 between Plot 9 and 'The Bungalow' are 2.7 metres from the corner of the front elevation of that point nearest 'The Bungalow' and 2.2 metres from the rear corner.

During the course of construction the new dwelling has been set out so that the above separation distances have been reduced to 2.39 metres and 2.04 metres respectively.

The house type remains that as approved under 14/0253, arranged over three floors to provide a four bedroomed property.

### **Relevant Planning History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
14/0253	APPLICATION FOR RESERVED MATTERS OF ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE ASSOCIATED WITH ERECTION OF 9 NO. DETACHED DWELLINGS UNDER OUTLINE PLANNING PERMISSION 08/0829	Granted	14/11/2014
08/0829	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT	Approved with 106 Agreement	05/11/2013

### **Relevant Planning Appeals History**

None.

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

**Elswick Parish Council** notified on 21 May 2015 and state:

*"The members of Elswick Parish Council would like to object to the proposed variation of condition 1 of planning permission 14/0253 to allow the dwelling on plot 9 to be re-positioned.*

*The Council has noted that the amended plans have been submitted extending the plot to the deviated layout that has already been constructed and consider that the property on this plot should be erected as the original approved scheme and not as the deviated position.*

*Fylde Borough Council should also encourage the developer to move the dormer on this plot to the other side of the roof as the current position has a detrimental effect on the amenity and privacy of adjoining properties."*

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

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

No comments have been received, but as the access arrangements are unaffected by the variation their views are not critical.

## **Neighbour Observations**

**Neighbours notified:** 21 May 2015

**No. Of Responses Received:** 1 letter received in objection

**Nature of comments made:**

- (iii) Refers to disputes over land ownership on previous applications
- (iv) New homes were not to be more than 6 to 8 metres high and only 2 storey units
- (v) property being erected will be 3 storeys high obscuring view & blocking light
  - contravenes design guidance 1C & 1D
  - unrestricted views over garden area
  - not permitted to be 10.5 metres from my garden boundary
  - Could previously see Blackpool Tower
  - being objecting since February
  - builders ignored Enforcement Officer's advice
  - flagrant abuse of planning system
  - offered mediation but not agreed
  - duty to ensure that due process is followed diligently

## **Relevant Planning Policy**

### **Fylde Borough Local Plan:**

SP01	Development within settlements
HL02	Development control criteria for new housing proposals
HL06	Design of residential estates

### **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**

This application seeks permission for a variation of condition no. 1 of permission granted under application number 14/0253 to allow the re-positioning of a dwelling on a site currently under construction.

## **Background to Condition**

Application 08/0829 and subsequent application 14/0253 granted approval for nine dwellings on an irregular area of land previously occupied by Elswick Trading Park, an industrial estate.

Condition no. 1 states:

*"This consent relates to the original and revised plans received by the Local Planning Authority on 14 November 2014 with the following references.*

- *Location Plan - CFM drawing BH/04286/0018*
- *Proposed Site Layout - CFM drawing BH/4271/005 Rev D*
- *Proposed Planting Plan - Re Landscapes drawing 041.C.03 A*
- *Proposed housetype for Plot 1 - CFM drawing BH/4271/015 Rev F*
- *Proposed housetype for Plot 2 - CFM drawing BH/4271/014 Rev E*
- *Proposed housetype for Plot 3 - CFM drawing BH/4271/013 Rev C*
- *Proposed housetype for Plot 4, 5, 6 - CFM drawing BH/4271/010 Rev D*
- *Proposed housetype for Plot 7, 8 - CFM drawing BH/4271/011 Rev D*
- *Proposed housetype for Plot 9 - CFM drawing BH/4271/016 Rev C*

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

The layout for the eight of the plots are arranged along the southern boundary of the site, four of the properties are back to back with property nos 2 -8 Larbreck Avenue. Plots 7, 8 and Plot 9 back onto the rear access road previously serving the Industrial Park. Plot no. 9 is the eastern most corner of the site adjacent to 'The Bungalow' situated on Roseacre Drive and is angled on the plot.

#### Current Situation

On commencement of the development reports were received to the Council's Enforcement Officer that ground works that had been undertaken which identified that Plot 9 was not set out as that approved under drawing no. BH/04271/005 REV D as listed in the condition relating to approved plans. This has been raised with the developer and this application submitted in an attempt to regularise the situation with the proposal being to replace the approved plan Rev D with Rev F. No alterations to the design of the dwelling are proposed, and there are no amendments to any other part of the development..

Plot no. 9 is set at an angle to the boundary with the neighbours at 'The Bungalow', as was the plot on the approved layout. However the dwelling has been repositioned such that the separation distance has been reduced by 0.31 metres and the front elevation corner and by 0.16 m resulting in a side to side spacing of 2.39 and 2.04 between the existing property and the new dwelling. The detached garage to this plot has also been moved slightly closer to the rear of this neighbour.

#### Impact on neighbours

The new dwelling is designed with a single storey element, at ground floor, to the side elevation which provides for an 'L' shaped lounge/sitting room, which is that part of the new dwelling nearest to the boundary with 'The Bungalow'. There are no windows on the side elevation of this element.

There is a window at first floor level facing the boundary with the neighbour which serves a shower room and is a 'non habitable' room which is also likely to be fitted with obscure glazing.

Whilst there are windows at ground and first floor level on the side elevation of 'The Bungalow' facing Plot no. 9, a 1.8 metre high fence is to be erected along the boundary between the application property and these neighbours and this will screen most of the ground floor lounge on the new dwelling.

Given such a small reduction in separation distances which has occurred as a result of the setting out of this plot, the design of the new dwelling which sets back the bulk of the dwelling from the neighbouring property to 5 metres, it is considered that the neighbours are not so significantly prejudiced by the repositioning of this plot to warrant a refusal of the application. The repositioned garage is 400mm closer to the rear elevation of the property, but this is also a position that retains an acceptable relationship to this neighbour.

#### Other matters

The Parish Council have requested that the dormer on the new dwelling be relocated. The house type is the same as that granted approval under 14/0253. Issues of loss of privacy for neighbours as a result of the design of the new dwellings were considered at that time and whilst the dwelling on Plot 9 has moved to the east it has not significantly altered the position of the dwelling so as to be no longer acceptable in regards to loss of privacy for any neighbours.

Comments raised by the neighbour in regards to land ownership are not a planning matter. Contravention of design notes 1C and 1D refer to the Council's Supplementary Planning Document for house extensions and refer to loss of sunlight/daylight and overlooking. Notwithstanding the relevance of the document referred for this type of application, as reported above, given the previous permission for a house design of this type on this plot and the limited nature of the change of position it is considered to be not so significant as to prejudice the amenity of the neighbours and warrant a refusal of the application.

Issues of loss of view raised by neighbour again have been agreed by the previous application with the 'right to a view' not being a material planning consideration. The outlook from existing properties are considered in regards to general residential amenity and have been assessed in the approval of the previous application.

#### Conclusions

This application seeks to vary condition no. 1 on planning permission 14/0253 to substitute the approved layout drawing no. BH/04271/005 REV D, for the new layout REV F, which indicates the revised position of Plot no 9 and is as commenced on site.

The revision results in the plot moving nearer to the occupiers of 'The Bungalow' however given the small scale nature of the new position and the design of the new dwelling it is considered that the neighbours are not so significantly prejudiced by this variation of plot position to warrant a refusal of the application.

The proposed variation of condition complies with policies SP1, HL2 & HL6 of the Fylde Borough Local Plan, as amended (October 2005) and the aims and guidance in the NPPF and National Planning Practice Guidance and is of an appropriate design and position on site will not have a detrimental impact on the character of the area, residential amenity or highway safety.

#### Recommendation

That the condition be varied as requested and condition 1 to 14/0253 be as follows, with other conditions which remain relevant from that permission also repeated.

1. This consent relates to the original and revised plans received by the Local Planning Authority on 14 November 2014 with the following references.

- Location Plan - CFM drawing BH/04286/0018
- Proposed Site Layout - CFM drawing BH/4271/005 Rev F
- Proposed Planting Plan - ReLandscapes drawing 041.C.03 A
- Proposed housetype for Plot 1 - CFM drawing BH/4271/015 Rev F
- Proposed housetype for Plot 2 - CFM drawing BH/4271/014 Rev E
- Proposed housetype for Plot 3 - CFM drawing BH/4271/013 Rev C
- Proposed housetype for Plot 4, 5, 6 - CFM drawing BH/4271/010 Rev D
- Proposed housetype for Plot 7, 8 - CFM drawing BH/4271/011 Rev D
- Proposed housetype for Plot 9 - CFM drawing BH/4271/016 Rev C

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

2. There shall be no construction activity except between the hours of :

08:00 hours and 18:00 hours Mondays to Fridays  
08:00 hours and 13:00 hours Saturdays

and at no time on Sundays and Bank Holidays without the written consent of the Local Planning Authority.

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

3. The development shall be implemented in accordance with the Construction Plan approved under planning permission 14/0253 to confirm the method and details of construction; including vehicle routing to the site, construction traffic parking and any temporary traffic management measures, times of construction, access and deliveries.

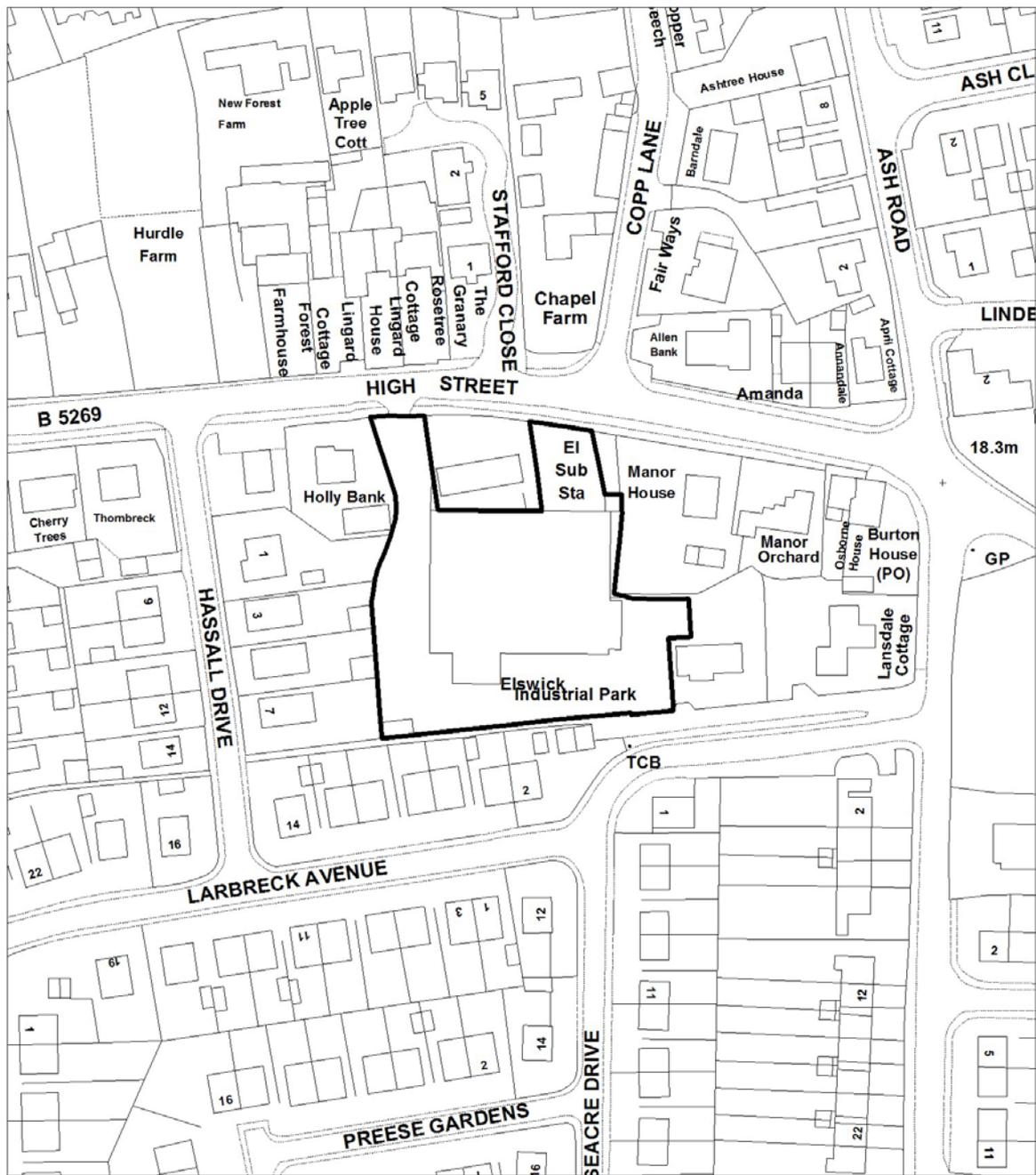
To maintain the safe operation of the pedestrian and highway network in the area during construction given the proximity to residential properties.

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

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

5. The proposed windows shown coloured green on the approved housetype drawings associated with reserved matters approved 14/0253 shall be glazed with obscure glass of a type to be agreed with the Local Planning Authority and shall thereafter be retained or if replaced the glass shall be of the same type as previously agreed.

To safeguard the amenities of the occupants of adjoining residential premises.



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Application No. 5/15/0334	Address Elswick Trading Park, High Street, Elswick	Grid Ref. E.3421 : N.4383	Scale 0 6 12 18 24 m 

**List of Appeals Decided**

The council did not receive any decisions on planning appeals between the dates of 29 May 2015 and 26 June 2015.

# INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING & REGENERATION	DEVELOPMENT MANAGEMENT COMMITTEE	8 JULY 2015	6

## NORTH WEST COAST CONNECTIONS ROUTE ANNOUNCEMENT

### PUBLIC ITEM

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

### SUMMARY OF INFORMATION

Over the last 5 years, National Grid has been exploring a number of options to connect a proposed new nuclear power station at Moorside in Cumbria into the National Grid network in Lancashire and Cumbria. It has been decided that Moorside will be connected at two points on the existing network to ensure security of supply. The chosen corridor runs from Harker substation near Carlisle largely following the path of existing low voltage power lines around the Cumbrian coast to Moorside. It then heads from Moorside to the Furness peninsula where it goes under Morecambe Bay to emerge at Middleton substation near Heysham, in Lancashire.

National Grid selected the corridor after listening to peoples' views at a series of 33 consultation events and considering over 1,200 written responses, including 70 from local authorities and parish councils.

### SOURCE OF INFORMATION

National Grid North West Coast Connections Project Manager

### LINK TO INFORMATION

[www.northwestcoastconnections.com](http://www.northwestcoastconnections.com)

### WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

Fylde Council made representations, in regard to an offshore route option that would have come ashore in Fylde close to Blackpool airport, expressing concerns relating to ecological and visual impacts. This route will not now be pursued. As the chosen corridor will not directly impact on Fylde, it is proposed that no further officer time will be utilised on this project.

### FURTHER INFORMATION

Contact Mark Evans, Head of Planning & Regeneration, 01253 658460 [mark.evans@fylde.gov.uk](mailto:mark.evans@fylde.gov.uk).