



Agenda

Planning Committee

Date:	Wednesday, 22 June 2022 at 10:00 am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Tim Armit, Gavin Harrison, Kiran Mulholland, Jayne Nixon, Linda Nulty, Liz Oades, David O'Rourke, Heather Speak, Ray Thomas, Stan Trudgill.</p>

Public Speaking at the Planning Committee

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

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	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 8 June 2022 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24.	1
	DECISION ITEMS:	
4	Planning Matters	3 - 61
	INFORMATION ITEMS:	
5	List of Appeals Decided	62 - 63

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

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Item No.	Appn No.	Location	Proposal	Recommendation	Page No
1	21/0293	BANKFIELD LODGE, POOL FOOT LANE, SINGLETON, POULTON-LE-FYLDE, FY6 8LZ	ERECTION OF ONE DETACHED DWELLING WITH DETACHED GARAGE (PART RETROSPECTIVE)..	Grant	5
2	21/0652	LAND TO EAST OF BUSH LANE / WEST OF NAZE LANE INDUSTRIAL ESTATE, BUSH LANE, FRECKLETON, PRESTON, PR4 1UH	CHANGE OF USE OF LAND FROM AGRICULTURAL TO EQUESTRIAN USE, ERECTION OF SINGLE STOREY BUILDING PROVIDING 10 STABLES, TACK STORE, FEED STORE, SHOWER AND OTHER SUPPORTING FACILITIES FOR PRIVATE EQUESTRIAN USE, FORMATION OF HARDSTANDING AREAS, AND FORMATION OF SAND PADDOCK WITH LIGHTING ON 6 X 3M HIGH COLUMNS	Grant	24
3	22/0231	1 TITHEBARN TERRACE MILL LANE STAINING BLACKPOOL LANCASHIRE FY3 0BL	1) FIRST FLOOR, TWO STOREY AND SINGLE STOREY SIDE EXTENSIONS; 2) SINGLE STOREY REAR EXTENSION; AND 3) FRONT PORCH	Grant	38
4	22/0341	NORTH BEACH WINDSPORTS CENTRE CLIFTON DRIVE NORTH LYTHAM ST ANNES	1) RECONFIGURATION AND CHANGE OF USE OF EXISTING WINDSPORTS CENTRE & CAFE BUILDING TO USE AS WINDSPORTS CENTRE, CAFE AND RANGER BASE. 2) SCHEDULE OF ASSOCIATED	Delegate to Officers	47

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LANCASHIRE
FY8 2PP

WORKS TO INCLUDE
ALTERATIONS TO
WINDOWS AND DOORS,
INSTALLATION OF EXTRACT
& INLET VENTILATION TO
CAFE KITCHEN,
REPLACEMENT OF EXISTING
EXTERNAL DECK WITH NEW
EXTENDED DECK, AND
FORMATION OF ACCESS
RAMP AND ACCESS
FOOTPATH

Background Papers

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

- Fylde Local Plan to 2032 (Incorporating Partial Review) (December 2021)
- Joint Lancashire Minerals and Waste Local Plan
- Bryning-with-Warton Neighbourhood Plan
- Saint Anne's on The Sea Neighbourhood Development Plan
- National Planning Policy Framework 2021
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- Other Supplementary Planning Documents, Guidance and evidence base documents specifically referred to in the reports.
- The respective application files
- The application forms, plans, supporting documentation, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
- Any additional information specifically referred to in each report.

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

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Item 1

Application No:	21/0293	Case Officer:	Ruth Thow Area Team 2
Applicant:	Mrs Murdoch	Agent:	Mr Abbott-Hull
Location:	BANKFIELD LODGE, POOL FOOT LANE, SINGLETON, POULTON-LE-FYLDE, FY6 8LZ		
Proposal:	ERECTION OF ONE DETACHED DWELLING WITH DETACHED GARAGE (PART RETROSPECTIVE)		
Ward:	Singleton and Greenhalgh	Parish:	Singleton
Statutory Expiry:	30 June 2021	Earliest Decision:	1 April 2022
Reason for any delay:	Need to determine at Committee due to Parish / Town Council request	Online application file here	

Officer Recommendation: Granted

Summary of Officer Recommendation

This application site is an area of land located to the south of Pool Foot Lane in Little Singleton where there are a small number of large dwellings located and the local plan designation is as Countryside. The application seeks permission for a replacement dwelling in a countryside location, and whilst Policy GD4 is restrictive of many forms of new development there is scope for replacement dwellings to be accepted under Policy H7 subject to an assessment of them against the scale of the property compared to the original dwelling.

Residential accommodation was previously provided in the small gatehouse on the site and the proposal in this application far exceeds the scale of the gatehouse. However, planning permission was previously granted for a new, larger dwelling on this site under application no. 14/0627 and this remains extant as a start was made on that application. This permission includes an allowance for other buildings situated to the rear of the site which were to be demolished as was an approach that was permissible under the policies that applied at that time which pre-dates the current Fylde Local Plan to 2032.

The comparison to make in the assessment of this application is therefore related to the differences between the dwelling proposed in this application and that previously approved.

Work has commenced on the proposed dwelling, but has now largely ceased following intervention by the council's enforcement officers. These works include a platform that will form the patio to the dwelling and its foundations together with a detached garage. The Parish Council have expressed concern over the visual impact of the dwelling arising from scale of the dwelling and the platform. However, the dwelling is not so significantly large in scale when compared to that approved to warrant refusal of the application. The design is appropriate for the site and in character with neighbouring properties in this area of Pool Foot Lane. The site is partially screened by woodland and is well separated from any public views and will not result in a detriment to the amenity of neighbours.

Ecological benefits can be introduced through condition and the woodland retained to main the pleasant rural character and biodiversity in the area.

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As such, the proposal is considered to be compliant with the relevant policies of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework and is therefore recommended for approval by Members.

Reason for Decision Level

The officer recommendation for approval conflicts with the views of the Parish Council and so it is necessary to present the application to the Planning Committee for a decision.

Site Description and Location

The application site is Bankfield Lodge, Pool Foot Lane, Singleton. The site is situated on the south side of Pool Foot Lane was once part of the larger Bankfield Estate. This was subdivided to provide the 'Bankfield Manor' property situated to the west and the application site. The application site is an 'L' shaped area of land measuring 0.8 Ha which comprises of a small gatehouse building and previously contained several agricultural buildings, now demolished.

The site wraps around 'Old Bankfield House' which is situated to the north east with 'Bankfield Manor' to the south west and 'Bankfield Farm' to the north. Whilst these properties are within the vicinity of the site the application plot is very wooded with large open areas between properties. An area of open land lies to the south side of the site between the rear boundary of the application plot and the A585.

The site is designated as countryside on the Fylde Local Plan to 2032 (incorporating Partial Review) and is near to the Wyre Estuary SSSI and the Morecambe Bay SPA which are both situated to the north. Parts of the woodland are covered by Tree Preservation Order 2015 No. 16 (Singleton).

Details of Proposal

Planning permission is sought for the erection of a detached dwelling with a detached garage.

Background

Planning permission was first granted for a dwelling on this site under application number 14/0627 and following a discharge of condition application a commencement of that application was established. However, when work recently continued on the development it was at variance to that planning permission being a larger property with a different design. The works undertaken involve the completion of the detached garage and the initial works for the construction of the dwelling element. Following intervention from the planning team work on this has ceased pending the determination of the application which is therefore submitted part-retrospectively.

The application was first submitted in March 2021 and was for a dwelling of a very different design to that which is now proposed, although both are large, detached buildings. The scheme under consideration is a revision to that which has been subject to further consultation to assist the decision. The scheme that is now under consideration is set out in this section of the report.

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The Dwelling

The dwelling is proposed to be two storeys with a third floor of accommodation provided in the roof space. It has a main element that is generally square shaped, but with two 'add-ons' either side, one single storey on the east elevation with a two storey element to the west side.

The dwelling is proposed in the Palladian style with its classical entrance feature and its general overall symmetry. The footprint of the dwelling has an overall width measurement of 24.9 metres and with an overall depth of 16.4 metres. The eaves height of the main section of the dwelling measures 5.9 metres with an overall ridge height of 8.8 metres as measured from the elevated patio level.

The single storey side element has an eaves height of 2.7 metres and an overall height of 5.6 metres. The two storey side element has eaves at 5.2 metres and an overall height of 8.1 metres.

The dwelling provides a combined kitchen/dining/family room, study/office, lounge, WC, cloaks, utility, shower/wc and boot room to the ground floor, with four en-suite bedrooms to the first floor and a further bedroom ensuite and cinema room to the second floor. The design of the dwelling includes a balcony at first and second floor levels on the rear elevation.

The dwelling is to be constructed in a red/brown facing brick under a grey slate roof and with dark grey aluminium window frames and doors.

Other Elements

The detached garage is located in the northeast corner of the site and measures 9.7 metres in depth by 7 metres in width and is designed with a dual pitched roof with eaves at 2 metres and with an overall ridge height of 5.6 metres.

The site has differing land levels with a fall to the rear (south side) as a consequence the dwelling sits on an elevated platform which is supported by retaining walls. The walls have an overall height of 3.2 metres at their highest point to the rear.

Externally the scheme also includes an open swimming pool measuring 8 metres by 4 metres, and a fire pit. These are both located to the side of the property and are sunk into the elevated platform which provides an extensive patio area for the dwelling.

The site is accessed from Pool foot Lane where the gates and surround posts and wall have been constructed. These lead to a driveway that runs as a generally straight line to the location of the dwelling with dwarf walls to each side.

Relevant Planning/Appeal History

Application	Proposal	Decision	Date
18/0666	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS ON PLANNING PERMISSION 18/0082 - CONDITION 7 ARCHAEOLOGY WRITTEN SCHEME OF INVESTIGATION	Issued	09 October 2018
18/0606	APPLICATION TO SEEK CONFIRMATION THAT A LAWFUL START HAS BEEN MADE ON THE DEVELOPMENT IN ACCORDANCE WITH CONDITION 1 OF PLANNING PERMISSION 14/0627	Issued	18 September 2018
18/0082	VARIATION OF CONDITIONS 6 (DRAINAGE) AND 9 (LANDSCAPING) OF PLANNING PERMISSION 14/0627	Granted	09 July 2018

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18/0151	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS ON PLANNING PERMISSION 14/0627 - CONDITION 3 (MATERIALS), CONDITION 4 (WINDOW AND DOOR DETAILS), CONDITION 5 (GROUND LEVELS), CONDITION 7 (ARCHAEOLOGICAL INVESTIGATION), CONDITION 12 (ECOLOGICAL MITIGATION), CONDITION 14 (BIRD SURVEYS)	Issued	06 July 2018
14/0627	RESUBMISSION OF APPLICATION REF: 13/0584 - PROPOSED ERECTION OF DWELLING TO REPLACE RESIDENTIAL USE OF GATEHOUSE WITH CONVERSION OF GATEHOUSE TO DOMESTIC OUTBUILDING, ERECTION OF DETACHED GARAGE AND ASSOCIATED LANDSCAPING WORKS	Granted	29 July 2015
13/0584	PROPOSED ERECTION OF DWELLING TO REPLACE RESIDENTIAL USE OF GATEHOUSE, WITH CONVERSION OF GATEHOUSE TO DOMESTIC OUTBUILDING, ERECTION OF DETACHED GARAGE AND ASSOCIATED LANDSCAPING WORKS	Withdrawn by applicant	21 November 2013
09/0340	CERTIFICATE OF LAWFULNESS FOR PROPOSED USE FOR SIDE AND REAR EXTENSIONS TO EXISTING DWELLING, PLUS OUTBUILDING. ALL PERMITTED UNDER PERMITTED DEVELOPEMNT ORDER 2008.	Approve Certificate	04 August 2009
07/1108	CERTIFICATE OF LAWFULNESS FOR EXISTING USE OF PROPERTY AS A DWELLINGHOUSE	Approve Certificate	07 March 2008
06/0519	ERECTION OF EXTENSION, DETACHED DOUBLE GARAGE BLOCK AND NEW VEHICULAR ACCESS.	Refused by FBC / Dismissed at appeal	28 July 2006

Parish/Town Council Observations

Parish/Town Council	Observations
Singleton Parish Council	<p><u>Comments received on 2 April 2022</u></p> <p>The Parish Council had commented previously on this planning application and remains concerned about the overall height of this development and the raised levels of the ground.</p> <p><u>Comments 26 July 2021</u></p> <p>The Parish Council objects to the proposal on the following grounds:</p> <p>The Parish Council has a number of concerns with regards to this application.</p> <p>The original application for planning permission on this property was by Aldon Construction who instructed Cassidy and Ashton architects as their representatives to liaise with Fylde planning department to meet all their requirements with regards to the proposed development.</p> <p>Cassidy and Ashton submitted plans and a planning statement c/3200 revised August 2014. The application had to meet various criteria and was in depth in its production to meet all elements as laid down by Fylde Planning Department. The present application, in our view, does not meet what is laid out in the original application against which the planning permission was granted. In fact, they are building a completely</p>

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	<p>different property to the original plans submitted. If this was allowed to proceed, it would set a dangerous precedent, allowing an applicant to submit plans for an acceptable development and, once planning has been approved, simply build a different property which would not have gained permission in the first place.</p> <p>We also do not see how this revised set of plans meets any of our concerns in our email submission 3 June 21, reproduced below with further comment for clarity:</p> <p>1. Planning permission had previously been granted for a 2-storey building in this plot but what is currently being built bears no relation to the original permission and is a 3-storey building with an additional huge basement not indicated on the plans, covering virtually the whole of the proposed property. The Parish Council is very unhappy that the original planning permission has been completely ignored.</p> <p>The basement area not indicated has partly been enabled by the raising of the surrounding land this basement area has doorways going room to room so is not a building design feature to enable the house to be built.</p> <p>2. A huge mound has been built (approximately 3 metres high), which is visible from Garstang Road so the overall height of this dwelling house would be far higher than that for which permission had been granted.</p> <p>The Parish Council is also concerned about the potential for flooding to surrounding land/property due to the land having been raised so significantly.</p> <p>From Cassidy and Ashton planning statement c/3200 Items 6.10 and 6.11 "Impact upon residential amenity" as so is worth reading " Furthermore, no residential properties will be prejudiced by overlooking or visual intrusion as a result of the proposal". " the location of the dwelling , at the lower end of the site will mean that it is largely hidden from view and will be integrated with the surrounding landscape".</p> <p>4.6 states " will be set at the lower end of the site where it will blend comfortably into the landscape" 4.4 states "the dwelling will offer spacious well planned family accommodation across two floors".</p> <p>3. There is also concern about the loss of trees, some of which may have a TPO on them.</p> <p>4. The height of this dwelling would be a visual intrusion on the surrounding rural area.</p> <p>Another area of concern is the height of the building shown. On the original Aldon plans the height indicated is 8500 and on new plans indicated at 9781 however this is taken from a lower point and the highest point is actually 10000. Of greater concern though is the new height of the land.</p>
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	<p>The starting point of the house measure the original plans seem to indicate 1500 up lift in land height plus the 8500 for the proposed house. The new height looks nearer 3000 plus 10000 for the house considerably higher than the original application.</p> <p>Also, there are now more floors than the two in the original application a basement and building into the roof. The surrounding properties will be overlooked, and the proposed property will be visible from Garstang Road it is now and its only at basement level.</p> <p>The original plans are not being complied with and this is showing a total disregard for the planning regulations.</p> <p><u>Comments 3 June 2021</u></p> <p>The Parish Council objects to this proposal on the following grounds:-</p> <ol style="list-style-type: none"> 1. Planning permission had previously been granted for a 2-storey building in this plot but what is currently being built bears no relation to the original permission and is a 3-storey building with an additional huge basement not indicated on the plans, covering virtually the whole of the proposed property. The Parish Council is very unhappy that the original planning permission has been completely ignored. 2. A huge mound has been built (approximately 3 metres high), which is visible from Garstang Road so the overall height of this dwellinghouse would be far higher than that for which permission had been granted. The Parish Council is also concerned about the potential for flooding to surrounding land/property due to the land having been raised so significantly. 3. There is also concern about the loss of trees, some of which may have a TPO on them. 4. The height of this dwelling would be a visual intrusion on the surrounding rural area. The original plans are not being complied with and this is showing a total disregard for the planning regulations.
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Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
GMEU	<p><u>Comments on 23 April 2022</u></p> <p>They refer to the latest landscape plan which does correct the arrangement by deleting the elements that have implemented, but highlight that a further landscaping scheme should be secured by condition to resolve the loss of trees and grassland by requiring replacements.</p>

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	<p><u>Comments on 16 August 2021</u></p> <p><u>Summary</u> The site has already been cleared and development commenced. Residual ecological issues include nesting birds, invasive species and ecological mitigation.</p> <p><u>Protected Species</u> The resurvey confirmed no issues regarding protected species within this part of the development. No further information or measures are required.</p> <p><u>Nesting Birds</u> The majority of the bird nesting habitat on the site has already been cleared. Mature trees however still remain as do small areas of scrub. Whilst I suspect these are to be retained, given the site has already been cleared around them as a precaution I recommend a condition along the following lines is applied to any permission.</p> <p><i>No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.</i></p> <p><u>Invasive Species</u> Rhododendron and variegated yellow archangel are present on the site, both are included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. I recommend a condition along the following lines is applied to any permission.</p> <p><i>Prior to any further earthworks a method statement detailing eradication and/or control and/or avoidance measures for rhododendron and variegated yellow archangel should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.</i></p> <p><u>Contributing to and Enhancing the Natural Environment</u> Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. Significant areas of semi-natural vegetation and associated bird nesting habitat have been lost. A landscape and environmental plan has been provided. This however predates site clearance and whilst similar, the currently proposed layout does not match that within the LEMP.</p> <p><i>An updated plan is therefore recommended prior to determination in line with current proposals.</i></p> <p>The mitigation proposals are however broadly acceptable, in terms of pond enhancement and provision of bird and bat boxes, though additional replacement tree planting is likely required as more trees than originally proposed appear to have been removed and the grassland previously retained and enhanced now</p>
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	appearing to require recreation. Replacement trees should be native in origin and suitable to the location.
Environment Agency	Their comments relate to the methods to be utilised for the draining of the swimming pool element of the proposal, and are advisory notes to ensure compliance with the relevant legislation rather than being fundamental to the merits of the scheme.
Tree Officer	The Tree Officer has visited the site and advised that the two trees highlighted as T10 & T11 (Treescape Consultancy Ltd tree report) are not under preservation order and look to be in poor condition and little signs of vitality. No issues with the felling of trees T10 and T11.
LCC Highways	<i>LCC Highways does not have any objections regarding the proposed erection of one detached dwelling with detached garage and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.</i>
Natural England	<i>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.</i>
United Utilities	They made initial comments on the application which highlighted the absence of a surface water drainage scheme. The later version of the plans included a scheme and so their further thoughts were sought. These are dated 4 May 2022 and confirm that the proposals are acceptable in principle to United Utilities. They request that a condition is imposed to any planning permission to require that the submitted surface water drainage strategy is implemented.

Neighbour Observations

Neighbours notified: 7 May 2021
Amended plans notified: 18 March 2022
Site Notice Date: 7 May 2021
Press Notice Date: N/A
Number of Responses Total number of comments 0

Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory

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development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review):

GD4 - Development in the Countryside
GD7 - Achieving Good Design in Development
ENV1 - Landscape
ENV2 - Biodiversity
CL1 - Flood Alleviation, Water Quality and Water Efficiency
CL2 - Surface Water Run-Off and Sustainable Drainage
H7 - Replacements and Extensions in Countryside

NPPF – National Planning Policy Framework (July 2021)

NPPG – Planning Practice Guidance

Environmental Impact Assessment

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

Comment and Analysis

Background information

The principle of residential use on this site was established following the submission of application 06/0519 which was submitted for extensions and alterations to the gatehouse which has historically been a dwelling. This application was refused by the LPA and dismissed on appeal. However, the issue of the abandonment of the residential use of the building was not accepted by the Planning Inspector who opined *'I therefore conclude on the matter of abandonment that it has not been demonstrated to me that the residential use of the gatehouse was abandoned.'* A Lawful Development Certificate was then sought for various extensions under 'Permitted Development' regulations.

Having established that there was an existing residential use on the site through the occupation of the gatehouse not being abandoned, and that it could be increased in scale using permitted development rights, planning permission was then sought and granted for the demolition of a group of agricultural/stable buildings situated centrally within the site and their replacement with a new dwelling. This was to be a replacement for the residential use of the gatehouse (application no. 14/0627 refers).

Application no. 18/0606 was then approved and confirms that a lawful start to the development approved under planning permission 14/0627 had occurred. This meant that that permission remains extant and can continue to be implemented at any time.

The site was subsequently sold on and the new owner submitted the current application for a dwelling of a revised design and scale to that approved. Since the submission of the application officers have been in discussion with the applicant to address concerns raised by the work which has taken place and the proposed development. This has resulted in a further revised scheme which is that presented here.

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Policy Background

On 22 October 2018 the council adopted the Fylde Council Local Plan to 2032 as the development plan. This has recently undergone a partial review which has also been adopted, and consequently, the Fylde Local Plan to 2032 (incorporating Partial Review) is now the up-to-date development plan.

Therefore, the policies of this plan are those relevant to this application, with the National Planning Policy Framework (2021) being a material consideration in the decision making process.

Principle of Development

The site is located in the Countryside under policy GD4 of the Fylde Local Plan to 2032 (incorporating Partial Review) (FLPPR32). This is a generally restrictive policy, but has a series of exemptions to that restraint with one of these being 'c) extensions to existing dwellings and other buildings in accordance with Policy H7;'

With the lawful use of the site as a single dwelling being established through the planning history set out above the requirements of Policy H7 is applicable as it provides guidance on the assessment of a replacement dwelling.

Policy H7 states 'Proposals to replace and/or extend an existing home in the countryside will be permitted where the following criteria are met:

- a. The replacement or extended home is increased in size by no more than 33% calculated in relation to the ground floor area of the original home; and
- b. The appearance of a replacement home respects the character of the original building and the surrounding rural area.

The scale of the dwelling proposed in this application far exceeds the modest scale of the gatehouse on this site and so is clearly in conflict with both elements of Policy H7. However, planning permission exists for a larger dwelling which was permitted under the criteria of the previous Fylde Borough Local Plan (as altered 2005). This was allowed after consideration of the residential use and scale of the agricultural/stable buildings on the site, as was permitted under the previous development plan that was applicable at that time, and this permission (14/0627) remains extant. This means that the conflict with Policy H7 needs to be 'set aside' in the determination of this application, with the assessment to make being a comparison of the dwelling proposed in this application to the extant scheme and the wider planning principles.

Those assessments will be made in the remainder of this report, but it is the case that the principle of a residential property on this plot has been established.

Impact on visual amenity and character of the countryside

The application site is situated to the south side of Pool Foot Lane at the eastern end of the lane. The north western end of Pool Foot Lane, that nearest to the junction with Garstang Road/Mains Lane, is characterised by traditional, detached dwellings and a caravan park, consisting of static caravans which results in a clustering of development at the top section of the lane and is urban in appearance. Towards the application site, that nearest to Windy Harbour Road, the character of the lane changes

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and the dwellings are spread much further apart and are situated on larger plots and are separated from the group of properties at the top of the lane by large gaps and intervening fields.

The application plot formed part of the former Bankfield estate which includes Bankfield Farm, Old Bankfield House and Bankfield Manor. Each of these plots is surrounded by significant landscaping.

The dwelling proposed in this application is to be situated roughly centrally within the rear of the site, where the plot is widest, in the approximate location where there was a group of buildings comprising the coach house and agricultural buildings which once served Bankfield Manor and which have since been demolished.

The design of the proposed development has been revised from that originally submitted in this application and has been reduced in scale and the design amended. The resultant scheme now proposes a dwelling in the 'Palladian' style which is identifiable by its symmetry, its pediment entrance feature, and classical columned porch.

Whilst the design is different to that of the previously approved dwelling on this plot under application no. 14/0627, and is perhaps a little more 'grand' than other rural properties found in the wider Fylde countryside, it remains traditional in its styling. This allows the conclusion to be reached that it is not out of keeping with the character of the large dwellings which are evident at the eastern end of Pool Foot Lane which vary considerably in scale and design.

The scale of the dwelling being proposed exceeds any calculation required under Policy H7a) which refers to replacement dwellings and extensions when a comparison calculation is undertaken between the habitable accommodation in the gatehouse and the dwelling proposed in this application. However, the scale of the proposed dwelling is not dissimilar to that previously approved under application no. 14/0627 which was approved prior to the current Local Plan where an allowance was made for the scale of the buildings to be demolished which factored into the decision.

The sloping nature of the site has resulted in the land to the south side (rear of the site) to be levelled and a platform built with the dwelling sitting centrally. The platform includes a small open air swimming pool and fire pit sunken into the platform which is supported by retaining walls on three sides. The overall height of this platform is similar to that previously approved but its extent has been increased. With a 3m high platform and the height of the dwelling at 8.8m the overall height is 11.8m. The dwelling approved under 14/0627 had a platform height of 1.5 metres and a dwelling height of 10 metres resulting in the overall height of 11.5m. Consequently, the overall scale of the development that is now proposed is not so significantly higher than that previously approved.

Both the development approved under application 14/0627 and that proposed in this application include the addition of a detached garage and the retention of the gatehouse building.

The garage building has been constructed and is near completion. It is positioned close to the boundary with the neighbours at Old Bankfield House. Again, this is in a similar location to the garage approved under 14/0627 and is of the same scale. Given its position it is screened from the north by a line of Poplar trees and the buildings associated with Old Bankfield House and as such is not obtrusive in the landscape.

The gatehouse previously provided the residential accommodation on this site. This is to be relinquished by the proposed accommodation but will remain in domestic use as a store/garage building and refurbished. This is helpful in retaining its unique interest features established in this part of the lane.

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The Parish Council provided detailed comments on the original scheme submitted in this application which proposed a much larger dwelling of three storeys. Since that time the applicants have revised the design of the dwelling and reduced the scale to that being presented today. Whilst the Parish Council's comments advise that they remain concerned about the scale and impact of the dwelling the building is set well back within the plot from the highway at Pool Foot Lane and will largely be screened by the existing woodland from views to the north side. It may be possible to obtain views of the dwelling from Garstang Road to the rear of the site but these views would be at a separation of around 255m with the intervening undulating land of the proposed Windy Harbour golf course site between the two and also features mature hedgerow and trees along the north side of Garstang Road. Whilst there is a pavement the road is not a particularly attractive walking route and would not appear to be a popular pedestrian route as a consequence. Therefore, any views of the property are most likely to be from vehicles using this road and with a speed limit of 50 mph those views are going to be fleeting, distance views. Notwithstanding the potential for views from either pedestrians or from vehicles the dwelling is not an unattractive form of development and consequently is not required to be hidden from view.

Given these factors the proposal is considered to be in compliance with Policy GD7 of FLPPR 2032.

Relationship to Neighbours

Policy GD7 (b) requires that development proposals ensure that amenity will not be adversely affected by neighbouring uses, both existing and proposed.

The nearest neighbours to this site are those at 'Old Bankfield House' situated to the north. This property is separated by circa 67m from the proposed dwelling and is screened from the development by a line of trees along the boundary. Given these conditions neither this property nor that to the west at 'Bankfield Manor' are likely to suffer any impact in terms of the scale of the dwelling, overshadowing nor any loss of privacy.

As a result, it is considered that the development is acceptable in terms of neighbour amenity and compliant with the requirements of Policy GD7 in this respect.

Landscaping

Policy ENV1 of the FLPPR32 requires development has regard to its visual impact within its landscape context and the landscape type in which it is situated.

As reported above the site is very wooded and parts are covered by Tree Preservation Order 2015 No. 16 (Singleton). Residential use of the site had long since ceased prior to the submission of the recent applications and the site had become very overgrown and neglected. As work on the dwelling has commenced the site has been cleared of a lot of the undergrowth and areas of the land have been levelled to allow for the construction of the platform.

The landscaping scheme proposes the removal of two trees, the view of the council's tree officer has been sought who has visited the site and advised that these trees are not within the areas covered by the Tree Preservation Order and are not viable in the long term and consequently there are no issues in relation to their removal.

The applicants are proposing landscaping of the site to include hedging around the platform and the provision of additional tree planting to replace the lost trees. As a consequence, it is considered that

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the scheme can provide sufficient replacement landscaping to compensate any losses which would satisfy the requirements of Policy ENV1 of the FLPPR32.

Highways

The NPPF paragraph 111 states that 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

FLPPR policy GD7 (r.) states 'The development should not prejudice highway safety, pedestrian safety, and the efficient and convenient movement of all highway users (including bus passengers, cyclists, pedestrians and horse riders). *The development should not reduce the number of on-site parking spaces available, unless there are other material considerations which justify the reduction.*'

Pool Foot Lane is a lightly trafficked route which has been closed off to vehicles at the point where it connects with Windy Harbour Road. Consequently, this limits the number of vehicles using the road. Notwithstanding this the site has an existing access which serves the site, the existing boundary wall and gates have been replaced as part of the development carried out at this site. However, the new wall is at the height of the previous wall and the gates are set back to provide visibility and an off road waiting area.

LCC Highways have been consulted and have not objected to the scheme on the basis that the development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Officers are satisfied that the level and nature of vehicle movements associated with the development can be accommodated on the highway network, that the access point is a suitable one, and that the parking and turning arrangements will be appropriate. Accordingly, the development meets the requirements of Policy GD7 and NPPF guidance on this matter.

Ecology

There is FLPPR policy support and NPPF guidance for ensuring that new development proposal protect and enhance biodiversity. An element of this is set out in paragraph 180 of NPPF which states that "if significant harm to biodiversity 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".

In this case there are two elements of ecological interest: the wider scale potential impact that arises from the site being located in the Impact Risk Zone of the Wyre Estuary Site of Special Scientific Interest and SPA, and the more local potential impacts to ecological interests on or immediately adjacent the site itself.

The proximity to the SSSI requires that a consultation be undertaken with Natural England as the governmental advisor on these areas. They consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. This is sufficient to satisfy this broader level of ecological assessment.

Turning to the more local scale impacts, the application has been submitted with an ecological statement which considered the farm buildings as habitat for bats and the wider site for nesting birds. However, this assessment was carried out in 2018 and since that time the agricultural buildings have

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been demolished and no longer offer opportunity for bats. A bat roost had previously been identified in the gatehouse however, this application does not propose any works to the gatehouse although it is unclear if this bat roost remains.

The council's ecologists have been consulted and suggest that an ecological enhancement plan is needed to set out the steps that are to be taken as part of the development. This has been provided and the council's ecologist are agreeable subject to condition.

The details set out in the Plan will be sufficient to meet the policy requirements and so a series of conditions are needed to ensure that the biodiversity measures it contains (woodland planting, bird and bat boxes, other planting, etc.) are implemented and subsequently maintained. With this in place the proposal is considered to be in compliance with the requirements of FLPPR 2032 policies GD7, ENV2 and the aims of the NPPF.

Flooding and drainage

Part of the site is within flood zone 2 and 3 as defined on the Environment Agency's Flood Map. Areas within flood zone 3 have been shown to be at a 1% or greater probability of flooding from rivers or 0.5% or greater probability of flooding from the sea. In the case of this site this is flooding from the River Wyre.

A Flood Risk Assessment has been submitted with the application. The report identifies that the main risk of flooding is anticipated to be from an undefended tidal scenario, this would be caused by the failure of flood defences located in the vicinity of Bankfield Farm.

The proposed finished ground-floor level of the platform is higher than originally (under ref: 14/0627) which results in an elevated dwelling situated on a 'platform'. As such, the risk of inundation due to overland flow is not significant since the topography of the land near the site slopes away from the site and towards the nearest watercourse and then the River Wyre.

The report concludes that the development will not increase the flood risk to the site itself and other sites in the vicinity, the existing flood risk from surface water is low. The Environment Agency and United Utilities have been consulted and have not objected to the scheme subject to conditions to require that the approved drainage strategy is implemented. Given the views of these professional bodies on this aspect it is considered that the development poses no unacceptable risk in terms of flooding and complies with the requirements of FLPPR32 policies CL1 and CL2 and the aims of the NPPF.

Conclusions

The application site is situated within a countryside designation where permission for a replacement dwelling has previously been approved and implemented (application 14/0627 refers). This application proposes a revision to the design of the dwelling approved and now proposes a detached two/three storey dwelling with detached garage.

The scheme has been the subject of objections from the Parish Council both in regards to the scale of the development which is commented upon above and the raised levels of the land.

The proposed development would not cause undue harm to the character of the area or landscape factors. In other regards the proposal would result in an acceptable relationship with surrounding uses and would have no detrimental effect on the amenity of neighbours or patterns of development.

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Mitigation can be provided to ensure that the development would have no adverse impacts in terms of ecology, flooding and drainage. The proposal is therefore considered to represent sustainable development in all regards, in accordance with the requirements of the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This permission relates to the following plans:

- Location plan - Drawing no. 2076_LOC
- Proposed site plan - Drawing no. 2076_11S REV. H
- Proposed ground and first floor plan and elevations (north and west) - Drawing no. 2076_110 REV. M
- Proposed second floor and roof plan and elevations (south and east) - Drawing no. 2076_111 REV. M
- Proposed retaining wall elevations and front boundary wall and gates elevation plan - Drawing no. 2076_310 REV. C
- Proposed surface water drainage plan - Drawing no. 2076_11D REV. A

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

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

2. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external materials of the development shall be constructed in accordance with the materials detailed on drawing no. 2076_110 REV. M and listed in condition no. 1 (approved plans) of this permission and the Materials Schedule dated 13/04/2022 REV. B.

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

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the surface water and foul drainage for the site shall be carried out in accordance with the surface water drainage plan - Drawing no. 2076_11D REV. A prepared by AbbotHull. For the avoidance of doubt no surface or foul water will be permitted to drain directly or indirectly into the public sewer. The duly approved scheme shall be completed in accordance with the approved details before the dwelling hereby approved is first occupied and retained thereafter for the lifetime of the development.

Reason: To ensure that adequate measures are put in place for the disposal of surface water in accordance with Policies CL1 and CL2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework.

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4. The gatehouse building shall only be occupied for purposes that are ancillary to the occupation of the dwelling known as Bankfield Lodge, Pool Foot Lane as a single residential dwelling. This building shall not be sold, sublet or otherwise occupied independently of the main dwelling as a separate unit of residential accommodation.

Reason: To preserve the character and appearance of the area, to ensure that the curtilage of the dwelling is not overdeveloped or subdivided inappropriately and to achieve a high standard of amenity for existing and future occupiers in accordance with the requirements of policies GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review), and the National Planning Policy Framework.

5. 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 Local Plan to 2032 (incorporating Partial Review) Policy ENV2, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

6. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development)(England) Order 2015, or any equivalent order following the revocation and re-enactment thereof (with or without modification), the garage hereby approved shall be retained for the parking of vehicles and shall not be converted to or used as additional living accommodation.

Reason: To ensure that appropriate provision is maintained for the parking of vehicles in the interests of highway safety and to ensure a sympathetic relationship and satisfactory levels of amenity between neighbouring dwellings; in accordance with the requirements of Policies T5 and GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework.

7. The retained trees, either individually or, where appropriate, as groups, will be protected by erecting HERAS fencing at the Root Protection Areas (RPAs) as identified on the approved site plan drawing no. 2076_11S REV. G and using the tree protection barrier shown on drawing no. ref. AH/AJA/110713. Within, or at the perimeter of, these root protection areas, all of the following activities are prohibited:

- Lighting of fires;
- Storage of site equipment, vehicles, or materials of any kind;
- The disposal of arisings or any site waste;
- Any excavation;
- The washing out of any containers used on site.

HERAS fencing must not be removed or relocated to shorter distances from the tree without the prior agreement of the Local Planning Authority. Any work to retained trees to facilitate

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development or site activity must (a) be agreed in advance with the Local Planning Authority and (b) must meet the requirements of BS3998:2010 Tree Work - recommendations.

Reason: To ensure that tree root damage and damage to the aerial parts of retained trees is avoided so that the trees' health and visual amenity is not diminished by development activity.

8. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the soft landscaping scheme for the development shown on drawing no. 2076_11S REV. G shall be carried out during the first planting season that occurs, after the dwelling is first occupied.

The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with the duly approved Landscape and Ecological Management Plan by Sambrook Associates Ltd dated 29/03/2022. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in order that the development assimilates sympathetically into its surroundings, to provide an appropriate landscape buffer with surrounding land uses, to enhance the character of the street scene and to provide appropriate biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies ENV1, ENV2 and GD7, and the National Planning Policy Framework.

9. Unless an alternative scheme and timetable for the incorporation of biodiversity enhancement measures into the development has first been submitted to and approved in writing by the Local Planning Authority, the measures identified within the Landscape and Ecological Management Plan by Sambrook Associates Ltd reference R_001 Version V3 dated 18 May 2022 shall be undertaken, measures installed, and enhancements maintained in accordance with the stated timescales:

The duly installed biodiversity enhancement measures shall be retained as such thereafter.

Reason: To ensure that the development delivers appropriate biodiversity enhancements in accordance with the objectives of Fylde Local Plan to 2032 policy ENV2 and the National Planning Policy Framework.

10. Notwithstanding any details shown on the approved plans and the requirements of condition 1 of this permission, the dwelling shall not be occupied until details of the siting, height, design, materials and finish of all boundary treatments within the development have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in full accordance with the duly approved details before the dwelling is first occupied, and shall be retained as such thereafter.

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

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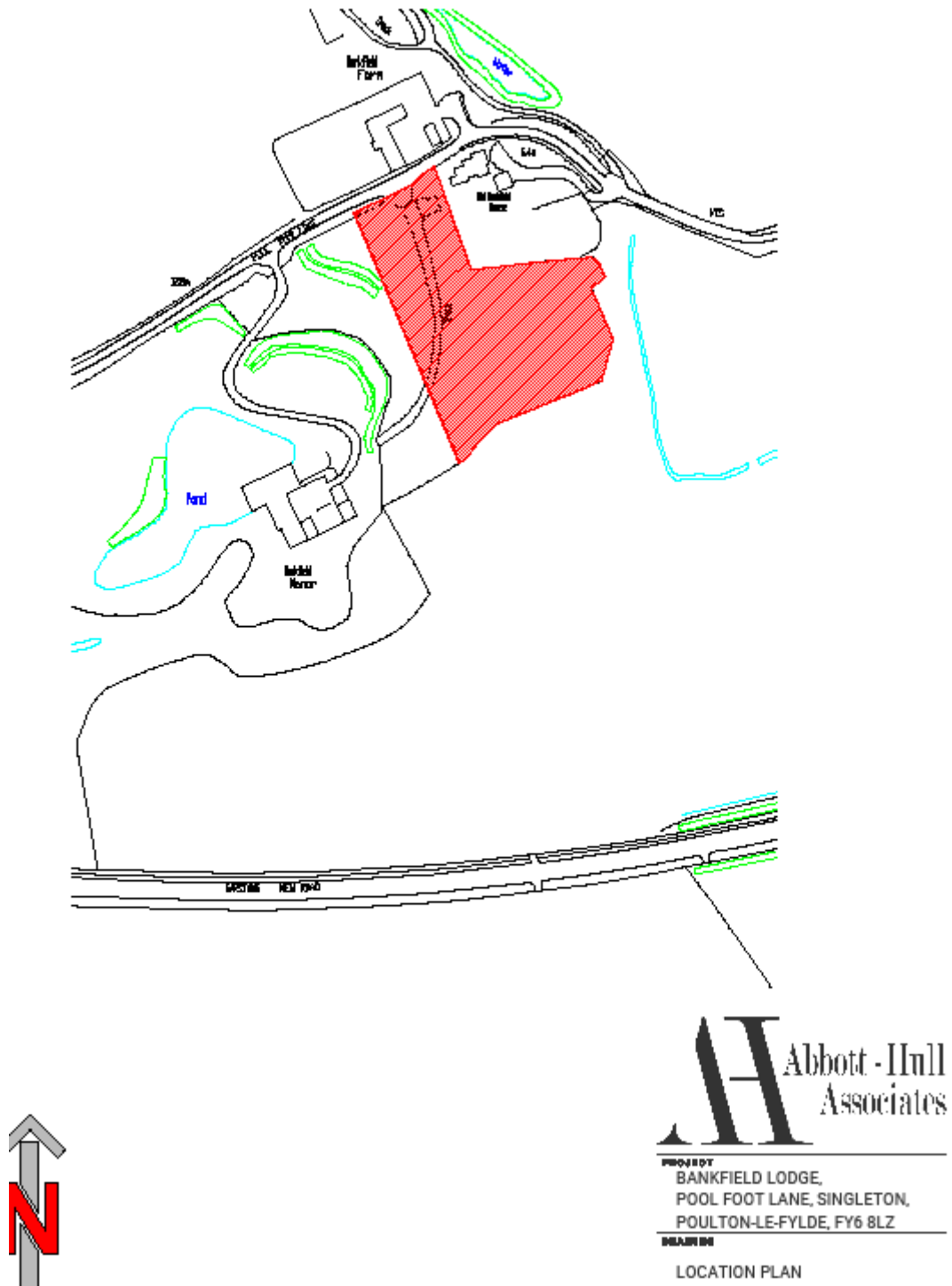
Informative(s)

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

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

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Location Plan for 21/0293



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Item 2

Application No:	21/0652	Case Officer:	Katie Halpin Area Team 1
Applicant:	Miss Ohara	Agent:	Mrs Lawrenson
Location:	LAND TO EAST OF BUSH LANE / WEST OF NAZE LANE INDUSTRIAL ESTATE, BUSH LANE, FRECKLETON, PRESTON, PR4 1UH		
Proposal:	CHANGE OF USE OF LAND FROM AGRICULTURAL TO EQUESTRIAN USE, ERECTION OF SINGLE STOREY BUILDING PROVIDING 10 STABLES, TACK STORE, FEED STORE, SHOWER AND OTHER SUPPORTING FACILITIES FOR PRIVATE EQUESTRIAN USE, FORMATION OF HARDSTANDING AREAS, AND FORMATION OF SAND PADDOCK WITH LIGHTING ON 6 X 3M HIGH COLUMNS		
Ward:	Freckleton West	Parish:	Freckleton
Statutory Expiry:	24 June 2022	Earliest Decision:	24 March 2022
Reason for any delay:	Need to determine at Committee due to scale or nature of application		Online application file here

Officer Recommendation: Granted

Summary of Officer Recommendation

This application relates to an area of land measuring approximately 1.7 hectares in area and located to the east of Bush Lane in the countryside area located to the south of the settlement of Freckleton and BAE Warton. This application relates to the change of use of the land from agricultural to equestrian use. The application also seeks planning permission for the erection of a single storey building which will provide 10 stables, tack store, feed store, shower and other supporting facilities for private equestrian use, the formation of hardstanding areas and the formation of a sand paddock with lighting mounted on 6 x 3 metre high columns.

The proposal provides space for the stabling and exercising of the applicant's horses which she shows regularly and follow a strict regime to keep them in peak condition. The main stable building will be constructed with dark green cladding on the top half on the external walls which assists with blending in with the surrounding countryside area. The use of land for stables is an acceptable rural use and with this appearance it is considered to be an acceptable development in the countryside area.

The Parish Council support the application but it is subject to an objection from an anonymous objector. This helpfully refers to a number of the key planning considerations as it mentions the surrounding land and infrastructure not being able to cope with proposal, concerns about welfare of any animals on the land, highway safety concerns, flooding concerns, stallion stable too close to residential property and light pollution impact on animals and neighbouring properties. With regards surrounding land and infrastructure not being able to cope, the scale of the building is not unusual in a rural location and whilst its design is considered to be functional, it does not look out of place in a countryside setting. The applicant, via her agent, has confirmed that there is no intention to use the stables for anything other than the stabling of her own horses. With regards to the impacts on the highway Lancashire County Council, as Highway Authority, have not objected to the proposal. With regards to flooding concerns a SuDS system has been proposed with takes surface water run off away from Bush Lane and controls the discharge to greenfield run off rates. There is no objection from the LLFA to the proposal. With regards to the stallions being stabled too

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close to a residential property, only the turn out area is within 34m of a residential property. There is no separate stable building for the stallions. With regards to the light pollution from the lighting poles, these have been designed to illuminate the sand paddock at an angle which should prevent light spillage. The welfare of past or future animals on the site is not a material planning consideration.

As such the proposal is considered to comply with the requirements of criteria a) of Policy GD4, Policy GD7, Policy CL2, Policy ENV1 & Policy ENV2 of the Fylde Local Plan to 2032, (incorporating Partial Review) subject to a series of conditions including those relating to a restriction on the use of the stables to private use and to prevent it being used for commercial purposes, ensuring the light columns do not produce any light leakage in directions other than the paddock they are proposed for, ensuring the implementation of the SuDS system and ensuring the Bird Hazard Management Plan is adhered to.

Reason for Decision Level

The application is for 'major development' and so it is necessary to present the application to the Planning Committee for a decision.

Site Description and Location

The application site is a plot of agricultural land located to the east of Bush Lane and to the south of the runway at BAE Warton in Freckleton. The plot of land is approximately 1.7 hectares in area. The site is generally flat and not in any obvious use. There are a small number of dwelling sin the surrounding area, with the main land use being for agricultural grazing land. The site is located in the countryside area in accordance with Policy GD4 of the Fylde Local Plan to 2032, incorporating Partial Review, adopted 6 December 2021.

Details of Proposal

Planning permission is sought for the change of use of the land from agricultural to equestrian use. The application also seeks planning permission for the erection of a single storey building which will provide 10 stables, tack store, feed store, shower and other supporting facilities for private equestrian use, the formation of hardstanding areas and the formation of a sand paddock with lighting mounted on 6 x 3 metre high columns.

The proposed development is located within the western half of the site close to Bush Lane. The building housing the equestrian facilities is to be located in the north west corner of the site and will measure 32m in length by 10.7m in width. The roof will be dual pitched with an eaves height of 2.2m and a highest point of 3.6m with 10 roof lights in each roof plane. The north and south elevation have double width doors located centrally in each elevation and the west and east elevation have a centrally located pedestrian door. The southern end of the building will house the 10 stables and the northern end of the building will house the tack room, bedding store, haylage and other required facilities. To the northern end will be a small concrete apron with a Mersey grid in the centre where an effluent tank will be located below. A muck trailer will be stored in an area to the south of the western pedestrian access to the building. The walls will be constructed out of blockwork to the base with green box profile tin sheets above and black cement fibre sheets to the roof. The doors will be dark stained timber.

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CCTV cameras will be located under the ridge line on the north and south elevation. Further cameras will be located to the southern side of the pedestrian accesses on both the eastern and western elevations. A final camera will be located on the western elevation in the north-west corner.

The sand paddock will be located directly to the east of the building and will measure 40m by 20m. It will be surrounded by a post and rail timber fence with double gate to access the sand paddock in the western side. Lighting is proposed via 6 x 3m high poles located at each corner of the sand paddock and equally along the eastern and western elevations. The lighting proposed is a Double Asymmetric Luminaire Type C with a 70 degree main beam angle task light.

The turn out area for the mares is proposed be to the north east of the sand paddock and the turn out area for the stallions is proposed to be located to the south of the site entrance.

A compacted hardcore area is proposed between the existing site access and the proposed building along with tracks to the east of the stallions turn out area and to the area between the building and the sand paddock, along the northern and part of the eastern edge of the sand paddock and along the southern edge of the mares turn out area.

Relevant Planning/Appeal History

There is no relevant planning history to this site, with the nearest application history relating to the small scale employment use on land to the immediate north.

Parish/Town Council Observations

Parish/Town Council	Observations
Freckleton Parish Council	<u>Comments made 10 January 2022</u> <i>The Parish Council support this application with the following points noted.</i> <i>1) There will be an installation of a Septic Waste treatment facility which may need EA approval.</i> <i>2) There are no surrounding ditches to this field other than at Bush Lane itself.</i>

Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
LCC Highways	<i>LCC Highways does not have any objections regarding the proposed change of use of land from agricultural to equestrian use, erection of single storey building providing 10 stables, tack store, feed store, shower and other supporting facilities for private equestrian use, formation of hardstanding areas, and formation of sand paddock with lighting on 6 x 3m high columns and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.</i> <i>The existing access track is from compacted hard core and it is requested that a minimum of 5m from the edge of the carriageway is appropriately paved in tarmac, concrete, block pavements, or other approved materials. This is to prevent loose material being carried onto the highway and causing an potential source of danger.</i>

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<p>Ministry of Defence - Safeguarding</p>	<p><i>They have reviewed the submission and made points in several areas.</i></p> <p>They highlight that the site is close to an existing and active aerodrome operated by British Aerospace which continues to be used by military aircraft. As this application involves the keeping of livestock, it is recommended that an informative is added to any consent issued that highlights this to the applicant and that this is likely to lead to sudden noise.</p> <p>With regards the air safety aspects they state: <i>“The proposed development site occupies the statutory height and technical safeguarding zones that ensure air traffic approaches, and the line of sight of navigational aids and transmitters/receivers are not impeded. The airspace above and around aerodromes is safeguarded to maintain an assured, obstacle free environment for aircraft manoeuvre. Having reviewed the proposals, I can confirm the MOD has no safeguarding concerns with regards to the height of the proposed development.</i></p> <p>They then make some points relating to the safety implications that would need to be put in place should cranes over 10m high be used in the construction, and that the change in the use of the land could have implications for bird activity in the area/</p> <p>With regards the birdstrike potential they state: <i>“Within this zone, the principal concern of the MOD is that the creation of new habitats may attract and support populations of large and, or flocking birds close to the aerodrome. On review of the plans, horse fields have the potential to create increased levels of bird activity near aerodromes. Additionally, flat and/or shallow-pitched roofs have the potential to attract breeding large gulls. Given the proximity to BAE Warton, any additional breeding gulls in this location have the potential to impact on flight safety. To address the potential of the development to provide a desirable habitat for hazardous birds, the MOD request that a call off Bird Hazard Management Plan (BHMP) is included as a conditional requirement as part of any planning permission granted, to ensure if hazardous birds are being attracted to equestrian activities on the development, at the reasonable request of BAE Warton, additional measures will be taken to reduce the attraction.”</i></p> <p>As a conclusion they confirm that: <i>“Subject to the above conditions being implemented as part of any planning permission granted, the MOD maintains no safeguarding objection to this application. However, information should be provided to the developer as detailed above.</i></p>
<p>Natural England</p>	<p><u>Initial Consultation</u></p> <p><i>As submitted, the application could have potential significant effects on:</i></p> <ul style="list-style-type: none"> • <i>Ribble & Alt Estuaries Special Protection Area (SPA)</i> • <i>Ribble & Alt Estuaries Ramsar</i> • <i>Ribble Estuary Site of Special Scientific Interest (SSSI)</i> • <i>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.</i>

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	<ul style="list-style-type: none"> • <i>The following information is required:</i> • <i>A Habitats Regulations Assessment, including:</i> • <i>Suitable bird survey evidence for overwintering and passage birds associated with the designated sites for the surrounding areas to assess the potential for disturbance during the construction phase and operational phase.</i> • <i>Detailed information to understand how discharges from the development will be managed and how any connectivity from the development to the designated sites will be limited.</i> <p><i>Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.</i></p> <p><u>Re-Consultation</u></p> <p>NO OBJECTION <i>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.</i></p>
Lancashire CC Flood Risk Management Team	<p><u>Initial Consultation</u> <i>In the absence of adequate information to assess the principle of surface water drainage associated with the proposed development, we object to this application and recommend refusal of planning permission until further information has been submitted to the local planning authority.</i></p> <p><u>Re-Consultation</u> <i>The Lead Local Flood Authority wishes to withdraw its objection to the proposed development, which will be acceptable subject to the inclusion of the following condition(s), in consultation with the Lead Local Flood Authority:</i></p> <p>They then suggest a conditions that requires that the development is undertaken in accordance with the submitted Flood Risk Assessment.</p>

Neighbour Observations

Neighbours notified:	19 December 2022
Number of Responses	1
Summary of Comments	<p>The comments received in opposition to the application can be summarised as:</p> <ul style="list-style-type: none"> • Surrounding land and infrastructure cannot cope with proposal • Concerns about welfare of any animals on the land • Highway safety concerns • Flooding concerns • Stallion stable too close to residential property • Light pollution impact on animals and neighbouring properties

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Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review):

GD4 – Development in the Countryside
GD7 – Achieving Good Design in Development
CL2 – Surface Water Run-Off and Sustainable Drainage
ENV1 – Landscape and Coastal
ENV2 – Biodiversity

NPPF – National Planning Policy Framework (July 2021)
NPPG – Planning Practice Guidance

Environmental Impact Assessment

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

Comment and Analysis

Principle

The application site is located in the countryside area located to the south of the settlement of Freckleton where Policy GD4 of the Fylde Local Plan to 2032 is applicable. This sets out criteria within which development will be considered to be acceptable subject to compliance with general design guidance found within Policy GD7 of the same plan. Criteria b) to f) are not relevant to this application so the application falls to be considered under criteria a) which allows for development for purposes of agriculture, horticulture or forestry; or other uses appropriate to a rural area.

The erection of stables, sand paddocks and other equestrian facilities are uses that are considered to be appropriate as falling under the ‘other uses appropriate to a rural area’ element of Policy GD4 and so are acceptable in principle as a rural use.

Scale of Development

The majority of stable applications that the council receives are for small stable blocks that accommodate 2 or 3 horses and so are clearly for a private use, or are larger facilities where there is an equestrian business use undertaken such as a stud or livery activity. This scheme falls between the two as it involves the large purpose built enclosed barn style stable building with space for 10 horses along with associated feed, tack and manure storage areas, and a large exercise arena that would typically be commercial in nature, yet is submitted as being for private use.

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This is not necessarily a concern providing the visual impact of the stables as proposed are acceptable, and that the scale of the use does not raise any other planning concerns such as the potential justification for a rural worker dwelling to be brought forward to provide security and welfare for the horses.

Looking at the visual impact first, the stables form the main structural part of the development and are the only part of the proposal that is visible from the public highway - that being Bush Lane. The site is bounded by Naze Lane Industrial Estate to the east and a kennels/cattery to the north so no long range views of the development are possible from these directions. The design of the building is functional and its appearance is not unusual within a countryside area when viewed from the west or the residential property to the south, as it has the appearance of a modern agricultural building of the type that is commonly found in the local landscape. The use of the dark green colour on the upper half of the exterior walls and dark stained timber doors to the building aide in blending the structure into the surrounding countryside.

The post and rail fence around the sand paddock has a design that is commonly found in the countryside in relation to equestrian uses and is considered to be acceptable. Similarly, the six lighting columns are functional and minimalist in design to prevent having an unacceptable impact on the surrounding countryside area. An objection has been received regarding the lighting columns however they are designed to direct the lighting below a 70 degree angle to reduce light pollution. It is considered appropriate to condition these to ensure that the light emitted only shines on the development proposal and does not lead to light leakage in other directions within this countryside location and to control the hours of use.

It is therefore accepted that the proposed development will not create any harmful impact on the rural landscape around the site despite the scale of the stable building and ancillary elements of the scheme.

With regards the management, the submitted plans include the provision of 5 CCTV cameras which are readily accessible by the applicant who has managed previous stabling of horses in this remote manner. Given this arrangement it is accepted that there are no management concerns from the establishment of an equestrian facility of the scale proposed, although a condition is required to ensure that the site is operated for the stated private use only. This assists with this management concerns, but also controls the number of vehicle movements to the site and the level of activity undertaken at it.

Accordingly it is accepted that the scheme complies with the requirements of Policy GD4a of FLPPR.

Relationship to Neighbours

FLPPR policy GD7 c) requires that development proposals facilitate good design by "ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed". In addition, criterion h) states that developments should be "sympathetic to surrounding land uses and occupiers".

Paragraph 130 f) of the NPPF indicates that planning decisions should ensure developments "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users."

Naze Lane Industrial Estate is located to the east, Freckleton Enterprise Park and Oakfield Boarding Kennels are located to the north, Town Hill Poultry Farm and farmhouse is located to the south and

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open countryside is located to the west on the opposite side of Bush Lane. Of all these neighbours only Town Hill farmhouse to the south and the property attached to the kennels are in residential use.

An objection has been received regarding the stallions' stable block being too close to a residential property which will cause an issue with noise if the stallions are distressed during breeding season. The turn out area for the stallions is proposed to be in the south west corner which is located about 34m from the northern elevation of Town Hill farmhouse however this will not be permanently in use. Furthermore there is an existing building located in the land between and mature vegetation which will help mitigate any noise from the stallions when they are in the turn out area. There is no separate stallion stable block proposed in this area. All the horses will be in individual stables within the proposed building.

The same objection raises concerns about the number of lighting columns and CCTV. Due to the mature hedgerow surrounding the site it is not envisaged that there will be any unacceptable impact on the privacy of surrounding residents which has been mitigated by the locations of the CCTV cameras. The lighting columns relate only to the sand paddock to allow its use for exercise and will minimise light spillage. The residential property behind the kennels is located 60m from the closest part of the sand paddock which would have kennels blocking its view. Whilst it is not envisaged that the lighting columns will have any significant impact on residential properties, a condition ensuring they are installed due to their submitted specification would be pertinent.

As such the proposal has an acceptable relationship to its neighbours in all regards and complies with criteria c) and h) of Policy GD7.

Highways

The site is currently accessed via an improved field gate access with road planning surfacing and a double gate width. The application plans propose that this is to be retained as it is to serve the development, and that this provides visibility splays of 2.4m x 40m in both directions. The visibility to the left on exit is readily available over the highway due to the position of the access close to a bend. The visibility to the right on exit is slightly compromised by a hedge on the site boundary and a bend in the road. This means that the hedge will need to be maintained in a tidy condition to ensure that the visibility in this direction is available.

In some circumstances it would be appropriate for this hedge to be removed to improve visibility. However that would create significant impacts on the visibility of the proposed development, and with the limited number of movements to a site that is used for private stables, it is not considered that any improvements to this visibility are required given the harm to the character of the area that they would cause. This view is supported by Lancashire County Council, as Highway Authority, who have raised no objection to the development proposal with this visibility arrangement. They conclude that there is not anticipated to be a significant impact on highway safety, capacity and amenity in the immediate vicinity of the site as a consequence of the works. Your officers are satisfied that this is the case although a condition is appropriate to ensure that the splays are maintained, and also to ensure that any gates do not obstruct the highway.

An objection has been received which raises concern of accidents on the bend in Bush Lane by the existing access and mentions the use of the land for a new enterprise/riding school. This is not the case as the applicant will be using land for the stabling of her own horses and there is no suggestion of a riding school which would result in more journeys to and from the site. The turning in of horse boxes is not considered to be any different from the current access being used by large agricultural vehicles in accordance with its current authorised use.

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A condition can be attached to the planning permission to restrict the use to solely private use of the applicant in order to minimise the impact on the highway in accordance with the requirements of Policy GD7 in FLPPR relating to, amongst other things, highway safety obligations.

Flooding & Surface Water

The site is located in Flood Zone 1 where the main issue is that of surface water run off rather than flooding from watercourses. The initial consultation with Lancashire County Council Local Lead Flood Authority (LLFA) stated that there was a lack of adequate detail provided in relation to surface water drainage and considered this to be a reason which would warrant the refusal of the application. Further information was submitted including the provision of an attenuation tank below the sand paddock to collect surface water run off which would control discharge to the existing pond which would then discharge to an existing watercourse – both limited to greenfield run off rates.

The proposed Surface Water Drainage System (SuDS) includes the following

- Run off from all impermeable areas will be collected and handled as below
- Roof downpipes from the building will be connected to the attenuation tanks via a 300mm back inlet gullies and a connecting pipework.
- The contaminated horse wash down areas and general yard run off will be collected and sent to a septic tank to allow for separation of solids including horse hair to occur prior to water being sent to the attenuation tank.
- The foul water from human toilets, showers etc will be connected directly to a small processing plant for treatment with the treated water being directed to the attenuation tank below the riding arena.

Upon re-consultation with the LLFA their objection was withdrawn with a request for a condition to be attached ensuring the development is carried out in compliance with the submitted information. This should also alleviate the concerns found in the objection regarding the development making flooding worse on Bush Lane.

The requested condition can be attached and, on that basis, the application is considered to accord with Policy CL2 of FLPPR.

Ecology

The council's consultants on this area, the Greater Manchester Ecology Unit, have not provided any comments on this application however the initial consultation with Natural England raised concerns that not enough information had been provided to assess the impact on:

- Ribble & Alt Estuaries Special Protection Area (SPA)
- Ribble & Alt Estuaries Ramsar
- Ribble Estuary Site of Special Scientific Interest (SSSI)

Due this a Habitat Regulations Assessment was requested. When the Habitat Regulations Assessment was received this was re-consulted on with Natural England who consider that the proposed development will not have significant adverse impacts on designated sites and has no objection.

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No landscaping loss is proposed as part of this development. The site is edged with hedgerow and there is no proposal to change this. A pond does exist on the site and a waterbody flows along the eastern edge of the site however these areas will only be disturbed by occasional horse grazing.

Based on the above it is considered that the proposed development complies with Policies ENV1 and ENV2 of FLPPR.

Other Matters

The Ministry of Defence Safeguarding Team raised concerns that the shallow pitch of new buildings in the vicinity of BAE Warton could encourage the breeding of large gulls and bird activity in general. They requested a condition be applied to request a Bird Hazard Management Plan (BHMP) however due to the serious impact on flight safety that this poses, the BHMP was requested as part of the application process and has now been supplied. This implementation of the BHMP will be secured by the imposition of a condition.

Whilst an objection has been received relating to animal welfare relating to the keeping of horses by a previous owner/occupant of the land this is not a material planning consideration which is relevant to the determination of this planning application.

Conclusions

The application relates to the change of use of the land from agricultural to equestrian use. The application also seeks planning permission for the erection of a single storey building which will provide 10 stables, tack store, feed store, shower and other supporting facilities for private equestrian use, the formation of hardstanding areas and the formation of a sand paddock with lighting mounted on 6 x 3 metre high columns. The proposal is considered to comply with the requirements of criteria a) of Policy GD4, Policy GD7, Policy CL2, Policy ENV1 and Policy ENV2 of the Fylde Local Plan to 2032 subject to a series of conditions including those relating to a restriction on the use of the stables to private use and to prevent it being used for commercial purposes, adherence to the information provided regarding the SuDS and BHMP and ensuring the light columns do not produce any light leakage in directions other than the paddock they are proposed for.

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 from the date of this permission.

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

2. This permission relates to the following plans and documents:

- Location Plan - Stanfords VectorMap
- Elevation Plans, Floor Plan, Site Plan, Lighting Detail, Muck Trailer Details, Cross Section Detail of Hardstanding, Cross Section Detail of Sand Paddock - Drawing no. ML/OH/6007
- SuDS drainage scheme submitted 3rd March 2022
- Cross Section of Arena Base Construction drawn by Andrews Bowen Ltd
- Drainage Layout drawn by Andrew Bowens Ltd

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- Design & Access Statement dated 7th July 2021
- Bird Hazard Risk Assessment and Management Plan - produced by envirotech
- Shadow Habitat Regulations Assessment - produced by envirotech
- Flood Risk Assessment produced by ML PL Planning Consultancy Ltd dated 2nd August 2021

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

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

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

Reason: To ensure the use of appropriate materials which are sympathetic to the character of the host building and surrounding area in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032, (incorporating Partial Review) Policy GD7 and the National Planning Policy Framework.

4. The stables and paddock hereby approved shall be for private use only and shall not be used for any commercial purpose, including as a livery business.

Reason: To limit the potential for any significant increase in additional vehicle movements and traffic generation associated with the use due to the limited capacity of the site access to accommodate increased vehicular traffic in the interests of highway safety in accordance with Fylde Local Plan to 2032, (incorporating Partial Review) Policy GD7 and the National Planning Policy Framework.

5. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, surface and foul water from the development hereby approved shall be disposed of in accordance with the drainage strategy shown in the following documents

- SuDS drainage scheme submitted 3rd March 2022
- Cross Section of Arena Base Construction drawn by Andrews Bowen Ltd
- Drainage Layout drawn by Andrew Bowens Ltd

All drainage infrastructure shown on the aforementioned plans shall be fully installed and made available for use before the equestrian use starts, and shall be maintained as such thereafter.

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

6. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, any external lighting on the site shall be installed in accordance with the lighting scheme indicated on drawing no. ML/OH/6007. No other lighting shall be installed on the site unless a scheme including details of: (i) its position and height on the site; (ii) its spillage,

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luminance and angle of installation; and (iii) any hoods to be fixed to the lights, has been submitted to and approved in writing by the Local Planning Authority prior to its installation.

Reason: To ensure that any external lighting to be installed at the site does not cause a nuisance to surrounding occupiers or detract from visual amenity in the surrounding area as a result of light pollution in accordance with the requirements of Fylde Local Plan to 2032, (incorporating Partial Review) Policy GD7 and the National Planning Policy Framework.

7. The stables hereby approved shall not be brought into use until the muck trailer shown on drawing no. ML/OH/6007 is provided in accordance with the details indicated on the approved plans and made available for use. The muck trailer shall thereafter be made available for use whenever the stables are in use and shall be emptied regularly so that it provides an effective storage and disposal solution for the manure and other waste generated at the site.

Reason: In order that appropriate facilities are provided for the storage and removal of waste at the site in the interests of the amenity of surrounding occupiers in accordance with the requirements of Fylde Local Plan to 2032, (incorporating Partial Review) Policy GD7 and the National Planning Policy Framework.

8. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the mitigation identified in the Bird Hazard Management Plan, produced by envirotech, shall be implemented during construction and strictly adhered to thereafter.

Reason: To minimise the potential of the works approved to provide a habitat desirable to hazardous large and/or flocking birds which have the potential to pose a considerable hazard to aviation safety which is exacerbated by the proximity of BAE Warton in accordance with the requirements of Fylde Local Plan to 2032, (incorporating Partial Review) Policy T2 and the National Planning Policy Framework.

9. Prior to the commencement of any development the existing site access shall be improved by the provision of a solid surface for at least a 5m length into the site when measured from the edge of the carriageway, and the trimming back of any overhanging vegetation so visibility splays of 2.4m x 40m in both directions are available. The site access and associated visibility shall be retained free of any obstructions at all times thereafter.

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

10. Any access gates that are to be installed at the site entrance are to be set back from the carriageway by at least 5m and are to be designed so that they open into the site only and not to overhang or obstruct the adopted highway.

Reason: To ensure that permanent access to the site is maintained at all times in order to prevent vehicles accessing the site from causing an obstruction to traffic travelling along Bush Lane in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032, (incorporating Partial Review) Policy GD7 and the National Planning Policy Framework.

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Informative(s)

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

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

2. Crane Height Safety Note

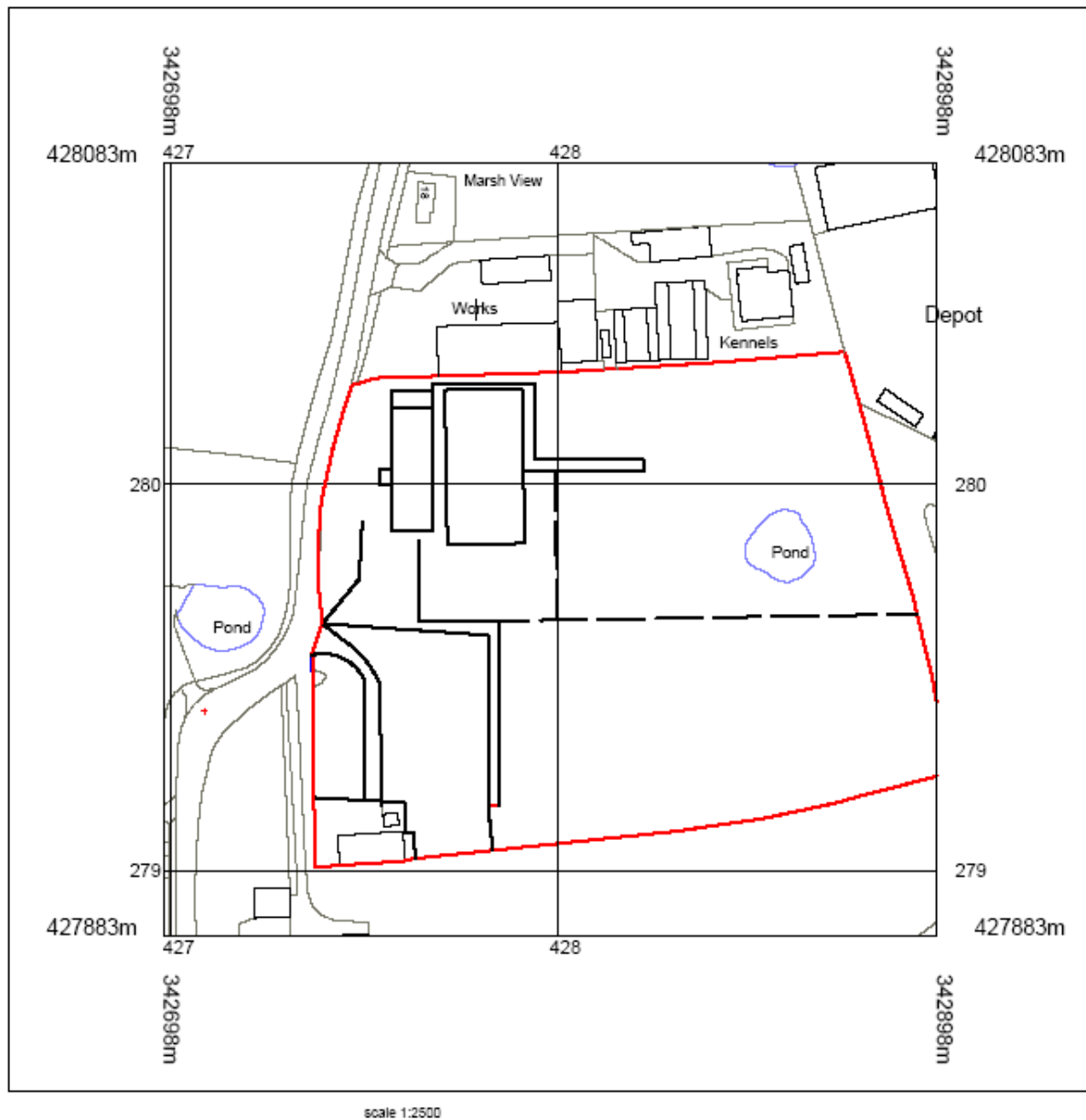
The developer is advised that in the event that the construction of the development hereby approved is to be undertaken using a crane that exceeds a height of 10m above ground level to the tip of any jib or other point, then the details of the dates that the crane is to be present at site, its specific location within the site, and the specific timing that it is to be extended above that height are to be provided to the Ministry of Defence no less than 28 days before its arrival at site. This is to ensure that air safety is not compromised by this activity. Contact: DIO-safeguarding-statutory@mod.gov.uk

3. Potential Aircraft Disturbance Note

The application site is located close to an aerodrome. The owner/occupant should be made aware that aircraft may be seen and heard operating in the area and that aircraft may overfly the site. The mitigation of noise and disturbance in external areas may not be possible. Future owners/occupants should also be made aware that aircraft types, flight paths and ground-based activity can vary over time and this may cause disturbance.

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Location Plan for 21/0652



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Item 3

Application No:	22/0231	Case Officer:	Beth Winstanley Area Team 2
Applicant:	Mr Schreiber	Agent:	Mr Schreiber
Location:	1 TITHEBARN TERRACE MILL LANE STAINING BLACKPOOL LANCASHIRE FY3 0BL		
Proposal:	1) FIRST FLOOR, TWO STOREY AND SINGLE STOREY SIDE EXTENSIONS; 2) SINGLE STOREY REAR EXTENSION; AND 3) FRONT PORCH		
Ward:	Staining and Weeton	Parish:	Staining
Statutory Expiry:	24 June 2022	Earliest Decision:	25 May 2022
Reason for any delay:	Need to determine at Committee due to Parish / Town Council request	Online application file here	

Officer Recommendation: Granted

Summary of Officer Recommendation

The application relates to an end terrace property which is located to the northern side of a small cluster of terrace dwellings known as 'Tithebarn Terrace'. This is situated within the village boundary of Staining and has residential neighbours around on all sides.

The application proposes the erection of a two storey extension to the northern side elevation which would project approx. 5.8m away from the existing side elevation of the dwelling. The extension would have a matching eaves and ridge height to the host dwelling with matching window designs and positions to the host dwelling. A single storey rear extension with a projection of 4m is also proposed along with a central porch. All the works will be completed in matching render to the host dwelling.

The application is subject to an objection from Staining Parish Council based on the sheer size of the proposal which was felt to be excessive and so the proposal was not in keeping with the surrounding area. An amended plan was received following officer discussions with the applicant which changed the design of the extension to the side elevation which improves the overall appearance of the dwelling within the streetscene. The Parish Council retained their objection to this and so the application is presented to Committee.

The proposed extension to the side has been designed so that it sits comfortably within the streetscene with a design that matches the row of terraces both in height and appearance, and with the symmetrical window design carried along across the full width of terraces. Although the extension is sizeable, there are no direct policy issues with that in a settlement location such as this, there is no defined scale within the streetscene. It is considered that the overall design and appearance of the proposal would be a sympathetic addition to the streetscene and would not dominate the row of terraces to create harmful design within the street. The extension does add additional overlooking potential to neighbours, but with the position of the windows and the separations involved there is no undue loss of privacy created.

The front porch located to the front of the property is of a typical scale and helps add balance to the property. The single storey rear extension cannot be viewed from the roadside due to its

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position behind the dwelling, but has an overall design and appearance that compliments that of the original dwelling and does not impact on neighbour amenity.

As such, it is considered the proposal would comply with the requirements of sections d) h) and i) of Policy GD7 the Fylde Local Plan to 2032 (Incorporating Partial Review) relating to the design, visual impact and amenity considerations of new development. Therefore, the application is recommended for approval.

Reason for Decision Level

The officer recommendation for approval is in conflict with the views of the Parish Council and so it is necessary to present the application to the Planning Committee for a decision.

Site Description and Location

The application relates to an end terrace style property, with the cluster of dwellings known as 'Tithebarn Terrace'. The property is located close to the junction of Mill Lane and Staining Road and sits opposite 'The Plough' pub. Neighbouring properties are residential, but there is a caravan site that abuts one part of the rear garden.

The existing property has a 1.5 storey lean-to extension located to the side elevation, as well as a number of small extensions to the rear. The dwelling appears to have been vacant for some time and as a consequence has fallen in to a state of disrepair with work needing to be undertaken both internally and externally.

The site falls within the settlement of Staining as shown on the Fylde Local Plan to 2032 (incorporating Partial Review) Policies Map.

Details of Proposal

Planning permission is sought for the following elements:

- The removal of the 1.5 storey side extension, and its replacement with a two storey side extension which will project approx. 5.8m away from the original side wall of the dwelling. The extension will have a matching eaves height of 5.1m and matching ridge height of 6.4m to the host dwelling. The extension will have a depth which matches that of the host property. This provides a garage at ground floor and an additional bedroom above
- The removal of the existing rear extensions and their replacement with a single storey rear extension which will stretch across the full width of the original dwelling. The extension will have an overall projection of approx. 4m which will be stepped back towards the southern side of the dwelling. The extension will have a mono-pitched roof with an eaves height of 2.4m and top ridge height closest to the original rear wall of the property of approx. 3.6m.
- The addition of a porch to the front elevation. The porch will sit centrally between the original dwelling and new side extension and will have a dual pitched roof design. The porch will have an overall width of approx. 2.7m and will project away from the front elevation by approx. 1m. The eaves of the porch will measure approx. 2.3m and the top ridge height will measure approx. 3.5m.
- All the works will be completed in white render to match the original dwelling and its adjoined neighbours.

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Amendments have been made to the proposal since first submission which revise the design of the side extension. The original plans showed the side extension to sit back from the front elevation and lower than the existing roof ridge in order to create a subordinate extension. However, due to the design of the dwellings it was considered a more flush design which mirrored the design of the original dwelling would be more appropriate in order to balance the row of terrace dwellings.

Relevant Planning History

N/A

Parish/Town Council Observations

Parish/Town Council	Observations
Staining Parish Council	<u>Original Comments received on 24 April 2022</u> It was resolved to RECOMMEND REFUSAL. The sheer size of the proposal is excessive and the proposal is not in keeping. The street-scene will be adversely affected. <u>Comments received to amended scheme received on 27 May 2022</u> It was resolved to maintain a recommendation of REFUSAL.

Statutory Consultees and Observations of Other Interested Parties

There are no consultee comments to report.

Neighbour Observations

Neighbours notified:	1 April 2022
Amended plans notified:	11 May 2022
Number of Responses	Total number of comments 1 Total Number Objecting 1
Summary of Comments	<p>The objection is from the operators of a caravan site which abuts the site, and relates to the revised scheme. They highlight their location respective to the application property and their comments can be summarised as:</p> <ul style="list-style-type: none">• The site is used for holiday purposes with many owners visiting over the weekend. Their use of the site does not lead to any noise or other disturbance to residents, with the occupiers in this part of the site being the <i>'more sedate group and indeed we select them for this attitude.'</i>• They refer to the potential for construction works to generate noise and other disturbances• They ask that a condition be imposed to restrict the hours of work on this development, if approved, to 8am to 6pm only and that this be only on weekdays.• They refer to the development of a residential site in the area as a precedent for this approach• They also highlight a query over the accuracy of the boundary line with their site.

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Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review) and other relevant Guidance:

GD1 - Settlement Boundaries Staining)
GD7 - Achieving Good Design in Development
SPD1 – Extending Your Home 2007

NPPF – National Planning Policy Framework (July 2021)
NPPG – Planning Practice Guidance

Comment and Analysis

Principle

The application site is located within one of the settlement boundaries identified on the FLPPR Policies Map. As set out in policy GD1 of the Local Plan, the principle of residential extensions within the identified settlements is acceptable subject to the development’s compliance with other relevant policies of the Plan. In this case the criteria contained in policy GD7 of the FLPPR are of greatest relevance, having particular regard firstly to the development’s effects on the character and appearance of the area arising from its design and, secondly, to its impact on the amenity of surrounding occupiers. Each of these issues is examined further below with reference to the relevant criteria in policy GD7.

Design and Appearance in Streetscene

FLPPR policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 16 guiding principles (a - p). In particular, criteria d), h) and i) of the policy identify the following requirements:

- Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.
- Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the local area.
- Taking the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

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Paragraph 130 of the NPPF sets out six general principles of good design (a) – f)) that developments should follow and paragraph 134 indicates that “development that is not well designed should be refused, especially where it fails to reflect local design policies”.

The application relates to a two storey end terrace which has a number of additions/alterations located to both the side and rear of the dwellings. The proposed works relate to both the front, side and rear elevations of the dwelling and therefore the works will be visible from the streetscene.

The surrounding streetscene comprises varied developments, with a large pub and its carpark located directly opposite the site, the property is adjoined to a small mid-terrace which has a similar design and appearance to the host property, and there is a property which has a Chinese takeaway to the ground floor. All three terrace dwellings are completed in render with matching first floor window designs, which creates a design that features dormers with a flat roof above the two first floor windows to each property.

The proposed side extension has been designed to match that of the existing terrace properties in its style and dimensions. This brings a conflict with the general guidance in the SPD which refers to extensions being subordinate to the host dwelling, but in this instance it is considered that by mirroring the appearance of the existing property eaves height and window profile will allow the extension to be seen as an additional terrace within the row. This approach will minimise its visual impact on the streetscene compared to one where a different design or scale of extension were introduced.

The porch to the front elevation is helpful in adding a break to this and in creating a balanced view of the dwelling being sat centrally between the original dwelling and the additional extension. The porch has a limited projection of approx. 1m, ensuring it remains well set back from the roadside. The dual pitched roof design and 2.7m width further allows the porch to be seen as a balanced and sympathetic addition to the front of the dwelling which compliments the overall appearance of the property.

The single storey extension to the rear will be located behind the main dwelling and therefore will not be visible from the street. The extension will have a mono-pitched roof design which will have an overall projection of 4m. The overall appearance of the extension will sit well within the appearance of the rear of the dwelling and will not be seen to overdevelop or over dominate the rear of the property.

All works are to be completed in render to match the existing dwelling therefore allowing the overall proposal to compliment the host dwelling and its adjoined terraces, as well as creating a sympathetic design which will not stand out within the streetscene. Additionally, the roof to the proposed side extension will be completed in matching roof tiles, allowing the extension to not be seen as a harsh or disproportionate addition to the streetscene.

Taken together the design and scale of the extension accord with the requirements of criteria d), h) and i) of Policy GD7.

The Parish Council are correct that the extension is a sizeable one. However there are no policy reasons why large extensions cannot be added to properties that are located in settlement areas, with the key criteria being whether they appear harmful in the streetscene or the cause harm to neighbouring occupiers as a consequence of that size. In this case the extensions to the side and rear are replacement for existing extensions and neither of these harms is caused by their proposal. As such the concerns of the Parish Council in this respect do not justify a refusal of the application.

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Relationship to Neighbours

FLPPR policy GD7 c) requires that development proposals facilitate good design by “ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed”. In addition, criterion h) states that developments should be “sympathetic to surrounding land uses and occupiers”.

Paragraph 130 f) of the NPPF indicates that planning decisions should ensure developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

The application property is adjoined to the north (no. 3 Tithebarn Terrace), to the southern side the side boundary is shared by the rear boundary of a number of dwellings which face on to Staining Road (nos. 249, 251, 253 and 255) the rear boundary is at a right angle, with part of it shared with no. 249 Staining Road and the other part shared with Thornfield Caravan Park.

The two storey extension to the southern side elevation will sit facing on to the rear elevations of 253 and 255 Staining Road. There is a large garage structure which sits over single storey height within the rear garden of no. 255 protecting any impact to that property, therefore the main potential impacts of the extension will impact the occupants of no. 253. The extension will sit 2m away from the shared boundary, and will therefore be approx. 5m closer than the existing two storey dwelling. The overall distance between the rear elevation of no. 253 and the side elevation of the proposed extension measures approx. 13.5m. Whilst the distance is of fairly close proximity this separation reflects the design guidance sought for such arrangements and it is not considered that the extension will reduce light to the garden or internal areas of the neighbouring property. The arrangement will prevent the extension from creating a sense of enclosure within the rear garden or rear rooms of no 253. There are no windows proposed within the side elevation of no. 253, therefore privacy will be retained to both occupants.

The proposed two storey side extension has clear glazed windows within both the front and rear elevations. To the front the application property faces on to the pub carpark, and therefore does not create any additional views to residential dwellings. To the rear, views over the garden are already created from the existing first floor windows seen within the original property. The proposed window within rear elevation of the first floor side extension would only provide views across the garden area of the application site and would not create additional views not currently seen from the other clear glazed window of the site. AS such no additional privacy impacts are created.

Guidance in design note 4 i) of the Council’s ‘Extending You Home’ SPD indicates that: Single storey rear extensions projecting along a shared boundary should only project approx. 3m away from the main rear elevation of the neighbouring property.

The adjoining neighbour to the north (no. 3 Tithebarn) has an existing extension to the rear which projects approx. 1.8m away from the rear walls of the properties. There is one window within the rear of this extension which looks to be obscurely glazed and serves a bathroom. With this extension the actual projection of the proposed extension is 2.2m and so it complies with this SPD guidance.

The proposed porch structure is of a scale and size which would not impact the adjoined neighbour due to the distance away from the boundary and the limited 1m projection away from the front elevation of the dwelling.

As such the proposal has an acceptable relationship to its neighbours in all regards and complies with criteria c) and h) of Policy GD7.

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Parking and Access Arrangements

The proposal retains an appropriate level and location of parking for the site and does not compromise the access arrangements or highway safety. As such it complies with criteria j) and q) of Policy GD7.

Other Matters

The neighbour comments refer to the potential for construction disturbance to impact on the business use of their caravan park and refer to conditions that were placed on a housing development further along Mill Lane to control the hours and days of work as a suggestion to address their concerns. However that was a large scale residential development and as this proposal is a simple household extension it is not considered that a condition would meet the legal tests of being 'necessary' or 'reasonable' for this type of development.

As a further justification for not imposing a condition the actual building works are well separated from the boundary with the holiday park, the receptors who could 'suffer' amenity issues are only transient visitors, and the scale of the works is such that the construction phase will be relatively limited in duration anyway. Finally, the council has powers under the Environmental Protection legislation to address any nuisances that the development could cause.

They also raises concerns over the validity of the red edge of the site, but any dispute of this matter would be a private issue between the parties. In any event the works are very well separated from this boundary and so are not relevant to the council's determination of the application.

Conclusions

The application relates to the erection of extensions at a dwelling in the settlement of Staining. Having viewed the proposal and assessed the issues raised, it is considered that the development accords with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review), the NPPF and the objectives of the 'Extending Your Home' SPD. Accordingly the application is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission relates to the following plans:

- Proposed Plans, Elevations and isometric - Drawing no. MILL/001B

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

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

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the materials used on the external surfaces of the development shall match those of the existing dwelling in terms of type, colour, texture and scale.

Reason: To ensure the use of appropriate materials which are compatible with the character of the host building and the street scene in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

Informative(s)

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

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

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Location Plan for 22/0231



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Item 4

Application No:	22/0341	Case Officer:	Andrew Stell Area Team 2
Applicant:	FYLDE COUNCIL	Agent:	MR ANDY WOLFE
Location:	NORTH BEACH WINDSPORTS CENTRE CLIFTON DRIVE NORTH LYTHAM ST ANNES LANCASHIRE FY8 2PP		
Proposal:	1) RECONFIGURATION AND CHANGE OF USE OF EXISTING WINDSPORTS CENTRE & CAFE BUILDING TO USE AS WINDSPORTS CENTRE, CAFE AND RANGER BASE. 2) SCHEDULE OF ASSOCIATED WORKS TO INCLUDE ALTERATIONS TO WINDOWS AND DOORS, INSTALLATION OF EXTRACT & INLET VENTILATION TO CAFE KITCHEN, REPLACEMENT OF EXISTING EXTERNAL DECK WITH NEW EXTENDED DECK, AND FORMATION OF ACCESS RAMP AND ACCESS FOOTPATH		
Ward:	St Leonards	Parish:	St Anne's on the Sea
Statutory Expiry:	13 July 2022	Earliest Decision:	11 June 2022
Reason for any delay:	Not applicable as decision will be 'in time'		Online application file here

Officer Recommendation: Delegated to Officers

Summary of Officer Recommendation

The application site is the former Fylde International Sand Yacht building and its compound that is located to the north of the north beach car park in St Annes. The building is currently vacant but has been used to support a range of beach related sport activities for a number of years, albeit its most recent use was as an unauthorised education establishment.

The site is in the green belt between St Annes and Blackpool but is immediately adjacent to the settlement boundary and so has the properties that surround the north beach car park on Clifton Drive North and Summerfields in relatively close proximity.

The development proposed in this application is to expand the range of uses in the building to include a wind sports centre, a café and a base for the coastal rangers. An extended decking area to the seaward side of the building is proposed with a level access ramp alongside it. A series of bifold doors are proposed to provide access to this area from the building, with other more minor elevational changes elsewhere on the building.

The works provide for a physical enhancement of the existing dated building and a broadening of its uses in a way that will complement its existing use, and provide for expanded tourism and coastal management support services in a location that is ideally suited to that use.

There are no conflicts with the green belt designation, or with the design or access arrangements of the development. There are potential issues with neighbouring amenity should the café use expect to be operational into the evening, but it is considered that these can be controlled through planning condition.

There is a key outstanding issue with the development proposal, which is the potential for it to lead to harm to matters of ecological importance related to the estuary and dune habitat around the

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site. The application does not provide any details to allow this to be assessed and so those details are awaited.

Given the general acceptability of the principle of the development, officers recommend that the decision on the application be delegated to officers to allow a planning permission to be expeditiously granted in the event that the ecological assessments are satisfactorily completed. This will avoid the need for any delay through re-presenting the application to a future meeting of the Planning Committee, as is required under the approved scheme of delegation with the site being council owned, and should allow for the finalisation of planning conditions and any other controls required to appropriately control the operation of the building.

Reason for Decision Level

The application is for the development of a council owned asset and so it is necessary to present the application to the Planning Committee for a decision.

Site Description and Location

The application relates to the former Fylde International Yacht Club building which is located to the north of the Coastguard building and North Beach Car Park in St Annes. The building is a single storey structure that was vacant for some years following the cessation of sand yachting activity in 2002 but was then opened again in 2010 by Trax Academy who leased it from the council. This was initially as a base for their wind sports activities which were operated for the benefit of young persons, but then transferred to use as a school without the benefit of planning permission or the landowners' consent. That use ceased some years ago and the building has been vacant since.

The site sits separate to the North Beach Carpark within the dune system that extends northwards from that point towards Blackpool. Vehicle access is available directly from Clifton Drive North, with a separate pedestrian/cycle link available to the car park. This pedestrian access extends past the building and is a well-used access point to the beach and dune systems beyond. It is understood that this is a popular access route for dog walkers and other recreational users of this part of the beach.

There are a number of residential properties that surround the car park with some fronting onto Clifton Drive North having their rear boundaries with the car park, and others within the Summerfields development to the south. The application building has boundaries with the coastguard station to the south, the beach to the west, and the dunes to the north and east.

The building is within the green belt area that separates St Annes from Blackpool, with the northern edge of the car park being the settlement boundary. There are a range of ecological designations in the area, albeit the building itself is not within any of them. At the higher level there is the SSSI and Ramsar site that runs along the beach and has its edge 11m from the seaward facing elevation of the building. The Lytham Foreshore and Dunes Biological Heritage site is closer at 5m from the seaward elevation and runs immediately to the landward elevations so placing the parking and other external areas of this application site within that designation.

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Details of Proposal

The proposal relates to the change of use of the building to facilitate its use as a windsports centre with separate café/restaurant and separate base for the Coastal Ranger service operated by Fylde Council and its partners.

To facilitate this there are no extensions to the building itself, but the following works are proposed:

- The decking area to the seaward side of the building is proposed to be extended. This currently runs across the width of the building with a projection of 4m which is to be extended to 5.5m. This decking is to be formed from a composite timber material and is to be surrounded by a 1m high balustrade from that material with a further 500mm high glazed screen added to the top of that
- The decking is to continue alongside the building as a ramp to provide level access from the car park and access route with that similarly enclosed by the balustrade
- The doors and windows to the seaward elevation are to be widened and replaced with two sets of bi-folding doors that cover the majority of that elevation
- Other alterations to doors and windows and are to be provided to the other elevations of the building including the provision of a service door, the inclusion of a serving hatch to support the club use, and the replacement of other windows. A ventilation outlet is to be provided to improve the café operation
- Externally the car parking area is to be slightly remodelled and parking provided for cycles along with a bin store

Relevant Planning/Appeal History

Application	Proposal	Decision	Date
76/0615	RETENTION OF EXISTING BUILDING AND USE AND SAND YACHT CLUB AND YACHT PARK.	Granted	8/9/1976
09/0683	RETROSPECTIVE CONSENT FOR THE INSTALLATION OF SECURITY SHUTTERS, REPLACEMENT CLADDING AND FENESTRATION TO THE EXISTING BUILDING.	Granted	14/12/2009
09/0677	SIDE EXTENSION TO WIND SPORTS CENTRE, INCLUDING CAFE ELEMENT WITH ADDITIONAL DECKING TO FRONT ELEVATION.	Granted	29/1/2010

Parish/Town Council Observations

Parish/Town Council	Observations
St Annes Town Council	No comments had been received at the time of the preparation of this report. Any comments that are subsequently received will be reported to Committee or considered in any future officer determination of the application

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Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
Natural England	<p>They provided initial comments on the application by letter of 1 June 2022. This highlights that the submission is missing information that is required to ensure it can be appropriately assessed for its impact on the ecological designations that they are the specialist governmental adviser on.</p> <p><i>“As submitted, the application could have potential significant effects on:</i></p> <ul style="list-style-type: none"> • <i>Ribble and Alt Estuaries Special Protection Area (SPA)</i> • <i>Ribble and Alt Estuaries Ramsar site</i> • <i>Ribble Estuary Site of Special Scientific Interest (SSSI)</i> <p><i>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.</i></p> <p><i>The following information is required:</i></p> <p><i>A Habitats Regulations Assessment (HRA) to include consideration of the potential impacts of the nearby designated sites during construction and operation.</i></p> <p><i>Without this information, Natural England may need to object to the proposal.”</i></p> <p>Their letter provides the following details to support this position.</p> <p><u><i>“Habitats Regulations Assessment (HRA)</i></u></p> <p><i>Despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a HRA.</i></p> <p><i>In advising your authority on the requirements relating to HRA, it is Natural England’s advice that the proposal is not necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.</i></p> <p><i>Natural England advises that there is currently not enough information provided in the application to determine whether the likelihood of significant effects can be ruled out.</i></p> <p><i>We recommend you include the following information in the HRA:</i></p>

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	<p>• <i>An assessment of all potential impacts on the designated sites that considers the direct and indirect impact pathways. We advise that you consider the potential impacts the development would have in its construction and operation.</i></p> <p><u><i>Ribble Estuary SSSI</i></u></p> <p><i>Our concerns regarding Ribble Estuary SSSI coincide with those as mentioned above for the other designated sites.</i></p> <p><i>Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence."</i></p> <p>The applicant has been advised of the need to supply this information, and so it is assumed that it is under preparation. On its receipt a further consultation with Natural England will be undertaken.</p>
Greater Manchester Ecology Unit	<p><i>Although a part of the site appears to lie in a Biological Heritage Site, the area in question appears to be hardstanding and therefore no direct harm to the BHS is likely to be caused. However in order to protect the BHS from accidental damage from construction activities we would recommend that a Construction Environmental Management Plans for Biodiversity be required and the following condition attached to any permission if granted.</i></p> <p>They then suggest a condition which is added in the relevant section of this report.</p>
Marine Management Organisation	<p>They highlight that any activities that take place below the mean high-water mark may require a marine licence to accord with the requirements of the Marine and Coastal Access Act 2009.</p> <p>They then provide guidance on the various planning and other legislative issues raised by development in the marine environment.</p>
LCC Highways	<p>LCC Highways does not have any objections regarding the proposed reconfiguration and change of use of existing wind sports centre & café building to use as wind sports centre, café and ranger base and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.</p>
Environmental Protection (Pollution)	<p>Initial comments received which raise no objection to the development subject to planning conditions being imposed to protect the amenity of neighbouring residential occupiers.</p>

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	They suggest that conditions are imposed to prevent the use of the external terrace area for any live, amplified or other background entertainment or music, and that the use of the premises shall cease at a time that prevents late evening operation of the site.
United Utilities	Comments outstanding at time of drafting report so any comments that are received will either be presented to Committee in the Late Observations Report or considered by officers should the Committee delegate them that authority.

Neighbour Observations

Neighbours notified:	19 May 2022	
Site Notice Date:	19 May 2022	
Number of Responses	Total number of comments	0 (although the consultation period was ongoing at the time of the drafting of this report and so it is possible that comments may be received)

Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review):

GD2 - Green Belt Lytham St Annes)
ENV1 – Landscape and Coastal Change Management Areas
ENV2 – Biodiversity and Ecological Enhancement
GD7 - Achieving Good Design in Development

STANP - St Annes on the Sea Neighbourhood Plan
NPPF – National Planning Policy Framework (July 2021)
NPPG – Planning Practice Guidance

Environmental Impact Assessment

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

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Comment and Analysis

Planning and Policy Background

The building was seemingly established with the purpose of providing supporting accommodation for sand yachting which was undertaken on that part of the beach until the early-2000s. The planning history confirms the building existed before then and was for that use. Following the resumption of wind sport activity on the beach in 2010 the building was extended and altered, and a café provided to support the wind sport activity that was then undertaken. This café was restricted by condition to be an ancillary activity to the wind sports and so essentially was a location where those involved in the activity would be able to secure refreshments. This activity ceased and the building was used for education purposes without the benefit of planning permission. That has also now ceased and the building is again vacant, but its lawful planning use remains the wind sport use with ancillary café that was approved in 2010. The current application proposes a change of use from that as it is intended that the cafe use will be a separate use, and the range of uses is proposed to be extended by the provision of a base for the coastal rangers to one side of the building.

The site is located immediately to the north of the settlement boundary of St Annes in an area that is designated as Green Belt in the Fylde Local Plan to 2032 (incorporating Partial Review) and as such it is the compliance with that policy which will be key to the acceptability of the development in principle. The other key issues will relate to the ecological implications given the proximity to a range of designated areas on the beach, dunes and wider estuary. Finally, the normal planning considerations of access, design and impact on neighbouring amenity will need to be examined. These matters are covered in the following sections of this report.

Principle of development

The application site is an existing building that has previously been used to support wind sport related activities. This application broadens that use to include a separate café element, although a café facility used as part of the centre itself has previously been provided, and includes some physical alterations to the building. These are to be assessed against the policies of the development plan, with the key one being that the site is located in the green belt. Policy GD2 of the Fylde Local Plan to 2032 (incorporating Partial Review) directs the assessment of applications in those areas to the compliance with the national planning guidance in the NPPF.

The key NPPF para is 149 which confirms that the construction of new buildings is inappropriate development, but lists a series of exceptions to that. In this case there are no new buildings to be constructed. However, there is an extension to the decking area and so it is appropriate to consider compliance with this policy in that regard.

One of the exceptions listed is “b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it*”.

The extended decking area seems to be primarily related to the café element of the use as it is the widened doors to that element that will provide access to it, although access is also available from the coastal ranger room. Whilst the wind sports use would be an outdoor sport and recreation use, it is not clear that the café would be and so it is not considered that the exception above provides policy support for this development.

A further exception is “c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building”. This is more supportive

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of this type of use as the extension to the decking increases the projection from just under 4m to 5.5m across the width of the building and so it can be concluded that it is not a disproportionate addition. The solid balustrade around the decking is more substantial than the open fencing that surrounds the existing decking, but even with this additional feature it is considered that the proposed works satisfy this exception and so comply with green belt policy. The other alterations to the building do not impact on the scale of the building and so there is no adverse impact on the openness of the green belt.

With regards the change of use of the building, para 150 provides guidance on that. This follows the same approach by being restrictive to new development, but provides a series of exceptions. One of these is *"d) the re-use of buildings provided that the buildings are of permanent and substantial construction."*

In this case the building is clearly of that standard of construction and is being re-used for a purpose that is similar to that which it was originally intended for and has been lawfully used for since. Accordingly, the change of use element of this application does not raise any conflicts with green belt policy and so complies with the Fylde Local Plan to 2032 (incorporating Partial Review) and the St Annes Neighbourhood Plan in that respect.

On this basis the principle of the development is an acceptable one, but there remains a need to assess the other planning implications raised by the development, with these explored more fully in the remaining sections of this report.

Marine Impacts

The comments of the Marine Management Organisation (MMO) highlight the need to comply with the legislation that applies in the area that they have jurisdiction for, namely the area below 'mean high water springs', but do not provide any guidance on whether they consider that it applies to this development or not.

The applicant has sought further guidance on this matter from the MMO and it is clear from that that the application site itself is clear of that area and so the works proposed in this application will not have any legislative impacts with that aspect. Any requirement for a licence from the MMO to allow the beach sports activities themselves to continue would be a separate consideration to this planning application.

Ecological Matters

Whilst the site is not in an area that is itself designated for any ecological protection, the building is within 11m of the Ramsar site and SSSI that are based on the estuary habitat, and the Dunes and Foreshore Biological Heritage Site is immediately against the landward wall of the building and the seaward edge of the proposed extended decking.

Given the proximity of the site to these designations and the high-level of protection that they are rightly given in planning and other legislation, it is imperative that the potential impact on these areas, and the wildlife that they provide habitat for, is fully considered in the decision on this application to ensure that there is no detriment to it. This is either through the physical works impacting on the habitat, or through the impact of increased 'recreational disturbance' to the habitat and wildlife from the use attracting more people to the area.

Natural England are a statutory consultee on applications that are located within this proximity to a SSSI, and the views of the GMEU as the council's ecological consultee have also been sought to inform the decision on this application. The initial views of the former have been received and are reported

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in the relevant section of this report. These raise objection to the application on the basis that there is no ecological information provided to allow them to assess the potential impact of the development, or to considered if any mitigation that is proposed is adequate to offset those impacts. This would be through an ecological report and a shadow Habitats Regulation Assessment which is a legal requirement on the council to ensure it fulfils its duties as a competent authority under the Habitat Regulations.

Whilst the lack of any information to allow this aspect to be properly considered would represent a reason for refusal of the application, these comments have been passed to the applicant so that they can attempt to provide the information required by Natural England. At the time of drafting this report no further information has been received, but when it is it the views of Natural England should be sought upon it, and then for these responses to be considered. If they are sufficient to address any concerns, then a series of planning conditions are likely to be necessary, along with the adoption of the shadow Habitats Regulation Assessment as the council's own.

The council's ecological consultant, GMEU, has also provided comment on the local level impacts, in particular the Lytham Foreshore Dunes and Saltmarsh Biological Heritage Site. Their comments confirm that whilst elements of the site are within this designation, its current arrangement makes no positive contribution to the dune habitat that the BHS is to protect. GMEU also conclude that works that are proposed will not have any directly harmful impact on surrounding dunes. They do highlight that the construction works have the potential to impact on the dunes around the building, and so to address that they suggest a condition be imposed to any planning permission to require that a Construction Environmental Management Plan is submitted and followed during the construction works. This is a sensible suggestion and one that officers support to ensure compliance with Policy ENV2, with a draft wording listed at the end of this report.

To allow these matters to be progressed it is your officer's recommendation that the decision on the application be delegated to the Head of Planning so that the application can be determined and, if acceptable, a planning permission issued without the need to return to Committee. This is in an effort to expedite the decision on the application as it is understood that there is a desire in the estates team that the facility will be operational at some point in summer 2022.

Design Changes

The building is a single storey structure with a mixture of flat and shallow pitched roofs. It has no particular architectural merit being a functional building that is perhaps designed to be as low-lying and so unobtrusive as possible.

The works that are proposed in this application will not fundamentally alter the building. The extended decking area will provide a wider frontage with a more solid balustrade that will give a refreshed appearance to the building in that aspect, with the bi-folding doors on the seaward elevation complementing that approach to give the building a more modern aspect in this most visible elevation. The other changes are more functional with new service doors, security grills and an access ramp provided.

All elements are appropriately designed for the building and its location, and will bring both aesthetic and functional enhancements to it. The works fully accord with the requirements of Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) in that respect.

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Operational Changes and Amenity Considerations

The use of the building and site to support wind sport activity is an existing lawful use, and so its continuation does not raise any planning issues. The incorporation of an area to be used by the coastal ranger service is an appropriate use for a building in this location and will also be acceptable.

The café use is an extension of that previously existing on site, and crucially it is proposed that this is to be operated in a way that allows its use by members of the general public rather than just being to support the wind sport participants. It is also proposed that this be open until later in the evening, with the supporting statement supplied suggesting that the hours of trading would be 9am to 9pm with this extended to 11pm on Fridays, Saturdays and Bank Holidays.

Hospitality uses have the potential to create disturbances to neighbouring residential properties, and so are often subject to controls over the hours of operation and the extent of the use of external areas. This site does have residential neighbours on Summerfield and Clifton Drive North, albeit that both are across the north beach car park from the site. The nearest property is 476 Clifton Drive North which is 50m away from the building, with the decking area just over 70m distant.

The current café use has its hours of opening controlled to between 8am and 9pm on any day through condition on the 2010 planning permission. The proposal here is to extend those uses, and is an area where the council's Environmental Protection team have expressed some reservations, particularly over the potential for the outside terrace area to be used in the evening, or for music and other potential sources of noise to be undertaken at the site, as these could lead to neighbour nuisances.

The site is relatively well separated from neighbouring properties, and with the potential for the car park to generate noise through its comings and goings it is unlikely to be an area that is entirely free from other noise sources. However, some controls over the extent of the activity, particularly the use of the terrace area in the evening, are considered necessary to ensure that a measure of protection is provided to neighbouring residential amenity.

To achieve that it is considered that the current 9pm closure is an appropriate time for the activity at the site to be concluded by, with this reflecting the weekday intentions of the applicant as set out in the supporting statement. This continues the lawful hours from the 2010 permission, and allows unhindered use of the café for the daytime and early evening use that would be expected in a location such as this which is remote from a town centre and has limited night time illumination. It would clearly prevent any late-night use though, with this typically the time that greater nuisance to neighbours can be caused. A condition to that effect is suggested in this agenda, but the final wording of this is a matter that could be subject to change should officers believe it is necessary when this matter is finally considered.

Access and Parking

The site has vehicle access direct from Clifton Drive North with that leading via a driveway to a compound area where there are to be 4 parking spaces marked out and other areas available for turning and informal parking. This is essentially the current situation and seems appropriate to meet the operational and servicing needs of the wind sports and ranger operation, and the staff requirements for the café.

This area would not be sufficient to meet the customer needs of the café element or the spectator/competitor needs of the wind sports element. However, the site is immediately adjacent to the sizeable north beach car park with a convenient and level pedestrian link between the two areas. The north beach car park provides ample parking for any the potential level of use of this building.

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The access points to the site from Clifton Drive North and the car park would serve pedestrian and cycle visitors, and pedestrians can readily access the site from the beach via the existing access point. These ensure that the site is highly accessible by all potential users and so accords with the requirements of Policy T3 and GS7 of the Fylde Local Plan to 2032 in that regard.

Conclusions

The application provides for a physical enhancement of the existing, dated, sand yacht building that is located alongside the North Beach Car Park in St Annes. The application also proposes a broadening of its uses in a way that will complement its existing use and provide for expanded tourism and coastal management support services in a location that is ideally suited to that use.

There are no conflicts with the green belt designation, or with the design or access arrangements of the development. There are potential issues with neighbouring amenity should the café use expect to be operational into the evening, but these can be controlled through planning condition.

There is a key outstanding issue with the development proposal, which is the potential for it to lead to harm to matters of ecological importance related to the estuary and dune habitat around the site. The application does not provide any details to allow this to be assessed and so those details are awaited.

Given the general acceptability of the principle of the development officers suggest that the decision on the application be delegated to officers to allow a planning permission to be expeditiously granted in the event that the ecological assessments are satisfactorily completed. This will avoid the need for any delay through re-presenting the application to a future meeting of the Planning Committee as is required within the approved scheme of delegation with the site being council owned and should allow for the finalisation of planning conditions, including any necessary to control the hours of use of the building and terrace, and any other controls required to appropriately control the operation of the building.

Recommendation

That the decision to GRANT Planning Permission be delegated to the Head of Planning, with that decision being subject to the following:

- 1) Consideration of any further neighbour representation or consultee comments that may be received
- 2) The consideration of the additional ecological submissions, including the necessary consultations with Natural England and others, the consideration and adoption of a Habitats Regulation Assessment, and the drafting of any necessary planning conditions required to address any identified ecological matters
- 3) The final drafting of a series of planning conditions

The suggested Planning Conditions and Reasons are as follows:

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

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

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2. This permission relates to the following plans:

- Location Plan - Drawing 21-22 PL01 Rev A
- Proposed Site Plan - Drawing 21-22 PL04 Rev A
- Proposed Layout Plan - Drawing 21-22 PL05 Rev A
- Proposed External Deck Details - Drawing 21-22 PL06
- Proposed Elevations - Drawing 21-22 PL08

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

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

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

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

4. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification) the premises shall only be used as a mixed use of windsports centre, cafe and coastal ranger station and for no other purpose (including any other use falling within Class E of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that class in any statutory instrument amending or replacing that Order). Furthermore the extent of the individual uses set out in this condition shall only be undertaken from the areas of the building that are identified as being for that use on the approved layout plan as listed in condition 2 of this planning permission.

Reason: To ensure that the future use of the premises is limited to one which remains compatible with its specific coastal location and does not have any adverse amenity impacts upon the occupiers of nearby dwellings; and to preserve the vitality and viability of neighbouring centres by preventing the building being changed to a main town centre use without the application of the sequential test in accordance with the requirements of policies GD7, EC5 and T5 of the Fylde Local Plan to 2032, and the National Planning Policy Framework.

5. The cafe element of the uses hereby permitted shall only be open for trade or business between the hours of 9am and 9pm on any day. At no time shall there be any live music played or amplified music broadcast on the decking area

Reason: To limit the potential for noise generation at times when surrounding occupiers would reasonably expect to be undisturbed and to prevent nuisance arising in order to safeguard the

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amenity of the occupiers of surrounding properties in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

6. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

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

Reason: In order to ensure that appropriate mitigation measures are put in place to safeguard the nature conservation interest of the adjacent habitat during the construction period before any development takes place in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2 and the National Planning Policy Framework.

7. No development shall take place until a method statement detailing the reasonable avoidance measures to be put in place to avoid and/or minimise any impacts on the habitat and wildlife associated with that habitat that surrounds the site during the construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the reasonable avoidance measures identified in the duly approved method statement.

Reason: To ensure that adequate mitigation measures are introduced as part of the development in order that it does not adversely affect the favourable conservation status of any protected species in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended).

8. Prior to the commencement of any development a scheme for the provision of ecological mitigation and enhancement measures shall be provided and be approved in writing by the local planning authority. The scheme shall include:
 - a) Details of the area, siting, size and design of all ecological mitigation and enhancement measures and features to be introduced as part of the development.
 - b) Details of how the measures and features in a) will enhance biodiversity opportunities on the site and to which species these will be targeted.
 - c) A timetable and phasing plan for the introduction of the measures and features set out in a).

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d) Details for the ongoing management and maintenance of the measures and features set out in a).

The approved ecological mitigation and enhancement measures shall be provided in accordance with the details and timetable contained within the duly approved scheme, and shall be managed and maintained as such thereafter.

Reason: To ensure that the development delivers appropriate biodiversity enhancements and mitigation in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV2, and the National Planning Policy Framework.

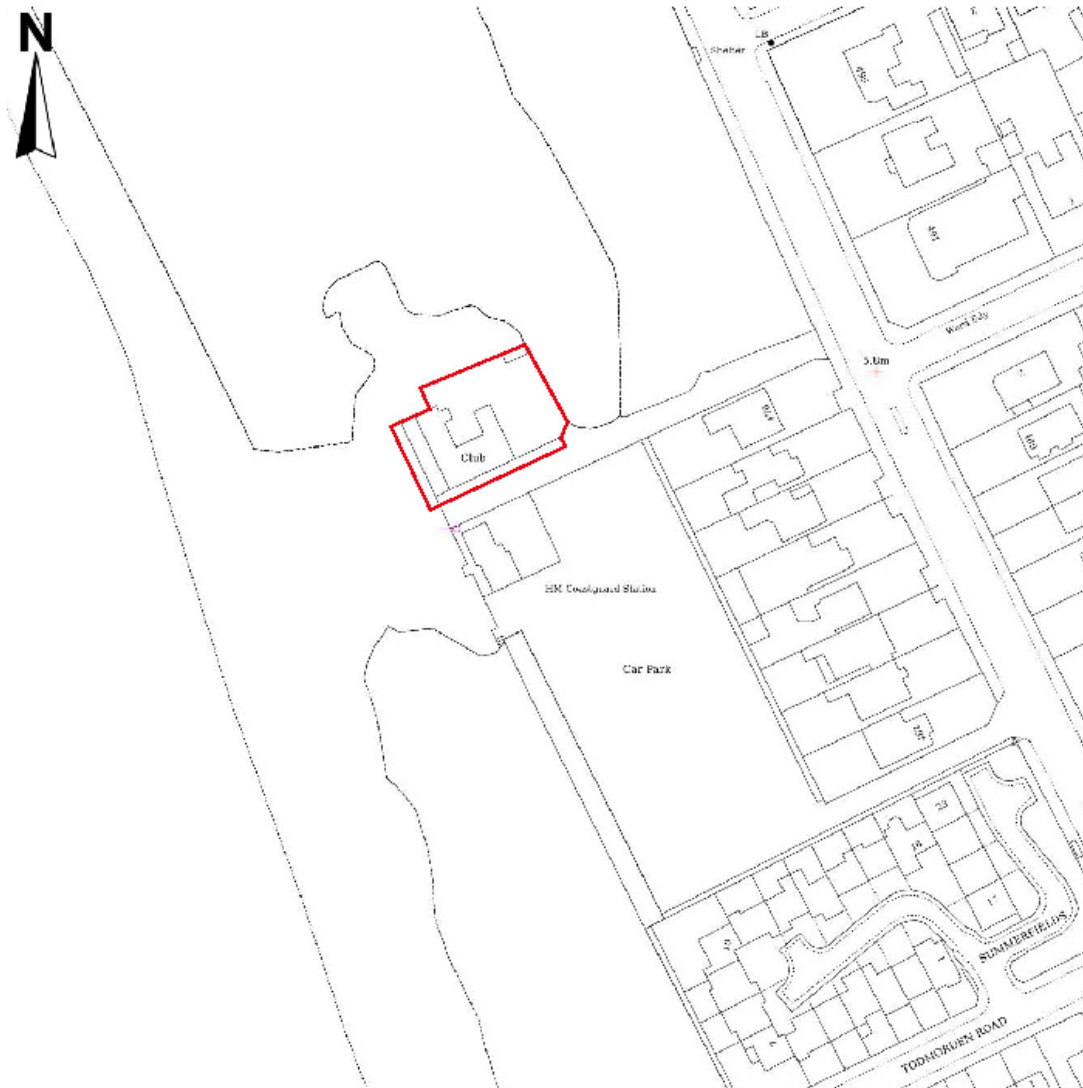
Informative(s)

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

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

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Location Plan for 22/0341



INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING	PLANNING COMMITTEE	22 JUNE 2022	5
LIST OF APPEALS DECIDED			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

The council received the following attached appeal decisions between 6 May and 10 June 2022.

For a copy of the decision letter click on the decision in the tables below and follow the link to the Appeal where you will find the decision letter and other appeal documents.

SOURCE OF INFORMATION

Development Services

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform members on appeals that have been decided.

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473

Index of Appeal Decisions

Appeal decisions received between 6 May 2022 and 10 June 2022.

For a copy of the decision letter click on the decision in the tables below and follow the link to the Appeal where you will find the decision letter and other appeal documents.

App. No.	21/0695	FBC Decision:	Refusal	Level:	Delegated
Location:	LAND REAR OF 79 AND ON OCCUPATION LANE, CHAIN LANE, STAINING				
Description:	APPLICATION TO DISCHARGE CONDITION 3 (TIME LIMIT FOR IMPLEMENTATION) OF PLANNING PERMISSION 16/0468				
PINS Decision	Dismissed	Date:	18 May 2022	Costs:	N/A