



# Minutes

## DEVELOPMENT MANAGEMENT COMMITTEE

<b>Date:</b>	Wednesday, 12 October 2016
<b>Venue:</b>	United Reformed Church, St George's Road, St Annes
<b>Committee Members:</b>	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman)  Councillors Christine Akeroyd, Julie Brickles, Maxine Chew, Michael Cornah, Neil Harvey, Barbara Nash, Linda Nulty, Liz Oades, Albert Pounder, Heather Speak.
<b>Other Members:</b>	Councillor Sandra Pitman
<b>Officers Present:</b>	Mark Evans, Ian Curtis, Andrew Stell, Kieran Birch, Claire Booth, Rob Buffham, Anita Elliott, Sara Jones, Clare Lord, Lyndsey Lacey-Simone.
<b>Other Attendees:</b>	Approx 30 members of the public were present during the course of the day.

### Public Speaking at the Development Management Committee

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

#### 1. Declarations of interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members.

The Chairman, Councillor Trevor Fiddler and Councillor Liz Oades declared a personal interest in planning application 16/0604 relating to Stile Field Farmstore, Kirkham Road, Freckleton in so far as they are customers of the warehouse concerned.

#### 2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Development Management Committee held on 7 September 2016 as a correct record for signature by the Chairman.

#### 3. Substitute members

The following substitutions were reported under Council procedure rule 25:

Councillor Maxine Chew for Councillor Jan Barker.

Councillor Julie Brickles for Councillor Kiran Mulholland.

#### Decision Items

##### 4. Development Management Committee

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

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

With regard to planning application 16/0494 relating to 43 Derbe Road, St Annes, the committee noted that the application had been included on the agenda at the request of Councillor Cheryl Little, the ward councillor. Committee members regretted that Councillor Little had not attended the meeting and the chairman asked the Head of Planning and Regeneration to write to Councillor Little to express the committee's disappointment.

(Councillor Heather Speak was not in attendance during the consideration and voting on planning applications nos: 16/0493, 16/0280, 16/0494, 16/0570, 16/0651 and items 5, 6, 7, 8, 9 and 11 on the main agenda).

(Councillor Neil Harvey left the meeting prior to the vote on item 11 on the agenda relating to Land at Valentines Kennels)

##### 5. St Anne's on the Sea Neighborhood Development Plan – Examiner's Report and Progression to Referendum.

The Chairman invited Mark Evans (Head of Regeneration and Planning) to present the report.

Members were advised that following the Independent Examination of the St. Anne's on the Sea Neighbourhood Development Plan (the Plan), including a Public Hearing held on the 7 June 2016, the Independent Examiner, Mr John Slater BA (Hons), DMS, MRTPI, had issued his examination report. The Examiner's report concluded that subject to recommended modifications, the Plan meets with the "Basic Conditions" set out in legislation and should proceed to a Neighbourhood Planning Referendum.

Details with regard to the responsibilities of the planning authority (borough council) in relation to the Examiner's findings were set out in the report.

Members were advised that the majority of the recommended modifications were in line with the Publication Version of the emerging Fylde Local Plan to 2032, with just one modification which differed. The Examiner had recommended that the settlement boundary be amended to incorporate land identified as Countryside to the west of Heyhouses Lane. Further details on this and matters associated with the land in question also being a designated Biological Heritage Site were set out in the report.

Mr Evans further reported that following the submission of the Examiner's report, Fylde Borough Council carried out further consultation with the Environment Agency, Historic England and Natural England. Natural England, however, had raised concern regarding the proposed amendment to the settlement boundary as it is known that this land is utilised by pink footed geese related to the Ribble and Alt Estuaries Special Protection Area (SPA).

A copy of the Examiner's Report; Schedule of Charges; Draft Decision Statement; a plan of the proposed amended settlement boundary together with the relevant section of the Policies Map were included as appendices to the report.

Following consideration of this matter it was RESOLVED: that a Habitat Regulations Assessment of the St Anne's on the Sea Neighbourhood Development Plan (as modified by the Examiner) be completed and that, subject to the completion of the Habitat Regulations Assessment and the making of any amendments to the plan to ensure it is compatible with EU obligations:

- a. the Development Management Committee accept the Independent Examiner's modifications, as set out in Appendix 1 and Appendix 2 of the report, and
- b. the Development Management Committee recommend to Full Council approval of the Draft Decision Statement which was included as Appendix 3 of the report, and proceed the St. Anne's on the Sea Neighbourhood Development Plan to Referendum.

#### Information Items

6. List of Appeals Decided

To note the appeal decision letters received during the period received between 26/08/16 and 30/09/16 (previously circulated).

7. General Fund Revenue Budget Monitoring Report 2016/17 – Position as at 31 July 2016.

This information report provided an update of the Council's General Fund (GF) Revenue Budget as at 31 July 2016 with specific reference to those areas under the committee's remit.

8. Capital Programme Monitoring Report 2016/17 – Position at as 31 July 2016.

This information report provided an update of the Council's approved Capital Programme as at 31 July 2016 with specific reference to those schemes under the Committee's remit.

9. Outside Bodies

In accordance with the Protocol for Members on Outside Bodies, reports from members representing the council on the various outside bodies (within the remit of the committee) were circulated with the agenda for information purposes.

10. Exclusion of the Public

IT WAS RESOLVED: That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business, on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 7 of Schedule 12A of the Act.

11. Consideration of Case to Defend Appeal Against Refusal of Planning Application 14/0580, Land at Valentines Kennels, Wildings Lane, Lytham St Annes

Following the introduction by the Chairman, Ian Curtis (Head of Governance) was invited to present the report on the above.

Following detailed consideration of this matter, it was RESOLVED to agree to Option C and the recommendation contained in paragraph 12 of the report.

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Item Number: 1

<b>Application Reference:</b>	16/0050	<b>Type of Application:</b>	Outline Planning Permission
<b>Applicant:</b>	Mr Coyne	<b>Agent :</b>	Homeplan Designs
<b>Location:</b>	THE HOMESTEAD, RIBBY ROAD, KIRKHAM, PRESTON, PR4 2BE		
<b>Proposal:</b>	OUTLINE APPLICATION FOR ERECTION OF 1 No. DETACHED DWELLING WITH ACCESS, SCALE AND LAYOUT APPLIED FOR AND OTHER MATTERS RESERVED		

### Decision

Outline Planning Permission: - Refused

### Reasons

- 1 The erection of a dwelling on part of the rear garden area as proposed constitutes inappropriate development of a residential garden that will cause harm to the character of the local area, harm to the safe operation of the local highway network in particular for children using it to access Kirkham Grammar School, and harm to the amenity of neighbouring residents by virtue of the potential privacy loss and massing issues that would be caused by a dwelling of this layout and footprint.

The level of harm caused is such that it will outweigh the benefits to housing supply from the development and so is in conflict with paras 32, 53, 58 and 64 of the NPPF, criteria 1, 2 and 9 of Policy HL2 of the Fylde Borough Local Plan, and criteria a, b, c, g, o and p of Policy GD7, and that element of Policy H2 of the Fylde Local Plan to 2032 (Publication Version) which relates to the development of domestic gardens.

- 2 The development site contains trees and other features that have the potential to provide habitat which could support a nesting or roosting site for bats. In the absence of any survey to assess the likelihood of this and so provide mitigation should bats utilise the area in this way the council cannot be satisfied that there will not be any impact on this protect species. As such the proposal is in conflict with para 118 of the NPPF, with Policy EP19 of the Fylde Borough Local Plan, and with Section 2 of Policy ENV2 of the Fylde Local Plan to 2032 (Publication Version).

### Informative notes:

1. For the avoidance of doubt, this decision relates to the following plans:
  1. Location Plan drawing by Homeplan Designs
  2. Indicate Plans and Elevations of Proposed Detached House by Homeplan Designs ref HP/2177E

PL/16/05.1

**Item Number: 2**

<b>Application Reference:</b>	16/0280	<b>Type of Application:</b>	Reserved Matters
<b>Applicant:</b>	Story Homes	<b>Agent :</b>	
<b>Location:</b>	LAND OFF WILLOW DRIVE, RIBBY ROAD, RIBBY WITH WREA		
<b>Proposal:</b>	APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 14/0302 FOR THE DEVELOPMENT OF 86 DWELLINGS INCLUDING 26 AFFORDABLE UNITS, PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE.		

**Decision**

Reserved Matters: - Granted

**Conditions and Reasons**

- 1 This consent relates to the following details:

Approved plans:

3. Location Plan - POD Project 692-STO Drawing 001
4. Proposed Detailed Site Layout - POD Project 692-STO Drawing 100 Rev L
5. Proposed Elevation Treatment - POD Project 692-STO Drawing 102 Rev E
6. Proposed Boundary Treatments - POD Project 692-STO Drawing 103 Rev G
7. Indicative Finished Floor Levels - Story Homes drawing SL115.90.9.ILP1
8. Indicative Finished Floor Levels - Story Homes drawing SL115.90.9.ILP2 Rev B
9. Street Scenes - Story Homes drawing SL115.90.9.SS
10. Landscape Proposals South - Pegasus Design Drawing YOR.2195.017 Rev H
11. Landscape Proposals North - Pegasus Design Drawing YOR.2195.016 Rev H
12. Proposed Public Open Space - Pegasus Design Drawing YOR.2195.019 Rev B
13. Proposed LEAP - Pegasus Design Drawing YOR.2195.021 Rev D
14. Housetype Plans and Elevations (Altrincham v2) - Storey Homes
15. Housetype Plans and Elevations (Arundel v3) - Storey Homes
16. Housetype Plans and Elevations (Banbury v3) - Storey Homes
17. Housetype Plans and Elevations (Boston v3) - Storey Homes
18. Housetype Plans and Elevations (Epsom) - Storey Homes
19. Housetype Plans and Elevations (Harrogate v3) - Storey Homes
20. Housetype Plans and Elevations (Hastings v3) - Storey Homes
21. Housetype Plans and Elevations (Hawthorn) - Storey Homes
22. Housetype Plans and Elevations (Mayfair v3) - Storey Homes
23. Housetype Plans and Elevations (Richmond v3) - Storey Homes
24. Housetype Plans and Elevations (Rowan) - Storey Homes
25. Housetype Plans and Elevations (Salisbury v3) - Storey Homes
26. Housetype Plans and Elevations (Taunton v3) - Storey Homes
27. Housetype Plans and Elevations (Warwick v3) - Storey Homes
28. Housetype Plans and Elevations (Wellington v3) - Storey Homes
29. Housetype Plans and Elevations (Westminster v3) - Storey Homes
30. Housetype Plans and Elevations (Winchester v3) - Storey Homes

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- 31. Housetype Plans and Elevations (York) - Storey Homes
- 32. Housetype Plans and Elevations (Garages) - Storey Homes

Supporting Reports:

- 33. Design and Access Statement
- 34. Planning Statement - Storey Homes March 2016
- 35. Tree Survey Report - PDP Associates February 2016
- 36. Arboricultural Method Statement - PDP Associates February 2016
- 37. Method Statement for Identification and Protection of Wildlife - ERAP 2016-0047

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

- 2 Notwithstanding the details listed in condition 1 of this approval for boundary treatments a full specification of these supported with details of the design and materials for the structures and the planting schedule for the hedges shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. These approved details site shall be implemented as the respective boundary treatments across the site in accordance with a phasing schedule that is to form part of that submission.

Reason: To provide sufficient clarity over the boundary treatments for the site in accordance with Policy HL2 of the Fylde Borough Local Plan.

- 3 Notwithstanding the details listed in condition 1 of this approval for materials of construction a full specification of these supported with details of the manufacturer, colour, texture and finish for the external materials of construction to the dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. These approved details site shall be implemented during the implementation of the development.

Reason: To provide sufficient clarity over the construction materials for the dwellings in accordance with Policy HL2 of the Fylde Borough Local Plan.

- 4 Prior to the commencement of a full specification of the materials to be used on the hard surfaced areas of the site supported with details of the manufacturer, colour, texture and finish shall be submitted to and approved in writing by the Local Planning Authority. These approved details site shall be implemented during the implementation of the development.

Reason: To provide sufficient clarity over these surfaces on the site in accordance with Policy HL2 of the Fylde Borough Local Plan.

- 5 That the areas that are kept free from built development on the approved site layout listed in condition 1 of this approval shall remain free of development and available for communal public open space use at all times thereafter.

Reason: To provide clarity over the extent of the built development to minimise its impact on the surrounding landscape and to ensure provision of areas of open space within it in accordance with condition 4 of outline planning permission 14/0302, Policy HL2 of the Fylde Borough Local Plan, and Policy TEC17 of the Fylde Borough Local Plan.

- 6 That prior to the first occupation of the 20<sup>th</sup> dwelling hereby approved the equipped play area indicated on the drawing of such approved in condition 1 to this reserved matters approval

shall be provided in full and shall be available for use by the general public for its intended purpose. This play area shall thereafter be remain available for that use at all times.

Reason: To secure the appropriate provision and retention of the equipped play area as is required by condition 5 of outline planning permission 14/0302, Policy HL2 of the Fylde Borough Local Plan, and Policy TREC17 of the Fylde Borough Local Plan.

- 7 Notwithstanding any details shown on the approved plans and the requirements of condition 4, 5 and 8 of outline planning permission 14/0302 and plans indicated on condition 1 of this approval, within three months of development first taking place a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, 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 the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Fylde Borough Local Plan policies HL2, EP14 and EP18, and the National Planning Policy Framework.

- 8 Prior to the commencement of any development a construction methodology to detail how any construction works that are to be undertaken within the Root Protection Area of any of the protected trees within and around the site (including the parking area to plots 65-72) shall be submitted to and approved in writing by the Local Planning Authority. This shall specify the surface material, method of excavation, treatment to any roots found, drainage works, and any other such aspects that are important to ensure that the potential for harm to these trees is minimised.

The development shall be implemented in full accordance with this scheme as it relates to the affected plots.

Reason: To ensure that the risk of harm to protected trees is minimised in accordance with Policy EP12 of the Fylde Borough Local Plan.

- 9 Prior to the commencement of any development hereby approved an 'Affordable Housing Statement' shall be submitted to and approved in writing by the Local Planning Authority. This shall confirm the arrangements for the timing of delivery, the operation as affordable housing, the occupancy criteria, and the mechanism by which these properties are retained as affordable dwellings for any affordable dwellings within the site that are not to be operated by a Registered Provider / Registered Social Landlord as affordable rented units.

Reason: To provide sufficient clarity over the initial and on-going affordability of these units in accordance with Policy H4 of the Fylde Local Plan to 2032 and para 50 of the NPPF.

- 10 That wherever windows are indicated at an above ground floor level on the side facing elevations of dwellings these shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be non-



opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed. The duly installed window shall be retained as such thereafter.

Reason: To safeguard the privacy of occupiers of neighbouring dwellings and to ensure satisfactory levels of amenity for adjoining residents in accordance with the requirements of Fylde Borough Local Plan policy HL2.

- 11 That the development shall be implemented in full accordance with the protection measures and wildlife mitigations listed in the ERAP 'Method Statement for the Identification and Protection of Wildlife' report listed in condition 1 of this approval. This shall include the pre-commencement surveys and protection measures, the timing of works, the introduction of bird and bat nesting and roosting opportunities throughout the development, and the on-going maintenance of the features of wildlife habitat importance.

Reason: To ensure that the risk of harm to species of ecological importance is minimised and that opportunities to enhance their presence in the area are maximised in accordance with Policy EP18 and EP19 of the Fylde Borough Local Plan.

**Informative notes:**

1. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information. This can be done either by:  
  
38. Visiting [www.lancashire.gov.uk](http://www.lancashire.gov.uk) and following the links after searching 'Vehicle Crossings'  
39. telephoning the Area Manager South 01772 538560  
writing to the Area Manager South, Lancashire County Council, Cuerden Way, Bamber Bridge, Preston PR5 6BS quoting the planning application.
2. The developer is reminded of the following matters associated with the site drainage:  
  
40. The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found at <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>
  - This response does not grant the applicant permission to connect to the highway drainage network.
3. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:
  1. Actively engaging in pre-application discussions with the applicant to try and find solutions to problems
  2. Providing advice to the applicant/agent during the course of the application on potential problems and possible solutions
  3. Securing revised plans during the course of the application which have overcome initial problems

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**Item Number: 3**

<b>Application Reference:</b>	16/0317	<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Lidl UK GmbH	<b>Agent :</b>	Plan A (North West) Limited
<b>Location:</b>	FORMER WESTGATE HOUSE AND LAND REAR OF 5 TO 21 WESTGATE ROAD, SQUIRES GATE LANE, LYTHAM ST ANNES, BLACKPOOL, FY4 2TS		
<b>Proposal:</b>	ERECTION OF CLASS A1 RETAIL STORE AND CAR PARKING AND SERVICING AREAS, SITE ACCESS AND ASSOCIATED WORKS.		

**Decision**

Grant Planning permission on completion of a 106 Agreement to secure a financial contribution of £12,000 towards a Travel Plan and a £5,000 Traffic Regulation Order contribution, with the planning permission subject to the following:

**Conditions and Reasons**

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

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

- 2 The car park shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

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

- 3 Prior to the commencement of development, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. Such facilities shall be provided throughout the duration of the construction phase.

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

- 4 No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Lancashire County Highway Authority and Blackpool Council Highway Authority.

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

- 5 No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 4 has been constructed and completed in accordance with the scheme details.

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

- 6 No development shall commence until a Framework Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Framework Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority. The Framework Travel Plan must include a schedule for the submission of a Full Travel Plan within a suitable timeframe of first occupation, the development being brought into use or other identifiable stage of development. Where the Local Planning Authority agrees a timetable for implementation of a Framework or Full Travel Plan, the elements are to be implemented in accordance with the approved timetable unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.

Reason: To ensure that the development provides sustainable transport options.

- 7 The retail unit hereby approved shall not exceed 2469 sq.m gross internal floor area, including, for the avoidance of doubt any mezzanine floorspace, of which the sales floor space shall not exceed 1424 sq.m.

Reason: In order to protect the vitality and viability of nearby town, district, and local centres in accordance with the provisions of section 2 (Ensuring the vitality of town centres) of the National Planning Policy Framework, and because the retail impacts associated with the development have been assessed on the basis of these floorspace figures.

- 8 Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 2007, the retail store hereby approved shall primarily trade as a store for the sale of convenience goods and no more than 20% of the gross floor area shall be used for the sale of comparison goods and the number of lines that shall be for sale in the store at any one time shall be limited to a maximum of 1,800. For the purposes of this condition, comparison goods are items not obtained on a frequent basis, including clothing, footwear, household and recreational goods.

Reason: In order to prevent the establishment of an open A1 retail use that would detract from the vitality and viability of established local centres.

- 9 Foul and surface water shall be drained on separate systems.

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

- 10 Prior to the commencement of any development, a surface water drainage scheme, based on

the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 5 l/s.

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

- 11 Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Management Company; and
- Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

- 12 The retail unit hereby approved shall not be open for trading outside of the hours of 07.00 to 22.00 Monday to Saturday inclusive and 10.00 to 17.00 on Sundays. There shall be no deliveries to or waste collection from the store outside of the hours of 07.00 and 21.00 Monday to Saturday.

Reason: In order to protect the residential amenity of neighbouring dwellings.

- 13 Prior to commencement of development full details of an acoustic fence to form the boundary of the site with the adjacent dwellings shall be submitted and agreed in writing with the Local Planning Authority. For the avoidance of doubt the proposed development shall be designed so that cumulative noise from industrial or commercial sources to all outdoor living areas, for example rear gardens and balconies, do not exceed 50dB LAeq (16 hour) from 07.00 to 23.00 or any such level as agreed in writing by the Local Planning Authority. The approved details shall be installed and in place prior to the operation of the store.

Reason: In order to protect the residential amenity of neighbouring dwellings.

- 14 The whole of the landscape works, as approved on drawing number R/1815/1 shall be implemented prior to occupation of the premises hereby approved and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current sylvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

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

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

Reason: In the interests of visual amenity.

- 16 The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 3 May 2016, including the following plans:

- 42. Site Location Plan
- 43. Proposed Site Plan 8638-P01C
- 44. Proposed elevations 8638-P03
- 45. Car park lighting layout
- 46. Landscape details R/1815/1

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

**Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area

**Item Number: 4**

<b>Application Reference:</b>	16/0446	<b>Type of Application:</b>	Householder Planning Application
<b>Applicant:</b>	Mrs Patel	<b>Agent :</b>	Compass Architectural + Consultants Ltd
<b>Location:</b>	HAWKSWOOD HOUSE (WAS MOSS SIDE FARM), BRADSHAW LANE, GREENHALGH WITH THISTLETON, PRESTON, PR4 3HQ		
<b>Proposal:</b>	PROPOSED FIRST FLOOR EXTENSION TO REAR, FORMATION OF BALCONIES TO FRONT, AND ERECTION OF 2.5M HIGH WALL WITH 3M HIGH POSTS AND GATES TO ENTRANCE		

**Decision**

Householder Planning Application: - Granted

**Conditions and Reasons**

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

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

- 2 This consent relates to the following details:

Approved plans:

- 47. Location Plan - project no. LV/2016/12 - drawing no. 01
- 48. Proposed site plan - project no. LV/2016/12 - drawing no. PL03 REV. B
- 49. Proposed elevation plan - project no. LV/2016/12 - drawing no. PL02 REV. B
- 50. Proposed floor plan - project no. LV/2016/12 - drawing no. PL01 REV. A
- 51. Proposed entrance feature plan - project no. LV/2016/12 - drawing no. PL04 REV. C

Supporting Reports:

52. Design and Access Statement - not applicable

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

- 3 The materials of construction and/or finish in respect of the extension(s) hereby approved shall match those of the existing building entirely to the satisfaction of the Local Planning Authority.

To ensure visual harmony in respect of the overall development.

**Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and

environmental conditions of the area

**Item Number: 5**

<b>Application Reference:</b>	16/0493	<b>Type of Application:</b>	Outline Planning Permission
<b>Applicant:</b>	Mr Holloway	<b>Agent :</b>	Fox Planning Consultancy
<b>Location:</b>	LAND ADJACENT KNOWSLEY FARM, THE GREEN, WEETON WITH PREESE		
<b>Proposal:</b>	RE-SUBMISSION OF 15/0844 - OUTLINE APPLICATION FOR ERECTION OF ONE DWELLING (ACCESS, APPEARANCE, LAYOUT AND SCALE APPLIED FOR)		

**Decision**

Outline Planning Permission: - Granted

**Conditions and Reasons**

- 1 That an application for the approval of the reserved matter of 'Landscaping' shall be made not later than the expiration of three years beginning with the date of this permission, and the development shall be begun not later than the expiration of two years from the final approval of this reserved matter.

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

- 2 This consent relates to the following details:

Approved plans:

53. Location Plan - drawing no. KR1/1
54. Proposed south elevation plan & section - drawing no. 6.
55. Proposed north elevation and section - drawing no. 8
56. Proposed floor plan - drawing no. 2.
57. Topographical survey - drawing no. DP-WN-01A - dated 8.8.2016
58. Extension of section - drawing no. 9

Supporting Reports:

59. Design and Access Statement - Fox Planning Consultancy 30th June 2016
60. Envirotech ecological appraisal - January 2016

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

- 3 The dwelling hereby approved shall not exceed a single storey in height as shown in the plans hereby approved and listed in condition 2 of this permission.

Reason: To ensure that the development hereby approved is of an appropriate scale for the surrounding area as required by NPPF and Policy HL2 of the Fylde Borough Local Plan.

- 4 That prior to the commencement of any development hereby approved a schedule of all



materials to be used on the external walls and roof of the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. This specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwelling and only varied with the prior written consent of the Local Planning Authority.

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

- 5 That prior to the commencement of any development details shall be submitted to and approved in writing by the Local Planning Authority of the proposed ground levels across the site, and the proposed Finished Floor Levels of the proposed dwelling. The development of the site shall be undertaken in accordance with these approved details unless any deviations are submitted to and agreed in writing by the Local Planning Authority prior to the commencement of construction of the proposed dwelling.

Reason: To ensure the site is constructed with a satisfactory appearance in the Countryside as required by Policy HL2 of the Fylde Borough Local Plan.

- 6 Prior to the commencement of the development hereby approved, full details of the means of surface water drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage shall not include any connections to the public foul sewer system and should it involve a Sustainable Urban Drainage System (SUDS) then details of the future management of the SUDS and a management company that will be established to oversee the maintenance of the drainage system shall form part of the submitted scheme. The approved works shall thereafter be implemented, fully commissioned and maintained on site during the development.

Reason: To ensure a satisfactory means of drainage is provided and that there is no increase in the volumes of surface water discharged from the site.

- 7 Prior to the commencement of the development hereby approved, full details of the means of foul water drainage of the residential development area shall be submitted to and approved in writing by the Local Planning Authority. This approved scheme shall be implemented during the development and shall include that the development is drained on a separate system with only foul drainage connected into the foul or combined sewer.

Reason: To ensure that appropriate measures are taken to provide suitable drainage from the site as required by Policy EP25 of the Fylde Borough Local Plan.

- 8 Prior to any development activity commencing, retained trees, either individually or, where appropriate, as groups, will be protected by erecting HERAS fencing at the Root Protection Areas (RPAs) identified in the arboricultural survey.

Within, or at the perimeter of, these root protection areas, all of the following activities are prohibited:

61. Lighting of fires;
62. Storage of site equipment, vehicles, or materials of any kind;
63. The disposal of arisings or any site waste;
64. Any excavation;

65. 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 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.

- 9 No mechanical excavation of land shall take place beneath the canopies of protected trees (as identified in Tree Preservation Order 2015 no. 23 Weeton) within/overhanging the site. All excavation for those parts of the development located beneath the canopies of the abovementioned trees shall be carried out by hand.

Reason: To ensure that appropriate mitigation measures are put in place to safeguard the health of protected trees within the site in the interests of visual amenity in accordance with the requirements of Fylde Borough Local Plan policy EP12.

- 10 That any pruning, lopping, crown-raising or other works to any of the trees on the site which are the subject of a Tree Preservation Order shall only be undertaken in accordance with a written schedule of those works that has been first submitted to and approved in writing by the Local Planning Authority

Reason: To ensure the appropriate protection of the trees around the site and so safeguard the visual amenities of the neighbourhood in accordance with Policy SP2 and EP12 of the Fylde Borough Local Plan.

- 11 Prior to the commencement of development details of the siting, height, design, materials and finish of all boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include confirmation that the boundaries indicated on the approved plans in condition 2 as hedges are provided as such, and not as any fence, wall, railing or other such urban style boundary treatment.

The duly approved boundary treatments shall be constructed in full accordance with the approved details before the dwelling hereby approved is first occupied, and shall be retained as such thereafter.

Reason: In the interests of visual amenity and countryside character in accordance with the requirements of the Fylde Borough Local Plan policy HL2 and the National Planning Policy Framework.

- 12 No development shall take place until full details of any retaining structures to be erected on the site have been submitted to and approved in writing by the Local Planning Authority. Such details shall include: (i) the length, height, siting and materials of any retaining structures; (ii) structural engineer's calculations; (iii) the amount of earth to be retained; (iv) the extent of excavation and infill required; (v) the proposed finish for the surface of the land behind the structure; (vi) the guaranteed minimum service life of the structure relative to the local exposure level; and (vii) a timetable for their construction. The retaining structures shall thereafter be constructed in accordance with the duly approved details and timetable.

Reason: In order to ensure that any retaining structures required due to topographical changes and/or groundworks on the site are constructed to an appropriate standard with respect to their structural and visual form and function in accordance with the requirements of Fylde Borough Local Plan policy HL2 and the National Planning Policy Framework.

- 13 No site preparation, delivery of materials or construction works, other than quiet internal building operations such as plastering and electrical installation, shall take place other than between 08:00 hours and 18:00 hours Monday-Friday and between 08:00 hours and 13:00 hours on Saturdays.

Reason: To safeguard the amenities of occupiers of surrounding properties during the course of construction of the development and to limit the potential for unacceptable noise and disturbance at unsocial hours in accordance with the requirements of Fylde Borough Local Plan policy EP27 and the National Planning Policy Framework

- 14 No development shall take place until a Habitat and Landscape Management Plan (HLMP) for all landscaped areas of the site (excluding privately owned domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The HLMP shall include details of the following:

1. protection measures for all retained trees and hedgerows during the course of construction;
2. long term design objectives;
3. management responsibilities;
4. maintenance schedules; and
5. a timetable for implementation.

The HLMP shall thereafter be implemented in full accordance with the duly approved details and timetable contained therein.

Reason: In order to ensure adequate protection of existing landscape features of ecological value and to achieve appropriate landscape and biodiversity enhancements as part of the development in accordance with the requirements of Fylde Borough Local Plan policies EP10, EP18 and EP19, and the National Planning Policy Framework

- 15 No development shall take place until a method statement for the removal/control of any invasive plant species in particular Rhododendron, (as defined within the Wildlife and Countryside Act 1981, as amended) which fall within the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

1. measures to prevent the spread of invasive species during any operations (e.g. strimming, soil movement or land remodelling works) and to ensure that any soils brought to the site are free of the seeds, root or stem of any invasive plant (as defined by the Wildlife and Countryside Act 1981, as amended).
2. a timetable for implementation (including any phasing for removal/control on different parts of the site);

The development shall thereafter be carried out in accordance with the details, timetable and phasing contained within the duly approved method statement.

Reason: To ensure the satisfactory treatment and disposal of invasive plant species and site preparation works before any development commences on affected areas of the site in accordance with the requirements of the National Planning Policy Framework and the Wildlife

& Countryside Act 1981 (as amended).

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

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Fylde Borough Local Plan policy EP19, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

- 17 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E and Part 2 Class A 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 dwelling hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

Reason: In order to prevent overdevelopment of the site and to prevent further encroachment into the countryside in accordance with the requirements of Fylde Borough Local Plan policies SP2, EP12 and HL2 and the aims of the National Planning Policy Framework.

**Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:
  1. Actively engaging in pre-application discussions with the applicant to try and find solutions to problems
  2. Providing advice to the applicant/agent during the course of the application on potential problems and possible solutions
  3. Securing revised plans during the course of the application which have overcome initial problems

**Item Number: 6**

<b>Application Reference:</b>	16/0494	<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Mr Keenan	<b>Agent :</b>	Bonixo Ltd
<b>Location:</b>	43 DERBE ROAD, LYTHAM ST ANNES, FY8 1NJ		
<b>Proposal:</b>	ERECTION OF SINGLE STOREY BUILDING TO REAR TO PROVIDE HOLIDAY COTTAGE		

**Decision**

Full Planning Permission: - Granted

**Conditions and Reasons**

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

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

- 2        This consent relates to the following details:

Approved plans:

66. Location Plan -  
67. Proposed floor Plans - Anthony Keenan  
68. Proposed elevations - Anthony Keenan

Supporting Reports:

69. Design and Access Statement - n/a

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

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

Reason: Such details are not shown on the application and to secure a satisfactory standard of development in accordance with Policy TREC2 of the Fylde Borough Local Plan

- 4        That the cottage hereby approved shall be occupied for holiday purposes only and not as a persons permanent, sole or main place of residence.

Reason: The development is provided for holiday use only as occupation on a permanent basis would be contrary to the provisions of Policy HL2 of the Fylde Borough Local Plan.

**Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:
  1. Actively engaging in pre-application discussions with the applicant to try and find solutions to problems

**Item Number: 7**

<b>Application Reference:</b>	16/0568	<b>Type of Application:</b>	Outline Planning Permission
<b>Applicant:</b>	Mr Thompson	<b>Agent :</b>	Graham Anthony Associates
<b>Location:</b>	CORNAH ROW FARM, FLEETWOOD OLD ROAD, GREENHALGH WITH THISTLETON, PRESTON, PR4 3HE		
<b>Proposal:</b>	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 19 DWELLINGS (INCLUDING 6 AFFORDABLE) FOLLOWING DEMOLITION OF EXISTING FARM BUILDINGS WITH ACCESS APPLIED FOR AND ALL OTHER MATTERS RESERVED (REVISED RESUBMISSION OF APPLICATION 15/0829)		

**Decision**

Outline Planning Permission :- Refused

**Reasons**

- 1 The site occupies a remote, rural location within the Countryside Area which lies outside of, and a substantial distance (over 2km) from, the closest recognised settlement as defined in Fylde Borough Local Plan policy SP1 (Kirkham and Wesham). The proposed development would occupy an isolated location which lacks accessibility to shops, schools, employment and other community facilities nearby. Therefore, future occupiers of the development would be heavily reliant on journeys by private car in order to access the majority of services. This reliance on car-borne journeys would be exacerbated by the limited frequency of public transport services to the site and the scarcity of facilities accessible on foot (due to both walking distances and the undesirable nature of pedestrian routes to the closest available facilities). The proposed development is not in a location which is accessible to a range of services by sustainable means and the adverse impacts which would arise from it would significantly and demonstrably outweigh any benefits the scheme would deliver with respect to its contribution to the Borough's housing land supply. Accordingly, the proposal is not sustainable development and is contrary to the requirements of Fylde Borough Local Plan policy HL2, and the aims of Policy GD1 of the Fylde Local Plan to 2032 (Publication Version) which promotes settlement locations

for new developments, and the National Planning Policy Framework.

- 2 The site occupies a roadside location within the open countryside which is prominently in view from vantage points along the A585 (Fleetwood Road), particularly as this highway is elevated in relation to the site. The northern parcel of the site comprises a triangular area of open green space bounded by trees and hedgerows to its perimeter and provides an attractive green buffer adjacent to the junction of Fleetwood Old Road and the A585. Accordingly, this land parcel makes a substantial contribution to the site's rural character and its countryside setting, with its open aspect also providing expansive views towards open farmland beyond. The development would have a harmful urbanising effect due to a loss of openness, erosion of rural character and a diminution of the site's contribution to visual amenity in the surrounding landscape. This impact cannot be adequately mitigated through the introduction of landscaping and would be exacerbated through the loss of several roadside trees along Fleetwood Old Road which form prominent landscape features and are protected by Tree Preservation Order. Therefore, the adverse impacts which would arise as a result of the development would significantly and demonstrably outweigh any benefits the scheme would deliver with respect to its contribution to the Borough's housing land supply. Accordingly, the proposal is not sustainable development and is contrary to the requirements of Policies SP2, EP11, EP12 and HL2 of the Fylde Borough Local Plan, criteria a, c, g, h and j of Policy GD7 of the Fylde Local Plan to 2032 (Publication Version), and the National Planning Policy Framework.
- 3 The site lies to the north of an existing hamlet comprising a group of six dwellings falling within the Countryside Area as defined on the Fylde Borough Local Plan Proposals Map. This hamlet is separated from neighbouring development by the M55 motorway to the south and is surrounded by wide expanses of open farmland to the east, north and west. Other development along the A585 (Fleetwood Road) is arranged in small, roadside pockets of a similar size which form a fragmented ribbon of development flanking this rural thoroughfare. The proposed residential development of up to 19 dwellings would result in an expansion to the existing hamlet in the order of 317% and would introduce an overly intensive development of a suburban scale and size which would spoil the tranquil, rural character and setting of the site and would be unsympathetic to the scale and pattern of development in the locality. Therefore, the adverse impacts which would arise as a result of the development would significantly and demonstrably outweigh any benefits the scheme would deliver with respect to its contribution to the Borough's housing land supply. Accordingly, the proposal is not sustainable development and is contrary to the requirements of Policies SP2, EP11 and HL2 Fylde Borough Local Plan, criteria a, c, g, h and j of Policy GD7 of the Fylde Local Plan to 2032 (Publication Version), and the National Planning Policy Framework.
- 4 The proposed development is required to make contributions towards the delivery of affordable housing on the site and a financial contribution off-site towards the provision of new Primary and Secondary education places. The applicant has failed to put any mechanism in place to secure these contributions and, accordingly, the development is contrary to the requirements of Policy CF2 of the Fylde Borough Local Plan, Policy H4 of the Fylde Local Plan to 2032, the Community Infrastructure Levy Regulations 2010 (as amended), and the National Planning Policy Framework.

**Informative notes:**

1. For the avoidance of doubt, this decision considered to the following plans/reports:

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70. Location Plan - Graham Anthony Associates Drawing GA2027-LP-01
  71. Topographical Plan - Graham Anthony Associates Drawing GA2027-TP-01
  72. Proposed Site Plan - Graham Anthony Associates Drawing GA2027-PSP-01-D
  73. Accessibility Plan - Graham Anthony Associates Drawing GA2027-AP-01
  74. Tree Survey and Arboricultural Impact Assessment - Richard Eaves RE4043 Issue 3 June 2016
  75. Tree Protection Plan - Richard Eaves Drawing 4043-02 Rev B
  76. Tree Constraints Plan - Richard Eaves Drawing 4043-01
  77. Visual Impact Assessment - Richard Eaves RE4043 Issue 2 June 2016
  78. Landscape Master plan - Richard Eaves Drawing 4043-03 Rev A
  79. Supporting Planning Design and Access Statement by Graham Anthony Associates ref GA2027-Re-Sub
  80. Phase One Contaminated Land Desk Study Report - Martin Environmental Solutions October 2015
  81. Transport Statement - SCP Doc Ref: SE/15837/TS/5 November 2015
  82. Flood Risk Assessment and Drainage Strategy - CTC Infrastructure
  83. Ecological Appraisal - Envirotech reference 2925 version 2
  84. Acoustic Assessment - Martin Environmental Solutions October 2015
2. Where appropriate the council will seek to engage with applicants to resolve concerns over development proposals either before the application is submitted as promoted by para 188 of NPPF, or during the consideration of the application as promoted by para 187 of the NPPF. However, in some circumstances it will not be possible to resolve these concerns and so a refusal of the application is necessary due to the environmental / social / economic harm that will be caused by the development as identified in the reasons for refusal. In these circumstances an application is refused to enable the overall speed and quality of the council's decisions to be maintained.

**Item Number: 8**

<b>Application Reference:</b>	16/0570	<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Mr Patterson	<b>Agent :</b>	Gary Hoerty Associates
<b>Location:</b>	LAND TO THE REAR OF WESTFIELD COTTAGE, MYTHOP ROAD, WEETON WITH PREESE		
<b>Proposal:</b>	PROPOSED AGRICULTURAL STORAGE BUILDING WITH ASSOCIATED OUTDOOR BALE STORAGE		

**Decision**

Full Planning Permission: - Granted

**Conditions and Reasons**

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.  
  
Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 This consent relates to the following details:



Approved plans:

- 85. Location Plan drawing no. - Bra/635/2138/02
- 86. Proposed floor and elevation plans - drawing no. Bra/635/2138/01

Supporting Reports:

- 87. Planning and design and access statement - Gary Hoerty Associates August 2016

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

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

Reason: In the interests of visual amenity.

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

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

- 5 Construction work on the building hereby approved shall only commence once the sheep dairy building approved under planning permission 16/0233 has been completed and brought into use as a sheep dairy.

Reason: To ensure the proper phasing and planning of this agricultural enterprise, and to avoid the erection of a storage building in the open countryside without the benefit of the sheep dairy use it is to support being operational, and without the benefit of the visual screening in the landscape that this building provides, being available. This is to ensure compliance with Policy SP2 and EP11 of the Fylde Borough Local Plan.

**Informative notes:**

- 1. The applicant's attention is drawn to the comments of Network Rail regarding the proximity of the development to the railway line. Their comments are highlighted below:
  - a) As the proposal includes works may impact the existing operational railway, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent. The applicant / developer should liaise directly with Asset Protection to set up the BAPA. Email: AssetProtectionLNWNorth@networkrail.co.uk
  - b) The developer is to submit directly to Network Rail a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway. Network Rail would need to be assured the works on site follow safe methods of working and have taken into

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consideration any potential impact on Network Rail land and operational railway infrastructure. Review and agreement of the RAMS will be undertaken once a BAPA has been set up between Network Rail and the applicant/developer. The applicant /developer is to submit the RAMs directly to: [AssetProtectionLNWNorth@networkrail.co.uk](mailto:AssetProtectionLNWNorth@networkrail.co.uk)

- c) The developer/applicant must ensure that their proposal, both during construction, after completion of works on site and as a permanent arrangement, does not affect the safety, operation or integrity of the operational railway / Network Rail land and our infrastructure. The works on site must not undermine or damage or adversely impact any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and boundary treatments. Any future maintenance must be conducted solely within the applicant's land ownership.
4. Any scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, should they topple over in the direction of the railway then there must be at least a 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.
5. Network Rail will need to review all excavation and earthworks within 10m of the railway boundary to determine if the works might impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to be informed of any alterations to ground levels, de-watering or ground stabilisation and we would need to agree the works on site to ensure that there is no impact upon critical railway infrastructure.
2. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area

**Item Number: 9**

<b>Application Reference:</b>	16/0604	<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Woodys Group	<b>Agent :</b>	Eastham Design Associates Ltd
<b>Location:</b>	STILE FIELD FARMSTORE, KIRKHAM ROAD, NORTH OF BYPASS, FRECKLETON, PRESTON, PR4 1HY		
<b>Proposal:</b>	ERECTION OF EXTERNAL RACKING FOR THE STORAGE AND DISPLAY OF BUILDING MATERIALS AND ASSOCIATED PRODUCTS		

**Decision**

Application Deferred

**Reason**

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- 1           Consideration of the application was deferred to allow discussion with the applicant over the potential for enhanced screening of the site to mitigate the visual impact of the racking, and to allow members to undertake a visit to the site.

**Item Number: 10**

<b>Application Reference:</b>	16/0651	<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Mr Creasey	<b>Agent :</b>	
<b>Location:</b>	LOWTHER PAVILION, LOWTHER GARDENS SITE, WEST BEACH, LYTHAM ST ANNES, FY8 5QQ		
<b>Proposal:</b>	TO HOLD A MONTHLY CAR BOOT SALE ON THE CAR PARK OF THE LOWTHER PAVILION THEATRE DURING THE SUMMER MONTHS (MAY - OCTOBER)		

**Decision**

Full Planning Permission: Refused

**Reasons**

- 1 The proposed use of the entire car park area associated with the Lowther Pavilion and Gardens, will require visitors to the proposed car boot hosted on the car park, and visitors to the pavilion, gardens and other local attractions parking on the adjacent residential streets. Given the limited availability of on-street parking and its existing use by the occupiers of the residential properties on those streets there will be a conflict with residents parking needs. This will lead to a greater sense and appearance of congestion in the area which will adversely affect the amenity of the adjacent properties contrary to Policy GD7 of the Fylde Borough Local Plan to 2032.
- 2 Lowther Pavilion and Gardens is with the Lytham Conservation Area and is considered to be a non-designated heritage asset. The proposed use of the whole car park area for car boots is considered to be harmful to the character and appearance of the Gardens by changing the general nature of the site from one of leisure to one of trade and business. This is incompatible with the site and its intended use and so contrary to Policy EP3 of the Fylde Borough Local Plan and Policies EC6 and ENV5 of the Fylde Borough Local Plan to 2032.
- 3 The proposed use of the whole of the public parking area that serves the Lowther Pavilion and Gardens as a car boot sale on a regular basis during a period when it is likely to be most heavily utilised by visitors to the site will compromise the overall quality and usability of the site as an area of public open space. In the absence of any alternative parking facility being provided in the vicinity of the site to serve the Pavilion and Gardens during these car boot events the proposal is contrary to Policy TREC13 of the Fylde Borough Local Plan.

**Informative notes:**

1. Where appropriate the council will seek to engage with applicants to resolve concerns over development proposals either before the application is submitted as promoted by para 188 of NPPF, or during the consideration of the application as promoted by para 187 of the NPPF. However, in some circumstances it will not be possible to resolve these concerns and so a refusal of the application is necessary due to the environmental / social / economic harm that will be caused by the development as identified in the reasons for refusal. In these circumstances an application is refused to enable the overall speed and quality of the council's decisions to be

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maintained.