



# MINUTES

## Planning Committee

<b>Date:</b>	Wednesday, 31 August 2022
<b>Venue:</b>	Town Hall, St Annes.
<b>Committee Members Present:</b>	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman) Councillors Frank Andrews, Tim Armit, Peter Collins, Chris Dixon, Noreen Griffiths, Gavin Harrison, Kiran Mulholland, Liz Oades, David O'Rourke, Ray Thomas.
<b>Other Members Present:</b>	Councillors Sue Fazackerley MBE, Michelle Morris.
<b>Officers Present:</b>	Mark Evans, Andrew Stell, Rob Buffham, Clare Lord, Lyndsey Lacey-Simone, Curtis Fletcher, Michelle Townsend.
<b>Members of the Public:</b>	Approx. 18 members of the public attended the meeting.

### Public Speaking at Planning Committee

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

### Procedural Items

#### 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.

Councillor David O'Rourke declared a personal interest in planning application no 22/0341 relating the North Beach Windsports Centre, Clifton Drive North, St Annes.

Councillors Frank Andrews and Gavin Harrison did not participate in the debate or vote on planning application no 22/0341 relating the North Beach Windsports Centre, Clifton Drive North, St Annes.

#### 2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee meeting held on 27<sup>th</sup> July 2022 as a correct record for signature by the Chairman.

#### 3. Substitute Members

The following substitutions were reported under Council Procedure Rule 24:

Councillor Noreen Griffiths substituted for Councillor Linda Nulty.

Councillor Chris Dixon substituted for Councillor Stan Trudgill.

Councillor Peter Collins substituted for Councillor Heather Speak.

Councillor Frank Andrews substituted for Councillor Jayne Nixon.

Decision Items

4. Planning Matters

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

Information Items

The following information item was received and noted by the Committee.

5. List of Appeals Decided

This information report provided details of appeal decision letters that had received between 15 July to 19 August July 2022.

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;Item Number 1

<b>Application No:</b>	21/0748	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	Mr Bradshaw	<b>Agent:</b>	Mrs Leggett
<b>Location:</b>	BLACKBURNS FARM, RIBBY ROAD, RIBBY WITH WREA, PRESTON, PR4 2PA		
<b>Proposal:</b>	1) CHANGE OF USE OF AGRICULTURAL LAND TO A MIXED USE OF AGRICULTURE, REMEMBRANCE WOOD AND WILDLIFE CENTRE WITH ASSOCIATED SUPPORTING DEVELOPMENT INCLUDING ACCESS TRACKS, NATURE TRAILS AND BIRD HIDES; 2) ERECTION OF A BUILDING TO PROVIDE WILDLIFE AND EDUCATION CENTRE WITH CAFÉ WITH ASSOCIATED CAR PARKING, REFUSE STORE AND OTHER SUPPORTING INFRASTRUCTURE AND LANDSCAPING 3) RETROSPECTIVE ERECTION OF POLYTUNNEL 4) RETROSPECTIVE ERECTION OF AGRICULTURAL BUILDING WITH MEZZANINE ELEMENT		
<b>Ward:</b>	Ribby with Wrea	<b>Parish:</b>	Ribby with Wrea

### Decision

The authority to GRANT planning permission is delegated to the Head of Planning (in consultation with the Chairman and Vice-Chairman of Planning Committee), following the completion of all the steps agreed below:

- 1) The satisfactory resolution of all issues that he considers need to be resolved to allow the development to satisfy the requirements of the applicable planning policies. These matters are to include the following, along with any others that arise:
  - a) The removal of the retail element of the proposal
  - b) The revision of the plans to reduce the scale of the building to reflect that change
  - c) The receipt of revised plans to correct various inaccuracies with the current scheme and matters requested by consultees yet outstanding, including the potential incorporation of the agricultural building into the scheme.
  - d) The assessment of aspects of the scheme that remain to be considered such as ecology and drainage arrangements
  - e) Clarification of access, parking and site management arrangements associated with the development
  - f) The receipt of a management plan to establish how the access to the Remembrance Wood is to be achieved and to ensure that the development remains as a single combined use
  - g) The agreement of specified level of use of the building to support the environmental education activities on site within a specified period, and the consequences of not achieving that.
  - h) Other matters as are necessary and appropriate
- 2) The undertaking of a further consultation exercise with neighbours, Ribby-with-Wrea Parish Council and Kirkham Town Council, and other relevant consultees to establish their views on the revised scheme

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- 3) The consideration of any further comments that are received, with further amendments secured where necessary
- 4) The drafting of a list of appropriate planning conditions to secure the proper implementation, phasing and control over the development.

### Item Number 2

<b>Application No:</b>	21/1075	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	Mr Renwick	<b>Agent:</b>	Mr Betteridge
<b>Location:</b>	16 & 18 LYTHAM ROAD, BRYNING WITH WARTON, PRESTON, PR4 1XD		
<b>Proposal:</b>	DEMOLITION OF TWO BUNGALOWS AND ERECTION OF A RETAIL UNIT (CLASS E(A)) AND DRIVE THROUGH COFFEE SHOP, WITH ASSOCIATED DEVELOPMENT INCLUDING ACCESS FROM LYTHAM ROAD, CAR PARKING AND LANDSCAPING ARRANGEMENTS.		
<b>Ward:</b>	Warton and Westby	<b>Parish:</b>	Bryning with Warton

### Decision

The authority to grant Planning Permission be delegated to the Head of Planning (in consultation with the Chairman and Vice-Chairman of Planning Committee), with that decision being subject to:

1. The satisfactory resolution of any discussions between the applicant, the council, and the local highway authority regarding the provision of accessibility improvements such as pedestrian footways to serve the development.
2. The final drafting of a series of planning conditions that are appropriate and necessary to control the development, with these based on the following suggestions.

### Suggested 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 Site Layout Plan - Drawing no. 21-027 rev D
- Starbucks Elevations - Drawing no. 21-027 ST-04
- Starbucks Floor Plan - Drawing no. 21-027 ST-01
- A1 Retail Unit Elevation - Drawing no. 21-027 A1RE-02
- A1 Retail Unit Floor Plan - Drawing no. 21-027 A1RE-01

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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 (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 policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

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

Reason: To ensure a satisfactory relationship between the development and surrounding buildings and/or land uses before ground works to establish site levels are completed in the interests of ensuring a good standard of amenity for existing and future occupiers in accordance with policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

5. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, none of the Units hereby approved shall 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 any of the Units are 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 policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

6. None of the Units hereby approved shall be occupied until a scheme providing details of the bin store and litter bin provision on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- design and materials of the bin store and associated means of enclosure;
- location and design of litter bins on the site.

The bin store and litter bins shall be constructed in accordance with the duly approved scheme and made available for use before any of the Units hereby approved are first occupied, and shall be retained as such thereafter.

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Reason: To ensure that adequate provision is made for the storage of refuse and recycling receptacles in the interests of the amenity of the site and surrounding area, in accordance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework.

7. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, before any of the Units hereby approved are first occupied a soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs.

The duly approved soft 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 policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

8. None of the Units hereby approved shall be occupied until a Biodiversity Enhancement Plan (BEP) for the development has been submitted to and approved in writing by the Local Planning Authority. The BEP shall include the incorporation of the following biodiversity enhancement measures, including details of their number, location and specification, into the development and a timetable for their provision:

- The installation of bat boxes.
- The installation of bird boxes.
- The introduction of native tree planting as part of the soft landscaping scheme required by condition 4 of this permission.

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

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

9. The development hereby approved shall be constructed in accordance with the Special Construction Methods outlined on the Tree Impact Plan (Arboricultural Impact Assessment, Bowland, BTC2273, August 2022 (revision A)).

No development shall take place until a Construction Exclusion Zone has been formed around the Root Protection Areas of those off site trees to the eastern boundary of the site as per the Tree Impact Plan (Arboricultural Impact Assessment, Bowland, BTC2273, August 2022 (revision A)). The Construction Exclusion Zone shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012 and shall be installed around the

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root protection area of the retained trees. The Construction Exclusion Zone shall be maintained in the duly installed positions during the entirety of the construction period insofar as it relates to the affected area of the site.

Reason: To ensure that appropriate mitigation measures are put in place to safeguard the health of protected trees within and/or overhanging the site in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and ENV1.

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

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

- 11.No part of the development hereby approved shall commence until a scheme for the construction of the site access and off-site improvements has been submitted to, and approved in writing by the Local Planning Authority. The submitted scheme shall include, but is not limited to, the following:

- Site access.
- Improved footway on the westerly side of the link road.
- 3 No. bus stop upgrades, including provision of a replacement shelter and raised boarding areas.

Reasons: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users in accordance with policies GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework.

- 12.The development hereby approved shall not be occupied until the site access, visibility sight lines and off site highway works approved by condition 10, as well as the vehicle parking and manoeuvring areas shown on drawing no. 21-027 1000 rev D have been laid out and made available for use. The implemented visibility sight lines, vehicle parking and manoeuvring areas shall remain free from obstruction and be retained as such thereafter.

Reason: To ensure that adequate provision is made for access, vehicle parking, servicing and manoeuvring, in the interests of highway safety and visual amenity in accordance with policies GD7 and T5 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

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

- a) hours and days of work for site preparation, delivery of materials and construction;
- b) areas designated for the loading, unloading and storage of plant and materials;
- c) arrangements for the provision of wheel washing and road sweeping facilities to minimise the deposit of mud and other similar debris on adjacent highways, including details of how, when and where the facilities are to be used;
- d) arrangements for the parking of vehicles for operatives and visitors;
- e) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
- f) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
- g) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;
- h) measures to control the emission of dust and dirt during the construction period;

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

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

14. Prior to commencement of any development, a survey to determine the condition of Lytham Road (south of the application site from Silverdawn Day Nursery to the mini roundabout on Lytham Road) shall be submitted to and approved in writing by the Local Planning Authority. Similar surveys shall be carried out every 3 months of the construction period and a final survey undertaken within one month of the development opening for trading. The surveys, along with a scheme confirming any necessary works to make good any damage resultant from the construction of the development and a timeframe for implementation of any such works, shall be submitted to and approved in writing by the Local Planning Authority within 2 months of the development opening for trading. The works to make good Lytham Road shall be implemented in accordance with the approved timeframe.

Reasons: To repair any damage to the highway from during the construction period in the interest of highway safety, in accordance with policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

15. Prior to commencement of the development hereby approved, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

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- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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 policies CL1 and CL2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

16. Prior to occupation of the development hereby approved, a lifetime management and maintenance plan for the approved foul and surface water drainage shall be submitted to and approved in writing by the local planning authority. The management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

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

Reason: To ensure that flood risks from the development to the future occupiers of the development and the occupiers of neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development is constructed in accordance with the duly approved surface water drainage scheme and that suitable measures are put in place for its future management and maintenance in accordance policies CL1 and CL2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

17. If, during development, contamination which was not previously identified is found to be present on the site then no further development shall take place on the affected part(s) of the site until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

- a survey of the extent, scale and nature of contamination;
- an assessment of the potential risks to:
  - human health;

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- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
  - adjoining land;
  - groundwaters and surface waters;
  - ecological systems; and
  - archaeological sites and ancient monuments.
- an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the buildings on the affected part(s) of the site are first occupied.

Reason: To prevent pollution of the surrounding environment and to ensure the safe development of the site in the interests of the amenity of future occupiers and other sensitive receptors in accordance with policy GD9 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

18. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, before the use hereby permitted first takes place a scheme for the provision of a system for the extraction and filtration of cooking odours shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- details of the siting, design and finish (including colour treatment) of any external flue;
- details for the treatment and filtration of cooking odours within the system prior to their emission;
- measures to attenuate noise and minimise vibration arising from its operation;
- manufacturer's operating instructions; and
- a programme of equipment servicing/maintenance.

The extraction system shall thereafter be installed in accordance with the duly approved scheme before the use hereby permitted first takes place and, at all times when food is being cooked on the premises, the extraction/ventilation equipment shall be operated, maintained and where necessary repaired in accordance with the manufacturer's instructions and programme of equipment servicing/maintenance.

Reason: In order to ensure the efficient dispersal of any odours emanating from the premises in the interests of the amenity of neighbouring occupiers and to ensure that any ventilation flues/ducting can be accommodated without detriment to the character and appearance of the host building and surrounding area in accordance with policy GD7 of the Fylde Local Plan to 2032 and National Planning Policy Framework.

19. Prior to the installation of any external lighting at the site, a scheme for the installation of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- position and height on the building(s) and/or site;
- spillage, luminance and angle of installation;
- any hoods to be fixed to the lights.

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The external lighting shall only be installed in accordance with the duly approved scheme.

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 policy GD7 of the Fylde Local Plan to 2032 (Incorporating Partial review) and the National Planning Policy Framework.

20. The development hereby permitted shall only be open for trade or business between the hours of:

- 06.30 - 21.00 Monday to Friday.
- 07.00 - 21.00 Saturday.
- 07.30 - 21.00 Sunday and Bank Holidays.

Reason: To limit the potential for noise generation and nuisance arising in order to safeguard the amenity of the occupiers of surrounding properties in accordance with policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

21. 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 hereby approved shall only be used as follows:

- Unit 1 - within Class E(a), 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).
- Unit 2 - as a drive thru coffee shop, 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).

Reason: In the interests of health of Year 6 pupils and reception pupils, to ensure that the future use of the premises is limited to one which can be carried out in a residential area without detriment to the amenity of the occupiers of nearby dwellings; and to ensure that the level of parking provided by the development remains sufficient to serve the use in the interests of highway safety, in accordance with policies GD7, EC5 and T5 of the Fylde Local Plan to 2032 (incorporating Partial Review), the National Planning Policy Framework and Supplementary Planning Document 'Fylde Healthy Living'.

### 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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### 2. Food Safety:

The applicant/operator is advised to contact the Council's Food Safety Team (commercialteam@fylde.gov.uk) to ensure compliance with Food Hygiene legislation as there will likely be implications for internal layout, construction and design that could affect a food hygiene rating awarded.

### 3. Bat Assessment

Whilst the building to be demolished has been assessed as very low risk for bats, the applicant is reminded that under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

### Item Number 3

<b>Application No:</b>	22/0341	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	FYLDE COUNCIL	<b>Agent:</b>	MR ANDY WOLFE
<b>Location:</b>	NORTH BEACH WINDSPORTS CENTRE CLIFTON DRIVE NORTH LYTHAM ST ANNES LANCASHIRE FY8 2PP		
<b>Proposal:</b>	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		
<b>Ward:</b>	St Leonards	<b>Parish:</b>	St Anne's on the Sea

### Decision

The authority to GRANT planning permission is delegated to the Head of Planning (in consultation with the Chairman and Vice-Chairman of Planning Committee), with the decision to be made when he is satisfied that:

- 1) the applicant has provided a professional assessment over the potential implications of the development on the SSSI and any other ecological designations around the site that could be directly or indirectly affected by the development
- 2) the consultation views of Natural England have been sought and received on this information
- 3) the Head of Planning is satisfied that the ecological implications of the development have been appropriately considered and any necessary mitigation can be secured
- 4) any Habitat Regulation Assessment that may be required has been produced, and can be formally adopted by Fylde Council as competent authority
- 5) a schedule of appropriate and necessary planning conditions is finalised based on the following suggestions.

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### **Suggested conditions (including 31 August 2022 agenda suggested changes)**

1. 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 B
- Proposed External Deck Details - Drawing 21-22 PL06 Rev A
- Proposed Elevations - Drawing 21-22 PL08 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 surfaces of the development shall be constructed in accordance with the materials detailed on the approved plans listed in condition 1 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.

3. 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.

4. The cafe element of the uses hereby permitted shall normally be open to customers for the sale or consumption of food and drink, including use for private functions, between the hours of 9am and 9pm on any day, with the exception of a maximum of 20 days in any calendar year when the use of the café element of the premises shall cease no later than 11pm.

Reason: To limit the potential for noise generation from, and in the vicinity of, the premises at times when surrounding occupiers would reasonably expect to be undisturbed and to prevent nuisance arising in order to safeguard the amenity of the occupiers of surrounding properties in

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accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

5. No amplified live music shall be performed outside of the hours 9am to 9pm on any day, and no pre-recorded or live amplified music shall be broadcast or performed on the decking area at any time.

Reason: To limit the potential for this specific noise generating activity to create disturbance and so to safeguard the 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. The entire scope of development hereby approved shall take place in accordance with the requirements of the 'Construction Environmental Management Plan (CEMP): Biodiversity' by Heatons dated July 2022, or an alternative document that is subsequently received and approved in writing by the local planning authority.

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 in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2 and the National Planning Policy Framework.

7. 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).
- 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.

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## Item Number 4

<b>Application No:</b>	22/0415	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	MRS AMANDA EAGLES	<b>Agent:</b>	MR RICHARD MCGONIGAL
<b>Location:</b>	LAND SOUTH EAST OF TREALES GARAGE TREALES ROAD TREALES PRESTON		
<b>Proposal:</b>	EQUESTRIAN DEVELOPMENT COMPRISING: 1) ERECTION OF TWO BUILDINGS TO PROVIDE FOUR STABLES WITH ASSOCIATED TACK ROOM AND FEED/TOOL STORE; 2) CONSTRUCTION OF ALL-WEATHER HORSE EXERCISE ARENA INCLUDING ASSOCIATED LAND RE-GRADING WORKS AND ERECTION OF PERIMETER FENCING; 3) FORMATION OF HARDSTADNING ACCESS TRACK AND STABLE YARD; AND 4) INSTALLATION OF ASSOCIATED FENCING AND SOFT LANDSCAPING		
<b>Ward:</b>	Newton with Treales	<b>Parish:</b>	Treales, Roseacre and Wharles

## Decision

Granted

## Conditions

1. This permission relates to the following plans:

- Location Plan - Drawing no. L100 Rev B
- Proposed Site Plan - Drawing no. L101 Rev B
- Proposed Stable Plans & Elevations - Drawing no. L104
- Proposed Site Sections & Details - Drawing no. L103 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 (incorporating Partial Review) 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 surfaces of the development shall be constructed in accordance with the materials detailed on the approved plans listed in condition 2 of this permission, the submitted application form, and the email dated 15 July 2022 from Richard McGonigal of the RPS Design Group.

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.

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3. The stables 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 scale of the use and so prevent the potential for an intensification of the use which could give rise to harmful effects in terms of traffic generation, hours of use and the need for associated apparatus that could be harmful to the open character of the countryside and the amenity of neighbouring occupiers in accordance with the requirements of Fylde Local Plan to 2032 policies GD4 and GD7, and the National Planning Policy Framework.

### Item Number 5

<b>Application No:</b>	22/0469	<b>Application Type:</b>	Householder Planning Application
<b>Applicant:</b>	ALEXANDER BECKETT	<b>Agent:</b>	RICHARD TATHAM
<b>Location:</b>	ROSEBANK 12 MAINS LANE SINGLETON POULTON-LE-FYLDE LANCASHIRE FY6 7LF		
<b>Proposal:</b>	ERECTION OF SINGLE STOREY OUTBUILDING IN REAR GARDEN, FORMATION OF REAR FIRST FLOOR BALCONY WITH GLASS BALUSTRADE ABOVE FLAT ROOF AND ALTERATIONS TO SCHEME APPROVED BY PLANNING PERMISSION 21/0127 INCLUDING WIDENING OF EXTERNAL CHIMNEY STACKS, INSTALLATION OF ADDITIONAL FIRST FLOOR WINDOW IN EAST FACING SIDE ELEVATION, INSERTION OF TWO ADDITIONAL ROOF LIGHTS IN REAR ROOF SLOPE, INFILLING OF ROOF SPACE ABOVE GARAGE ON WEST SIDE TO CONTINUE RIDGELINE AND REPLACEMENT OF LEAN-TO ROOF ON PART OF EASTERN SIDE EXTENSION WITH HIPPED ROOF - PART RETROSPECTIVE APPLICATION		
<b>Ward:</b>	Singleton and Greenhalgh	<b>Parish:</b>	Singleton

### Decision

Granted

### Conditions

1. This permission relates to the following plans:

- Location Plan - Scaled at 1:1250
- Proposed Ground, First and Second Floor Plans - Drawing no. 22-55-1
- Proposed Elevations - Drawing no. 22-55-2 Rev. A
- Proposed Site Plan and Outbuilding Elevations and Floor Plan - Drawing no. 22-55-3

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 (incorporating Partial Review) and National Planning Policy Framework.

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2. 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.

3. Notwithstanding the provisions of Schedule 2, Part 1, 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 three first floor windows shown on the east facing side elevation of the dwellinghouse shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before the development hereby approved is first occupied, and shall be retained as such thereafter.

Reason: To safeguard the privacy of occupiers of neighbouring dwellings and ensure satisfactory levels of amenity for adjoining residents in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

4. The detached rear outbuilding hereby approved shall only be used to provide accommodation that is ancillary to the main residential use of the dwelling known as 12 Mains Lane, Singleton, Poulton-Le-Fylde, FY6 7LF and shall not be sold, sublet or otherwise occupied independently of that dwelling.

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 of the area in accordance with the requirements of policies GD7 and H2 of the Fylde Local Plan to 2032 (incorporating Partial Review), 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 proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.