

Agenda



DEVELOPMENT MANAGEMENT COMMITTEE

Date:	Wednesday, 2 November 2016 at 10:00am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Christine Akeroyd, Jan Barker, Michael Cornah, Neil Harvey, Kiran Mulholland, Barbara Nash, Linda Nulty, Liz Oades, Albert Pounder, Heather Speak.</p>

Public Speaking at the Development Management Committee

Members of the public may register to speak on individual planning applications, listed on the schedule at item 4, at [Public Speaking at Council Meetings](#).

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 12 October 2016 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 25.	1
	DECISION ITEMS:	
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Contact: Lyndsey Lacey-Simone - Telephone: (01253) 658504 – Email: democracy@fylde.gov.uk

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

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02 November 2016

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Background Papers

In accordance with Section 100D of the Local Government Act 1972, the background papers used in the compilation of reports relating to planning applications are listed below, except for such documents that contain exempt or confidential information defined in Schedule 12A of the Act.

- Fylde Borough Local Plan (As Altered) October 2005 (Saved Policies)
- Joint Lancashire Minerals and Waste Local Plan
- Fylde Local Plan to 2032 (Publication Version) August 2016
- National Planning Policy Framework
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- Strategic Housing Market Assessment (SHMA) 2014 and Addendum I and II November 2014 and May 2015 and Housing Market Requirement Paper 2016
- Five Year Housing Land Supply Statement at 31 March 2016
- Strategic Housing Land Availability Schedule (SHLAA)
- Other Supplementary Planning Documents, Guidance and evidence base documents specifically referred to in the reports.
- The respective application files
- The application forms, plans, supporting documentation, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
- Any additional information specifically referred to in each report.

These Background Documents are available either at www.fylde.gov.uk/resident/planning or for inspection by request, at the One Stop Shop Offices, Clifton Drive South, St Annes.

Development Management Committee Schedule

02 November 2016

Item Number: 1

Committee Date: 02 November 2016

Application Reference:	16/0061	Type of Application:	Full Planning Permission
Applicant:	Tesni Properties Ltd	Agent :	Roman Summer Associates Ltd
Location:	LAND AT ROSEACRE, WILDINGS LANE, LYTHAM ST ANNES, FY8 3RJ		
Proposal:	ERECTION OF 45 DWELLING HOUSES AND ASSOCIATED PUBLIC OPEN SPACE, AND ENHANCEMENT TO WILDINGS LANE, FOLLOWING DEMOLITION AND REMOVAL OF EXISTING DWELLING, STABLES, MENAGE AND PADDOCKS.		
Parish:	PARK	Area Team:	Area Team 1
Weeks on Hand:	39	Case Officer:	Kieran Birch
Reason for Delay:	Need to determine at Committee		

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

<https://www.google.co.uk/maps/@53.759683,-3.0020378,343m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

This application is for full planning permission for the erection of 45 residential units on a 1.7 hectare site located on the east sides of Wildings Lane, St Annes on land allocated as Countryside in the Fylde Borough Local Plan. The site is directly adjacent to and would be surrounded by development to the north and west approved by outline application 08/0058 for which the Reserved Matters application 15/0400 is currently being considered by the Council. Directly to the south is the settlement boundary of St Annes.

The residential development of Countryside land in contrary to Policy SP2 of the Fylde Borough Local Plan. However, a key material consideration in the determination of residential planning applications is the need for the council to deliver a supply of housing land equivalent to 5 years of its agreed annual target. The council's latest published information is that it is unable to deliver the necessary housing supply and so, in accordance with the National Planning Policy Framework (NPPF), a proposal that delivers sustainable development must be supported unless it will cause significant and demonstrable harm. The site is also proposed to be included as part of an extended St Annes settlement boundary in the neighbourhood plan by the Planning Inspectorate.

Having assessed the relevant considerations that are raised by this proposal it is officer opinion that the development is of acceptable scale and is in an acceptable location to form sustainable development. The visual impact is also considered to be acceptable and the development would not have a detrimental impact on the amenities of the area to an extent

that would justify refusal of planning permission. The ecological issues have been considered and found to be acceptable. The highways impact of the development are acceptable, LCC have confirmed they have no objections and that the site will have a safe access and an acceptable impact on network capacity. As such it is considered that the proposal delivers a sustainable form of development and it is recommended that the application be supported by Committee and so assist in delivering the housing supply requirements of para 17 of NPPF.

Reason for Reporting to Committee

The application constitutes a Major application and therefore under the Council's scheme of delegation it is necessary for a recommendation to support the application to be considered by the Development Management Committee.

Site Description and Location

The application site is a 1.7 hectare site located on the eastern side of Wildings Lane in St Anne's. The site is located in the open countryside in the adopted Local Plan but is located directly adjacent to the settlement boundary. The land to the north of the application has outline planning permission for 1150 dwellings through outline planning permission 08/0058, this is also currently subject to a reserved matters application 15/0400 for the majority of the site covered by the outline planning permission and proposed 927 dwellings.

The application site as existing consists of a detached red brick bungalow called Roseacre and land used for stables and the keeping of horses. The site is flat and open and enclosed with a mix of post and rail fences and hedgerows. The landscape surrounding the site is typical of the area and comprises low lying, poorly drained, level, grazing land, with ditches and wind sculpted woodland. Residential properties along Wildings Lane are located to the south and west of the site and are a mix of types and designs.

Details of Proposal

The application is a for the demolition of the existing dwelling, stables, ménage and paddock and is a full application for 45 residential dwellings, with the types and bedroom numbers broken down as follows;

Type	Internal space (m2)	Number of Bedrooms	Number proposed
Bungalow	68	2	5
Semi-detached	66	2	10
Semi-detached	78	3	12
Semi-detached	115	4	6
Detached	115	4	6
Detached	115	4	2
Detached	152	5	4

The application was submitted for 46 dwellings but this number has decreased by one due to the changes to the access point. Therefore the development proposes 15 x two beds, 12 x three beds, 14 x four beds and 4 x five beds properties. It is proposed that 30% (13) of the dwellings on site will be affordable dwellings. The application proposes 108 total off street parking spaces to serve the dwellings, 1520 square metres of public open space located centrally in the site with dwellings facing the space and landscaping (including hedgerow replacement and means of enclosure within the site), accessed by a vehicular single access point off Wilding Lane. The five bungalows will face

Wildings Lane with access directly from the Lane in a similar arrangement to the existing dwellings. The application also proposes resurfacing and other works to Wildings Lane to create a shared route to facilitate improved walking and cycling to the adjacent / approved Queensway development (reflecting the agreed access strategy for that scheme).

Relevant Planning History

Application No.	Development	Decision	Date
90/0229	ERECTION OF ONE DWELLING HOUSE.	Granted	25/04/1990
89/0899	OUTLINE ONE DWELLING HOUSE	Granted	03/01/1990
88/0951	ERECTION OF STABLES	Granted	25/01/1989
77/1006	TWO PURPOSE BUILT STABLES AND SIX SHEDS AND USE OF LAND FOR HORSE GRAZING ON FIELD IN WILDINGS LANE.	Granted	15/02/1978

Relevant Planning Appeals History

None

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 01 February 2016 and object to the application stating:

1. *"This application doesn't accord with the emerging Neighbourhood Plan or FBC's Local Plan (See the St Anne's "Neighbourhood Profile" document, January 2016 figure 7.7 – Chapter 7.12)*
2. *Outside the settlement boundary. The development of this site outside the settlement boundary in advance of the development of the surrounding land would result in the formation of an isolated development which would cause visual harm to the wider landscape and the setting of the existing settlement contrary to criteria 1 and 2 of Policy HL2 of the Fylde Borough Local Plan and paragraphs 17 and 56 - 58 (inclusive) of the National Planning Policy Framework.*
3. *Within countryside protection of agricultural land which makes it contrary to the Local Plan & NPPF (isolated development causing visual harm). Piecemeal development with the adjacent land which has OPP with an established development phasing plan.*
4. *The development of this site ahead of the adjacent land which has the benefit of outline planning permission, including an established development phasing plan, would result in a disjointed and piecemeal form of development that would not be co-ordinated with the development of the adjacent land and its essential community infrastructure, including public transport, highway improvements, education facilities and affordable housing as well as appropriate ecological mitigation. Accordingly the proposal would be contrary to the provisions of criteria 7 of policy HL2 and CF2 of the Fylde Borough Local Plan and paragraphs 17, 34 & 72 of the National Planning Policy Framework.*

Please refer to the Decision Notice given by Fylde Borough Council concerning 14/0580 Valentines Kennels which is in the same area."

The Town Council were consulted on revised plans on 19 July and maintain their objection stating:

1. *"Share concerns raised by LCC Highways especially in relation to "piecemeal" development*

- and proposals.
- 2. Outside the settlement boundary.
- 3. Negative impact on natural environment.”

They were also consulted on the final plans and those being considered today and on the 20 October commented;

“Objections as previously stated 28/07/16. Lack of reference to the sustainability features promoted in the emerging Neighbourhood Plan. Conflicting information regarding SUDS meaning the Town Council are still concerned about flood risk.”

Statutory Consultees and Observations of Other Interested Parties

Greater Manchester Ecology Unit

Impact on designated wildlife sites.

The application site is within 3km of the Ribble and Alt Estuaries Special Protection Area (SPA), a European designated site. Under Regulations 61 and 62 of the EU Habitats Regulations the Council has a formal requirement to assess the potential harmful impact of the proposal on the special interest of the SPA in the determination of the planning application. On this point I would note that –

- *the site is relatively small*
- *the development will not result in any direct land-take of the SPA*
- *the site is separated from the SPA by significant areas of existing built development. There are no direct pathways between the site and the SPA*
- *the nature and current uses of the site mean that it is unlikely to be used as a refuge for any significant numbers of birds that could make use of the Estuary*
- *although the site could cause some increased disturbance to the Estuary through increased recreational pressure, this impact is indirect and likely to be diffuse. Any potential impact is best managed by controlling access to the Estuary rather than at ‘source’*

I would conclude that the development proposal will not have any harmful impacts on the special interest of the SPA.

The site is also adjacent to the ‘Lytham Moss’ Biological Heritage Site (BHS) and is close to ‘Lytham Moss Copse’ BHS. There will be no direct land-take of the BHS sites resulting from the development proposal and the development will not result in any (further) fragmentation of the sites. Whilst there may be some indirect disturbance to birds using the BHS sites caused by an increase in the local population, the population increase from this relatively small site is unlikely to be substantive.

Ecological value of the application site

The ecological survey and assessment of the site has been undertaken by suitably qualified consultants and is to appropriate and proportionate standards. The survey has found that the site is not itself designated for its nature conservation value and is considered to have only low potential to support any specially protected or priority species. Overall I would not disagree with this assessment. However, there are some features of local nature conservation interest that should be taken into account, including hedgerows, shrubs and a small watercourse. I note that a landscaping scheme has been submitted that provides some compensation for vegetation losses, and I would regard

this plan as satisfactory.

I would recommend –

- *that prior to any development commencing a survey of the watercourse should be undertaken for the possible presence of Water Voles. If water voles are found to be present then a method statement will need to be prepared giving details of measures to be taken to avoid any harm to water voles. Water voles are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended)*
- *that no vegetation clearance required by the scheme take place during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person*
- *that the precautions for avoidance of possible harm to bats as detailed in section 7.2.2 of the 'Atmos' ecological survey report dated October 2015 be required to be implemented. All UK bats and their resting places are specially protected in law.*

Natural England

Initial response stated that the application needed to be supported by a HRA due to proximity to SPA sites. This was subsequently submitted and they commented as follows;

Thank you for your consultation dated 6 June 2016 regarding the revised shadow Habitat Regulations Assessment (HRA) submitted by Atmos Consulting (Ref - 20607/R2/Rev3 3 June 2016). As competent authority, it is your responsibility to produce the HRA. We provide below on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Natural England concur with findings of the HRA for the following reasons;

- *Direct functional habitat loss - None of the SPA birds identified through the three surveys and the desk study are using the land within the redline boundary of the proposed development*
- *Displacement/ disturbance during construction – Natural England agree that LSE cannot be ruled out for whooper swan and curlew and as such concur that these two species are taken into the Appropriate Assessment stage of the HRA. The mitigation proposed to offset adverse effect on site integrity for these species is considered appropriate. For the avoidance of doubt, the proposal for mitigating construction displacement/ disturbance will be that construction works will only be undertaken between 28th/29th February and 30th September (in any year) at the north-east corner of the site, which lies within 200 m of the location where birds were recorded feeding. In order to support this condition, the applicant must provide a map showing the non construction zone (within the specified time frame). Your authority would need to ensure that a condition to this effect can be secured and is enforceable.*
- *Displacement/ disturbance during operation (recreational disturbance) - Natural England is pleased that the applicant has agreed to accept those suggested mitigation measures (as referred to in or response of 18 April 2016) to offset impacts on SPA birds species during the operational phase of the development (i.e. when the dwellings are occupied). For the avoidance of doubt*

these measures include;

- *Signage on appropriate boundaries to highlight the importance and sensitivity of the surrounding areas;*
- *A homeowner's pack to be made available to new and future homeowners, which would highlight and explain the sensitivity of the surrounding areas, the importance of keeping dogs on a lead and identifying other suitable recreational areas locally; and*
- *Boundary fence lines which would be dog proof to prevent dogs accessing adjacent land independently.*
- *Your authority would need to ensure that a condition to this effect can be secured and is enforceable.*
- *In combination assessment - construction– The in-combination assessment is incomplete. It is understood that the applicant requested, from your authority, a list of other plans and projects to consider in the in-combination (and for clarity the in-combination assessment only needs to consider those SPA species that were concluded to have no LSE alone), but that this information was not issued to them. Having reviewed this section of the HRA, it is apparent that only projects (no plans) have been considered based on a search in the immediate vicinity of this proposed development. At the very least we would have expected the Local Plan and Neighbourhood Plans to have been used in the assessment. Having briefly reviewed the Fylde Local Plan to 2032: Revised Preferred Options and the St Annes Neighbourhood Plan: Final Draft, taking into consideration of the projects identified by the applicant, the mitigation measures proposed for the impacts on whooper swan and curlew, Natural England can confirm that this development will not have an in-combination effect on those SPA birds species ruled out at the LSE alone stage.*

Conclusion

Assuming that your authority is able to secure and enforce the proposed mitigation, Natural England do not have any further comments to make.

Lancashire County Council - Highway Authority

Since the submission of the application the proposed access details have been revised in order to overcome the concerns of the highway authority. Their final comments are extensive and amount to 17 pages. This consultation response is available on the Council's website and has been since it was received on the 14 October and for space reasons is not included in full here, with the main issues summarised as follows:

Pre-Application Comments

LCC gave pre-application advice where they said a TA would be required including up to date traffic surveys despite 46 dwellings being below the threshold for when a TA is required.

The Latest Proposed Access Strategy Presented to LCC Highways

LCC did not support the original proposed access strategy raising concerns around highway safety including if a safe access can be provided, vehicle/pedestrian conflict, a pinch point on Wildings Lane, the straightness of the carriageway, the layout and the lack of footway on Wildings Lane.

They state that there is a distinct possibility that the Valentines Kennels application could be approved at appeal. *There is clearly, therefore, a need for an acceptable site*

access/highway improvement scheme to be developed for the Roseacre site that best considers all the issues raised above, should the LPA be minded to approve this application

The state that the revised submitted access and layout has been the subject of a Stage 1 Road Safety Audit and comment that;

- 1) The latest layout for the access road is acceptable
- 2) The layout includes consideration for visibility splays, and can be provided in both directions over land the applicant control and/or the adopted highway.
- 3) The shared space layout (between vehicles and pedestrians) is appropriate for the development and its number of vehicle movements. *LCC Highways must raise our concerns to the LPA over the potential for any increase in vehicular traffic over this section of shared space highway. This concern is related to our previously stated position in regard to the need for a properly planned approach.* When accepting the layout and considering its appropriateness they have considered the potential number of pedestrian and cycle movements from the Queensway site, the possibility of Valentines Kennels being approved, the impact of development frontage and access onto Wildings Lane and a letter of intent from Kensington where they insinuate they will apply for permission through Wildings Lane if this application were to be approved.
- 4) The shared access carriageway on Wildings Lane is shown on the proposed site access plan as being on a raised platform. The plan also shows clear delineation between pedestrian and vehicle areas (footway and carriageway). I consider there remains a question in regard to whether the shared section should or can be delivered on a raised platform. LCC consider this can be the subject of detailed design and it may be a better solution can be achieved with the use of coloured surfacing and alternative materials in road to reinforce safe operation of the shared space. Similarly signage should be kept to a minimum to reinforce the shared nature of this narrow section.
- 5) The shared access carriageway within the site to vary in width between 4.1m and 6m to allow passing and additional occasional parking, a minor percentage of the road to be 4.1m wide.
- 6) Wildings Lane, from Jubilee Way to the site (number 14 Wildings Lane) is currently a shared surface carriageway as there are no footpaths and from our adoption plans it would not be possible to provide a continuous footpath from Jubilee Way to the site. To reduce traffic speeds along Wildings Lane and in the interest of highway safety for pedestrians LCC Highway Development Control Section previously recommended that the applicant consider a junction improvement at Jubilee Way to change the priority at the junction and provide a speed reducing feature. I would acknowledge the latest layout plan submitted by the applicant has included this suggestion. This feature is repeated to the north on Wildings Lane at the site access and also mirrors the layout shown on the Masterplan for the approved Queensway (1,150 dwelling application) where again Wildings Lane is shown to lose priority to the side road access.
- 7) With regard to the internal layout of the site The Highway Development Control Section is of the opinion a constant carriageway width to 5.5m wide to be provided where serving more than 30 properties the carriageway width can then be reduced to 4.5m where a footpath is being provided on both sides of the street

With consideration for the above, I consider and the latest 'Access Layout' proposal presented to LCC Highways is acceptable 'in principle' in order to demonstrate that a safe and suitable access can be delivered. I would however expect that a number of changes may be necessary following the detailed design process to address issues highlighted above and also to best address those raised in the stage 1 RSA.

Specific Comments on the submitted Transport Assessment

LCC state they have considered various key elements within the TA when reaching a conclusion on the potential impacts of this proposal and its acceptability or otherwise. They state that the impact on the Queensway sustainable link has considered in some detail and that overall, with consideration for the latest proposed improvement scheme agreed 'in principle' on Wildings Lane and the associated access proposals, they are satisfied that the impact on the sustainable link as a result of this development cannot be considered to fall under the NPPF descriptive criteria of a 'severe' impact

With regard to the network modelling/assessment they state the assessment shows no capacity issues and there is no assessment of any other junctions on the highways network. *Given this, LCC does not agree with the forecast traffic flows/assessment presented in the original TS. However, when this is supplemented with LCC knowledge of the network, it is suitable to gauge additional development related traffic flows but not absolute impacts. As such the TS should not be used by future developers as a basis for any Transport Assessment. LCC have also taken note of the impending Valentines Kennels appeal site in our review. Highway officers are aware of existing conditions on the surrounding highway network, particularly on Queensway between Kilnhouse Lane and School Lane, and are working closely with developers to ensure that suitable infrastructure is secured to mitigate against impacts, whilst working within constraints of National Planning Policy Guidelines (NPPF).*

With consideration for the scale of this development (46 dwellings) it would be difficult to argue that the impact on Queensway, north of Kilnhouse Lane, of around 10 vehicles an hour (two-way) is at the point that would result in a severe impact which is the NPPF test. As such, with consideration for the current network conditions, it is LCC's view that this proposal falls below that point when considering cumulative impacts of all committed developments and all mitigation proposed. However, I would note that the current traffic position is such that it may be difficult for the LHA to support further applications of a similar or greater scale in this location without delivery of the wider highway infrastructure improvements, pedestrian and cycle facilities and Public Transport services deemed necessary at the two public inquiries for the large residential strategic site (Queensway 1,150 dwellings).

TRICS is the national standard system used to predict trip generation and analysis of various types of development. Using a typical TRICS report for a privately owned housing development, the development will generate an estimated 320 vehicular movements a day with an estimated peak flow of 30 vehicles between 17:00 and 18:00. The Trip rates presented in the TS are accepted

Construction Traffic Impact

LCC state that the impact of construction traffic is a concern given the need for a consistent approach with the other developments in the area, therefore this is tied to their concerns about a properly planned phased approach. LCC have considered the key issues in coming to a view in regard to the assessment of the disruption and impact of

construction traffic on Wildings Lane as a result of the proposed development. This assessment includes consideration for known site conditions (the need for surcharging or pilling) and potential HGV movements/requirements. The applicant has indicated that construction traffic will be governed by a Construction Management Plan and that, given the size of the proposed site, the impacts will be much more time-limited than for the larger strategic site. LCC consider it appropriate that a condition is placed on any approval to ensure a construction management strategy is submitted and agreed to overcome and mitigate issues. It will include for example no waiting/parking on the public highway for all site related vehicles, the site compound to accommodate all site related needs, including parking) it will also include time restrictions for site access by vehicles, times of construction, site security, specific safety measures on the lane whether to support deliveries or access, wheel cleaning etc.

To be absolutely clear, LCC consider the approach set out and agreed at Public Inquiry in respect of all future housing proposed for the area taking access from the East-West Link road is the properly planned approach which supports and best guarantees delivery of the necessary highways and transport infrastructure and services (including improved bus service provision). This approach also protected existing residents of Wildings Lane from the direct effect of construction traffic on the lane. This Roseacre application does not support this approach and potentially puts at risk the wider development aspirations as set out in the emerging draft Local Plan. This is a concern to LCC as local highway authority. However, in regard to this site and the scale of development it would be difficult to argue that the impact was severe if an appropriate condition controlling all aspects of the impact of construction traffic was attached to any approval

Internal Site Layout, Parking Standards/Parking Provision and SUDS

With regard to the layout they offer comments such as some of the layout not being to adoptable standards. If LCC feel sections cannot be adopted then these will remain private under a management company. They raise no objections to the layout or amount of car parking proposed. With regard to SUDS they state the LLFA are a statutory consultee and they would expect the drainage scheme to provide adequate capacity and be subject to a condition.

S278 Works

S278 agreements are appropriate where improvements are required in the public highway, paid for by the developer (costs to include design fees, safety audits, amendments to street lighting and traffic signalling equipment and all other risks associated with the highway improvements required by the development so that public funds are not used in the provision of these features). They state the following scheme to be delivered as part of a S278 agreement;

The Main Site access junction off Wildings Lane and associated improvement works on Wildings Lane as agreed 'in principle' subject to detailed design (please refer to more detailed comments provided under the section above '(B) The Latest Proposed Access Strategy Presented to LCC Highways' 'that highlight the further considerations that will be required at detail design, albeit within the principles of the initial layout agreed and shown in revised site access plan (Drawing No. J614_Access-fig1, dated 13/07/2016), Trigger point – prior to 1st occupation

Delivering these s278 works may require a review, consultation and implementation of new/or changes to TROs; the full cost for these to be funded by the developer.

It is considered that this proposal could be considered to somewhat mitigate its impact by delivering, at an earlier opportunity, improvements deemed necessary to support the wider development in this area. As such, I consider that this developer should provide MOVA upgrade at two signalised junctions on St Annes Road East, as detailed below:

- *Introduction of MOVA at St Annes Road East signalised junction with St David Road; and*
- *Introduction of MOVA at St Annes Road East and Church Road*

Trigger point of both MOVA upgrades - prior to the occupation of the 20th dwelling on site.

The developer has agreed to deliver these improvements through a S278 agreement.

Planning Obligations (s106 Planning Contributions)

Planning Obligation requirements were given consideration in regard to this development site. In addition to the scheme on Wildings Lane, LCC have noted the applicant's commitment to deliver MOVA upgrade at two junctions on St Annes Road East through a s278 agreement. Therefore, on balance, it is not intended to request further Mitigation from this 46 dwelling application in the form of sustainable highway Planning Contributions.

Summary and Recommendation

LCC's Highway Development Control teams stated position is well documented in regard our view that the previously agreed planned approach set out at two public inquiries for the Queensway site that supports delivery of the local plan and emerging plan (Strategic Location for Development) and the necessary infrastructure to support further development is the correct approach to development in this location.

However, notwithstanding the concerns LCC has expressed in regard to piecemeal development creating a shift away from the principles considered by LCC to be the properly planned approach, LCC has sought to best address all highway matters in relation to this current application.

In providing comments in regard to this development proposal, LCC have conducted a review of the Transport Statement submitted in support of the planning application. With consideration for all the information provided and mitigation proposed by the applicant, Lancashire County Council consider that overall impact from this development cannot be considered to fall under the NPPF descriptive criteria of a 'severe' impact.

In conclusion, with consideration for all the information now provided, LCC Highways Development Control would have no objection to the proposed development providing that all s278 measures as agreed and detailed above are delivered by the developer in line with agreed trigger points. These measures are considered necessary, directly related and reasonable in both scale and kind. It is essential that suitable conditions are put in place to ensure these necessary measures are delivered by the developer in line with required trigger points

United Utilities

No objections subject to conditions in relation to foul and surface water being on

different systems and a surface water scheme being submitted.

Electricity North West

We have considered the above planning application submitted on 1/2/16 and find it could have an impact on our infrastructure.

The development is shown to be adjacent to or affect Electricity North West operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Estates and Wayleaves, Frederick Road, Salford, Manchester M6 6QH.

The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

The applicant should also be referred to two relevant documents produced by the Health and Safety Executive, which are available from The Stationery Office Publications Centre and The Stationery Office Bookshops, and advised to follow the guidance given.

The documents are as follows:-

HS(G)47 – Avoiding danger from underground services.

GS6 – Avoidance of danger from overhead electric lines.

Other points, specific to this particular application are:-

- *There is a Live ENWL high voltage cable within the proposed development site.*
- *There is a Live Low Voltage service cable within the proposed development site.*

The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night. Our Electricity Services Desk (Tel No. 0800 195 4141) will advise on any issues regarding diversions or modifications.

Electricity North West offers a fully supported mapping service at a modest cost for our electricity assets. This is a service which is constantly updated by our Data Management Team (Tel No. 0800 195 4749) and I recommend that the applicant give early consideration in project design as it is better value than traditional methods of data gathering. It is, however, the applicant's responsibility to demonstrate the exact relationship on site between any assets that may cross the site and any proposed development.

Environmental Protection (Pollution)

The applicant shall submit a piling method statement in accordance with BS 7385: Part 2 and assessed to BS 5228 part 4 (enables a prediction to be made of the peak particle velocities from piling) for the effects of vibration on Buildings and Structure and also human health. The method statement shall include the predictions and any necessary mitigation; proposals for monitoring the vibration during the work program at noise

sensitive properties; making local residents aware of times, duration and contact details of anyone on site during the work. This in accordance with the general time restrictions to be imposed on the construction site.

Construction phase (noise and vibration) levels shall not exceed 5mm/sec at the nearest sensitive premises as a result. This level is deemed to have a “moderate negative” impact on human health in accordance with BS 6472:19929

Construction/demolition shall be limited to the following hours – 08.00 – 18.00 Mondays to Fridays; 08.00 -13.00 Saturdays and no activity on Sundays and Bank Holidays

Planning Policy Team

Original comments;

Thank you for your email dated 06 January 2016, inviting planning policy comments on the above. I have assessed the proposal against the National Planning Policy Framework (NPPF), the Fylde Borough Local Plan (As Altered: October 2005), the emerging Revised Preferred Option Local Plan to 2032 (RPO) and the emerging St Annes on the Sea Neighbourhood Development Plan (SANDP).

Fylde Borough Local Plan (As Altered: October 2005)

The proposed development site is located in the Countryside Area as defined by policy SP2 of the adopted Local Plan. SP2 operates so as to resist development proposals in this area, except where it falls within one of five identified categories. The proposed development does not represent one of these exceptions and so is contrary to SP2.

The emerging Local Plan

The Revised Preferred Option (RPO) version of the Local Plan was reviewed at Development Management (Policy) Committee on 17 June 2015 and has since been out for public consultation for a seven week period. A responses report is due to go to Development Management (Policy) Committee on 9 March 2016, outlining all comments and objections, and potential amendments or changes to the Plan.

Policy SL1 of the draft RPO relates to strategic locations for development for Lytham and St Annes, and allocates land for up to 1,150 new homes, situated on the northern edge of St Annes, approximately 2km from the town centre, (site number HSS1 on the RPO), which directly abuts the northern boundary of the application site.

The emerging St Annes on the Sea Neighbourhood Development Plan

St Annes on the Sea Neighbourhood Development Plan (NDP) was submitted to Fylde Borough Council on the 25 January 2016 and is currently undergoing a six week public consultation process. This started on the 11 February 2016 and ends on the 24 March 2016.

Paragraph 216 of the NPPF indicates relevant factors when considering the amount of weight to be given to emerging plans. Unless other material considerations indicate otherwise, decision-takers may give weight from the day of publication, which depending upon the stage of preparation (the more advanced the preparation, the greater the weight that may be given). The extent of which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and the degree of consistency with relevant policies in the emerging

plan to the policies in the NPPF.

At this stage the NDP has reached publication stage. However, the public consultation process is still ongoing and as such Fylde Borough Council are unable to determine the extent of unresolved objections (if any). Therefore based upon this, I consider the emerging NDP has some limited weight.

Five Year Housing Supply Statement

The council's published Five Year Housing Supply Statement shows that the borough has a 4.3 year supply of deliverable housing land at 31 March 2015. This calculation is based upon the annual housing requirement figure of 370 dwellings per year, taking account of a 20% buffer and the housing shortfall since the start of the emerging Local Plan period in 2011.

Summary

The proposal is contrary to policy SP2 of the adopted Fylde Local Plan. However, as the emerging RPO has allocated land surrounding the application site as a strategic location for housing, I consider from a planning policy point of view it would be difficult to resist housing development on this site, coupled with the fact that Fylde lacks a five year housing supply.

The emerging Neighbourhood Development Plan is a material consideration but the weight attached to it is for the decision maker to determine.

Further comments

Further to your email dated 14 October 2016, requesting further information in regards to the recent St. Annes on the Sea Neighbourhood Development Plan (NDP) Public Hearing and subsequent Examiner's Report.

I can confirm that following on from the Public Hearing examination of the NDP, the Independent Examiner Mr John Slater BA (Hons), DMS, MRTPI, has now submitted his Examiner's Report. The Examiner concluded that subject to a number of modifications the NDP met with the 'Basic Conditions' and could proceed to Referendum. However, one of the modifications proposed was the extension of the existing settlement boundary of St. Annes, to incorporate land identified as countryside outside the Green Belt, to the west of Heyhouses Lane (including the land subject to this planning application - see below map). The Examiner considers the inclusion of this land would offer St. Annes town the flexibility to be able to meet its housing needs over the next 15 years.

The land in question includes a designated Biological Heritage Site (Lytham Moss) and as such Natural England have objected to the inclusion of this land and have requested a rescreening of the site, therefore a Habitat Regulations Assessment has been commissioned by the Council and its findings should be submitted by the end of the month.

The St. Annes on the Sea NDP has since been to Development Management Committee with a recommendation that subject to the completion of the Habitat Regulations Assessment and the making of any amendments to the NDP to ensure it is compatible with EU obligation the Committee accept the Examiner's modifications and recommend to Full Council that the NDP proceeds to Referendum (earliest date February 2017).

Summary

In conclusion, my previous comments of the 16 February 2016 still stand. From a planning policy point of view it would be difficult to resist housing development on this site, in light of the Examiners recommendations and weight that can now be attached to the St. Annes on the Sea NDP, coupled with the fact that Fylde still lacks a five year housing supply.

Regeneration Team (Landscape and Urban Design)

With regards to the above planning application, my comments relating to landscape and urban design issues are as follows;

1. Relative to the adjacent neighbours the submitted plan shows the development to be high density which has created small rear gardens, few front gardens, most which are parking forecourts/driveways. Thus the public realm is primarily hard treatment with minimal opportunity to soften interfaces with the street scene. Key roads within the development faces gable ends and long boundary garden fences/walls
2. The treatment of the boundary shows a 2m high hedgerow to be planted. However, the landscape plan shows gaps within this hedgerow due to bin stores, garden buildings/structures and garages. To ensure that the development integrates effectively with the adjacent countryside and provides a consistent and cohesive landscape screen. The proposed hedge must be planted to the entire edge of the development, except to Wilding Lane, where access will be required to the properties.
3. The built form/houses along Wildings Lane would benefit from a more varied treatment. For example, shared driveways would provide a more cohesive and complete streetscape and landscape treatment. In addition to varying the house frontage design.
4. Consideration needs to be given to the entrance of the development. The plan shows a narrow road with a hedgerow to each side, which turns sharply with a house directly located on this bend, thus forming the main focal point to this axis with a minimal front garden.
5. Further information is required with regards to the garden fences/boundaries and the clarification of the treatment of the outer boundary of the development, which shall be required till the proposed hedgerow has established.

Strategic Housing

At the outset we would be looking to ensure the affordable housing element of 30% is secured on this site. The site is well connected in terms of public transport, close to Heyhouses and local amenities. In terms of tenure we are looking at 60 rented/40 LCHO but are willing to consider 50/50 if this enables the scheme to stack up financially for the RSL and Developer.

Waste Management

Provide general guidance over the construction of the development so that it is able to provide sufficient storage and access arrangements for refuse. They conclude that *"The plan generally appears to have considered the above points."*

Environment Agency

The development is not listed in the when to consult the EA doc or in the DMPO/GDPO.

Raise no objections.

Lancashire County Council - Flood Risk Management

No objections to the proposal subject to conditions in relation to an appropriate surface water drainage scheme being submitted and details of its management and maintenance.

LCC Education

LCC Educations have made a request for a contribution towards 12 Primary school places totalling £146,512.80 and 7 Secondary School places totalling £128,780.96. However this calculation is based on all the dwellings being 4 bedrooms and this is not the case, as such this total will need calculating again for the purposes of the legal agreement.

Neighbour Observations

Neighbours notified: 01 February 2016

Site Notice Date: 15 February 2016

Press Notice Date: 18 February 2016

No. Of Responses Received: 14

Nature of comments made: The following is a summary of the issues raised by neighbours;

- Access to the site down Wildings Lane.
- Increase in noise and disturbance.
- Increase in traffic and congestion.
- Surface water drainage.
- Change of environment and character of road.
- Road safety.
- Homes not needed.
- No footpath or pavement down part of Wildings Lane.
- Poor street lighting down Wildings Lane.
- Plans are misleading road is not as wide as shown.
- Density too high.
- Loss of designated countryside.
- Valentines Kennels was refused because of lack of planned approach.
- Whilst scheme will not prevent stopping up of Wildings Lane it will set a precedent for more traffic down Wildings Lane off Queensway.
- Impact on wildlife and biodiversity.
- Lack of school places and GPs.
- No objections if they build the Moss Road.
- Impact on water pressure in the area.
- The shadow HRA is inadequate
- Piling the dwellings near our dwelling could cause damage.
- Piling could cause noise issues.
- Ground our dwellings are built on is unstable.
- What would happen in builder went into liquidation.
- Our dwellings should be inspected prior to building.

The access plans were amended and neighbours (along with the Parish Council and LCC Highways) were consulted on the 19 July. **Seven** letters of objection were received with the following

comments made in addition to those made above

- Maintain previous objections.
- Strongly object to the 2m footpath outside dwelling as it would cause overlooking.
- Works will inhibit use of wheelchair.
- Loss of house value (not a planning issue)
- Not in accordance with the revised preferred option or the neighbourhood plan.
- LCC does not support this development.
- Loss of existing views would affect residential amenity
- Revised plans uncoordinated hotchpotch of speed reducing measures.
- Speed hump in front of our dwellings. Moving the access this small amount only exacerbates problems.
- Impact on amenity during construction.

Neighbours were consulted on the final set of revised plans on 20 September. Five letters of objection were received with the following comments made in addition to those above;

- In response to the examiner's report on the neighbourhood plan NE have called for an assessment of the habitat on the east of Wildings Lane including Roseacre. Such assessment is pertinent to this application which should not be determined prior to a full reviews of the habitat on this land and adjacent fields.
- The Stage 1 safety audit has identified a number of problems that have not been adequately addressed. There are safety concerns for residents living at 12 and 15 Wildings Lane when entering or leaving their property and insufficient pedestrian provision between 6 to 12.
- A pedestrian and road link from the east corner of the proposed development to Jubilee Way should be considered to alleviate congestion on Wildings Lane.
- Housing development should be postponed until the Queensway development infrastructure and link road area in place.
- Previous comments and objections still stand.

Relevant Planning Policy

Fylde Borough Local Plan:

EP11	Building design & landscape character
EP14	Landscaping of new developments
EP19	Protected species
EP22	Protection of agricultural land
EP23	Pollution of surface water
EP24	Pollution of ground water
EP25	Development and waste water
HL02	Development control criteria for new housing proposals
SP02	Development in countryside areas
TREC17	Public Open Space within New Housing Developments

Other Relevant Policy:

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

Site Constraints

Within countryside area

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended. Officers have screened the development for any potential environmental impact and concluded that the application need not be accompanied by a formal Environmental Statement.

Comment and Analysis

The main issues that require consideration when determining this application are;

The principle of the development
Design/layout of the proposal
Impact on the character of the area
Impact of the proposal on residential amenity
Highways issues
Flooding and drainage
Ecology

Principle of the development

Policy Background

When considering the proposal regard must be had to the Development Plan with determination in accordance with this plan unless material considerations indicate otherwise. The statutory development plan and material considerations in this case comprises the saved policies of the Fylde Borough Local Plan (2005) and the National Planning Policy Framework. In accordance with the NPPF 'due weight' should be given to the relevant saved policies within the Local Plan and the weight given to these policies depending upon the degree of consistency with the NPPF. The starting point for determining this applications therefore remains the saved policies of the Local Plan. If there is a conflict between these saved policies and the NPPF, the NPPF takes precedence, however it should be read as a whole and in context. The Local Plan identifies the site as being in the open countryside and as such policy SP2 – Development in countryside areas applies, this policy restricts development in the countryside asides for certain types of development of which the development proposed by this application is not one. Therefore on the face of it the application is contrary to Local Plan policy and so it has to be assessed whether or not the NPPF and other material considerations would justify overruling this policy.

The NPPF states that there is a need for the planning system to perform an economic, social and environmental role. In a social role, it is necessary that the planning system supports strong, vibrant healthy communities by providing the supply of housing required to meet the needs of present and future generations that reflects the community's needs. Local circumstances need to be taken into account. There is a presumption in favour of sustainable development and local planning authorities are urged to approve, without delay, development proposals that accord with the development plan. It advises that decision takers at every level should seek to approve applications for sustainable development where possible

In section 6 'Delivering a wide choice of high quality homes' of the NPPF it requires the significant boosting of housing and local authorities should use their evidence base to meet the full objectively

assessed needs for market and affordable housing in the housing market area. For market and affordable housing a five year supply should be maintained. Housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 44). Applying this policy context to the development requires considering the NPPF as a whole and assessing the weight which should be applied to SP2 and also considering the sustainability of the development and the balance of any positive or adverse impacts, within the NPPF context of seeking to boost housing supply and economic growth;

Consultation on the publication version of the emerging Fylde Local Plan to 2032 took place in August and September 2016 with the Local Plans section currently in the process of assessing the consultation comments which will be taken into consideration in preparing the next stage of the Local Plan – its examination. Therefore only some weight can be given to the policies in this plan. At a meeting of the Development Management Committee on the 16 September 2015 this site along with the Valentines Kennels site were proposed by Officers to be included as part of the housing allocation for St Anne's. The sites were previously part of the H2 Housing allocation in the original preferred options. H2 was removed as a potential allocation due to the majority of the site being declared as a Biological Heritage Site by Lancashire County Council. However the application site is not included in that designation and therefore given the approval of planning permission for housing through the Queensway approval Planning Policy Officers proposed to include these sites in the Revised Preferred Option. Members at that meeting determined that the Council had previously accepted their deletion when it agreed the draft version of the Revised Preferred Option on the 16 June and that these two areas of land should not be taken forward in the Revised Preferred Option.

The St Annes Neighbourhood Development Plan has recently been through a Public Hearing and the Examiner produced his report. The Independent Examiner Mr John Slater BA (Hons), DMS, MRTPI concluded that subject to a number of modifications the NDP met with the 'Basic Conditions' and could proceed to Referendum. One of the modifications proposed was the extension of the settlement boundary of St Annes, to incorporate land identified as countryside outside the Green Belt to the west of Heyhouses lane, including the land that is subject to this planning application. The Examiner considers that the inclusion of this land would offer St Annes the flexibility to meet its housing needs over the next 15 years. Part of the land included is the Lytham Moss biological heritage site so Natural England have objected although that objection does not extend to the application site as it is not included within that designation. The St Annes on the Sea NDP has since been to the Development Management Committee with a recommendation that subject to the completion of the Habitat Regulations Assessment and the making of any amendments to the NDP to ensure it is compatible with EU obligation the Committee accept the Examiner's modifications and recommend to Full Council that the NDP proceeds to Referendum (earliest date February 2017).

Does the proposal deliver sustainable development?

The National Planning Policy Framework requires developments to be sustainable. Proposals are to be considered against an economic, social and environmental role in this regard. Economically to ensure sufficient land of the right type is available in the right place to support growth and innovation. Socially by providing the supply of housing required with access to local services and environmentally by protecting and enhancing natural, built and the historic environment and improving biodiversity.

Accessibility of the site

The application site is located on the eastern edge of Wildings Lane, which is a road which joins Heyhouses Lane to the south. Of significance is that the land to the north and further west has planning permission for residential development and a primary school. The site is located directly adjacent to the settlement of Saint Anne's and all the services and facilities located there. There are

bus services along Heyhouses Lane, with the nearest bus stop at the end of Wildings Lane approximately 150m away, bus numbers 78 and 688 stopping here. Directly opposite the Wildings Lane and Heyhouses Lane junction is the former EDS site which has been developed with residential development, the Water's Edge Public House and a Booths supermarket. Clifton Primary School is located 0.4 miles from the site and St Anne's Technology and Performing Arts Secondary School is 0.88 miles away. Therefore whilst the application site is located within the open countryside it is located in close proximity to Saint Anne's and to the services within the settlement and the wider area can be accessed by bus services. The site can be seen to be in a sustainable position and comply with the NPPF requirement that housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 49) and that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural areas and that Local Planning Authorities should avoid new isolated homes in the countryside (paragraph 55). Therefore whilst the application would be contrary to Policy SP2 of the Local Plan in this instance there is greater weight to be given to the NPPF due to the sites sustainable location and the NPPF's housing objectives and presumption in favour of sustainable development.

Housing supply

The NPPF requires LPA's to 'identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.'. The latest five year housing supply for Fylde Council is that as of the 31 March 2016 when Fylde has a 4.8 year supply. Therefore planning policies for the supply of housing for the purposes of determining applications are considered out of date and this is significant as the NPPF states that where relevant policies are out-of-date, permission should be granted unless any adverse impacts outweigh the benefits, or other policies indicate otherwise, when assessed against the NPPF. This is a material consideration when determining the planning application. If a scheme is considered to deliver sustainable development and not have any adverse impacts that would significantly and demonstrably outweigh the benefit in housing supply, that guidance is clear that planning permission should be granted.

Scale of development

The scale and density of the development proposed would be in line with that approved on the adjoining land. The highways issues surrounding the application are discussed in greater length below but the application proposes to utilise Wildings Lane. It is not considered that the addition of 45 dwellings would be an unacceptable scale of growth to the settlement and that there are sufficient services within the settlement to meet the needs of the occupiers of the dwellings. Policy HL2 of the Fylde Borough Local Plan lists a series of criteria that a development needs to comply with to be acceptable, with many of these consistent with the core planning principles in para 17 of NPPF and with other sections of that guidance. Criteria 2 requires that development should be of a scale that is in keeping with the character of the locality. It is considered that the scale of development proposed in this scheme is acceptable and would not be of a scale that would warrant refusal of the application. The scale of the development proposed in this application is considered to be sustainable development and is not inappropriate to the size of St Anne's or its services and would relate to the surrounding approved housing development and also the existing settlement.

Loss of agricultural land

Whilst an agricultural assessment of the land has not been submitted the land has historically classed as Grade 3, prior to the subdivision into 3a and 3b. However the site is not currently used for agriculture and has permission for equestrian uses and as such no agricultural land will be lost as a consequence of the proposed development.

Principle of the development conclusions

The site is located in close proximity to the urban settlement of St Annes, but is located in an area classified as countryside in the Fylde Borough Local Plan. It is adjacent to the approved housing to the north and west and is directly adjacent to the settlement boundary to the south. The site is located 150m north of Heyhouses Lane, a main road that runs through St Annes and its associated bus routes and is within reasonable distance of local and community services in St Annes. The proposed development is considered to be sustainable in relation to the settlement and would not represent an unacceptable growth to the settlement in terms of scale and would therefore comply with the NPPF requirement that housing applications should be considered in the context of the presumption in favour of sustainable development. Furthermore when considering the housing objective of the NPPF Fylde does not have a five year housing supply for which there is an identified need. The proposal would therefore contribute to meeting this identified need for dwellings in the emerging Local Plan and the housing supply for the Borough as a whole. Furthermore the St Annes Neighbourhood Plan is proposed to be amended to include the site within the settlement boundary. This site is considered to be a suitable location for development, and the scheme of a scale that can be accommodated without causing evidenced harm to the settlement. The principle is therefore acceptable.

Design/layout

The proposal is a full application and therefore the design of the dwellings and their layout are to be assessed. A mix of house types are proposed and are as detailed in the descriptions of proposal section. Firstly when considering the layout it is constrained by the size and access to the site and the need to provide an area of Public Open Space within the development. The layout is considered to be appropriate in that a central area of public open space is provided with over half the dwellings facing this open space which is a basic design principle.

Policy TREC17 of the Adopted Local Plan sets out the standards required for the provision of amenity open space within housing developments. It states that the provision of an amenity open space with facilities for children's play (where appropriate) will be required. It requires that, unless otherwise agreed the open space must be provided as a single central useable facility, and that arrangements will have to be made by developers to provide for effective future maintenance of areas of open space provided in accordance with this policy. The application proposes 15 two bed dwellings, 12 three bed dwellings, 14 four bed dwellings and 4 five bed dwellings, this results in an amenity space requirement of 1472 square metres. The application provides an area of 1520 square metres and thus exceeds the policy requirement for the site.

With 27 of the 45 dwellings at 2 and 3 bedroom scale the scheme complies with the requirement in Policy H2 of the emerging Local Plan for at least 50% of new developments to provide dwellings of this scale.

The development includes five bungalows which front Wildings Lane, this is considered appropriate as it continues the built form of Wildings Lane where whilst there is a mix of a house types a lot of them are bungalows, including the three that are adjacent to the site. The dwellings on the eastern edge of the site have been deliberately designed so that whilst they face the POS and other dwellings within the site their rear elevations feature rear gables and are of a quality design so that their appearance from the east is an attractive one, effectively having a dual aspect. It is considered that a 2m close board fence on this boundary would not be appropriate and it needs to be wooden post and rail fence or a hedgerow which is what is shown on the landscaping plans. Also permitted development rights for outbuildings and fences in the rear gardens of these dwellings should be removed so that the Council can control their appearance.

The mix of housetypes around the site is acceptable with the design following a 'theme' which gives a consistency to their appearance and quality that is also acceptable. The dwellings typically have front gables and are constructed in red/brown brick with pitched tiled roofs. Design features include overhanging eaves and projecting soffits, with aluminium and timber windows proposed along with aluminium rainwater goods. The overall design of the dwellings is considered acceptable, with their design and scale acceptable considering the sites context and location.

Landscaping

Policy EP14 discusses landscaping, and states that all new development must make suitable provision for landscape planting. Where appropriate, planning permission will be granted with conditions to ensure the proper implementation and maintenance of such schemes. The application was submitted with full landscaping plans and planting schemes however these have not been updated when the site layout was amended due to the access moving position. It is however possible to assess the plans that have been submitted and condition that amended plans be submitted and approved prior to the commencement of development which reflect the revised layout. The landscaping plans are typical for a residential development of this nature with a series of ornamental trees in the majority of front gardens on public view and the provision of a landscaped and hedged boundary to the east where the land will remain open as well as to the north and southern boundaries. The existing boundary hedges to Wildings Lane will be retained except where access is required. Whilst the layout includes appropriate landscaping to its boundaries and includes a good sized area of public open space which is to be landscaped it is considered that the site would benefit from additional tree planting in the front gardens of the site. Soft landscaping in the form of green screen/fencing is proposed in areas unsuitable for block planting, this will help to soften the appearance of buildings where extensive planting is not possible.

In terms of hard landscaping it is proposed to use red concrete paving on the shared surfaces and grey concrete paving on the area adjacent to the POS. Around the dwellings buff tarmac is proposed which is considered a higher quality alternative to standard black tarmac. A post and rail fence is proposed along part of the southern boundary with the remained being hedgerows. Overall the soft and hard landscaping is considered acceptable and the revised plans with an increase in trees within the site can be subject to a condition.

Impact on character of the area

The application site is located directly adjacent to an approved residential scheme and the Planning Inspector when allowing that development at appeal considered the visual impact that proposal would have on the character and appearance of St Anne's. This application effectively fills the gap between the existing settlement and the proposed development the Inspector permitted to the north of the site. The most significant view of the site will be from the east but with the adjacent sites development and an appropriate scheme of landscaping it would be viewed as having a consistent boundary in line with the adjacent developments. If it was developed prior to the Queensway site it is located directly adjacent to the existing settlement so would appear as an extension of that. The site is open with no trees and hedgerows are proposed to be retained where possible and also planted to form the sites boundaries and also within the site itself. The provision and retention of these features will assist in integrating this development into the setting of the adjoining development and Saint Anne's. It is not considered the development will have a significant or unacceptable visual impact, it will be well contained and surrounded by residential dwellings and existing natural landscape features.

Impact on residential amenity

The application has been submitted in full and therefore the impact on neighbours can be fully assessed as part of the consideration of the application. The development is adjacent to existing dwellings on Wildings Lane, Commonwealth Close and Jubilee Way to the south and to the north the field adjacent has planning permission in outline as part of the Kensington Queensway development.

Overlooking and loss of light

The development will not create any unacceptable overlooking or loss of light to existing dwellings. The nearest dwellings to the site are numbers 12, 15 and 17 on Wildings Lane and the three dwellings on Commonwealth Close.

The five dwellings proposed to be fronting Wildings Lane are bungalows and plot 1 will be located 11m north of 12 Wildings Lane which exceeds the spacing standards for side to side elevations and is in a similar position to the existing dwelling known as Roseacre. Number 12 is also a bungalow and it is considered this relationship is acceptable and no unacceptable overlooking or loss of light will be created. Opposite the bungalows to be located on plots 1 and 2 are numbers 15 and 17 Wildings Lane both of which are bungalows with dormer windows in their side roof planes. Plots 1 and 2 would be located 21m away from these dwellings and as such comply with the Councils Spacing Standards and no unacceptable overlooking or loss of light will be created.

Number 1 Commonwealth Close's rear elevation will be 26m from the side elevation from plot 8, exceeding the Council requirements for both rear to side and rear to rear elevations. The side elevation will be 10m from the boundary line which is the length of a rear garden. Number 2 Commonwealth Close will be 18.5m from the side elevation of plot 6 which will be 7.5m from the boundary again exceeding requirements and not creating any unacceptable loss of light or overlooking. First floor side elevation windows will be conditioned to be obscure glazed. Finally number three Commonwealth Close will be 22.5m from the front elevation of plot 37, which exceeds the 21m spacing requirement. Furthermore along the boundary where the drain is located there is a large amount of vegetation which will also screen and obscure views between the dwellings.

The dwellings located on the northern boundary of the site are approximately 10m from this northern boundary which when considering housing layouts submitted for the Queensway site is acceptable. Relationships between the dwellings located on the site itself are acceptable.

The development will therefore not create any unacceptable overlooking or loss of light to existing or proposed dwellings.

Noise and vibration

Some of the neighbours when writing in regarding this application have expressed their concerns about the impact that piling could have on their dwellings and the potential for damage from vibration to them. When determining a planning application only planning 'issues' can be taken into consideration, so whilst the impact on neighbours amenity through vibration and noise can be considered, any damage caused by any development being constructed is a private matter between constructor and the person affected. As the planning system exists to protect the public interest it would not be possible for the Local Planning Authority to impose restrictions that sought to protect private property.

However in order to minimise any potential impacts from piling works on developments of this nature in locations where it is known that extensive piling operations are likely to be required, it is

normal practice to impose a planning condition that would require the developer to submit a piling method statement in accordance with the British Standards which would enable a prediction to be made of the peak particle velocities from piling and, in turn, for the potential effects on buildings and human health to be assessed. The statement would need to include the calculated predictions and any necessary mitigation, proposals for monitoring the vibrations during the work program at noise sensitive properties and making local residents aware of times, duration as well as providing contact details of the site manager responsible for the piling work. Noise and vibration levels during the construction period would also be required to not exceed 5mm/sec at the nearest dwelling, which is a level considered acceptable in the British Standards. Therefore it is proposed that any permission be subject to this conditions as requested by the Council Environmental Protection Officer.

Whilst a private matter and not something that can be taken into consideration when determining this application for information a construction company or contractor must carry insurance to cover the unfortunate circumstances where damage does occur to neighbouring property. If they were found to have caused damage to neighbouring dwellings, this insurance would be used to make good the damage. Owners of neighbouring property may wish to inform their home insurer of the forthcoming works and arrange for a survey of their property to be completed prior to the building works taking place. If they believe any damage has been done that survey could be repeated to ascertain if there has been any damage and the property owner could then take appropriate action. It is recommended that any neighbours concerned take private professional advice on this matter as the Council cannot be held accountable or liable for the actions of private building companies.

Policy EP27 discusses noise issues, stating that development which would result in harm by way of noise pollution will not be permitted. Once constructed there will be no noise issues however there is the potential for noise during construction as it inevitable as with any major development that there will be some disturbance caused to those nearby during the clearance and construction phases of the site. However, disruption due to construction is only temporary, limited to the Site and is of medium term duration. Specific details of the construction phases are unknown at this stage. It would be expected that noise would be intermittent and would decrease in intensity over the duration of the construction period. Hours of operation can be controlled by planning condition that ensures construction periods are limited to 08.00 – 18.00 Mondays to Fridays; 08.00 -13.00 Saturdays and no activity on Sundays and Bank Holidays. The nearest plots to existing dwellings are plot 1 which will be 11m away, plot 8 26m away, plot 6 18.5m away and plot 37 22.5m away. It is not unusual for building work to be undertaken at such distances from existing properties and the amenity of these dwellings during construction will be controlled through a construction management plan condition. It is considered that the impact on neighbouring dwellings can be controlled through these conditions and as such there are no issues.

Highways and parking

The application proposes the demolition of one dwelling and associated equestrian centre/riding school with the erection of 45 dwellings which will result in an increased amount of traffic using Wildings Lane. It is proposed that the bungalows will front and be accessed directly from Wildings Lane asides for one and that the remaining dwellings will be served by a single access road from Wildings Lane. The application has been submitted with a Transport Statement and Framework Travel Plan. The Transport Statement assesses the site, its accessibility and the impact of the proposal on trip generation and traffic flows. It assesses that the Lane already serves the Traffic generated by 36 existing dwellings and that its junction with Heyhouses Lane has excellent visibility and comfortably exceeds the design standards set out in 'Manual for Streets'. The site is assessed as having good potential to be accessible by walk, cycle and public transport in accordance with

planning guidance relating to urban areas and scores medium accessibility using the LCC SPD for assessing a sites accessibility. In relation to the impact of the development it is stated that the 112 parking spaces accord with planning policy. It states that the site 26 to 30 two way trips in the peak hour which is a low level of impact where operational assessments of the road network are not required. However for robustness a traffic survey and an assessment of the junction with Heyhouses Lane has been undertaken which shows that the junction has the capacity.

Proposed access and off site works

The access to the application site has been amended from when the application was first submitted. Originally it was to be located at the southern end of the site but following comments from LCC Highways it has now been moved to the north with only one dwelling north of the access point. The access was originally at the southern end at Planning Officers advice as it was intended that by having it at that point it would lead to less conflict with pedestrians and cyclists using the link from the Queensway site. However due to the width of the adopted carriageway LCC could not support the access at this point and it was subsequently revised to what is being considered by members today. The moving of the access necessitated the removal of one dwelling and hence it is 45 dwellings being considered not 46, but the TS considers the impact of 46.

The application proposes that the development is accessed from Wildings Lane via Heyhouses lane. It is proposed that there is a priority change at the junction between Jubilee Way and Wildings Lane so that vehicles traversing Jubilee Way have priority and those leaving Wildings Lane travelling south would have to wait at the junction before entering Jubilee Way/Wildings Lane. It is proposed that the grass verge that currently exists along Wildings Lane on the western side be converted to a footpath there is currently only a footpath on the eastern side which ends at the junction with Jubilee Way and then follows that road. This would lead to a raised platform table at the southern end of the application site which would have a priority system for vehicles from north to south and a 5.5m wide road with a pavement on the eastern side adjacent to the application site leading up to the access point. This would provide those pedestrians using the road as a link from Queensway with a footpath to walk along the majority of its length. The access to the site is located to the northern boundary and will have a priority over movements from the north of the road. Whilst the Queensway site remains undeveloped Wildings Lane up to Valentines Kennels remains an adopted highway and therefore cannot be closed at a point to the north of the site until the Queensway site offers an alternative route. These access works as well as the introduction of MOVA upgrades at two signalised junctions on St Annes Road East would need to be provided through a S278 agreement.

LCC have commented on the proposed access and off site works and confirm that they have no objections to it as the revisions have been designed to overcome their previous concerns. They confirm that by moving the access north the site now has better site lines and improved pedestrian facilities and safety, it reduce conflict between pedestrian and vehicles at the access point, reduce noise and disruption due to vehicle braking than the previous corner for existing residents and allows a simplification of the priority give-way. They comment that the raised platform may be more appropriate to being a coloured surfacing and alternative surface materials in order to reinforce safe operation of the shared space area, this can be agreed through the S278 agreement, however either option is acceptable in terms of highway safety. They state that the junction improvement at Jubilee Way to change the priority the junction and provide a speed reducing feature is as requested by themselves and that this feature is repeated to the north on Wildings Lane at the site access and also mirrors the layout shown on the Masterplan for the approved Queensway (1,150 dwelling application) where again Wildings Lane is shown to lose priority to the side road access. This provides some consistency in highways layout in this area.

LCC conclude that in principle that a safe and suitable access can be delivered but that some changes

may be necessary following the detailed design process. There are therefore no issues with the proposed access to the site or off site works.

Impact on junction and capacity

The development will result in an increased number of vehicles using the Wildings Lane and Heyhouses junction. The NPPF states that applications can only be refused on highways grounds when the impact is 'severe'. The TS submitted with the application shows that site in terms of traffic movements the development will generate an estimated 320 vehicular movements a day with an estimated peak flow of 30 vehicles between 17:00 and 18:00. The Trip rates presented in the TS are accepted by LCC Highways who state that;

'with consideration for the scale of this development (46 dwellings) it would be difficult to argue that the impact on Queensway, north of Kilnhouse Lane, of around 10 vehicles an hour (two-way) is at the point that would result in a severe impact which is the NPPF test. As such, with consideration for the current network conditions, it is LCC's view that this proposal falls below that point when considering cumulative impacts of all committed developments and all mitigation proposed'

Therefore the amount of vehicle movements created by this application is accepted as not being severe by LCC and is therefore acceptable. With regard to the junction with Heyhouses the analysis in the TS is that has excellent visibility and comfortably exceeds the design standards set out in 'Manual for Streets'. The TS outlines that the junction will operate with ample spare capacity with the proposed 46 dwellings in 2020 and with minimal queuing implications. LCC agree with this assessment. As such the development will not have an unacceptable impact in terms of highway capacity.

Proposed layout and parking

The application proposes 45 dwellings with a total number of 108 off street parking spaces proposed. LCC whilst stating that some of the sites internal road layouts may not be adoptable due to carriageway widths raise no objections to the internal layout or the amount of parking spaces proposed which is 200%. Officers view is that the layout is acceptable and offers pavements where necessary and shared spaces where there are few dwellings accessing the road. The layout from a design point of view is discussed in other sections.

Other highways issues

With regard to the impact on Construction vehicles LCC Highways request a condition so that a construction management strategy is submitted for approval prior to the commencement of development. With regard to the S278 works previously discussed they do not require any S106 contributions to any off site schemes.

The application at Valentines kennels 14/0580 to the north of the site whilst recommended for approval by officers was refused for three reasons by members. One of these reasons related to the accessing of the site on a temporary basis from Wildings Lane and how it would fit in and be delivered against the Queensway development and the uncertainty around the future of closure of Wildings lane to vehicles from the Valentines Kennels site. That decision is subject to a current appeal. The refusal reason applied to that application does not apply to this application as the development proposed here is located south of the point on Wildings Lane where it will be closed to vehicular access from Queensway. This application also does not prejudice the Valentine's Kennels application if the appeal was allowed as vehicles from that site could still use Wildings Lane with the

proposed off site works in place. The closure of Wildings Lane is not an issue to be considered in this application as this application proposes to permanently be accessed via Wildings Lane. LCC Highways have commented that the amendments have resulted in the road being more pedestrian friendly for when it is used as a sustainable link.

Highways conclusions

The development of 45 dwellings will not have an unacceptable impact on Wildings Lane or the junction with Heyhouses lane in terms of capacity or safety and appropriate conditions can be used to ensure that the construction phase does not have an unacceptable impact on residential amenity. The road improvements can be done entirely within the adopted highway and land owned by the applicants. When the Queensway site becomes available and Wildings Lane to the north becomes a sustainable footpath link this application will not prejudice that. LCC have stated that they have no objections to the development in terms of impact on highways capacity and that a safe access can be achieved at the site. There are therefore no highways issues or grounds for refusing the application on highways grounds with the development proposed.

Flooding and drainage

The application is located in Flood Zone 1, which is an area where vulnerable developments such as dwellings is permissible. The site is over 1 hectare and has been submitted with Flood Risk Assessment which outlines the current site conditions in that the site comprises mostly undeveloped grazing land (1.4 hectares) and an area of developed land (0.3 hectares). The site is of a relatively flat gradient with levels at the south of the site at 6.57m AOD and 4.4m AOD at the northern part of the site. Surface water at the site is currently drained through a potable water mains pipe which runs along Wildings Lane and a surface water drainage outlet at the south east of the site. Due to the increase in impermeable area by approximately 40% (0.64ha) following development, it is likely that surface water run-off rates for the site will be higher than the Greenfield run-off rates. The calculated 1 in 100 year storm events are 15.53 l/s and that this will be capped at 5 l/s to prevent the increased risk of surface water flooding. Therefore, in order to mitigate this increase in surface water run-off, it will be necessary to provide a drainage system for the site which will attenuate the increased run-off rates. In terms of the different options available for surface water drainage options the FRA states that based on the ground saturation it likely that soak-a-ways and infiltration SuDS will currently be unsuitable. Plans obtained from UU show that hat surface water drainage utilises the existing open ditches that bound the south east of the site, therefore surface water drainage is likely to be discharged into these ditches. The estimated storage volumes show that the inception storage volume, attenuation storage volume, the long term storage volume and the total storage volume equate to a total volume of 238.54m³ SuDS volume required to attenuate surface water runoff. Attenuated drainage will then discharge into the existing surface water ditches nearby. The FRA states surface water storage is recommended in the form of permeable paving and underground storage cells, rain water harvesting, green roofs or bio-retention areas in combination with permeable paving to create an attractive area as well as providing storage and treatment. Alternative infiltration structures can also drain water directly into the ground and can include infiltration trenches. It is possible to have a combination of all of the above potential SuDS features to attenuate the surface water run-off. In terms of foul water drainage the FRA states that the nearest foul sewer is 42m away on Jubilee Way and that the small size of the development means that the current sewage system will have the capacity to deal with the sewerage from the development.

The FRA has been considered by United Utilities, the Environment Agency and the Lead Local Flood Authority (LLFA). The EA have no comments to make on the application. United Utilities have no

objections to the development, they request a condition stating that foul and surface water be drained on separate system, that details of surface water drainage system be submitted for approval and also details of a management and maintenance plan for that system be submitted. The LLFA similarly have no objections subject to conditions including that an appropriate surface water drainage scheme be submitted along with details of its management and maintenance and also that finished floor levels are submitted to and approved in writing to the LPA. If approved the approval will be subject to conditions that meet the requirements of the drainage authorities.

Ecology

The application has been submitted with an ecological assessment which includes details of an extended phase 1 habitat survey of the site which presents an evaluation of the nature conservation significance of the site and assess the potential for impacts on habitats/species. Lytham Moss BHS is located adjacent to the site to the east. This local wildlife site comprises 283 ha of farmland to the east and north of the Wildings Lane site. Lytham Moss BHS is “of ornithological importance as a winter feeding ground for flocks of pink footed geese and whooper swans with bird numbers exceeding 0.5% of the British wintering population”.

Protected species

The site was surveyed to provide a preliminary evaluation of the nature conservation significance of the site and assess the potential for impacts on habitats/species likely to represent a material consideration in planning terms and determined the scope of further specialized surveys that may be required. The survey found that the site itself contained in differing amounts amenity grassland, bare ground, hardstanding and buildings, scrub, swamp, hedgerows and a ditch. In terms of potential for protected species the study found that otter, great crested newt or badger are not likely to be present on this site. The ditch which runs along the boundary of the site is considered suitable for use by water vole, for which recent records were provided within 2km of the site. Whilst the dense vegetation made visual inspection of the ditch for signs of water vole difficult, it is recommended that a precautionary approach is taken. The buildings present on the site provided limited roosting potential for bats, with the house being assessed as low potential and the stables and sheds of negligible potential based on an external inspection. No evidence of bats was found in the house during the external or detailed inspection for bats and it is considered that should bats be present this is likely to be restricted to individual/small numbers of bats which may roost on an occasional basis beneath lifted roof tiles. The site habitats may be used by foraging and commuting bats but the site comprises a small area and the main interest relates to the hedgerows and ditches which will be retained within the development design and the construction of houses within the site is unlikely to be a significant impact as the surrounding area already comprises residential dwellings.

GMEU, the Council’s ecologist, found that the ecological survey and assessment of the site has been undertaken by suitably qualified consultants and is to appropriate and proportionate standards. They state the survey has found that the site is not itself designated for its nature conservation value and is considered to have only low potential to support any specially protected or priority species. Overall they do not disagree with this assessment. However, they state that there are some features of local nature conservation interest that should be taken into account, including hedgerows, shrubs and a small watercourse. They note that a landscaping scheme has been submitted that provides some compensation for vegetation losses and state that this plan is satisfactory. They recommend that prior to any development commencing a survey of the watercourse should be undertaken for the possible presence of Water Voles. If water voles are found to be present then a method statement will need to be prepared giving details of measures to be taken to avoid any harm to water voles. Water voles are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended), that no vegetation clearance required by the scheme take place during the

optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person and that the precautions for avoidance of possible harm to bats as detailed in section 7.2.2 of the 'Atmos' ecological survey report dated October 2015 be required to be implemented. All UK bats and their resting places are specially protected in law. With such conditions in place there is considered to be no issues with regard to protected species.

Habitats Regulation Assessment

'Habitats Regulations Assessment' (HRA) relates to the Conservation of Habitats and Species Regulations, and applies to European sites (SPA, SAC and Ramsar sites). As at this site, however, a development site does not need to be within the European designated site to fall under the provision of the Regulations – in this case the surrounding area (Lytham Moss Biological Heritage Site) is known to support significant populations of wintering birds (and these are qualifying species of the Ribble Estuary SPA) and the Local Planning Authority therefore need to be satisfied that the development does not result in a significant effect on the European site as a result of impacts on the wintering birds. The application site is within 3km of the Ribble and Alt Estuaries Special Protection Area (SPA), a European designated site. Under Regulations 61 and 62 of the EU Habitats Regulations the Council has a formal requirement to assess the potential harmful impact of the proposal on the special interest of the SPA in the determination of the planning application. GMEU the Councils Ecologists note that;

- the site is relatively small
- the development will not result in any direct land-take of the SPA
- the site is separated from the SPA by significant areas of existing built development. There are no direct pathways between the site and the SPA
- the nature and current uses of the site mean that it is unlikely to be used as a refuge for any significant numbers of birds that could make use of the Estuary
- Although the site could cause some increased disturbance to the Estuary through increased recreational pressure, this impact is indirect and likely to be diffuse. Any potential impact is best managed by controlling access to the Estuary rather than at 'source'

GMEU conclude that the development proposal will not have any harmful impacts on the special interest of the SPA. They state that the site is also adjacent to the 'Lytham Moss' Biological Heritage Site (BHS) and is close to 'Lytham Moss Copse' BHS. They state that there will be no direct land-take of the BHS sites resulting from the development proposal and the development will not result in any (further) fragmentation of the sites. Whilst there may be some indirect disturbance to birds using the BHS sites caused by an increase in the local population, the population increase from this relatively small site is unlikely to be substantive.

Natural England in their consultation response confirmed that the application as submitted did not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by the LPA, i.e. the consultation does not include a Habitats Regulations Assessment. As such the applicants were asked to produce a shadow HRA which if NE had no objections to the Council could then adopt as its own. The initial draft was not acceptable to NE and was not sufficiently robust and was as such further revised (Atmos Consulting (Ref - 20607/R2/Rev3 3 June 2016). This HRA finds that there is no likely significant impact on the European site and therefore an Appropriate Assessment is not required. Natural England have responded that they concur with the findings of the HRA for the reasons outlined in the consultation response section. In summary significant effects can be ruled out or ruled out with mitigation including the timing of construction activities this being that during construction works will only be undertaken between 28th/29th February and 30th September (in any year) at the north-east corner

of the site, which lies within 200 m of the location where birds were recorded feeding. The rest of the site can be constructed outside of this period. In order to mitigate against recreational disturbance from the occupiers of the dwellings to the SPA bird species it is proposed that there is signage on appropriate boundaries to highlight the importance and sensitivity of the surrounding areas, a homeowner's pack to be made available to new and future homeowners, which would highlight and explain the sensitivity of the surrounding areas, the importance of keeping dogs on a lead and identifying other suitable recreational areas locally; and boundary fence lines which would be dog proof to prevent dogs accessing adjacent land independently. Natural England state taking into consideration of the projects identified by the applicant, the mitigation measures proposed for the impacts on whooper swan and curlew, they can confirm that this development will not have an in-combination effect on those SPA birds species ruled out at the LSE alone stage.

Ecology summary

The application presents an examination of the potential ecological impacts from the development of the site and concludes that there would be no significant impacts that cannot be mitigated. With appropriate conditions in place it is considered that there will not be any unacceptable impact on protected species or priority habitat. The scheme results in a loss of biodiversity, as does any scheme, however this proposal retains the features of greatest value and ecological and landscaping conditions will be put on any permission to mitigate the loss of biodiversity to a degree. It is considered that whilst there will be some loss of biodiversity that with mitigation the development of the site is acceptable and that the loss does not warrant justification for refusal of the application. The submitted HRA is acceptable and has been agreed with Natural England and as such will be adopted by the Council.

Other issues

Affordable housing

The Council's Strategic Housing team have commented on the application. Stating that they would be looking to ensure the affordable housing element of 30% is secured on this site. They state that the site is well connected in terms of public transport, close to Heyhouses and local amenities. In terms of tenure they require 60% rented and 40% LCHO. If members are minded to approve the scheme, the Applicant will have to enter into a section 106 agreement to ensure the provision of 30% of the site as affordable dwellings.

Education

The improvement of any identified shortfalls in local education facilities is a recognised aspect of a major residential development proposal such as this one, with Policy CF2 of the Fylde Borough Local Plan providing a mechanism to secure for this where Lancashire County Council advise that such an anticipated shortfall is identified.

In this case at the time that the consultation response was received LCC advised that there was capacity for primary education needs providing none of the outstanding applications at the time were approved. Since then a number have and so there is an anticipated short fall of capacity to meet the primary school education needs of the development. The response confirms that there is a shortfall of secondary capacity also and so a contribution request is made in respect of that level of education also. These requests are based on an agreed formula and would be for the anticipated yield of 7 secondary places and 17 primary places which total £336,339. A s106 agreement will secure the payment and phasing of the payment of these amounts.

Conclusions

The application is considered to be in a sustainable location and given the lack of a five year housing supply will assist in the delivery of housing. The principle of development is given further weight by the sites proposed inclusion in the settlement boundary of St Annes in the Neighbourhood Development Plan. The development will have an acceptable impact on the highways network and the access proposed is safe. The biodiversity of the site has been considered and it has been concluded that subject to appropriate mitigation that there will be not be any unacceptable impact on ecology. The impact on residents has been considered and whilst there will be some impact as with any major construction project it is concluded that the impact would not be so harmful as to refuse this application. Therefore the Committee are recommended to support the development and delegate officers to grant permission following the completion of the necessary s106 agreement.

Recommendation

That the authority to GRANT planning permission be delegated to the Head of Planning and Regeneration on completion of a Section 106 agreement that will secure:

- provision, retention and operational details for 30% of the proposed dwellings to be affordable properties
- a contribution towards addressing the shortfall of primary and secondary education capacity to serve the occupants of the development. This is expected to amount to £128,780 for secondary and £207,559 for primary with the agreement also clarifying the phasing of its payment and the projects it is to be spent on

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

1. The development 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. NEED TO ADD A LIST OF APPROVED PLANS HERE

3. Notwithstanding any denotation on the approved plans samples of the roof treatment and wall cladding [both inclusive of colour] shall be submitted to and approved by the Local Planning Authority no later than 21 days prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

Such details are not shown on the application and must be agreed to ensure a satisfactory standard of development.

4. 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 and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

Those details shall include, as a minimum:

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

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.

5. 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:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- b) 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

6. No development shall commence until details of the finished floor levels have been submitted to, and approved in writing by, the local planning authority. The development shall be constructed in accordance with the approved details.

Reason: For the avoidance of doubt, to comply with the requirements of the flood risk assessment Wilding's Lane, Lytham St Anne's by Atmos Consulting, December 2015, and to ensure a satisfactory standard of development.

7. No part of the development hereby approved shall commence until a scheme for the construction all site access and the off-site works of highway improvement have been submitted to, and approved by the Local Planning Authority in consultation with the Highway Authority. The site accesses and off-site highway works shall be completed before the development is first occupied unless otherwise agreed in writing by the Local Planning Authority. The following schemes to be covered by this condition include:

- a) The Main Site access junction off Wildings Lane and associated improvement works on Wildings Lane as agreed 'in principle' subject to detailed design and shown in revised site access plan (Drawing No. J614_Access-fig1, dated 13/07/2016),
- b) Introduction of MOVA at St Annes Road East signalised junction with St David Road; and
- c) Introduction of MOVA at St Annes Road East and Church Road

The scheme shall include a phasing plan for these works and shall be implemented in accordance with this agreed phasing.

(Note: Delivering these s278 works may require a review, consultation and implementation of new/or changes to TROs; the full cost for these to be funded by the developer.)

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site. Also, in order to provide safe access to the site for all users (motorised and non-motorised).

8. The Framework Travel Plan as agreed must be implemented in full in accordance with the timetable within it 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.

9. No development of any phase shall take place until a Construction Environmental Management Plan (CEMP), for the construction and operation of that proposed phase of development, is submitted to and approved by the Local Planning Authority. The plan shall detail:

- a) how biodiversity would be protected throughout the construction period
- b) the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
- c) the parking of vehicles of site operatives and visitors;

- d) loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the development;
- f) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- g) wheel washing facilities to be retained throughout the construction period by which means the wheels of vehicles may be cleaned before leaving the site;
- h) a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- i) a Management Plan to identify potential ground and water contaminants;
- j) details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction;
- k) a scheme to control noise during the construction phase,
- l) the routing of construction vehicles and deliveries to site including the direction of construction traffic

The development shall then proceed in full accordance with this approved plan.

Reason: In order to safeguard the biodiversity of the site, protect the water environment and public drinking water supplies, and to maintain the operation and safety of the local highway network, and to minimise the risk of pollution to occupiers of nearby buildings during site preparation and construction, in accordance with the provisions of the NPPF.

10. There shall not at any time in connection with the development hereby permitted be planted hedges, trees or shrubs within any visibility splay required to maintain safe operation for all users.

Reason: To ensure adequate visibility splays are maintained at all time.

11. Prior to the commencement of works there shall be a further precautionary inspection/survey of ditches to inform any change in the habitat quality for and use by water voles. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to Fylde Borough Council for approval in consultation with specialist advisors. Any necessary and approved measures for the protection of Water Vole will be implemented in full.

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

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

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

13. The precautions for avoidance of possible harm to bats as detailed in section 7.2.2 of the 'Atmos' ecological survey report dated October 2015 shall be implemented in full throughout construction of the development.

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

14. All existing lengths of hedgerow within the proposed residential development area shall be retained, except for where their removal is required for the formation of access points or visibility splays or in other limited circumstances where an equivalent or greater length of hedge is provided as a replacement and has been previously agreed in writing by the Local Planning Authority. No

removal, relaying or works to existing hedgerows shall be carried out between March and August inclusive in any one year unless otherwise agreed in writing by the Local Planning Authority.

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

15. Prior to the commencement of development a plan shall be provided to the Local Planning Authority for approval in writing in consultation with Natural England which clearly identified the area in the north east corner of the site where no construction works shall be undertaken between the 28th/29th February and 30th September of any year.

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

16. Notwithstanding the approved plans prior to the commencement of development full details of all boundary treatments shall be submitted for approval in writing to the Local Planning Authority. For the avoidance of doubt this shall include details of signage on appropriate boundaries to highlight the importance and sensitivity of the surrounding area and that fences shall be dog proof to prevent dogs accessing adjacent land independently.

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

17. Prior to occupation of the dwellings hereby approved full details of a homeowner's pack that will be made available to new and future homeowners, which would highlight and explain the sensitivity of the surrounding areas, the importance of keeping dogs on a lead and identifying other suitable recreational areas locally shall be submitted to and approved in writing by the Local Planning Authority.

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

18. Prior to the commencement of development the applicant shall submit a piling method statement in accordance with BS 7385: Part 2 and assessed to BS 5228 part 4 (enables a prediction to be made of the peak particle velocities from piling) for the effects of vibration on Buildings and Structure and also human health for approval in writing to the Local Planning Authority. For the avoidance of doubt the method statement shall include the predictions and any necessary mitigation; proposals for monitoring the vibration during the work program at noise sensitive properties; making local residents aware of times, duration and contact details of anyone on site during the work. This in accordance with the general time restrictions to be imposed on the construction site.

Reason: In the interests of residential amenity.

19. Construction phase (noise and vibration) levels shall not exceed 5mm/sec at the nearest sensitive premises as a result. This level is deemed to have a "moderate negative" impact on human health in accordance with BS 6472:19929

Reason: In the interests of residential amenity.

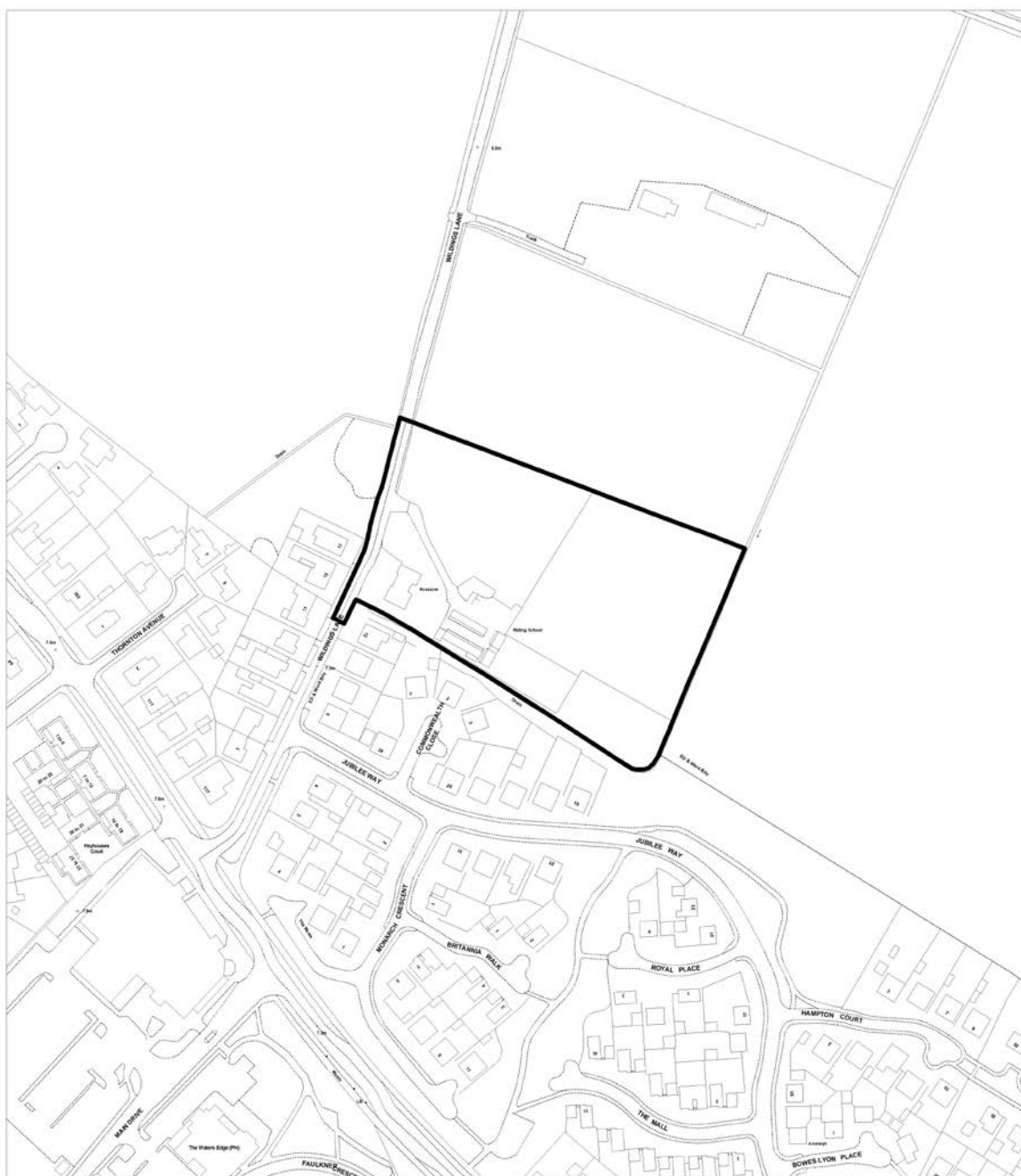
20. Notwithstanding the provision of Article 3, Schedule 2, Part 1, Class(es) A, B, C, D, E, F and G of the Town and Country Planning General Permitted Development Order 2015 [or any Order

revoking or re-enacting that Order], no further development of the dwelling[s] or curtilage(s) relevant to those classes shall be carried out without Planning Permission.

To ensure that the Local Planning Authority has control over any future development of the dwelling[s] which may adversely affect the character and appearance of the dwelling[s] and the surrounding area.

21. No development shall take place until full details of scheme indicating areas of public open space and / or children's play areas have been submitted to and approved by the Local Planning Authority. Such a scheme should make provisions in accordance the Council's adopted policy on public open space in terms of layout and requirements.

To ensure adequate on site play space.



Development Services Fylde Council		(c) Crown Copyright and database right (2016). Ordnance Survey (100006084).	
Application No. 5/16/0061	Address Land at Roseacre, Wildings Lane, Lytham St Annes	Grid Ref. E.3340 : N.4297	Scale 0 10 20 30 40 m

Item Number: 2

Committee Date: 02 November 2016

Application Reference:	16/0076	Type of Application:	Full Planning Permission
Applicant:	Mr and Mrs Taylor	Agent :	Fish Associates Ltd
Location:	IVY COTTAGE, CHURCH ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SE		
Proposal:	ERECTION OF TWO STOREY DWELLING TO REPLACE EXISTING WITH REVISION TO EXISTING ACCESS POINT. ERECTION OF SINGLE STOREY OUTBUILDING TO SIDE.		
Parish:	NEWTON WITH TREALES	Area Team:	Area Team 2
Weeks on Hand:	37	Case Officer:	Andrew Stell
Reason for Delay:	Design Improvements		

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

<https://www.google.co.uk/maps/@53.795886,-2.8475873,343m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to a detached farm cottage type property with various outbuildings located in the countryside to the north of Treales. The proposal is to demolish the dwelling and erect a replacement two storey property. This has been the subject of various revisions to its scale and design in order to achieve a satisfactory solution for the development, with that now being the case and so this element of the scheme is considered to be acceptable.

The application has also been revised during its consideration to seek permission for the erection of an outbuilding to the side of the site which has been partly constructed. The building is a substantial structure in a prominent location of the site and has led to the Parish Council raising objection to that element of the proposal. Whilst these concerns are understood, the building is of a suitable rural design and the application provides confirmation that strategic planting will be implemented to screen this impact. This is adequate to address officer concerns in this case.

The replacement dwelling and new outbuilding are considered to accord with the requirements of Policy HL4 and HL5 of the Fylde Borough Local Plan and so the proposal is recommended for approval.

Reason for Reporting to Committee

The recommendation for approval is in conflict with the views of the Parish Council and so it is necessary that the decision on the application is made by the Development Management Committee.

Site Description and Location

The application site is a detached dwelling located on a roadside location in the countryside north of

the defined settlement of Treales within a small collection of properties known as Bolton Houses. There is a detached garage to the side and a series of sheds and other outbuildings around. The neighbouring properties are to the north with open agricultural land to the south, west and east.

Details of Proposal

The application proposes a replacement dwelling for the existing property and associated outbuildings. This has been the subject of several revisions during the course of the application's determination and now involves the erection of a dwelling that has an L shaped footprint. This is sited so that the front part of the property runs parallel to Church Road to the opposite side of the access to the existing dwelling with a width of 18m and a depth of 7m. This element has two storeys to provide 4 bedrooms at first floor and a living room, lounge, snug and kitchen at ground floor. The other element is single storey only with a projection into the site of 14m and a width of 7m to provide an indoor swimming pool and a study. There is a patio area to the rear with a slight roof overhang and formal garden area provided.

This building has a simple design and rendered finish with limited vertical windows to the roadside elevation and larger openings to the rear to take advantage of westward views over garden area.

The latest revision to the plans include the completion of an outbuilding on land to the immediate south of the curtilage. This is a Wareings type construction with width of 12m and depth of 9.6. It is to be finished in random stone to 1.5m with Yorkshire boarding above and has a ridge height of 4.3m. The applicant has commenced construction of this on the understanding that it was permitted development, but its height and position in respect of the boundary is such that planning permission is required. It is understood that this building is designed to provide accommodation for the applicant's private cars and other domestic requirements.

The various proposals presented under this application propose a widening of the existing access to the site to a width of 5.5m with a hedge provided along the whole of the frontage including the area where the existing dwelling is immediately against the roadside verge. One iteration of the proposal included a second access point to the south of the site but this has been removed from the scheme under consideration.

Relevant Planning History

Application No.	Development	Decision	Date
16/0111	RETROSPECTIVE APPLICATION FOR CHANGE OF USE OF AGRICULTURAL LAND TO FORM EXTENDED DOMESTIC CURTILAGE	Outstanding	
92/0867	OUTLINE APPLICATION TO ERECT ONE DWELLING (BUNGALOW)	Refused	24/02/1993
74/0658	OUTLINE APPLICATION FOR ONE DWELLING HOUSE	Refused	05/12/1974

Relevant Planning Appeals History

None

Parish/Town Council Observations

Treales, Roseacre & Wharles Parish Council have been consulted on three iterations of the proposal.

In respect of the initial submission of a larger dwelling they confirmed their objection as it was felt that the scheme did not satisfy the requirements of Policy HL4 being substantially larger than the current dwelling. They also raised concerns regarding the proposed access location. (17/3/2016).

In response to the consultation on a revised submission they referred to the treatment of the front elevation of the property being more positive, and that the scheme addressed their concerns over the height, scale and mass of the original proposal. They also commented that the vehicle access concerns have been positively addressed. However, they objected to the submission as the works on the outbuilding had commenced at that time and they felt that the combination of that and the replacement dwelling would conflict with Policy HL4. (30/8/2016).

The most recent comments are on the scheme now under consideration including the replacement dwelling and the outbuilding as now being considered by Committee. These are dated 11/10/2016 and state:

"The above planning application was discussed at the meeting of Treales, Roseacre and Wharles Parish Council on 11 October 2016.

Councillors recognise that the applicant has attempted to address several of the issues raised by the Parish Council. The treatment at the front of the house is more positive and the design aspects with regard to height, scale and mass have been addressed resulting in less impact on the current street scene. Vehicle access concerns to the house have also been positively addressed and the council therefore support the proposals for the house design and scale.

However, since the original application was submitted, a building has been erected under what the applicant thought to be permitted development which now requires planning permission. Another access onto Church Road has also been added to the plans which may have highway safety implications. The Parish Council considers, this new building when combined with the new development, will result in over development of the site contrary to HL4.

Therefore Councillors resolved to OBJECT to the application in its current form but would be happy to consider any revised application.

In addition the Parish Council would encourage the applicant to plant trees along boundary with the road to break the mass of the development and around to new building also."

Statutory Consultees and Observations of Other Interested Parties

National Grid

They have assessed the proposal due to the proximity to pipelines and confirm that they have no objections.

Regeneration Team (Landscape and Urban Design)

Raises no objections to the proposal, but expresses a view that the trees and hedgerows on the site should be retained.

Regeneration Team (Trees)

He has assessed the proposal in respect to the potential impacts to trees within and around the site, and confirms that the works are sufficiently separated from these to avoid any adverse impacts. He therefore raises no objections.

Lancashire County Council - Highway Authority

They raise no objection to the proposed the widening of the existing access point and suggest their standard conditions relating to the surfacing of this access point.

United Utilities

They confirm that they have no waste water assets in the area and make standard comments about site drainage and water supply.

Neighbour Observations

Neighbours notified:	17 February 2016
Amended plans notified:	29 September 2016
Site Notice Date:	07 March 2016
Number of Responses	None

Relevant Planning Policy**Fylde Borough Local Plan:**

SP02	Development in countryside areas
HL02	Development control criteria for new housing proposals
HL04	Replacement and extension of rural dwellings

Fylde Local Plan to 2032:

GD4	Development in the Countryside
H7	Replacements and Extensions in Countryside
GD7	Achieving Good Design in Development

Other Relevant Policy:

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

Site Constraints

Pipelines
Within countryside area

Environmental Impact Assessment

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

Comment and Analysis**Policy Background**

The Fylde Borough Local Plan remains the development plan for the borough and so is the starting point for decisions on applications.

The application site is within the Countryside as designated by Policy SP2 of the Fylde Borough Local Plan. This is restrictive of new development that is not appropriate for a rural area. With this proposal being for a replacement dwelling the requirements of Policy HL4 relating to the scale of the replacement dwelling, and HL2 relating to the other normal planning considerations are relevant. These are assessed in this report.

The Fylde Local Plan to 2032 is to become the development plan following its adoption in 2017. As this plan is approaching adoption it gains more weight but at this stage it does not have full development plan status. The relevant policies for consideration are GD4 which allocates the site as Countryside, Policy H7 which imposes a restriction on the scale of new and replacement dwellings, and GD7 which deals with general design matters. These are also assessed below.

Scale of replacement dwelling

In the Fylde Local Borough Plan the scale of replacement dwellings is assessed through Policy HL4 which is driven by an intention to protect the character of the surrounding countryside. This is achieved by the Policy suggesting a volume increase of 33% over the original dwelling as being the maximum which is appropriate but is assessed alongside a requirement for the dwelling to reflect the scale of surrounding properties. Policy H7 of the Fylde Local Plan to 2032 takes a different approach in recognition of evidence which demonstrates that the majority of dwellings erected/extended in rural areas over recent years have been larger properties. This Policy looks to restrict the scale of new and replacement dwellings to preserve a stock of smaller rural dwellings by limiting the growth of extended and replacement dwellings to no more than a 33% increase over the footprint of the original dwelling.

With regard to the volume increase, the existing property is a two storey dwelling with a volume of 568m³. The proposed replacement has a volume of 910m³ and so is a 60% increase over the original. The volume of a long-established garage and outbuildings, and the outbuilding proposed here have not been included in this assessment. This volume increase is well in excess of the target of 33% in the supporting text to Policy HL4. However, the policy refers to the scale of replacement dwellings not being *“out of character with the rural character of the area or other traditional dwellings in the location”* rather than simply using the volume figure. When assessed against this test officers are satisfied that the proposed replacement dwelling is acceptable under the policy as it retains the appearance of a linear two storey dwelling located parallel to the road with a height, form and materials that are comparable with the existing property and the other buildings in that cluster of development which are also generally linear.

The Fylde Local Plan to 2032 assessment is based on the footprint of the dwellings. The existing property has a footprint of 106m² with the replacement being 234m² and so amounting to a 120% increase over the original dwelling. This is clearly contrary to the 33% maximum limit imposed by Policy H7 and so with that Policy being an absolute limit without any design caveat the proposal is in conflict with it. However, it is noted that the aim of that policy is to prevent the loss of the stock of smaller properties, and in this case the existing dwelling and replacement would both provide 4 bedrooms. It could therefore be argued that this scheme does not conflict with the aim of the Policy despite its conflict with the wording of it. It is also the case that the majority of the footprint increase is the rearward projecting element that has less impact on the rural character of the area, albeit that is not an assessment within the Policy. Perhaps of greatest importance here is that Policy H7 does not yet have development plan weight at this stage and so caution must be applied in the refusal of applications on this basis alone when there is not an outright conflict with a relevant development plan policy. Accordingly the officer advice is that the application should not be refused simply due to the conflict with Policy H7.

Erection of Outbuilding

This is located within the southern tip of the domestic curtilage to the dwelling and is reportedly intended to provide accommodation for the applicant's vehicles. It is particularly large for a domestic garage with a footprint of 12m x 10m, particularly high with a ridge height of 4.3m and is agricultural in appearance with a stone and Yorkshire boarding finish over a steel frame. With the combination of its size and location which is prominent in views approaching from the south (i.e. from Treales village on Church Road) it is understandable that the Parish Council have raised objection to the overall scale of development on the site as a consequence of this building.

Unlike with the dwelling assessment above, as this is to be a domestic outbuilding it should not be considered in the overall scale of developments on the site as the policies explored earlier deal only with the dwelling. That means that the assessment of this element of the proposal is to be made on its impact on the rural nature of the Countryside only. It is undeniably a large and prominent structure, and as works have commenced on the frame and a blockwork inner wall it currently has a very unattractive appearance. However, the intention of the application is to provide it with a more typical farm building appearance with a stone wall below a Yorkshire boarding upper elements and to provide landscaping to the more prominent southern boundary. It is also the case that a series of outbuildings within the site, including a double garage on the road frontage, will be removed following the redevelopment of the site which will to some degree balance off the visual impact.

Taking these issues together it is considered that this element is acceptable in this case and so does not justify a refusal of the application. A condition is needed to secure the appropriate finish, to ensure that it is used for purposes ancillary to the occupation of the dwelling, that the landscaping works are implemented, and that the existing outbuildings around the site are cleared.

Design of Dwelling

The scheme as originally submitted was for a larger replacement dwelling with a number of features such as an external spiral staircase to the southern gable, asymmetrical roofs, large areas of glazing and a range of other window and roof styles. These features contrasted with the simple rural design of the existing building and those in the surrounding area. The dwelling as now presented retains a more traditional feel with its form and simple gabled roof whilst providing it with a modern flavour through the use of modern vertical slit windows to the front elevation but larger glazed elements to the rear. This design is considered to better reflect the surrounding rural characteristics whilst providing a dwelling that will be more functional for a modern family lifestyle.

These changes allow the current proposal to comply with the relevant design requirements of Policy HL2 of the Fylde Borough Local Plan and GD7 of the Fylde Local Plan to 2032.

Access

The site has an existing single access point to Church Road which is around 3m in width, and the proposal is to widen that to 5m with the frontage hedge retained where it exists and replanted where it does not due to the existing property being on the edge of the roadside verge. This access will allow a suitably safe access to the site at a point where access is well established and so is in accordance with the requirements of existing and emerging Policy.

Other Matters

As there are no sewers in the area it is necessary for the site drainage to be undertaken by other means. A treatment plant is proposed for the foul water whilst the surface water arrangements are unclear. However, with the scheme being a replacement dwelling this is a matter that can be

secured by condition as it is clearly the same level of drainage and use as exists at present.

With the rural location of the site there is the clear potential for the site to support ecologically important species and habitats. To examine that the application was supported with a survey of the potential for it to support bats, birds and barn owls which was undertaken by an appropriately qualified ecologist. This concludes that there was no evidence of bats being present at the site, and that the nature of the buildings meant that they were unlikely to support roosting or nesting sites. It also confirms that there is no habitat on the site suitable to support barn owls. Finally the report confirms the suitability of the trees, hedgerows and other features to support breeding birds. Given these findings the report concludes that only a standard precautionary approach is taken and accordingly a condition to restrict the commencement of works during the bird breeding is the extent of measures needed to prevent a risk of harm to matters of ecological importance.

Conclusions

The application relates to a detached farm cottage type property with various outbuildings located in the countryside to the north of Treales. The proposal is to demolish the dwelling and erect a replacement two storey property. This has been the subject of various revisions to its scale and design in order to achieve a satisfactory solution for the development, with that now being the case and so this element of the scheme is considered to be acceptable.

The application has also been revised during its consideration to seek permission for the erection of an outbuilding to the side of the site which has been partly constructed, and an additional highway access which has not. The building is a substantial structure in a prominent location of the site and has led to the Parish Council raising objection to that element of the proposal. Whilst these concerns are understood, the building is of a suitable rural design and the application provides confirmation that strategic planting will be implemented to screen this impact. This is adequate to address officer concerns in this case.

The replacement dwelling and new outbuilding are considered to accord with the requirements of Policy HL4 and HL5 of the Fylde Borough Local Plan and so the proposal is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This consent relates to the following details:

Approved plans:

- Location Plan - Promap
- Proposed Elevations - Fish Associates drawing 854/PL/02 Rev E
- Proposed Site plan and first floor plan - Fish Associates drawing 854/PL/01 Rev F

Supporting Reports:

- Design and Access Statement - Fish Associates Rev A 31/3/2016
- Survey and Assessment in respect of bats, birds and barn owls - Echo Calls Bat Surveys 14 December 2015
- Report on Partial Structural Inspection - Davis Consultants Project 7771

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

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

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Fylde Borough Local Plan policy HL2 and the National Planning Policy Framework.

4. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the outbuilding hereby approved shall be constructed in accordance with the materials detailed on the approved plans listed in condition 2.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Fylde Borough Local Plan policy HL2 and the National Planning Policy Framework.

5. That the outbuilding hereby approved shall be used for purposes that are incidental to the residential occupation of the dwelling at Ivy Cottage only, and shall not be used in connection with any business or other such commercial / non-domestic use.

Reason: To ensure that the potential for disturbance to neighbouring amenity and harm to the rural character of the area is safeguarded in accordance with Policy SP2, EP27 and EP10 of the Fylde Borough Local Plan.

6. No development shall take place until a scheme for tree protection measures (both above and below ground) to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - a) Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of those trees to be retained;
 - b) Details of any excavation to take place within the root protection areas of those trees to be retained;
 - c) Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees to be retained.

The development shall thereafter be carried out in strict accordance with the protection measures contained within the duly approved scheme throughout the entirety of the construction period.

Reason: To ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence in accordance

with the requirements of Fylde Borough Local Plan policies EP12 and EP14.

7. Prior to the first occupation of the replacement dwelling hereby approved the existing dwelling, garage and outbuilding indicated for removal on the site plan approved under condition 2 of this permission shall be removed in their entirety and all resultant material removed from the site.

Reason: To ensure that the development preserves the rural character of the area by limiting the extent of built development on the site as required by Policy HL4 of the Fylde Borough Local Plan.

8. That no later than the completion of the first planting season (November - February) following the first occupation of the replacement dwelling the existing hedgerow running along the site boundary to Church Road and grass verge area between the hedge and the carriageway shall be reinstated in its entirety to provide a continuous hedge and grass verge along the frontage of the site with that road other than where an opening is required for the widened site access shown on the site plan approved under condition 2 of this permission.

Reason: To ensure that the development reinstates and then preserves the rural character of the area as required by Policy SP2 and EP10 of the Fylde Borough Local Plan.

9. Prior to the commencement of development a landscaping scheme shall be provided to indicate the species, planting location, planting density, phasing of planting and maintenance regime for a pocket of planting to be implemented to the south of then site to assist in assimilating the outbuilding element of this planning permission into the rural landscape. This landscaping scheme is to be implemented and maintained in accordance with the approved scheme.

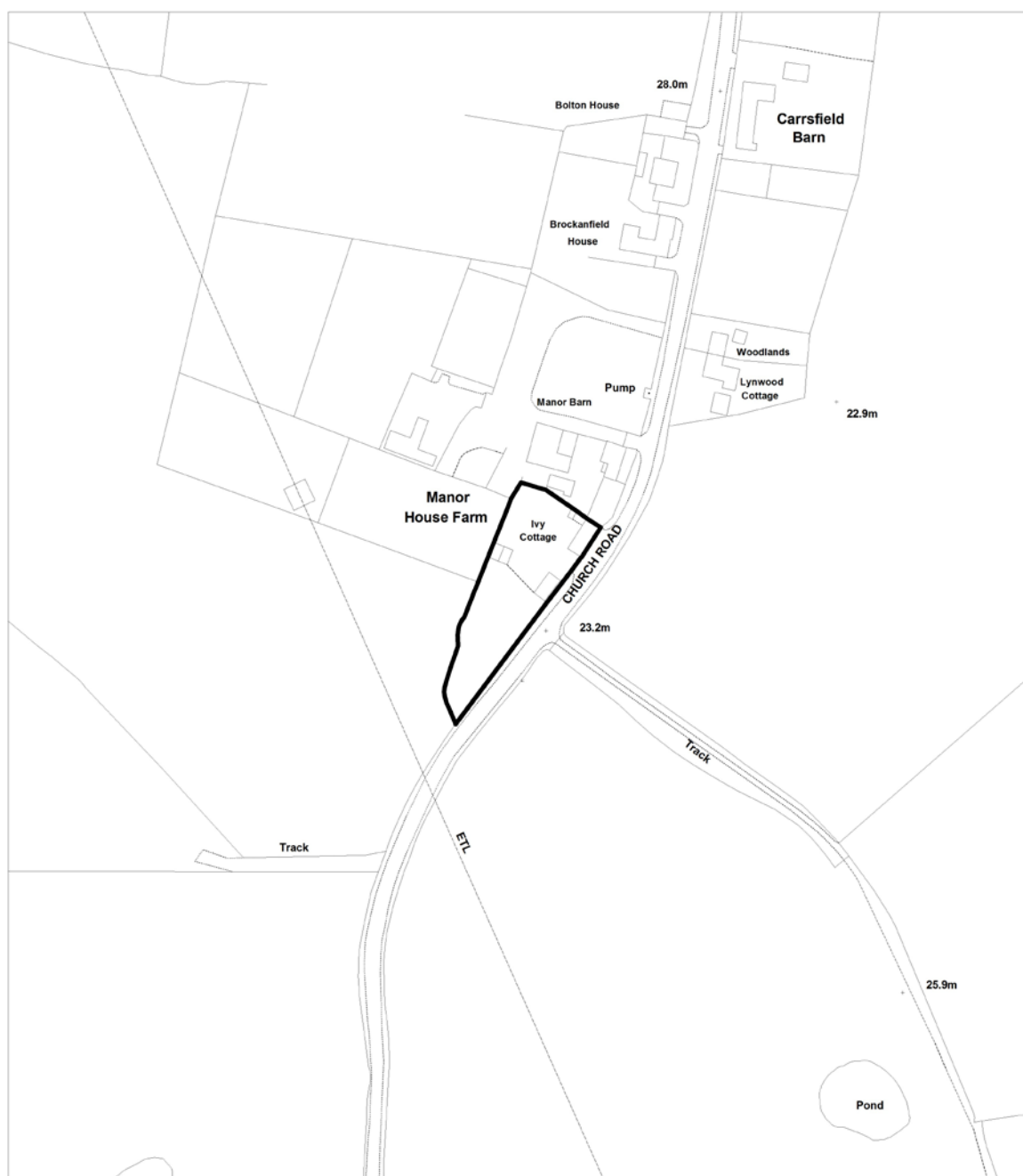
Reason: To ensure that the development reinstates and then preserves the rural character of the area as required by Policy SP2 and EP10 of the Fylde Borough Local Plan.

10. 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.

11. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the 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, to ensure that satisfactory provision of outdoor amenity space for the dwellinghouse is maintained and to safeguard the amenities of the occupiers of adjacent dwellings in accordance with the requirements of Fylde Borough Local Plan policy HL2 and Policy HL4.



Development Services Fylde Council		(c) Crown Copyright and database right (2016). Ordnance Survey (100006084).	
Application No. 5/16/0076	Address Ivy Cottage, Church Road, Treales	Grid Ref. E.3442 : N.4335	Scale 0 10 20 30 40 m

Item Number: 3

Committee Date: 02 November 2016

Application Reference:	16/0566	Type of Application:	Full Planning Permission
Applicant:	Errigal Developments Limited	Agent :	MCK Associates Limited
Location:	LAND OFF AMY JOHNSON WAY, OFF SQUIRES GATE LANE, LYTHAM ST ANNES, BLACKPOOL, FY4 2QS		
Proposal:	FORMATION OF ACCESS ROAD AND CAR PARKING FACILITY WITH 2.4M FENCE AROUND TO PROVIDE STORAGE FOR CAR DEALERSHIP STOCK		
Parish:	ST LEONARDS	Area Team:	Area Team 2
Weeks on Hand:	13	Case Officer:	Kieran Birch
Reason for Delay:	Need to report to Committee		

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

<https://www.google.co.uk/maps/@53.7766676,-3.0335407,687m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The site is an area of land associated with the airport that is adjacent to Amy Johnson Way and the various car showrooms in that area. The proposal is to form a car park which is intended to provide a parking area for vehicles associated with the operation of these showrooms.

Whilst the development involves the formation of a hard surfaced parking area it is an otherwise open land use that does not prejudice the future development and operation of the Airport. The visual impact will be minimal and there are no issues that should prevent the development on highways or drainage grounds. The proposal is therefore acceptable and is recommended for approval.

Reason for Reporting to Committee

The size of the site is such that the application is classed as a major development and therefore under the scheme of delegation it is necessary that it is presented to the Development Management Committee for determination.

Site Description and Location

The application site is located entirely within Fylde Borough but is immediately adjacent to the boundary with Blackpool Council. The site extends to 2.78 acres and comprises an area of grassland which was formerly part of the Blackpool Airport. Surrounding the site to the south and west are greenbelt land within the airport and forming the outfield to the runway, with various employment use buildings to the north and west.

Details of Proposal

The application is to form a new car park which will house 271 spaces. A new access road will be formed off an existing access from Amy Johnson Way and will lead to the car park. This car park is being built as a private car park in order to meet an identified need for vehicle storage associated with the adjacent car show rooms as these have limited off site storage. The application plans show an area for future industrial development but this does not form part of the application and would need to be subject to a future application. The car park will be constructed with a Tarmac finish with pre cast concrete kerbs, and the drainage connected to existing services on Amy Johnson Way. The car park will be permeable and will be bounded by a 2.4m green palisade fence.

Relevant Planning History

There is an extensive planning history associated with the airport and with the surrounding employment land. However, the only previous application on this part of the site is that listed below.

Application No.	Development	Decision	Date
07/0330	TWO AIRCRAFT HANGARS WITH TERMINAL BUILDING, OFFICES AND RESTAURANT WITH PARKING	Approved with 106 Agreement	23/04/2008

Relevant Planning Appeals History

None to report associated with this site.

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 25 August 2016 and comment:

"A small area of the proposed development is in the green belt area. We are aware of the Policy TREC 19 and Policy SP3 (docs attached) which relate to this development."

Statutory Consultees and Observations of Other Interested Parties

Blackpool Borough Council

No comments received.

Blackpool Airport

No comments received.

Lancashire County Council - Highway Authority

No comments received.

Lancashire CC Flood Risk Management Team

No objections to the development subject to surface water drainage conditions.

United Utilities

No objections subject to drainage conditions.

Neighbour Observations

Neighbours notified: 25 August 2016

Number of Responses

One letter from a neighbouring business stating:

"We received notification of the above planning application and wish to register our disapproval to it. We feel with recent development on the retail park that and further expansion of the industrial estate is going to causes further problems with access from Squires Gate Lane which already puts off potential businesses moving on to the estate. If there were to be a second access road to the estate this would alleviate our concerns. We are further concerned with the amount of available land on the estate and why the airport is being slowly decommissioned in this way."

Relevant Planning Policy**Fylde Borough Local Plan:**

SP01	Development within settlements
TR14	Blackpool airport
EMP2	Existing business & industrial uses

Fylde Local Plan to 2032:

T3	Blackpool Airport
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Other Relevant Policy:

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

Environmental Impact Assessment

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

Comment and Analysis**Principle of the development**

When considering this application regard should be had to the Development Plan which constitutes the Fylde Borough Local Plan and NPPF. The site is allocated within the Local Plan under policy TR14 – Blackpool Airport which states that the open lands of the airport will be safeguarded from development under policy SP3 which is the greenbelt policy, however that restriction cannot apply to this site as it is not located in the greenbelt. Policy TR14 states that development required in relation to the operation of the airport will be located in the areas outside the greenbelt identified on the proposals map, which would have applied to this site. As the proposal is for a private car park for nearby car showrooms on the face of it the application is contrary to policy TR14. The Local Plan to 2032 allocates the site under T3 – Blackpool Airport states that further development required in relation to the operation will be located in accordance with the masterplan prepared to guide development that delivers the objectives of the enterprise zone in the areas outside the green belt.

The NPPF supports sustainable economic growth and that planning should operate to encourage and not act as an impediment to sustainable growth. Despite the application being contrary to Local Plan policy the open nature of the application means that it does not prejudice the development of the site for aviation purposes in the future if granted. Furthermore application 15/0811 allowed the demolition of the airport terminal and the construction of a college building on airport land outside the greenbelt. This was permitted when considering the circumstances at the airport have changed

significantly since the adoption of the FBLP in 2005. In particular, the airport closed to large commercial flights in autumn 2014 and its classification has been downgraded in order that it is now only able to operate a limited number of commercial flights for light aircraft (currently provided by 'Citywing'), along with Bond Helicopters and other private charter flights. The development would not result in any diminution in airport services in comparison to those presently offered. In addition the development of 271 spaces could provide benefits to the wider area by removing on-street car parking in the employment area caused by the abundance of car sales premises in the area. Therefore on balance it is considered that the proposal is acceptable and does not create any harm to the airport, where alternative uses are accepted due its allocation as an enterprise zone.

Design/layout/visual impact

The proposal is for a car park which is an open land use with a 2.4m green palisade fence surrounding it. There is therefore minimal built structure and therefore the development will not have a significant visual impact. When viewed from the north and east the site is screened by other development and when viewed from the south and west the development is viewed with the backdrop of employment buildings behind it. In terms of the layout of the proposal policy TR10 relates to car park design and the application complies with this policy. The proposed car park is of typical layout for cars. The car park is considered to be safe for vehicles and pedestrians. Landscaping is proposed and the applicants indicate they will submit details that can be subject to a condition. There are therefore no issues with the design/layout.

Highways

No response has been received from LCC Highways or Blackpool Council highways department. It is considered that as the proposal is for a car park to store cars that will be sold at nearby car sales centres will not generate sufficient highways movements to have a severe highways impact as defined by the NPPF. There are therefore no highways issues that could justify refusal of the application.

Flooding and Drainage

The site is located within Flood Zone 1 which is classed as areas least likely to flood by the Environment Agency. United Utilities and LCC as the LLFA have no objections to the development and conditions can be placed on the permission to ensure both foul and surface water are appropriately drained. It is proposed to use permeable materials. Officers consider that as the site is not within a flood zone that a suitable drainage solution can be found which includes appropriate attenuation, there are no issues with flooding and drainage.

Conclusions

The development is an open land use which will have minimal visual impact and would not create any harm to the operation of the airport. It is not located in the greenbelt and will remove on street car parking. It is therefore considered acceptable in principle.

Recommendation

Planning permission be GRANTED subject to the following conditions:

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

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

2. This consent relates to the following plans and / or reports:

- (i) Location Plan – 16-127 1000
 - Proposed site layout 16-127 1001
 - Proposed layout 16-127 1002
 - Design & Access Statement – MCK associates limited

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

3. 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 and unless otherwise agreed in writing by the local planning authority, no surface water shall discharge to the public sewerage system.

Those details shall include, as a minimum:

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff .. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

The development shall be completed in accordance with the approved details.

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.

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

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

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

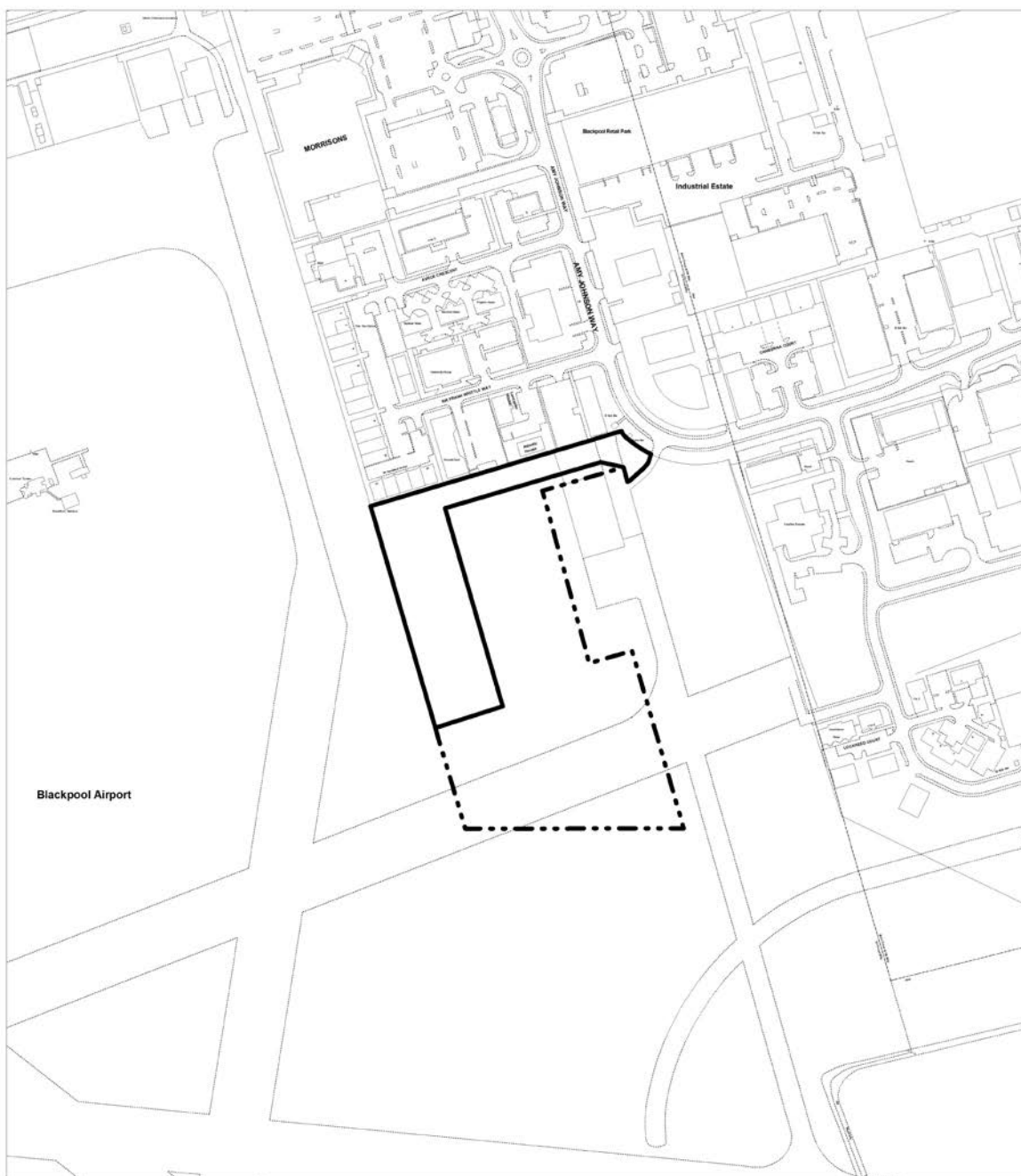
Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, and so to reduce the flood risk to the development as a result of inadequate maintenance, and to identify the responsible organisation/body/company/undertaker for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

5. The car parking as indicated on the approved plans shall be constructed, drained, surfaced and laid out to the satisfaction of the Local Planning Authority prior to the first use of the car park and shall thereafter be retained to the satisfaction of the Local Planning Authority solely for the purposes of car parking. The details of the construction and surface of the car park shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and then only these approved details shall be utilised in its construction.

Reason: To provide a satisfactory form of parking provision to ensure the character of the area is maintained.

6. Landscaping, including hard surface landscaping shall be carried out and preserved in accordance with a scheme and programme which shall be submitted to and approved by the Local Planning Authority before any development is commenced. Specific details shall include finished levels, means of enclosures, car parking [as applicable] hard surfacing materials, lighting and services as applicable soft landscape works shall include plans and written specifications noting species, tree and plant size, number and densities and an implementation programme. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

To enhance the quality of the development in the interests of the amenities of the locality.



Development Services Fylde Council		(c) Crown Copyright and database right (2016). Ordnance Survey (100006084).	
Application No. 5/16/0566	Address Land off Amy Johnson Way, Lytham St Annes	Grid Ref. E.3319 : N.4315	Scale 0 20 40 60 80 m

Item Number: 4

Committee Date: 02 November 2016

Application Reference:	16/0604	Type of Application:	Full Planning Permission
Applicant:	Woodys Group	Agent :	Eastham Design Associates Ltd
Location:	STILE FIELD FARMSTORE, KIRKHAM ROAD, NORTH OF BYPASS, FRECKLETON, PRESTON, PR4 1HY		
Proposal:	ERECTION OF EXTERNAL RACKING FOR THE STORAGE AND DISPLAY OF BUILDING MATERIALS AND ASSOCIATED PRODUCTS		
Parish:	FRECKLETON EAST	Area Team:	Area Team 1
Weeks on Hand:	12	Case Officer:	Andrew Stell
Reason for Delay:	Need to determine at Committee		

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

<https://www.google.co.uk/maps/@53.7707746,-2.8732477,172m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Introduction

The application was presented to the 12 October 2016 meeting of Committee when a decision 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."*

Since the meeting officers have met with the applicant and his agent with the result that a revised plan is to be presented to Committee which indicates the formation of a 1m wide area along the majority of the eastern edge of the driveway which is to be planted with a native species hedge that is to be maintained at a height of between 1.5m and 2.5m. This is intended to meet Member's wishes to provide an area of screen planting to soften the visual impact of the racking, particularly when seen in views across the adjacent field to the east of the site.

The applicant has also undertaken some of the modifications to the racking that is sited alongside the driveway by reducing its overall height and removing the sections nearest the road as is explained in the officer report. The Yorkshire board cladding has not yet been added.

No other matters have been raised and so the officer recommendation remains as on the previous agenda with the only change to the report below being the introduction of an additional condition (No. 5) to secure the implementation and maintenance of the landscaping works explained above.

Summary of Officer Recommendation

The application site is Woodys Warehouse which is an established building product and agricultural suppliers located on Kirkham Road between Kirkham and Freckleton. The site and surrounding area are located in the green belt which is designed to restrict development of the area to prevent these two settlements from merging.

The application is partly retrospective and relates to the erection of two sets of racking to the frontage of the site that are intended to be used for the storage and display of products on pallets. The racking has been erected, but this proposal is that the existing racking be reduced in height and length and that the rear elevation be clad in Yorkshire boarding to reduce its visual impact.

Government guidance and local plan policies on development within green belts is aimed at restricting development that could harm the open character of these areas. However para 89 of the NPPF does allow for limited infilling of brownfield sites where the impact of the development is such that it does not harm the openness of the green belt.

The racking is relatively large and exposed at the front of the site, but is clearly within a previously developed part of the site, and with the modifications proposed in this application it is considered that it would not be unduly harmful to the openness of the green belt or the visual amenity of the area. The proposal will also help support the business operations at the site and the contribution they make to the local rural economy through the supply of products to a range of agricultural and other local enterprises.

There are no other matters raised by the development that would prevent its approval and so as it is in accordance with NPPF guidance in para 89 it is recommended for approval subject to conditions to ensure the proposed modifications are undertaken and to appropriately control its use.

Reason for Reporting to Committee

The officer recommendation for approval is in conflict with the views of the Parish Council and so the Scheme of Delegation requires that the application is determined at Committee.

Site Description and Location

The application site is an existing well-established builders merchants located in the green belt between Freckleton and Kirkham and accessed off Kirkham Road which connects those two settlements.

The site contains two detached buildings located to the rear of the site with one used as the small goods retail area and counter/office and the other for the storage of larger goods. There is a yard area to the front that is used for a mixture of parking and the display/storage of goods and has recently seen the erection of the racking that is the subject of this application.

The surrounding land uses are mixed with agricultural fields to the east, grazing lands associated with Kirkham Prison to the north and residential properties to the western side and across Kirkham Rd to the south. There are other residential properties in the wider area including across the field to the eastern side.

Details of Proposal

The applicant erected two sets of racking to the site frontage in March 2016 under the belief that these would not require planning permission. That is not the case and this application seeks retrospective planning permission for the racking albeit in a modified form to that which currently exists on site.

The revised racking would retain two rows. One runs alongside the access route and has a length of 22m x 1m wide x 3.5m high. The racking supports shelves internally which allow for the stacking of pallets of bricks, compost, agricultural equipment, etc. with a height to accommodate 3 pallets. The proposal is that the rear elevation of this (facing the access track and approaches to the site from the east) would be clad in timber boarding with a natural grey finish and blue corner pieces to reflect a more typical rural building in appearance. The other row is located more centrally on the frontage and is double sided with a length of 28.4m, width of 2m and height of 4m so is capable of storing 4 pallets in height.

The application is supported with a planning statement that refers to the planning history of the site, its brownfield nature, and the benefits that it brings to the Woodys Warehouse operation, and the benefits that that business contributes to the local economy. Reference is made to para 89 of the NPPF with the statement arguing that the modifications to the racking will provide an improved visual appearance, and so be consistent with planning policy.

Relevant Planning History

Application No.	Development	Decision	Date
09/0195	CHANGE OF USE FROM AGRICULTURAL LAND TO RETAIL FORECOURT (USE CLASS A1)	Granted	10/06/2009
09/0191	PROPOSED VEHICLE HARD STANDING AND TURNING AREA.	Granted	10/06/2009
07/1187	PROPOSED VEHICULAR ACCESS TO SMALL HOLDING	Granted	20/02/2008
07/0463	CERTIFICATE OF LAWFULNESS FOR RETAIL AND WHOLESALE OF AGRICULTURAL SUPPLIES, BUILDING MATERIALS AND PRODUCTS, A1 AND B8 USE	Granted	02/10/2007

Relevant Planning Appeals History

None to report.

Parish/Town Council Observations

Freckleton Parish Council notified on 11 August 2016 and comment:

“The Parish Council objects to this application for the following reasons:-

- a) The new external Racking structure, for the storage and display of building materials, is too high and contravenes the conditions set out in Planning application 09/0195. In addition it has a visual impact on the residential properties that overlook the site.*
- b) The proposed Yorkshire boarding would be more detrimental visually and would be a further invitation to promote advertising resulting in a very large billboard and more of an eyesore.*
- c) This type of structure is in-appropriate for general area around the site, which is recognised as being a green belt area.*
- d) The Parish Council would like to point out that the width of the road, at the entrance to this site, is too narrow to cope with the significant increase in the number of large articulated Lorries making deliveries, because of the increase in the different types of stock being stored at the site. When entering and leaving this site the Lorries have to mount the narrow kerb*

and this is a danger to children whilst walking to school and for mother with toddlers when passing with a pushchair or pram. In addition, these vehicles have caused damage to residents' fence and gate posts on the opposite side of the road. There is a designated industrial park, with vacant units less than half a mile away with better vehicular access.
e) The Parish Council supports the concerns raised by National Grid."

Statutory Consultees and Observations of Other Interested Parties

BAe Systems

Raise no objections to the proposal.

Ministry of Defence - Safeguarding

Raise no safeguarding objections to the proposal.

National Grid

They highlight the presence of apparatus in the vicinity and provide plans to indicate its location. This is an 'intermediate pressure pipeline' that has a building proximity distance of 3m. They then highlight the legislation relating to ensuring that works in the vicinity of such installations are undertaken with appropriate levels of safety.

Neighbour Observations

Neighbours notified:	11 August 2016
Site Notice Date:	15 August 2016
Number of Responses	5
Summary of Comments	<p>All comments received raise objection to the development, with the grounds of objection summarised as follows:</p> <ul style="list-style-type: none"> • The industrial appearance of the site is inappropriate in a rural area such as this • The industrial appearance of the racking is harmful to the outlook of a number of neighbouring properties that face it. Photos are provided of the existing racking to indicate this. • The stacking of equipment over 2m in height is in conflict with the regulations and permissions in place in this area • The use of boarding to the rear elevation will be used to attach advertisements and so compound the eyesore • There is an industrial estate nearby and it would be preferable for the business to relocate to that suitable area rather than develop further here • The racking will be used to store goods which will be accessed by fork lift truck which could cause a distraction to drivers, impact on highway safety, and cause noise concerns to neighbours. • Highlight that the site is green belt irrespective of whether it is brownfield as claimed by the application. • Claims made in the supporting information are disputed • The proposed alterations to the existing racking will not address the scale and visual impact concerns. • The removal of hedging around the site some years ago made the site much more prominent and this is compounded by this proposal.

- Highlight the National Grid objection
- That the structures are built and so the submission of this application is too late and makes a mockery of the process and requesting resident views.
- Request that the application is determined consistently with applications for residential development on a nearby site which have been consistently refused.

Relevant Planning Policy

Fylde Borough Local Plan:

SP03	Development in green belt
EMP3	Business & industrial uses outside defined area
EP11	Building design & landscape character

Fylde Local Plan to 2032:

EC2	Employment Opportunities
GD2	Green Belt

Other Relevant Policy:

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

Site Constraints

Within Green Belt

Environmental Impact Assessment

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

Comment and Analysis

Policy Background

The site is within the Green Belt as designated by Policy SP3 of the Fylde Borough Local Plan (as amended) 2005. This is the development plan in place across the borough, with Policy SP3 consistent with current guidance in para 89 of the NPPF regarding the development that is acceptable in green belt areas. Policy SP3 explains that most development is inappropriate so that the open character of green belt areas are preserved, with only limited exceptions to this allowed.

Policy EMP3 supports industrial development outside of rural areas subject to criteria including the access being appropriate, that there is no impact on neighbouring residential amenity, and that the scale is appropriate to the character and setting of the area.

Policy EP11 is relevant and requires that all new development in rural areas is of a high standard of design with the scale, features and building materials used in that development being reflective of the local vernacular

The Fylde Local Plan to 2032 will replace the Fylde Borough Local Plan as the development plan for

the borough in due course. This Plan is therefore a material consideration of growing weight in the consideration of applications. It retains the green belt allocation of the site with Policy GD2 of that Plan guiding development in green belt areas and requiring that it complies with current national guidance for green belts.

Planning History of Site

The site has historically traded as a farm supply outlet. This was formalised following the submission of an application for a Lawful development Certificate in 2007 which provided sufficient evidence to demonstrate that this use had continued for the 10 years preceding that application. Accordingly the Certificate was granted and confirms that the use of the site for the 'wholesale and retail supply of agricultural supplies, building materials and products' is lawful. The site has continued to operate under that lawful use since that time as 'Woodys Warehouse'.

The only more recent application dates from 2009 when planning permission was granted to allow an extension of the extent of the front yard area by the incorporation of a strip measuring 8m in width to the western side of the original area was approved. That permission included conditions to limit the use of the area to form an extension to the storage, to limit the height of storage to 2.1m, and to maintain a hedge to the frontage to screen the site. This is referred to in resident and the Parish Council comments as though it imposes a height restriction over the whole site: it does not as it only applies to part of the site frontage and the racking is outside of that area.

Need for Planning Permission

The racking is of a scale that requires it to be attached to the ground through a series of bolts that connect it to a level concrete plinth that has been formed to support it. This ensures that it is a 'building' and so is development that requires planning permission. If it were to be free standing and supported simply by its own weight on the original ground level that would not be the case, and it is understood that this detail led to the applicant erecting the racking in the mistaken belief that planning permission would not be required.

Protection of Green Belt

The site is in the green belt and so it is necessary to examine the development against green belt planning policies in the current and emerging Local Plans. In both cases these reflect national guidance which explains (at para 79 of the NPPF) that the *"fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."*

Para 80 then explains that the five purposes of the green belt are:

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

The assessment of applications in green belt areas is provided by para 89 which explains that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. A series of exceptions to this are then provided with the only one that could apply here being *"limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."*

If this development is not considered to meet that exception then it is contrary to the NPPF guidance and local plan policies, unless it is accepted that there are other material considerations that outweigh the harm that is caused by inappropriate development in the green belt.

Visual Impact of Development

The site is readily visible from Kirkham Road, particularly when approaching from the east (i.e. from Kirkham) where the open field alongside the site allows clear views to be obtained over the roadside hedge. Prior to the erection of the racking the site had a relatively minor visual impact with the single storey office/retail building being the most visible element and set well back in the site, with the larger open fronted store set to the rear of that against a tree backdrop ensuring that had a limited visual impact.

The racking that has been erected on site changes that with the introduction of industrial style racking to a prominent location on the site frontage with its height, length and galvanised construction exacerbating the prominence in its rural setting. As it currently exists on site this visual impact is unduly harmful to the character of the area and the green belt.

The applicant has sought to reduce that impact through the reduction in the length of the racking by 6m from the site frontage, the reduction of the height by 600mm, and by the fitting of Yorkshire boarding style cladding to the rear elevation. These measures will reduce the scale of the racking that is viewed in this aspect, and will give it an appearance that is more in keeping with the surrounding rural area.

The structures are also visible from other aspects: there are glimpsed views when travelling on Kirkham Road from the west (i.e. from Freckleton) as it becomes visible beyond the adjacent dwelling and the trees in its garden, and there are views from the neighbouring dwellings around the site.

With regard to the first of these the views are relatively fleeting due to the position of the racking on the site and the screening provided by the dwelling at Freckleton Cottage and trees, and as a consequence it is considered that this impact is at an acceptable level.

A number of the surrounding neighbours have written to oppose the development on the basis of its appearance from their dwellings. This is effectively an argument based on the change to their view which is not in itself a planning consideration as it is of 'private' not 'public' interest. The racking is well separated from these properties and so will not cause any massing, over bearing or other such impacts.

The racking does have a visual impact, but with the alterations proposed it is considered that this visual impact will be reduced to an acceptable level. Policy EMP3 allows for employment development outside of defined areas and so applies here. This is supportive of such proposals providing they do not impact on neighbour amenity and is acceptable in its design and scale. This scheme is considered to comply with those requirements. Policy EP11 goes further and requires that building materials reflect the local vernacular style, and with the proposed use of cladding to the visible elevation this will be satisfied.

Economic Benefits

The racking is to serve the existing and well-established Woodys Warehouse business. In their supporting statement the applicant refers to the costs that the business has incurred in the erection of the racking, the costs involved in its alteration and the economic benefits that its retention will

bring to themselves and the local economy which they support through the supply of the products.

The NPPF refers to the need for the planning system to support the rural economy at para 28 where it encourages *“support [for] the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings “* The modifications proposed in this application as described earlier will ensure that the structure has an acceptable design, and it will clearly support the continued development of the Woodys Warehouse operation and so the elements of the local farming, building and other economic sectors that utilise its services.

The economic benefits of the increased scale and quality of display space at the site as is involved in this application is therefore a factor in favour of the development.

Overall Planning Balance

There is a fine balance to be struck with this application, with the visual impact of the structure and its impact on the open character of the green belt to be measured against the efforts proposed to mitigate that harm through reduction and alterations to the building, and the claimed economic benefits of the scheme.

With regards to the green belt impacts it is necessary to examine if the proposal involves inappropriate development as defined in para 89, and if so whether it is harmful to the openness of the greenbelt, and then whether there are any ‘very special circumstances’ to outweigh that openness harm. In this case the site is clearly brownfield by virtue of the well-established commercial use undertaken, which includes the part of the site where the racking stands. It is also the case that the impact on the openness of the green belt is limited as the revised racking would be set against the backdrop of other development on the site from all aspects where it can be readily seen, with the consequence being that its impact on the openness of the green belt will not be materially greater than the position prior to its erection. As such it is considered that the proposal will comply with the final bullet point of para 89 and so is not inappropriate development in a green belt area.

Accordingly it is officer opinion that the proposal is acceptable subject to conditions that will require that the alteration works are undertaken promptly, that the use is limited to the display of goods for sale at this site only and only then within the structure rather than on its roof, and that the use remains associated with the existing business so that it continues to contribute positively to the local economy.

Access and Parking

The site has a single vehicle access point to Kirkham Road which is used by delivery, staff and customer vehicles. The racking is located alongside this access point but does not affect its location. Furthermore the racking is positioned so that a 5m wide driveway is retained which is adequate to allow two way movements of vehicles. As such the racking has no impact on the operation of the access to the site. Residents and the Parish Council argue that the racking will lead to larger HGVs visiting the site and causing safety and congestion issues on Kirkham Road. However, the size of vehicles serving the site could change irrespective of the erection of the racking and this cannot be a reason to refuse this application.

As it is located on the front forecourt area to the site there is a possibility that the racking could impact on the internal parking and circulation space. However, it is positioned on areas of this yard that have historically been used for product display and so there is effectively no change in the parking and turning arrangements, with these all satisfied elsewhere within the site.

Fork lift trucks will be used to load and unload products from the racking, but these will operate in the areas around the racks without any realistically likely conflict with the general operational areas of the site, with the safe working of these vehicles a matter that is covered by other legislation.

Other Matters

The Parish Council refer to supporting the objections of National Grid. In fact, National Grid have not raised any objection to the application although they have highlighted the presence of a pipeline in the vicinity of the site. The plan they supply indicates that this is located within the footway on Kirkham Road and the racking is located well in excess of the 3m building proximity distance specified. As such there is no issue with the proximity of the racking to this pipeline.

Residents have referred to the loss of property value as a consequence of the development. This is not a material planning consideration that can be given any weight in the determination of the application.

Reference has been made for the potential for the racking to be used for the display of advertising banners. Such features would require separate consent under the advertisement regulations and so any proposals to display banners in this location would be examined through that process, although concerns over the impact of such features on the amenity of the area have been raised with the applicant.

Conclusions

The application site is Woodys Warehouse which is an established building product and agricultural suppliers located on Kirkham Road between Kirkham and Freckleton. The site and surrounding area are located in the green belt which is designed to restrict development of the area to prevent these two settlements from merging.

The application is partly retrospective and relates to the erection of two sets of racking to the frontage of the site that are intended to be used for the storage and display of products on pallets. The racking has been erected, but this proposal is that the existing racking be reduced in height and length and that the rear elevation be clad in Yorkshire boarding to reduce its visual impact.

Government guidance and local plan policies on development within green belts is aimed at restricting development that could harm the open character of these areas. However para 89 of the NPPF does allow for limited infilling of brownfield sites where the impact of the development is such that it does not harm the openness of the green belt.

The racking is relatively large and exposed at the front of the site, but is clearly within a previously developed part of the site, and with the modifications proposed in this application it is considered that it would not be unduly harmful to the openness of the green belt or the visual amenity of the area. The proposal will also help support the business operations at the site and the contribution they make to the local rural economy through the supply of products to a range of agricultural and other local enterprises.

There are no other matters raised by the development that would prevent its approval and so as it is in accordance with NPPF guidance in para 89 it is recommended for approval subject to conditions to ensure the proposed modifications are undertaken and to appropriately control its use.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This consent relates to the following details:

Approved plans:

- Location Plan - Land Registry plan title LAN64611
- Site Plan and Elevations - Eastham Design Associates drawing 1185-16-01 Rev D

Supporting Reports:

- Planning Statement

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

2. That within 3 months of the date of this permission the racking on site shall be modified to relate to the details indicated on the plan approved under condition 1 of this permission. The racking shall thereafter be retained at this scale, design, appearance and location on the site.

Reason: To ensure that the racking has an appropriate scale and appearance to reflect the rural character of the area and to avoid impacts on the openness of the green belt as required by Policy SP3 and Policy EP11 of the Fylde Borough Local Plan.

3. That no products shall be stored on the racking at a height that exceeds 3.4m on the eastern racking and 4m on the western racking (ie on the roof level).

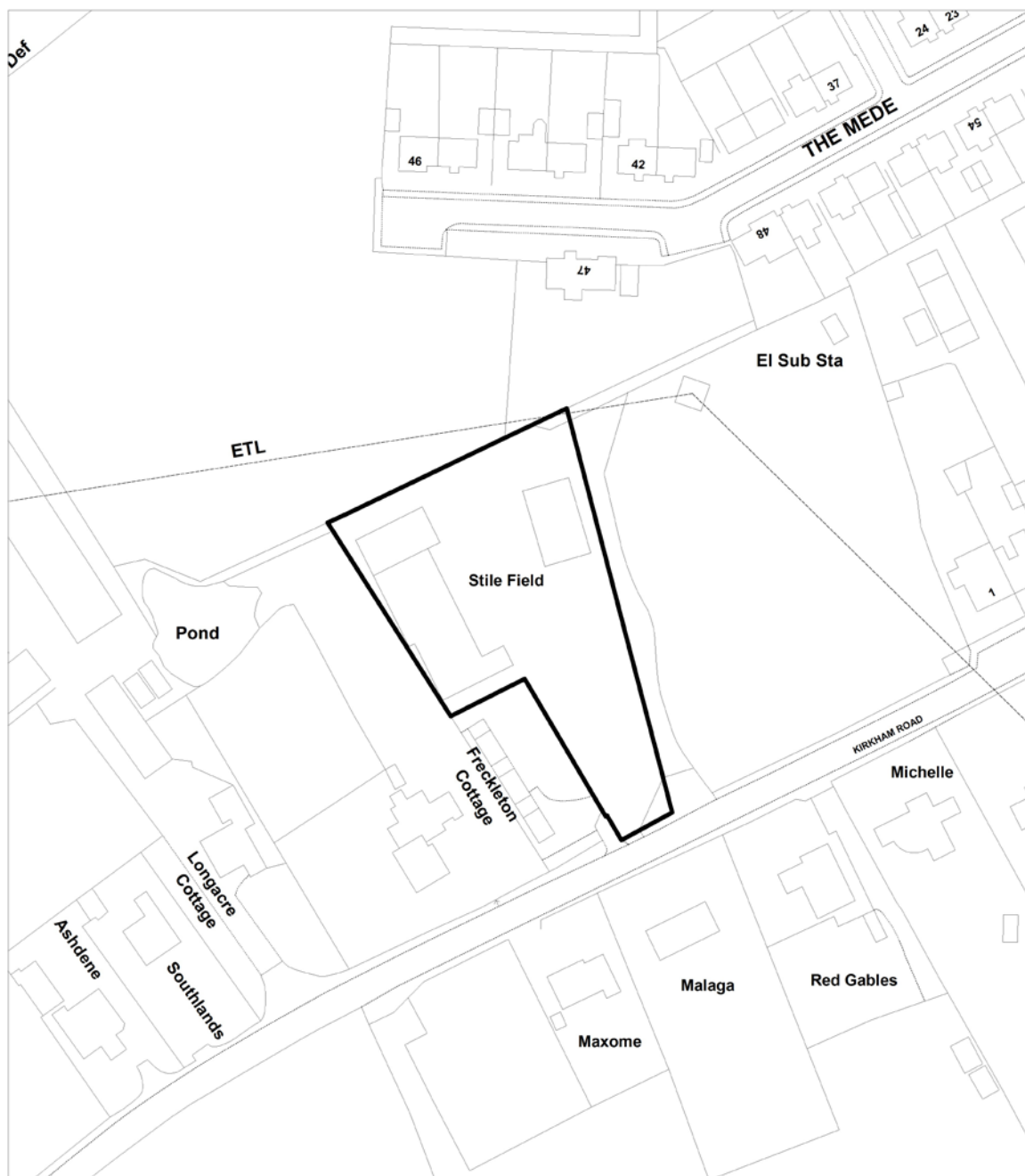
Reason: To ensure that when operational the racking has an appropriate scale and appearance to reflect the rural character of the area and to avoid impacts on the openness of the green belt as required by Policy SP3 and Policy EP11 of the Fylde Borough Local Plan.

4. That the racking hereby approved shall only be used for the storage, display and sale of goods associated with the Woodys Warehouse business (or its successors) as undertaken at the application site.

Reason: To ensure that the racking is used for purposes that relate to the existing use of the site in accordance with the proper planning of the area.

5. That during the first available planting season following the grant of this planning permission (Nov 2016- Feb 2017) a planted bed shall be formed alongside the eastern edge of the driveway access to the site as shown on the site plan approved as condition 2 to this planning permission. This bed shall be planted in that planting season with a native species hedge of the specification shown on that plan, with this hedge subsequently established and then maintained thereafter at a height of between 1.5m and 2.5m.

Reason: In order to provide a natural visual screen to the racking approved so as to minimise its impact on the streetscene of Kirkham Road in accordance with Policy SP2 of the Fylde Borough Local Plan.



Development Services Fylde Council		(c) Crown Copyright and database right (2016). Ordnance Survey (100006084).	
Application No. 5/16/0604	Address Stile Field Farmstore, Kirkham Road, North of Bypass, Freckleton	Grid Ref. E.3425 : N.4308	Scale 0 6 12 18 24 m

Item Number: 5

Committee Date: 02 November 2016

Application Reference:	16/0620	Type of Application:	Discharge of Conditions
Applicant:		Agent :	Barratt Homes
Location:	LAND ADJACENT LITTLE TARNBRICK FARM, BLACKPOOL ROAD, KIRKHAM		
Proposal:	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITION 21 ON PLANNING PERMISSION 15/0700 - AFFORDABLE HOUSING STATEMENT		
Parish:		Area Team:	Area Team 1
Weeks on Hand:	4	Case Officer:	Andrew Stell
Reason for Delay:	Not applicable		

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

<https://www.google.co.uk/maps/@53.7842888,-2.9020196,343m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Delegated to Approve

Summary of Officer Recommendation

This application relates to the part of the Little Tarnbrick site that lies to the west of the two and so most distant from Kirkham and has outline planning permission for residential development that was allowed on appeal. In his decision the Inspector imposed a condition to secure the arrangements for the affordable housing delivery in the development. This application is to agree the details of that.

The developer proposes that the scheme provides 54 dwellings as affordable housing, with 27 of these being for affordable rent, 15 for shared ownership and 12 for discounted market sale. This provides for 30% of the total and so is in accordance with the requirements of Policy H4 of the Fylde Local Plan to 2032. It also provides a mix of tenures which reflects the identified local needs.

The decision on such matters is delegated to officers, but in this case the developer has proposed that the 12 discounted market sale properties could be available for purchase by those in housing need without a connection to the borough should purchasers not be found with that connection within an agreed period of marketing. This is contrary to a previous decision of this Committee that affordable housing in Fylde be only available to those with a connection to the borough and so a specific Committee view is sought here.

Officers are satisfied that the overall affordable housing arrangements are acceptable and will enable one of the largest housing schemes in the borough to provide its full obligation of 30% affordable units on-site in a timely manner and with a range of sizes and tenures that reflects the local needs for affordable housing. As such the potential for a small number of these properties to be sold to those in housing need from elsewhere forms an acceptable element of this 'deal'.

Accordingly Committee are recommended to support the proposal. The decision to

discharge the condition should be delegated to officers so that a number of legal queries over the on-going maintenance of the dwellings as affordable properties can be agreed between officers and the applicant prior to the formal discharge of the condition.

Reason for Reporting to Committee

Whilst such matters fall within the Scheme of Officer delegation and are not subject to any formal consultation, the proposal here involves the possibility that affordable housing could be provided for those without a direct Fylde Borough connection. As this would conflict with the agreed occupancy requirements for affordable housing to be delivered through the planning system it is considered necessary for Committee to determine this application.

Site Description and Location

The application site is one of two adjoining parcels of land that were granted planning permission on appeal in 2014. The sites lie to the south of Blackpool Road and west of the defined settlement of Kirkham in an area known as the 'Kirkham Triangle'. Of the two sites this is the westernmost one which has the greatest separation from Kirkham.

Details of Proposal

Background

The outline planning permission granted on appeal was reference 12/0635 and secures permission for the erection of up to 180 dwellings. That outline planning permission has subsequently been replaced by outline planning permission reference 15/0700 which is identical in all respects other than the wording of a condition was revised relating to the energy efficiency obligations of the development.

The appeal Inspector concluded that the provision of affordable housing should best be secured by the imposition of a planning condition (rather than the more usual legal agreement), and this application is to agree the details for that planning condition with the wording to the 2015 application identical to that imposed by the Inspector.

As further background the prospective developer has secured approval for the reserved matters of the site under reference 15/0308 and submitted the details needed to discharge the other conditions. This application is therefore the final element needed to be agreed prior to the commencement of development.

The Condition

Condition 21 of planning permission 15/0700 (and 12/0635) states:

The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the NPPF or any future guidance that replaces it. The scheme shall include: the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of 30% of the housing units; the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing; the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no Registered Provider is involved); the arrangements to ensure that such

provision is affordable for both first and subsequent occupiers of the affordable housing; and the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure that an appropriate and proportionate contribution towards affordable housing is made as part of the development in order to meet local need, and to ensure that any affordable housing remains affordable in perpetuity in accordance with the requirements of policy H4 of the Fylde Local Plan to 2032 (Revised Preferred Option) and the National Planning Policy Framework.

The Proposal

The reserved matters approval for the layout indicates the location and houstypes of the affordable housing element of the development. For this application an Affordable Housing Statement is provided which explains how the developer intends that it will be operated. The key details of this are:

- Number of Dwellings – The proposal is that 54 of the 180 dwellings be affordable.
- Tenure of Dwellings – It is proposed that half of the total affordable provision be for affordable rent and the other half for intermediate tenure. Those latter 27 dwellings are proposed to be split with 15 for shared ownership and 12 for discounted market sale
- Bedrooms – the properties are a mix of 2 and 3 bedroom units
- Phasing – The proposal is that the units be delivered throughout the development of the site with the first 10 available by June 2017 (dependent on an early start on construction), and all 54 completed by March 2020. The discounted market sale properties would be provided at the end of the delivery schedule.
- Registered Provider – Negotiations are proceeding between the developer and Great Places who are a member of the council's Registered Social Landlord Partnership. They would take on the 42 affordable units for affordable rent and shared ownership.
- Level of Discount – The Discounted Market Sale properties would be offered for sale at 25% less than the market value. A covenant between the purchaser and the Council would be imposed to ensure that subsequent sales reflected this discount and that the council was involved in ensuring that the purchasers met the 'person in affordable need' test.
- On-going affordability – For the units not covered by the covenant approach the involvement of Great Places would ensure that the initial and subsequent occupiers met the 'person in affordable need' test.
- Occupancy of Affordable rent and shared ownership – The 42 units to be managed by Great Places would be subject to the usual occupancy requirements for those in housing need with a Fylde connection.
- Occupancy of Discounted Market Sale units - The developer proposes that these are initially offered for sale at the 25% discount to first time buyers who meet the council's standard requirements for a local connection to Fylde (by residence, occupation or family connection) and are unable to purchase on the open market. They then propose that if after 3 months no sale has been possible the property is then to be available to first time buyers in housing need without a local connection, and after 6 months the property is to be sold on the open market subject to the developer paying the 25% reduction to the Council so that it can be used for affordable housing schemes elsewhere in the borough..

Relevant Planning History

Application No.	Development	Decision	Date
16/0090	APPLICATION TO DISCHARGE CONDITION 9 (WHEEL WASHING PROVISION) OF PLANNING	Advice Issued	05/05/2016

16/0088	PERMISSION 15/0308 APPLICATION TO DISCHARGE CONDITIONS 20 (CONSTRUCTION MANAGEMENT PLAN), 21 (AFFORDABLE HOUSING SCHEME) AND 22 (PUBLIC OPEN SPACE) OF PLANNING PERMISSION 12/0635	Advice Issued	09/09/2016
15/0876	APPLICATION TO DISCHARGE CONDITIONS 2 (MATERIALS), 3 (LEVELS), 5 (LANDSCAPING) AND 8 (ESTATE ROAD CONSTRUCTION) OF RESERVED MATTERS APPROVAL 15/0308	Advice Issued	05/05/2016
15/0878	APPLICATION TO DISCHARGE CONDITIONS 3 (RESERVED MATTERS), 7 (TRAVEL PLAN), 8 (HIGHWAY DESIGN), 9 (SITE ACCESS), 10 (LANDSCAPING), 16 (TREE MATTERS), 17 (FOUL WATER DRAINAGE), 18 (SURFACE WATER DRAINAGE) AND 19 (SITE INVESTIGATION) OF PLANNING PERMISSION 12/0635	Advice Issued	09/09/2016
15/0700	VARIATION OF CONDITION 4 OF PLANNING PERMISSION 12/0635 TO REPLACE THE REQUIREMENT FOR THE DWELLINGS TO BE CONSTRUCTED TO LEVEL 3 OF THE CODE FOR SUSTAINABLE HOMES WITH A REQUIREMENT FOR THE DWELLINGS TO BE CONSTRUCTED IN ACCORDANCE WITH PART L OF THE 2013 BUILDING REGULATIONS	Approved with 106 Agreement	06/06/2016
15/0415	ADVERTISEMENT CONSENT FOR TWO NON-ILLUMINATED FREESTANDING HOARDINGS AND TWO NON-ILLUMINATED 6M HIGH FLAG SIGNS TO BLACKPOOL ROAD FRONTAGE	Granted	12/08/2015
15/0308	APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 12/0635 FOR THE LAYOUT, SCALE, APPEARANCE AND LANDSCAPING OF A DEVELOPMENT FOR 180 DWELLINGS AND ASSOCIATED INFRASTRUCTURE	Granted	05/08/2015
15/0094	ADVERTISEMENT CONSENT FOR SITING OF 2 NO. NON-ILLUMINATED SALES ADVERTISEMENT BOARDS (RETROSPECTIVE) AND 5 NO. SALES ADVERTISEMENT FLAGS	Granted	27/04/2015
14/0613	APPLICATION FOR APPROVAL OF RESERVED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RELATING TO OUTLINE PLANNING PERMISSION 12/0419 FOR RESIDENTIAL DEVELOPMENT OF 117 DWELLINGS (INCLUDING 35 AFFORDABLE UNITS), PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE	Granted	12/12/2014
13/0076	RESUBMISSION OF OUTLINE APPLICATION (12/0635) FOR UP TO 180 RESIDENTIAL UNITS (CLASS C3) ASSOCIATED INFRASTRUCTURE AND DEFINED ACCESS WITH ALL OTHER MATTERS RESERVED	Refused	23/04/2013
12/0635	OUTLINE APPLICATION FOR UP TO 180 RESIDENTIAL UNITS (CLASS C3) ASSOCIATED INFRASTRUCTURE AND DEFINED ACCESS WITH	Withdrawn - Appeal against non-determine	01/02/2013

12/0419	ALL OTHER MATTERS RESERVED OUTLINE APPLICATION FOR UP TO 140 DWELLINGS WITH 30% OF THESE TO BE AFFORDABLE AND ASSOCIATED INFRASTRUCTURE FROM A NEW ACCESS TO BLACKPOOL ROAD (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Refused	28/03/2013
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Relevant Planning Appeals History

Application No.	Development	Decision	Date
12/0419	OUTLINE APPLICATION FOR UP TO 140 DWELLINGS WITH 30% OF THESE TO BE AFFORDABLE AND ASSOCIATED INFRASTRUCTURE FROM A NEW ACCESS TO BLACKPOOL ROAD (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Allowed	07/11/2013
12/0635	OUTLINE APPLICATION FOR UP TO 180 RESIDENTIAL UNITS (CLASS C3) ASSOCIATED INFRASTRUCTURE AND DEFINED ACCESS WITH ALL OTHER MATTERS RESERVED	Allowed	07/11/2013

Parish/Town Council Observations

None to report as no consultation undertaken on applications of this nature.

Statutory Consultees and Observations of Other Interested Parties

The council's Strategic Housing and Legal teams have had input into the preparation of this report and so their contributions are contained within the 'Comments' section below.

Neighbour Observations

Neighbours notified: No neighbours notified due to nature of application

Relevant Planning Policy

Fylde Local Plan to 2032:

H4 Affordable Housing

Other Relevant Policy:

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

Environmental Impact Assessment

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

Comment and Analysis

The following thoughts cover the main issues raised by this proposal and reflect the order and headings used in the proposal section of this report to assist with clarity:

Number of Dwellings

The proposed provision of 54 of the 180 dwellings as affordable units complies with the requirements of the condition and Policy H4 in that it is exactly 30% of the overall total number of units.

Tenure of Dwellings

The council has historically sought to maximise the number of units available for affordable rent in new developments, as this is the tenure with the greatest need as identified in the council's Housing Needs Survey. A split of 80:20 in favour of affordable rent to other tenures has historically been secured. However, the revisions made to government funding for the Registered Providers and restrictions imposed on their ability to raise revenues from other sources have meant that in the last 12 months the sector has been unable to provide affordable rent properties at this level.

Whilst the tenure split proposed here is less than that previously targeted at 50% of the total, the scale of the scheme is such that this percentage is 27 units which is a meaningful number and is considered to be an appropriate proportion given the funding constraints on the sector.

The proposal to split the other half of the affordable provision between shared ownership and discounted market sale is also considered to be acceptable subject to the measures introduced over the disposal and management of the discounted market sale units being acceptable as is discussed below.

This split of tenure has been influenced by the ability of the Registered Provider to fund the purchase of the affordable rent and shared ownership units and is considered acceptable to the Strategic Housing Team to secure the provision of these 42 affordable units for the tenures that are more difficult for Providers to deliver through other means.

Bedrooms

The proposal to split the units between 2 and 3 bedroom houses is appropriate and meets the needs identified in the housing needs survey and through analysis of current waiting lists.

Phasing

The proposed phasing as part of the overall development is acceptable. Given the scale of the development it is important that the affordable housing is provided in relatively small parcels spread throughout the overall construction of the development. The location of the units is spread across the site and this has assisted in ensuring they can be released to Great Places in this gradual manner.

The proposed delivery of the Discounted Market Sale units at the end of the development is also important as it ensures that these are only available when the other tenures have all been provided.

Registered Provider

Great Places are a longstanding member of the council's Registered Social Landlord Partnership. They are obliged to operate in accordance with the Housing and Communities Agency obligations for Registered Providers and this ensures that the properties they control will be appropriately managed.

Level of Discount

The Discounted Market Sale properties would be offered for sale at 25% less than the market value.

The intention of this tenure is that it allows those who would not be able to afford to purchase a house on the open market to be able to secure home ownership. The level of discount therefore needs to reduce the price of the property to a level that is affordable. The 12 Discounted Market Sale units are 8 x 3 bed and 4 x 2 bed, and whilst their target sale prices are not known at present analysis of the sale prices of such properties that have recently been sold in Kirkham indicates that a 25% discount will enable them to be within the financial reach of those in housing need but full-time employment. This analysis indicates that semi-detached sales in the town over the past 12 months have an average of £156,800, and whilst the properties here are likely to be slightly more expensive a 25% discount is likely to deliver a purchase price of £120,000 to £130,000 so making mortgages available for them when household income is around £35,000 per annum based on the mortgage being available for 3.5x that income level.

This is considered to be an appropriate approach for this type of affordable housing by officers, with the type of properties and the level of discount also appropriate for the Kirkham housing market. The mechanism to ensure these remain affordable in the future is an area of on-going discussion with officers, but it is expected that a clause in the deeds will ensure that this discount is maintained in future sales with the council having a role in checking the eligibility for affordable housing and local connections of initial and future purchasers.

On-going affordability

The involvement of Great Places in managing the affordable rent and shared ownership units ensures that these units will remain affordable. The properties will be managed by Great Places in accordance with the Regulatory Requirements of the Homes and Communities Agency that will ensure their affordability, and the eligibility of initial and subsequent occupiers / owners with regard to local incomes.

Ensuring the on-going affordability of the Discounted Market Sale units is less straightforward. The proposal is that the initial purchaser of these units is required to complete an application form which requires that they provide information on eligibility and affordability. This would be passed to the council's Housing Team who would then assess if they met the housing need and local connection requirements for affordable housing occupation. The subsequent sales would also need to ensure that this process was undertaken, with a covenant in the deeds to the property being the mechanism by which this 'application form' process was controlled.

Discounted Market Sale is a relatively new type of affordable housing within the borough, but one which is likely to become more prevalent as the government shifts its funding for affordable housing. The Housing Team are working on the management mechanisms that they need to put in place for this type of affordable housing. The details of this are another area that officers are in active discussion with the developer over and will be agreed prior to any formal discharge of this condition. However, officers are satisfied that the concept is appropriate and workable.

Occupancy of Affordable rent and shared ownership

The 42 units to be managed by Great Places would be subject to the usual occupancy requirements for such affordable dwellings.

Lettings to the Affordable Rented Dwellings will be made using the Choice Based Lettings scheme MyHomeChoiceFyldeCoast. The Shared Ownership dwellings will be disposed of to purchasers who

meet Housing and Communities Agency eligibility and affordability criteria, although for the avoidance of doubt purchasers will be entitled to staircase to full ownership. These types of affordable housing are prevalent across the borough and are regularly delivered through new planning permissions and so the operation of the occupancy controls are well established.

Occupancy of Discounted Market Sale units

The developer proposes that these are initially offered for sale at the 25% discount to first time buyers who meet all of the council's standard requirements for occupation / purchase of affordable housing, which are:

- Available to those in housing need who meet the local connections criteria
- Ensure occupation of the dwelling as their main and only home
- Restrict the occupier from subletting or assigning
- Require a local connection to Fylde by residence, occupation or family connection (subject to comments below)

Compliance with these requirements would be secured by the application form described earlier for initial purchasers. A covenant would be introduced into the deeds of the property that requires the same discount, occupancy criteria and application process to be undertaken for subsequent sales to ensure that these properties remain as affordable units in perpetuity. This is considered to be an appropriate approach subject to the resolution of some legal technicalities.

Non-Fylde Occupation

The reason that this matter is being considered at Committee is due to the developer's proposals for the disposal of the discounted market sale properties in the event that an initial occupier with a local connection to Fylde is not found.

The developer proposes that if after 3 months of continuous advertising no sale has been possible the property would be available to first time buyers in housing need without a local connection, and after 6 months the property could be sold on the open market. In this eventuality the developer would then pay a sum equivalent to the 25% sale price discount to the Council so that it can be used for affordable housing schemes elsewhere in the borough.

The occupation and disposal of affordable housing to those without a Fylde connection is a matter that was considered at the 16 September 2015 meeting of the Development Management Committee in its consideration of a report on the general occupation of affordable housing that had previously been considered at the Environment, Health and Housing Committee on 9 September 2015. The minutes of the 16 September 2015 meeting note:

"The report proposed a review to the way that new affordable housing is provided and let in the borough. In brief, the report set out background information relating to the affordable/social housing stock with particular reference to the provision/amount of stock made available generally and via the planning process. In addition, it highlighted the current letting arrangements and the perceived inconsistency between the approved Local Letting Plan and the restrictive nature of the current S106 agreements. It also referred to challenges currently being experienced by Registered Providers of Housing (RP) and the associated risks and financial pressures.

Members commented on various aspects of the report including: the need for affordable housing in Fylde; issues relating to RP challenges; financial ramifications and risks of affordable housing; letting arrangements/policy inside and outside the borough and matters relating to low cost market housing.

Following detailed consideration of this matter it was RESOLVED:

- *That future Section 106 agreements entered into by Fylde Borough Council to secure affordable housing should not reflect the occupancy restrictions as set out in the Local Lettings Policy.*
- *To engage with representatives of registered social landlords to help feed in to a review of policy for truly affordable housing.”*

The effect of resolution 1 is that the Committee (and so Fylde Borough Council) decrees that planning obligations should only allow for affordable housing to be occupied by those with a Fylde connection. The developer’s intention in this scheme is to allow the option for a wider occupancy of the affordable units if not sold to a Fylde-connected occupier after 3 months, and so is in clear conflict with this resolution.

Whilst this is a general statement, it is possible for the Development Management Committee to agree to vary its approach should there be circumstances where they believe that to be appropriate, and officers believe that to be the case here. This site is one of the largest sites where affordable housing is actually being delivered, and so makes a particularly meaningful contribution to the affordable housing stock of the borough. It comes on-stream at a time when the severe financial restrictions on Registered Providers are making it increasingly difficult for them to provide the tenures of affordable housing which are of most value to those in housing need in the borough: affordable rent and shared ownership.

The split of tenures explained in this report has been proposed following a lengthy period of negotiations between the housebuilder, (Barratts), the Registered Provider (Great Places) and the council’s housing, legal and planning officers. This will allow for 42 of the 54 properties to be guaranteed as affordable houses that are available for those with a connection to the borough in the next 4 years. It will also likely provide for the 12 other units to be available for discounted market purchase by those with a Fylde connection in that timescale. The only ‘negative’ is that there is a potential that these 12 properties will be available for those without a Fylde connection should no-one with a Fylde connection be initially available to purchase them, and even then the scheme allows for the developer to commute the discount to a payment to the council for affordable housing off site. Whilst this is a possibility, and one that would conflict with the Committee’s intention in its previous decision, it remains a good outcome for Fylde overall as the affordable housing provision is significant in number and is a deliverable scheme to meet the identified affordable housing needs of the borough. Officers are firmly of the view that the specific details and benefits of this scheme allow the scheme to be accepted as an exception to that ‘Fylde only’ general policy.

Enforcement

As is stated earlier, it is usual for a s106 or other form of planning obligation to be in place to secure the provision and operation of affordable housing. In this case the use of a condition by the Planning Inspector to achieve this has led to the need for consideration of this Statement and report, and so this brings about a query over how this is enforced in the future.

The condition requires that the developer provides information over the *“the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced”*.

The developer has supplied information on this with the involvement of Great Places dealing with

this for the affordable rent and shared ownership properties, and the covenant and application form process dealing with it for the discounted market sale properties. At the time of writing this report officers have some queries over the operation of this latter element but are confident that these will be satisfied and so allow the condition to be discharged in due course.

Conclusions

This application relates to the part of the Little Tarnbrick site that lies to the west of the two and so most distant from Kirkham and has outline planning permission for residential development that was allowed on appeal. In his decision the Inspector imposed a condition to secure the arrangements for the affordable housing delivery in the development. This application is to agree the details of that.

The developer proposes that the scheme provides 54 dwellings as affordable housing, with 27 of these being for affordable rent, 15 for shared ownership and 12 for discounted market sale. This provides for 30% of the total and so is in accordance with the requirements of Policy H4 of the Fylde Local Plan to 2032. It also provides a mix of tenures which reflects the identified local needs.

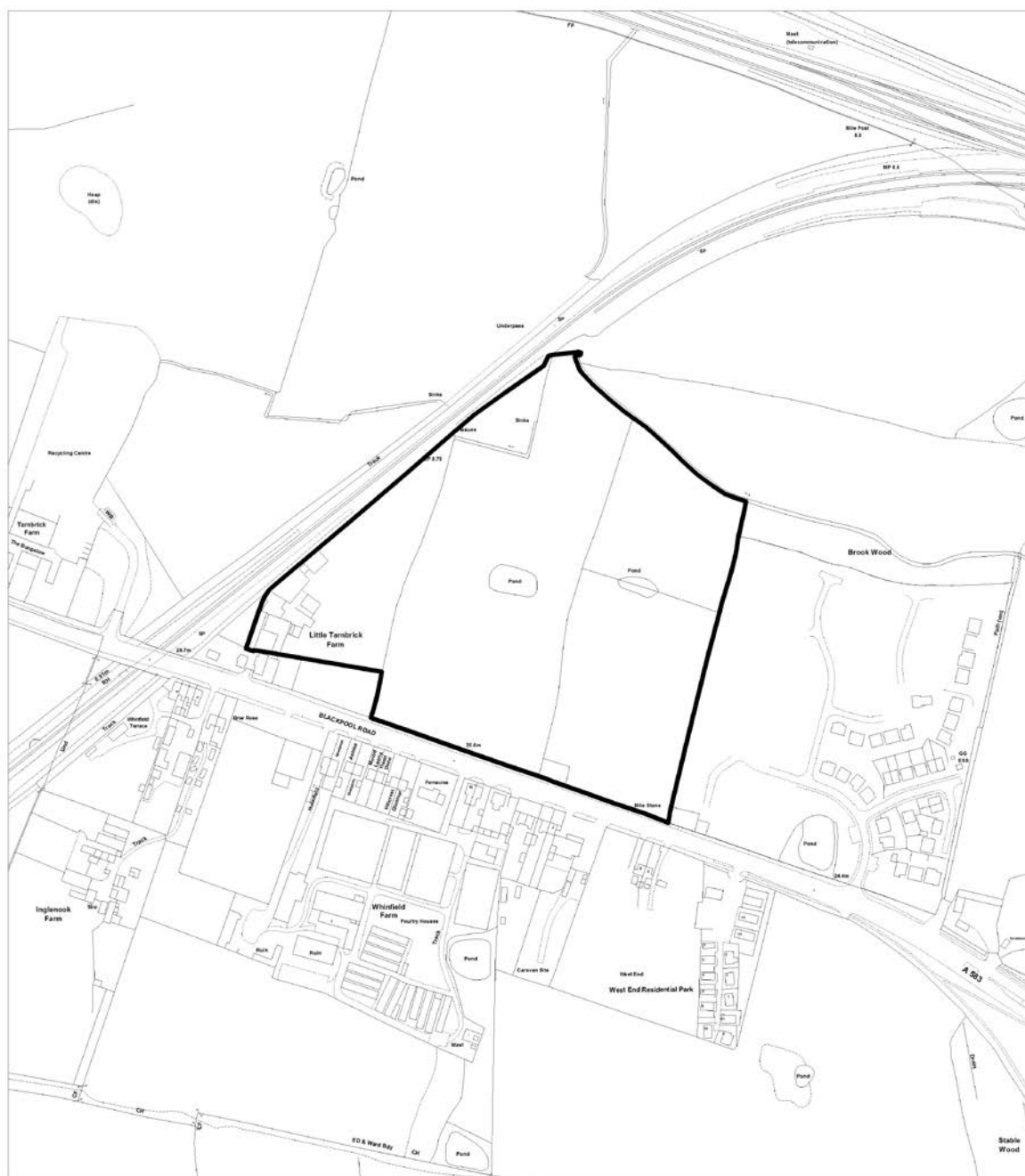
The decision on such matters is delegated to officers, but in this case the developer has proposed that the 12 discounted market sale properties could be available for purchase by those in housing need without a connection to the borough should purchasers not be found with that connection within an agreed period of marketing. This is contrary to a previous decision of this Committee that affordable housing in Fylde be only available to those with a connection to the borough and so a specific Committee view is sought here.

Officers are satisfied that the overall affordable housing arrangements are acceptable and will enable one of the largest housing schemes in the borough to provide its full obligation of 30% affordable units on-site in a timely manner and with a range of sizes and tenures that reflects the local needs for affordable housing. As such the potential for a small number of these properties to be sold to those in housing need from elsewhere forms an acceptable element of this 'deal'.

Accordingly Committee are recommended to support the proposal. The decision to discharge the condition should be delegated to officers so that a number of legal queries over the on-going maintenance of the dwellings as affordable properties can be agreed between officers and the applicant prior to the formal discharge of the condition.

Recommendation

That the authority to discharge the details of Condition of planning permission 15/0700 be delegated to the Head of Planning and Regeneration once the outstanding queries over the content and operation of the Affordable Housing Statement that are discussed in this report are resolved to his satisfaction.



Development Services Fylde Council		(c) Crown Copyright and database right (2016). Ordnance Survey (100006084).	
Application No. 5/16/0620	Address Land adjacent Little Tarnbrick Farm, Blackpool Road, Kirkham	Grid Ref. E.3406 : N.4325	Scale 0 20 40 60 80 m

Item Number: 6

Committee Date: 02 November 2016

Application Reference:	16/0642	Type of Application:	Full Planning Permission
Applicant:	Miss Southworth	Agent :	ML Planning Consultancy Ltd
Location:	LAND TO REAR OF STAINING OLD ROAD, STAINING		
Proposal:	MIXED USE BUILDING FOR STORAGE OF HAY, STRAW AND FEEDSTUFF, WITH RETAIL AND VISITOR'S INFORMATION AREA, INCLUDING ACCESS TRACK AND PARKING AREA		
Parish:		Area Team:	Area Team 1
Weeks on Hand:	10	Case Officer:	Rob Clewes
Reason for Delay:	Need to determine at Committee		

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

<https://www.google.co.uk/maps/@53.8232915,-2.9964028,171m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is located in the green belt off Staining Old Road outside of Staining and is an equestrian / agricultural enterprise with an existing stable building, sand paddock, grazing area, etc. as is typical of such uses.

The proposal is for a single storey building to be used for storage in association with the existing lawful use. This is modest in size and is considered to be acceptable in principle to support the activity at that site. Although it is located in an area designated as Green Belt the building has a suitable design for the purpose intended and is not considered to detrimentally impact on the openness of the Green Belt.

There are no planning matters that would justify the refusal of the application and it complies with the relevant criteria of Policy SP3 of the adopted Fylde Borough Local Plan and Policies GD2 and GD7 of the Fylde Borough Plan to 2032.

Reason for Reporting to Committee

This application has been brought before the Development Management Committee as the officer recommendation for approval conflicts with the objection raised by Staining Parish Council.

Site Description and Location

The application site is 'Creatures Great and Small' which is an agricultural/equestrian site to the north of the village of Staining. It is located in an area designated as Greenbelt in the Fylde Borough Local Plan and to be rolled forward as such under the Fylde Local Plan to 2032.

To the west of the site there is a neighbouring residential property set within a large curtilage. To the northwest there is Willow Terrace which is a row of terraced dwellings. To the south and east there are agricultural fields.

Details of Proposal

The proposal is to erect a general purpose storage building for the storage of straw, hay, feed stuffs and agricultural machinery and tools used in connection with the caring of the animals and maintenance of the land. The proposed building would measure 13.7m long x 12.1m wide and would have a height of 2.7m to the eaves and a ridge height of 3.6m. The steel portal frame building would be constructed of box profile tin sheet cladding and roof.

Internally the building would be split into two: approximately two thirds is to be used for general storage purposes, with the remaining one third acting as a visitors centre for members of the public visiting the site.

The proposal also includes the creation of a new parking area for visitors and track to serve both the car park and building. At the time of submission and consultation with the applicant this track was to be accessed off Staining Old Road via an existing field access. The applicant is expected to provide revised plans by the time of the Committee meeting to omit this access and to serve the car park from the existing main access to the site.

Relevant Planning History

Application No.	Development	Decision	Date
10/0867	NEW AGRICULTURAL BUILDING FOR STORAGE OF HAY, STRAW AND FEEDSTUFF, WITH AREA FOR COMMUNITY USE IN CONNECTION WITH THE CHARITY.	Granted	10/02/2011
02/0512	SAND PADDOCK & POST AND RAIL FENCING	Granted	02/08/2002
00/0640	CHANGE OF USE OF AGRICULTURAL LAND TO ANIMAL WELFARE CENTRE AND ERECTION OF NEW BUILDING TO BE USED FOR HOUSING ANIMALS, TACKROOM AND STORE.	Granted	29/11/2000
97/0809	CERTIFICATE OF LAWFULNESS RE: SITING OF STATIC CARAVAN	Was Not Lawful	13/02/1998
97/0488	CONVERSION OF REDUNDANT BUILDING TO STABLES (RETROSPECTIVE)	Granted	03/12/1997

Relevant Planning Appeals History

None

Parish/Town Council Observations

Staining Parish Council notified on 05 September 2016 and comment:

“The Council is concerned about the access from Staining Old Road to the proposed entrance track. The entrance to the track is from a narrow lane only a short distance from a junction and a 90 degree

bend. The speed limit is 60mph as per the national limit.

While the Council is supportive of the charitable venture it has grave concerns about the safety of the proposed entrance point. If these concerns can be addressed by the planning officers the Parish Council can offer no objections."

Statutory Consultees and Observations of Other Interested Parties

None

Neighbour Observations

Neighbours notified:	05 September 2016
Site Notice Date:	21 September 2016
Number of Responses	1 response received
Summary of Comments	Impact on surface water drainage on neighbouring property Existing screening is not sufficient. Applicant should provide additional screening

Relevant Planning Policy

Fylde Borough Local Plan:

SP03	Development in green belt
EP11	Building design & landscape character

Fylde Local Plan to 2032:

GD2	Green Belt
GD7	Achieving Good Design in Development

Other Relevant Policy:

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

Site Constraints

Within Green Belt

Environmental Impact Assessment

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

Comment and Analysis

The principle of the development

This building is very similar in location and design to that which was granted planning permission under reference 10/0867 but was not implemented.

The application site is within an area designated as green belt according the FBLP. Policy SP3 states that:

Planning permission will not be given except in very special circumstances for the erection of new

buildings, other than for the purposes of agriculture, forestry, essential facilities for outdoor sports and recreation, for cemeteries and for other uses which preserve the openness of the green belt and which should not conflict with the purposes of including land within it.

The County Land Agent undertook an assessment of the previously approved application (10/0867). This stated that whilst no agricultural trade or business is being undertaken on the application site and therefore the proposed building cannot be justified under agricultural need, there were other circumstances which supported the development. These included the applicant's reliance on the neighbouring farmer to store straw, hay and machinery, and their inability to benefit from economies of scale from purchasing in bulk due to the lack of storage on site. As these remain the case it is concluded that the general storage section of the proposed building is reasonably essential for the future operations and day to day management of the unit to proceed.

Approximately 1/3 of the building is to be used as a visitor centre. The Land Agent considered that this is not justifiable on an agricultural basis and nor is it essential for the efficient operation of the site. The charity does receive a number of visitors each year, although this is on an informal basis. The site used to hold educational visits in partnership with Myerscough College, however this has now ceased. However despite the opinion of the Land Agent it was considered in 2010 that this part of the proposal was acceptable. As this application proposes the same development and the same local policy applies it is considered that the principle of the development still remains acceptable.

Overall it is considered that the proposal complies with paragraph 89 of the NPPF and Policy SP3 of the Fylde Borough Local Plan and Policy GD2 of the Fylde Borough Plan to 2032.

Impact to the character of the Green Belt

The proposed building has a low profile and will not appear incongruous nor isolated within its setting or surrounding area. The materials are suitable for this type of building and the siting is adjacent to an existing building of a similar size. It is therefore considered that there will not be a detrimental impact to the character or openness of the Green Belt.

The proposed track and car park are not considered to be of such a size that they will have a detrimental impact on the character of the Green Belt.

Impact to neighbouring amenity

The proposed building is situated approximately 50m away from the nearest neighbouring property, No.127 Staining Road. This separation distance is considered sufficient to ensure that there will be no impact to the amenity of this neighbouring property. The other nearby properties are of a greater distance from the proposal and will also not suffer from impact to their amenity.

Other matters

The letter of representation received raised matters of surface water drainage and landscaping/screening. It is considered that the application site and the neighbouring property benefit from large permeable areas which allow for the unhindered percolation of surface water present on their land. Issues between the two sites in terms of water flow and management are a private matter between the relevant parties.

With regard to landscaping/screening it is considered that the application site benefits from existing appropriate natural screening which is well established and will screen much of the building from various viewpoints.

The Parish Council raise 'grave concerns over the safety of the access point' to the development and

ask that the planning officers address these to resolve these concerns. Having visited the site and viewed the proposal it is the case that the planning officers do not share the Parish Council's concerns over the use of the existing main access that is located to the north of the site. However the scheme as submitted included the formation of a surfaced track to use an existing field gate access to the east which joins Staining Old Road at a location where the carriageway width and visibility are very limited. The developer has been advised to remove the intention to use this access and so the officer recommendation for approval is based on this not being part of the scheme at the time of determination. This will be confirmed in the late representation report.

Conclusions

The application for a single storey building to be used for storage in association with the existing lawful use is considered acceptable in principle. Its design is appropriate and it is considered that there are no other material matters that impact on the assessment of the proposal. Therefore for the reasons outlined above the application is considered to comply with the relevant criteria as outlined in Policy SP3 of the adopted Fylde Borough Local Plan and Policies GD2 and GD7 of the Fylde Borough Plan to 2032.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This consent relates to the following details:

Approved plans:

- Location Plan
- Proposed Plans and Elevations - LG/AS/3122

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

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

In the interests of visual amenity.

4. The building, hereby permitted, shall be used for the storage of associated equipment and feed in association with the existing use of the site as an animal sanctuary, and for no other purpose. In particular, it shall not be used for any trade, business or other storage purpose.

To define the permission, in the interests of the visual amenities and character of the area and

business use would require further consideration by the Local Planning Authority under development plan policies.

5. The visitor centre forming part of the approved building, shall be used only in association with the existing use of the site, as an animal sanctuary, and for no other purposes including uses defined within the Use Classes Order.

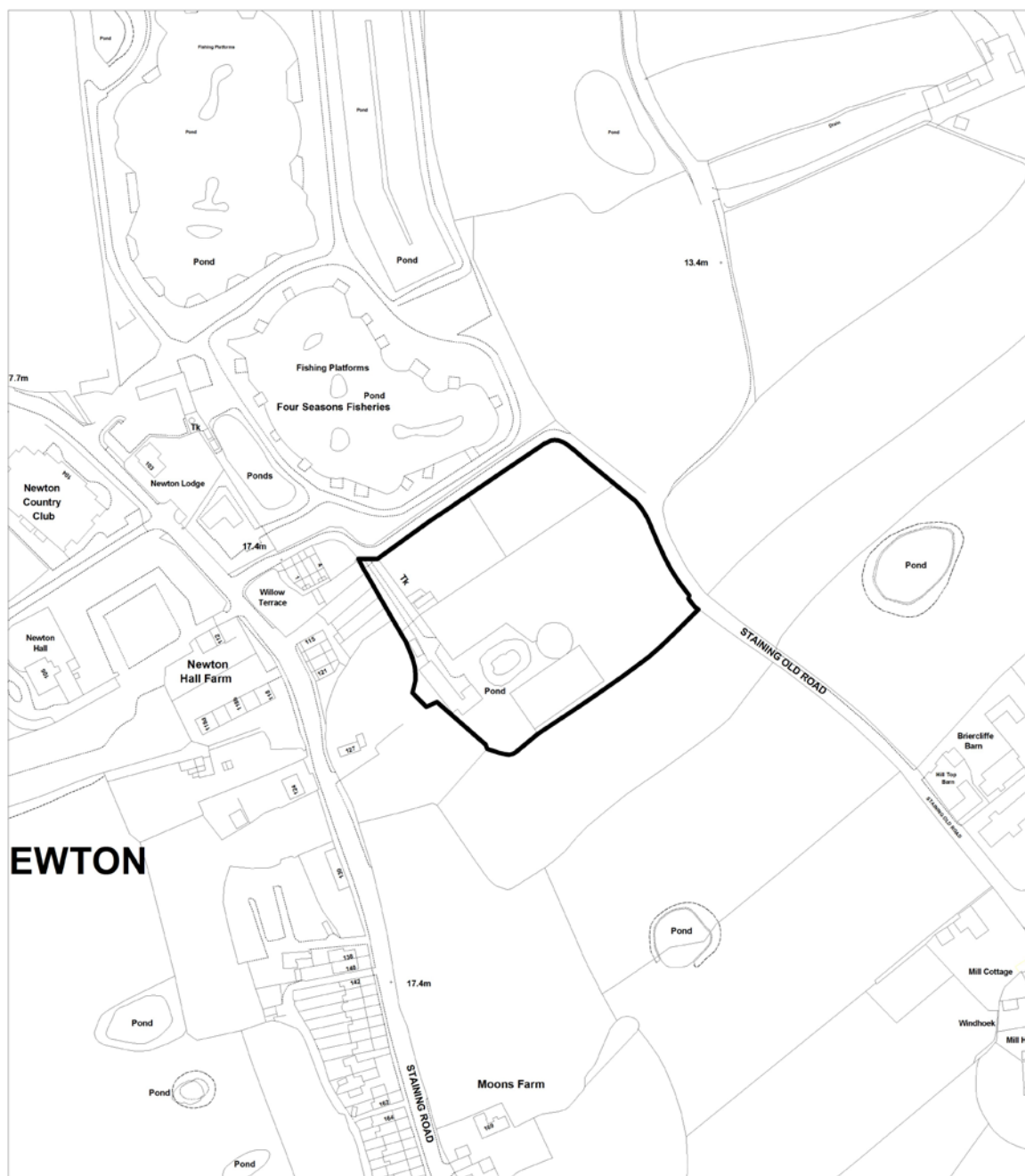
To enable the Local Planning Authority to retain control over the use of the site and specifically to control the nature and extent of any non agricultural use in what is a Countryside location.

6. Prior to the commencement of development a detailed levels plan indicating the existing and proposed ground levels and proposed finished floor levels of the development, hereby approved, shall be submitted to and approved in writing by the local planning authority. The development thereafter be implemented in full accordance with the approved plan.

To ensure that the development has an acceptable impact on neighbouring amenity and visual impact.

7. The access arrangements, parking area and track shall be implemented and completed in full in accordance with the approved details shown on submitted plan ref: LG/AS/3122 prior to the first use of the building hereby approved, with those areas thereafter retained available for the parking of motor vehicles.

In order to ensure the provision of adequate car parking within the site.



Development Services Fylde Council		(c) Crown Copyright and database right (2016). Ordnance Survey (100006084).	
Application No. 5/16/0642	Address Willow Terrace, Staining Old Road, Staining	Grid Ref. E.3345 : N.4368	Scale 0 10 20 30 40 m

Item Number: 7

Committee Date: 02 November 2016

Application Reference:	16/0700	Type of Application:	Householder Planning Application
Applicant:	Mr & Mrs Speak	Agent :	John Rowe Architecture
Location:	ROSE COTTAGE, ROSEACRE ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3XE		
Proposal:	RETROSPECTIVE APPLICATION FOR THE ERECTION OF DOMESTIC SHED FOR STORAGE OF FIREWOOD AND TOOLS		
Parish:	NEWTON WITH TREALES	Area Team:	Area Team 1
Weeks on Hand:	7	Case Officer:	Claire Booth
Reason for Delay:	Not applicable		

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

<https://www.google.co.uk/maps/@53.8178842,-2.8466716,86m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application site is a semidetached dwelling located to the north of the village of Wharles in the Countryside area.

It seeks retrospective permission for a detached outbuilding in the area of land at the side of the dwelling house to be used as a domestic storage building. The proposal is of an acceptable scale, location and design, and subject to a condition requiring the building to be stained a dark colour, it is considered that the proposal complies with the requirements of Policies SP2, HL5 and EP11 of the Fylde Borough Local Plan as altered (October 2005), Policies GD4, GD7 and ENV1 of the Fylde Local Plan to 2032, and policies contained within the NPPF. Accordingly the application is recommended for approval by Members.

Reason for Reporting to Committee

One of the applicants' is a serving Councillor and so the applications is to be determined by Committee as required by the Development Management Scheme of Delegation.

Site Description and Location

The application site is Rose Cottage, Roseacre Road, Wharles. The property is a red brick, two storey semi-detached dwelling on the edge of the small settlement of Wharles. The property is surrounded by open fields to the north, west and east of the site. The property has a substantial garden curtilage with front and rear gardens and an area to the side of the dwelling utilised for parking provision. This area also contains a number of structures along the northern boundary, including two dog kennels, an existing domestic outbuilding, and the building subject to this application.

The site is within land designated as countryside on the Fylde Borough Local Plan, as altered (October 2005) and within the emerging Fylde Council Local Plan to 2032.

Details of Proposal

This application seeks retrospective permission for a timber store located in the north east corner of the curtilage adjacent to Roseacre Road and the northern boundary of the curtilage.

The building measures 7.9 metres in length by 4.5 metres deep. It is designed with a mono-pitch roof with a lower eaves level of 2.15m and an upper eaves level of 2.85 metres.

The building is located on the site of a former domestic garage and has horizontal shiplap timber boarding under a mono-pitch box profile sheet roof in a Juniper Green colour. The outbuilding has been designed with timber doors to the front (south elevation). These face the applicant's front garden area. All elevations of the building are clad in horizontal timber boarding.

Relevant Planning History

Application No.	Development	Decision	Date
11/0488	RETROSPECTIVE APPLICATION FOR ERECTION OF SUMMERHOUSE IN REAR GARDEN	Granted	26/09/2011
93/0411	PROPOSED TWO STOREY EXTENSION	Granted	11/08/1993

Relevant Planning Appeals History

None

Parish/Town Council Observations

Treales, Roseacre & Wharles Parish Council notified on 19 September 2016 and comment:

"The council support the proposal as it was felt that the retrospective proposal meets all the requirements of Policy HL5."

Statutory Consultees and Observations of Other Interested Parties

National Grid

Consultation needed due to site being at edge of pipeline consultation zone. No comments received at time of writing, but as a replacement dwelling it is extremely unlikely that any adverse issues could be raised.

Neighbour Observations

Neighbours notified:	19 September 2016
Amended plans notified:	
Site Notice Date:	12 October 2016
Press Notice Date:	Not applicable
Number of Responses:	None received

Relevant Planning Policy

Fylde Borough Local Plan:

Policy SP02 :	Development in countryside areas
Policy HL04	Replacement and extension of rural dwellings
Policy HL05	House Extensions
Policy EP11	Building Design & Landscape Character

Fylde Local Plan to 2032

Policy GD1:	Settlement Boundaries
Policy GD4	Development in the Countryside
Policy GD7	Achieving Good Design in Development
Policy H7	Replacements of, and Extensions to, Existing Homes in the Countryside

Other Relevant Guidance:

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
	Residential Design Guides in Extending Your Home SPD

Site Constraints

- Pipelines
- Within countryside area

Environmental Impact Assessment

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

Comment and Analysis**Principle of development**

In assessing the proposal it is imperative to establish whether, in principle, the development would be considered acceptable in light of current and emerging policy considerations, whilst fully considering the proposal against the aims and objectives of the National Planning Policy Framework (NPPF).

The application site is located in the Countryside area under Policy SP2 of the Fylde Borough Local Plan where the principle of residential extensions and outbuildings is acceptable subject to the normal planning criteria as examined below with reference to Policy HL5, and to a further assessment of the overall scale of the outbuilding to the property and how it impacts on the open character of the countryside and relates to the scale of surrounding properties as required by Policies HL4 and EP11.

The emerging Fylde Local Plan to 2032 follows a similar vein to the adopted Plan with Policy GD4 allocating the site as Countryside and Policy GD7 dealing with general design matters and the impact of development on the local environment. Both sets of policies are considered to be consistent with the aims and objectives of the National Planning Policy Framework.

The Fylde Local Plan to 2032 is to become the development plan following its adoption in 2017. As this plan is approaching adoption it gains more weight. At this stage it can only provide a guide for future development.

Scale of Works in Countryside

The domestic outbuilding is of a subordinate scale to the dwelling and is therefore considered to be appropriate to the properties rural location.

Design and Appearance in Streetscene

The effect of a building on the visual amenity of the countryside is an important consideration (Policies HL05 and EP11 of the Fylde Borough Local Plan and Policies GD4 and GD7 of the Fylde Local Plan to 2032). The building abuts the boundary with Roseacre Road. In views towards the property when travelling from the north, the bulk and massing of building is integrated in to the landscape by the trees which exist along the northern boundary of the properties curtilage. Only partial views of the building can be seen from this direction. This is due to the light colour of the horizontal timber boarding.

In views from both the adopted and unadopted sections of Roseacre Road located to the south and south east of the dwelling, the building is seen against the existing trees abutting the northern boundary. This limits the visual impact of the building to a large degree. However, due to the light colour of the untreated horizontal timber cladding, the building does have a level of prominence which does detract from the immediate locality. This concern can be overcome by staining the building with a mid-dark wood stain and the applicant has agreed to carry this out to assist in integrating the building into the landscape. The staining of the building will limit its visual impact from these two public vantage points, and, accordingly a condition requiring this to be undertaken within a suitable timeframe is suggested to secure this.

Subject to the recommended condition, the design and scale of the domestic outbuilding accords with the requirements of criteria 1 of Policy HL5 of the Local Plan, and Policy GD7 of the emerging Local Plan.

Relationship to Neighbours

The property is bounded by open fields on three sides. The outbuilding is located at the furthest side away from the adjoining property; New Cottage, a distance of approximately 24 metres from the shared boundary. Due to this distance, and the low level height of the building, the outbuilding does not adversely affect the amenity of this nearest neighbour. As such the proposal has an acceptable relationship to its neighbours in all regards and thus complies with criteria 2 of Policy HL5 of the Local Plan, and Policy GD7 of the emerging local plan.

Scale of development on the plot

As already advised, the domestic outbuilding is of a subordinate scale to the dwelling and is also considered to be subordinate to the plot on which it is sited. The proposal also retains appropriate levels of amenity and parking space and so complies with criteria 3 of Policy HL5 of the adopted plan, and Policy GD7 of the emerging plan.

Parking and Access Arrangements

The proposal retains an appropriate level of parking for the site and does not compromise the existing vehicular access and parking arrangements or highway safety. In this regard the retrospective proposal also complies with criteria 4 and 5 of Policy HL5 of the Fylde Borough Local Plan, and Policy GD7 of the Fylde Council Local Plan to 2032.

Other Matters

There are no other material considerations of note to influence the decision.

Conclusions

The retrospective application relates to the erection of an outbuilding at a dwelling located in the boroughs countryside. Having viewed the proposal and assessed the issues raised, it is considered that if the building is stained with a dark colour, the proposal accords with Policies HL5 and H7 of the Fylde Borough Local Plan, Policies GD4 and GD7 of the emerging Fylde Local Plan to 2032 and other relevant development plan policies. The proposal also accords with the requirements of the NPPF. Accordingly the application is recommended for conditional approval on this basis.

Recommendation

That retrospective Planning Permission be GRANTED subject to the following conditions:

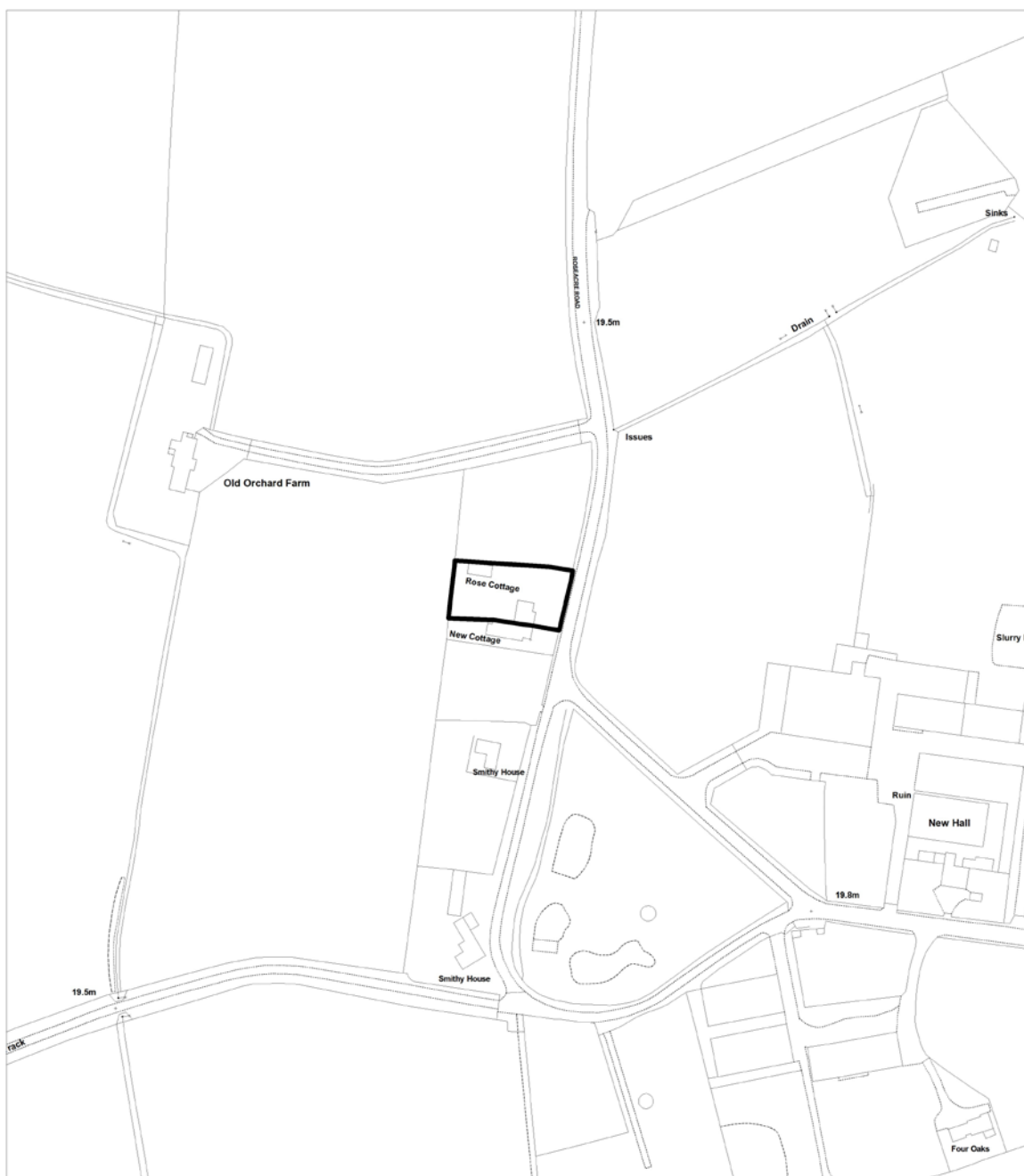
1. The building hereby approved shall be stained a mid to dark brown colour within six months of the date of decision.

REASON: In order that the Local Planning Authority may ensure that the works are not to the detriment of visual amenity in accordance with Policies SP2, HL4, HL5, and EP11 of the Fylde Borough Local Plan, as altered (2005) and Policies GD4, GD7 and H7 of the Fylde Local Plan to 2032.

2. This consent relates to the following details:

- Location Plan - John Rowe drawing A/738 LP01
- Plans and Elevations - John Rowe drawing A/738 01
- Site Plan - John Rowe drawing A/738 SP01

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



Development Services Fylde Council		(c) Crown Copyright and database right (2016). Ordnance Survey (100006084).	
Application No. 5/16/0700	Address Rose Cottage, Roseacre Road, Wharles	Grid Ref. E.3343 : N.4360	Scale 0 10 20 30 40 m

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	DEVELOPMENT MANAGEMENT COMMITTEE	2 NOVEMBER 2016	4

LIST OF APPEALS DECIDED

PUBLIC ITEM

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

SUMMARY OF INFORMATION

The following appeal decision letters were received between 01/10/2016 and 21/10/2016.

SOURCE OF INFORMATION

Development Services

INFORMATION

[List of Appeals Decided](#)

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform members on appeals that have been decided.

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473

LIST OF APPEALS DECIDED

The following appeal decision letters were received between 01/10/2016 and 21/10/2016. Copies of the decision letters are attached.

Rec No: 1

24 March 2016

15/0522

WINDY HARBOUR, WINDY HARBOUR ROAD, LITTLE
ECCLESTON WITH LARBECK, POULTON-LE-FYLDE, FY6
8NB
ADVERTISEMENT CONSENT TO DISPLAY 1 X NON
ILLUMINATED HOARDING SIGN

Advertisement
and Minor
Commercial
RC

Appeal Decision: Dismiss: 04 October 2016

Appeal Decision

Site visit made on 17 August 2016

by Richard McCoy BSc MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 04 October 2016

Appeal Ref: APP/M2325/Z/16/3146370

Windy Harbour Road, Little Eccleston with Larbeck, Lancashire FY6 8NB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mrs S Raynor-Porter against the decision of Fylde Borough Council.
 - The application Ref 15/0522, dated 22 July 2015, was refused by notice dated 5 February 2016.
 - The advertisement proposed is a for sale sign.
-

Procedural matter

1. The Council's Decision Notice described the advertisement as "1 x Non Illuminated Hoarding Sign". As this more accurately describes the sign I shall deal with the appeal on this basis.

Decision

2. I dismiss the appeal.

Main Issue

3. I consider the main issue to be the effect of the appeal sign on the character and appearance of the area.

Reasons

4. The Council have referred to saved Policies EP9 and SP2 of the adopted Fylde Borough Local Plan (LP) in connection with this appeal. EP9 relates to advertisements on buildings and SP2 relates to development in countryside areas. The Regulations require that decisions are made only in the interests of amenity, and where applicable, public safety. Public safety is not raised in this instance. Therefore, it is the issue of visual amenity alone that must be decisive although I have taken the development plan policies into account as a material consideration.
 5. The appeal site forms part of a larger plot of land that is currently under development and is located at the corner of Garstang New Road (A585) and Windy Harbour Road. It stands in an area designated as countryside in the LP. The appeal sign, a non-illuminated board measuring around 3m high and 6m wide, attached to three posts, with an overall height of around 7.1m, was being displayed at the time of my inspection. The appellant pointed out that the sign is temporary and relates to the live construction site for a golf course, hotel
-

- and 40 holiday chalets. It functions as a locator point for HGVs visiting the site and as a sale board sign.
6. An approved sign was removed from the site recently by the Highways Agency as part of the A585 Windy Harbour Junction Improvements Scheme. The appellant claimed that this appeal sign is smaller than the previous sign and was re-erected after the highway improvements works were completed. However, I note the Council's uncontested evidence that the recent highway works have meant that the re-erected sign stands in a different position.
 7. Although part of a development site, I did not observe construction activity at the appeal site which appeared to share its affinity with the surrounding countryside. In my judgement, the height and overall size of the sign make it a very prominent feature. This is increased by its location at what I observed to be a gateway junction. This sense of exposure adds to the starkness and visual dominance of the advertisement board within this countryside location. As a result, the sign is an incongruous feature that detracts from the character and appearance of the area, harming its visual amenity.
 8. I have taken into account of the aforementioned LP Policies which seek to protect amenity and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies. For the reasons given above and having regard to all the other matters raised, I conclude that the advertisement is harmful to amenity and I dismiss the appeal.

Richard McCoy

Inspector