



MINUTES

Planning Committee

Date:	Wednesday, 26 July 2017
Venue:	Town Hall, St Annes.
Committee Members Present:	Councillor Trevor Fiddler (Chairman) Councillor Neil Harvey (Vice-Chairman) Councillors Christine Akeroyd, Jan Barker, Maxine Chew, Kiran Mulholland, Barbara Nash, Linda Nulty, Liz Oades, Sandra Pitman, Ray Thomas, Viv Willder.
Other Councillors Present:	Councillors Paul Hayhurst, John Kirkham.
Officers Present:	Mark Evans, Andrew Stell, Kieran Birch, Rob Buffam, Paul Drinnan, Clare Lord, Lyndsey Lacey- Simone.
Members of the public:	Approx 35 members of the public were in attendance during the course of the day.

Vice - Chairman of Committee

In the absence of the Vice- Chairman, Councillor Neil Harvey acted as Vice-Chairman for the purposes of the meeting.

Councillor Ray Thomas

Following his recent appointment to the committee, the Chairman welcomed Councillor Ray Thomas to the meeting.

Public Speaking at the Planning Committee

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

1. Declarations of Interest

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

Councillor Paul Hayhurst (a non-member of the committee who was in attendance at the meeting) declared a personal and prejudicial interest in planning application 17/0247 relating to Land North of Mill Lane, Elswick and withdrew from the meeting immediately after speaking on the matter under the public speaking arrangements.

Councillor Maxine Chew declared a personal interest in planning application no 17/0289 relating to St Annes Medical Centre, Durham Avenue, St Annes.

Councillor Viv Willder declared a personal interest in planning application no 17/0289 relating to St Annes Medical Centre, Durham Avenue, St Annes.

2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee held on 28 June 2017 as a correct record for signature by the Chairman.

3. Substitute Members

The following substitutions were reported under Council procedure rule 25:

Councillor Maxine Chew for Councillor Heather Speak.

Councillor Sandra Pitman for Councillor Michael Cornah.

Councillor Viv Willder for Councillor Richard Redcliffe.

Decision Items

4. Planning matters

Prior to the consideration of the various planning applications, Mark Evans (Head of Planning and Regeneration) was invited by the Chairman to provide an update on the current position regarding the 5 year housing land supply. He explained that this had been the subject of considerable discussion at the recent Stage 2 hearing sessions at the Examination in Public of the Fylde Local Plan.

It was reported that for comparative purposes, the Sedgefield approach would give the Council the equivalent of 5.1 years of housing land supply and the Liverpool approach would give the Council the equivalent of 6.4 years of housing and supply. Members were advised that the base date used in the calculation of the 5 year housing supply figures was 31 March 2017. Further details relating to this matter were set out in the Late Observation Schedule which was circulated at the meeting.

The Committee then went on to consider the planning matters report which set out the various planning applications. Any late observations received after the publication of the agenda were set out in the Late Observation Schedule.

(Councillors Maxine Chew and Kiran Mulholland were not in attendance during the consideration and voting on planning application nos: 17/0299, 17/0404, and 17/0435 and items 5, 6 and 7 on the main part of the agenda.

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

5. Enforcement: Land off Fairfield Road, Hardhorn, Poulton Le Fylde

Kieran Birch (Senior Planning Officer) was invited by the Chairman to present the report. In doing so, Mr Birch invited the committee to assess whether enforcement action is expedient with regard to a breach of condition at land off Fairfield Road, Hardhorn. The report included details of the work required by the condition placed on the appeal decision, an update on the work done so far in order to comply with the condition, and officer's assessment of the merits of enforcement. The report also took account of the personal circumstances of the site residents.

In brief, the report concluded that after consideration of all of the factors relating to the site and its residents, along with legal advice that formal enforcement action would not be expedient at this time, that it would be more appropriate for officers to continue to work with the residents of the site to ensure compliance with the condition in the next planting season.

It was suggested by various members that it would be helpful if an updated report on the situation was presented to the committee towards the end of the year.

Following consideration of this matter it was RESOLVED:

1. To endorse officer's recommendation to not take formal enforcement action at this point in time and instruct officers to continue to engage robustly with site residents to secure compliance with the aims of the planning conditions.

2. To provide the committee with an updated report on the situation towards the end of the year.

6. St Andrews Road South, St Annes

Mr Paul Drinnan (Regeneration Manager) was invited to present an updated report on the Regeneration Programme for St Annes with particular reference to the St Andrews Road South phase. As part of his presentation, Mr Drinnan provided an overview of the background to this matter and showed various photographs depicting the ‘before’ and ‘after’ regeneration of St Annes Town centre.

Mr Drinnan indicated that the proposed cost of the scheme (as described in the report) would be £165,000 which would form part of the £237,000 St Annes Regeneration Scheme that is within the approved Capital Programme of the Council for 2017/18. He added that the scheme construction costs for implementation are based on the established relationship between the Council and Lancashire County Council to ensure best value.

Mr Drinnan stated that it was anticipated that construction of the scheme would commence in mid –September.

Members enquired about the type of block paving proposed to be used and arrangements for keeping the area(s) weed free. In addition, clarification was sought about the types of trees proposed to be planted. The matters raised were addressed in turn by Mr Drinnan.

Following consideration of this matter it was RESOLVED:

1. To approve delivery of the detailed scheme as shown in the drawing of Appendix 1 of the report at a cost of £165,000 (as part of the £237,000 total St Annes Regeneration Scheme that is part of the approved Capital Programme for 2017/18) and that funding for the scheme is derived in full from S106 payments made by specific developers specifically for use in the implementation of the St Annes Regeneration Programme as agreed under Section 106 of the Town and Country Planning Act 1990.
2. To authorise the use of the existing partnership between the Council and Lancashire County Council in the procurement and implementation of the scheme and to that end, agree that the council’s contract procedure rules will not apply to the scheme.
3. To authorise the commencement of the design for the next phase of the Regeneration Programme namely Wood Street (Park Road to St Andrews Road South and Back St Annes Road West) including the appropriate level of public engagement and present, in due course, a scheme(s) in detail with its full costs of implementation.
4. To authorise officers to make minor amendments to the St Andrews Road South scheme as a result of consultation on the basis that this does not materially affect the scheme as presented. In so far as other phases in St Annes are concerned as shown in appendix 1 of the report.

Information Items

7. List of Appeals Decided

This information report provided details of appeal decision letters received between 16 June and 14 July 2017.

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Planning Committee Minutes

26 July 2017

Item Number: 1

Application Reference:	16/1029	Type of Application:	Outline Planning Permission
Applicant:	Metacre Ltd and Mr J. Bowdler	Agent :	De Pol Associates Ltd
Location:	LAND NORTH OF SANDERLING WAY OFF FLEETWOOD ROAD, MEDLAR WITH WESHAM		
Proposal:	OUTLINE APPLICATION FOR ERECTION OF UP TO 68 DWELLINGS AND ASSOCIATED OPEN SPACE AND INFRASTRUCTURE. (ALL MATTERS RESERVED)		

Decision

Outline Planning Permission: Refused

Reasons

1. The proposed development is located at a critically sensitive transitional location on the northern edge of the settlement where the character of the open countryside predominates. The application site makes a positive contribution to the defined rural character of the area. Whilst the council accepts that the delivery of these dwellings will assist with the borough's housing supply, it is the case that this proposal will cause significant and demonstrable harm to the established character of the area that outweighs this benefit. The residential development proposed will detract from that rural character both by the nature of the land use and the loss of open countryside views from the north and east and the existing edge of settlement properties. The development by virtue of its siting, extent and projection to the north of the settlement in a location that is constrained from further development due to the sensitive habitat on adjoining land would have a significant detrimental visual impact on the landscape character of the area. As such it is considered that this would be a significant and demonstrably harmful consequence of this development that would ensure that it does not constitute sustainable development as required by the National Planning Policy Framework.

The residential development of the countryside is contrary to Policy SP2 of the Fylde Borough Local Plan and Policy GD4 of the Submission Version of the Fylde Local Plan to 2032; and the harmful visual impact of the development is contrary to criteria 2 of Policy HL2 of the Fylde Borough Local Plan, to criteria a, c, g, h, j and l of Policy GD7 of the Submission Version of the Fylde Local Plan to 2032, and to the guidance in para 17 of the National Planning Policy Framework.

2. The proposed development would result in substantial harm to the setting of Wesham by virtue of the siting, scale and pattern of development adjacent to this rural settlement when viewed from points on the approaches to the settlement from the north. The development would lack any logical relationship with existing development and would have a detrimental impact that is out of keeping and does not respect the form, character and setting of the locality contrary to criteria 2 of Policy HL2 of the Fylde Borough Local Plan and paragraphs 17, 58 and 109 of the National Planning Policy Framework. Accordingly, the proposal does not represent sustainable development and there is, therefore, no presumption in favour of the proposed development, notwithstanding the position relating to the supply of housing land within the

borough.

3. The proposed development fails to deliver any certainty over the provision of affordable housing, education contributions or sustainable transport improvements as part of the development. In the absence of any on-site provision or of any legal agreement or other such mechanism being in place to secure the provision of affordable housing, education contributions and sustainable transport improvements there can be no certainty that the requirements of Fylde Borough Council's Housing and Infrastructure Policy and that of the local highway authority will be provided for. Accordingly the scheme is contrary to the provisions of Policy CF2 of the Fylde Borough Local Plan, and Policies H4, T4 and INF2 of the Fylde Local Plan to 2032 in that regard, and to guidance in Section 4 and paragraph 50 of National Planning Policy Framework.

Item Number: 2

Application Reference:	17/0016	Type of Application:	Full Planning Permission
Applicant:	Mill Farm Ventures	Agent :	PWA Planning
Location:	MILL FARM SPORTS VILLAGE, FLEETWOOD ROAD, MEDLAR WITH WESHAM		
Proposal:	CONSTRUCTION OF PERMANENT CAR PARK BETWEEN STADIUM AND FLEETWOOD ROAD (60 SPACES) AND TEMPORARY CAR PARK ON PROPOSED HOTELAND BULKY GOODS SITE (95 SPACES) FOR AFC FYLDE FOOTBALL CLUB		

Decision

Full Planning Permission: Granted

Conditions and Reasons

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

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

2. This consent relates to the following details:

Approved plans:

- Car Park Extension Location Plan - fwp plan 5763_PARKING_L01 REV B
- Car Park C - fwp plan 5763_PARKING_L02 REV B
- Car Park D - fwp plan 5763_PARKING_L03 REV B
- Extension Planting plan UG plan 10401_L14 P01

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

3. That the car parking areas hereby approved shall be surfaced, demarcated as shown on the plans hereby approved under condition 2 prior to their first use for parking and retained available for the parking of vehicles associated with lawful operations at the Mill Farm Stadium only at all times thereafter.

Reason: To ensure that the parking operates in an appropriately safe manner and increases the availability of parking to serve the needs of the development in the interests of highway safety.

4. Within 3 months of the grant of this planning permission, a fully detailed Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The management of the car parking at the site shall be fully implemented and operated in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory car parking management strategy is implemented for the development associated with the AFC Fylde Stadium.

5. The whole of the landscape works, as approved and shown on drawing number 10401_L14 shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current sylvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme. 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 ensure a satisfactory standard of development and in the interest of visual amenity in the locality.

6. Prior to the implementation of the revised layout of the car park C hereby approved, 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.

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.

Item Number: 3

Application Reference:	17/0031	Type of Application:	Full Planning Permission
Applicant:	Mr SINNOTT	Agent :	RDJ CREATIVE LTD
Location:	ROSE COTTAGE, BRYNING LANE, BRYNING WITH WARTON, PRESTON, PR4 1TN		
Proposal:	PROPOSED ERECTION OF ONE DETACHED TWO STOREY DWELLING		

Decision

Full Planning Permission: Delegated to Officers following consideration of any consultation or neighbour comments received on the revised scheme currently subject to re-consultation.

Conditions and Reasons

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

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

2. This consent relates to the following details:

Approved plans:

- Location plan
- Proposed Site Plan - F/17/37/02 Rev A
- Plans and elevations - F/17/37/04 Rev A

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

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building (including sill, lintels, windows, doors and drain pipes) hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: To ensure that the materials have a satisfactory appearance.

4. Prior to the commencement of works samples of all hard and soft landscape works (including the access driveway of the site) shall be submitted to and confirmed in writing by the Local Planning Authority. The works shall be carried out using the agreed materials.

Reason: To ensure a satisfactory appearance of the development in the countryside as required by Policy SP2 of the Fylde Borough Local Plan.

5. Prior to the commencement of development details of all fencing, gates or other means of enclosure (including access gates) shall be submitted to and approved in writing by the Local Planning Authority, with any gate adjacent the public highway designed to only open away from the highway. The development shall be implemented in accordance with these approved

details.

Reason: To ensure an appropriate standard of design is achieved within the Countryside and prevent a potential source of danger to other road users.

6. Prior to the commencement of development, hereby approved, a scheme for the disposal of foul and surface waters for the entire site shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing foul, combined or surface water sewerage systems. The development shall be implemented, maintained and managed in accordance with the approved details.

Reason: To ensure the site and development are adequately drained.

7. Prior to the commencement of development a detailed levels plan indicating the existing and proposed ground levels and proposed finished floor levels throughout the site 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.

Reason: To ensure that the development has an acceptable impact on neighbouring amenity and the character of the wider rural area.

8. Prior to any development activity commencing, retained trees, either individually or, where appropriate, as groups, as shown on the submitted plan (ref: F/17/37/02) will be protected by erecting HERAS fencing at the Root Protection Areas (RPAs) identified on a plan to be submitted to and agreed in writing by the Local Planning Authority.

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

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

HERAS fencing must not be removed or relocated to shorter distances from the tree without the prior agreement of the Local Planning Authority. Any work to retained trees to facilitate development or site activity must (a) be agreed in advance with the Local Planning Authority and (b) must meet the requirements of BS3998:2010 Tree Work - recommendations.

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

9. No works shall be undertaken until a walkover survey of the site (including its boundary hedges) has taken place in order to establish the presence of protected species and the results submitted in writing to the local planning authority. Should the presence of any protected species be identified, a mitigation and phasing scheme for demolition and construction work in the vicinity of their nesting sites shall be submitted to and approved in writing by the local planning authority and implemented throughout the construction of the dwelling.

Reason: To ensure adequate protection to protected species.

10. Notwithstanding the provision of Article 3, Schedule 2, Part 1 (Classes A, B, C, D, E and F) and Part 2 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 or curtilage

relevant to those classes shall be carried out without Planning Permission.

Part 1 - Development within the curtilage of a Dwelling House

CLASS VARIABLES

A	House Extensions.
B&C	Roof Extensions/alterations
D	Porches
E	Curtilage buildings
F	Hardstanding

Part 2 - Minor Operations

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

Informative notes:

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.
2. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

It is recommended that the applicant proposes a drainage scheme in accordance with the surface water drainage hierarchy outlined above.

Item Number: 4

Application Reference:	17/0247	Type of Application:	Outline Planning Permission
Applicant:	Story Homes	Agent :	
Location:	LAND NORTH OF MILL LANE, ELSWICK		
Proposal:	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 50 DWELLINGS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)		

Decision

Outline Planning Permission: Refused

Reasons

1. The development of the site for up to 50 dwellings will, in combination with recent planning approvals, result in a level of development in Elswick that will exceed that assumed in the emerging Fylde Local Plan, which is at an advanced stage of preparation, and identified Elswick as a tier 2 settlement expected to support only limited expansion. In the absence of any significant community facilities within the village and a limited public transport service in the village, the proposal would result in increased journeys by private motor vehicle and so would be economically, socially and environmentally unsustainable and contrary to the provisions of Policy S1 of the emerging Fylde Local Plan to 2032.
2. The proposed development is required to make contributions towards the delivery of affordable housing on the site and financial contributions off-site towards the provision of new secondary school places, and enhancements of the rural bus service serving the village. The applicant has failed to put any mechanism in place to secure these contributions and, accordingly, the development is contrary to the requirements of Fylde Borough Local Plan policies CF2, EP1, TR1, TR3 and TR5, policies SL3, H4 and INF2 of the Submission Version of the Fylde Local Plan to 2032 and chapters 4, 6 and 8 of the National Planning Policy Framework.

Item Number: 5

Application Reference:	17/0289	Type of Application:	Full Planning Permission
Applicant:	Rushcliffe St Annes PCC Ltd	Agent :	Mellor Architects
Location:	ST ANNES MEDICAL CENTRE AND FORMER RAILWAY PLATFORM, DURHAM AVENUE, LYTHAM ST ANNES, FY8 2EP		
Proposal:	PARTIAL ROOF LIFT TO EXISTING MEDICAL CENTRE TO CREATE ADDITIONAL OFFICE SPACE ON SECOND FLOOR. FORMATION OF ADDITIONAL PARKING FACILITIES AND LANDSCAPING ON PART OF FORMER RAILWAY PLATFORM		

Decision

Full Planning Permission: Refused

Reasons

- 1 The additional consultation rooms and office space provided by the proposed extension would result in additional traffic attending and parking at the site. In the absence of sufficient consequential increase in the parking provision at the site, and with the existing levels of pressure on the existing parking provision, the extended accommodation is likely to lead to parking overspilling from the site onto surrounding streets thereby causing disturbance and congestion to the detriment of the amenity of residents on those streets. Accordingly the proposal is contrary to criteria 2 and 4 of Policy CF1 of the Fylde Borough Local Plan (as altered 2005), to criteria b of Policy GD7 of the Submission Version to the Fylde Local Plan to 2032, and the NPPF.

Item Number: 6

Application Reference:	17/0299	Type of Application:	Outline Planning Permission
Applicant:	Mr A Ellison	Agent :	Donald K Clark Ltd
Location:	ST LEONARDS BRIDGE GARAGE, ST LEONARDS ROAD EAST, LYTHAM ST ANNES, FY8 2JP		
Proposal:	OUTLINE RESIDENTIAL APPLICATION (MATTERS APPLIED FOR - ACCCESS, LAYOUT & SCALE) COMPRISING OF A 3 STOREY BUILDING FOR UP TO 38 APARTMENTS.		

Decision

Outline Planning Permission: Approved subject to the completion of a section 106 Agreement to secure:

- Provision, retention and operational details for 30% of the proposed dwellings to be affordable housing
- A financial contribution of up to £199,042.34 towards increasing the provision of primary school places at a school to be designated by Lancashire County Council.
- An agreed level of funding required to undertake the highway works necessary to ensure Press Road remains available as a safe access for two –way traffic

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

Planning permission will then 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):

Conditions and Reasons

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

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

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

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

3. This permission shall be for the construction of no more than 34 residential units and relates to the following plans:

- Location Plan - 22/21/P1a
- Highway Improvement Plan - 170401/01/A
- Diagrammatic Foot Print - 22/21/P6
- Diagrammatic Elevations - 22/21/P7

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

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

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

- (i) A survey of the extent, scale and nature of contamination
- (ii) An assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;

- adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments.
- (iii) Where unacceptable risks are identified, an appraisal of remedial options and proposal for the preferred option(s) to form a remediation strategy for the site.

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

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

5. Details of finished floor levels for the building and external ground levels for the site shall be submitted as part of any Reserved Matters application. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: In order to ensure an acceptable relationship between the proposed development and surrounding buildings in accordance with the requirements of Fylde Borough Local Plan policy HL2.

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

- (i) Separate systems for the disposal of foul and surface water;
- (ii) Details of the rate of surface water discharge from the site to any soakaway, watercourse or surface water sewer (including any necessary flow attenuation measures and the use of SUDS where appropriate), which shall not exceed the pre-development rate.
- (iii) Details of how the scheme will be maintained and managed after completion.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 15 l/s.

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

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

7. No development shall take place, nor any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) The identification of the site access for construction traffic,
- b) The timing of the provision, and standard of construction, of the site access for construction traffic,
- c) Times and routes of deliveries to the site,
- d) The parking of vehicles of site operatives and visitors,
- e) Confirmation that the hours of construction and demolition works shall be limited to 08.00 – 18.00 Mondays to Friday; 08.00 – 13.00 Saturdays with no work activity on Sundays or Bank Holidays.
- f) Storage of plant and materials used in constructing the development,
- g) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- h) Wheel washing facilities, including details of how, when and where the facilities are to be used'
- i) Measures to control the emission of dust and dirt during construction,
- j) Measures to control the generation of noise and vibration during construction to comply with BS5228:2009
- k) A scheme for recycling/disposing of waste resulting from demolition and construction works,

Reason: To ensure the development is implemented without compromising residential amenity or highway / pedestrian safety.

8. That the details submitted to satisfy the Reserved Matters required by condition 2 of this planning permission shall include confirmation that the mitigation works specified in the recommendations in the noise report by John Holdsworth of Sound advice are to be implemented into the scheme. The development shall be implemented to incorporate these mitigation works.

Reason: To ensure appropriate standards of amenity are retained for the future residents of the development given the proximity of the site to a series of lawful employment uses and the railway as noise generating activities.

9. That in the event that the construction works are to involve piling, a schedule of the intended location and depth of piles along with the timing for these operations shall be submitted to the Local Planning Authority for its written approval following consultation with Network Rail in advance of the piling operations commencing. These piling operations shall only be undertaken in accordance with the agreed schedule.

Reason: To ensure that appropriate safeguards can be investigated and introduced to ensure that the development does not have any harmful impacts on the nearby railway.

10. Notwithstanding the requirements of condition 3 of this permission, no development shall take place until a detailed scheme for the on-site and off-site highway improvement works indicated on plan ref: 170401/01/A is submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following works and the phasing of their respective implementation:

- a) Detailed design and materials of construction of the site access to St Leonards Road East
- b) Detailed design and materials of construction of the site access to Press Road
- c) On-site vehicle parking and manoeuvring areas so that all vehicles can enter and leave the site in forward gear

- d) Detailed design and materials of construction for a scheme of carriageway narrowing and provision of a parking lay-by to St Leonards Road East, with the construction of these to be in accordance with the Lancashire County Council Specification for Construction of Estate Roads
- e) Detailed design and materials of construction for a scheme of junction improvement works including pedestrian build-outs and carriageway narrowing at the junction of St Leonards Road East / St David's Road North, with the construction of these to be in accordance with the Lancashire County Council Specification for Construction of Estate Roads
- f) The provision of visibility splays of at least 2m x 12m in both directions at the exit of the site to Press Road, and the provision of a mechanism to ensure that Press Road retains a passing width of 4.5m between this access and St David's Road North
- g) The provision of visibility splays of 2.4m x 43m in both directions at the junction of St Leonards Road East with St David's Road North along with measures to ensure that the level of visibility available at this junction does not exceed that

The accesses, parking and manoeuvring areas and highway works shall be constructed and made available for use in accordance with the duly approved scheme before any of the residential units are first occupied, or in accordance with any other phasing as contained within the agreed scheme.

Reason: To ensure that there is adequate provision for vehicles to be parked on site, to achieve suitable visibility at the site accesses, and achieve an acceptable degree of highway safety on the existing road network in accordance with the requirements of Fylde Borough Local Plan policy HL2 and the National Planning Policy Framework.

Informative notes:

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.
2. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council in the first instance to ascertain the details of such an agreement and the information to be provided.

Item Number: 7

Application Reference:	17/0359	Type of Application:	Full Planning Permission
Applicant:	FKE Limited	Agent :	MDAssociates
Location:	SITE 3 LAND AT DUGDALES CLOSE/ BROOKLANDS WAY/ HALLAM WAY, WHITEHILLS BUSINESS PARK, WESTBY WITH PLUMPTONS		
Proposal:	CONSTRUCTION OF A RETAIL PARK (CLASS A1 NON-FOOD) WITH ASSOCIATED ACCESS, CAR PARKING AND SERVICING AREAS		

Decision

Full Planning Permission: Planning permission be granted subject to improvements to the site layout and landscaping, the resolution of highways issues to the satisfaction of the Head of Planning & Regeneration and subject to the completion of a Section 106 agreement in order to secure:

- A financial contribution of £60,000 towards the improvement of public transport and/or sustainable transport initiatives in the vicinity of the site,
- A financial contribution of £10,000 towards enhancements of Cropper Road and School Road junction
- A financial contribution of £30,000 toward local pedestrian/cycle improvements
- A financial contribution of £10,000 towards TRO investigations
- A financial contribution of £45,000 towards public realm improvements.

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

Planning permission will then 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)

Conditions and Reasons

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.

Reason: 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. Notwithstanding any denotation on the approved plans samples of the roof treatment and wall brick and cladding [both inclusive of colour] shall have been submitted to and approved by the Local Planning Authority 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.

Reason: In order to ensure a satisfactory standard of development

3. Prior to the commencement of development, a scheme for the external lighting of the building / premises / site curtilage [including degree of illumination] shall have been submitted to and approved in writing by the Local Planning Authority. Only lighting contained in the approved

scheme shall be implemented at the site, with any addition or alteration to the scheme agreed in writing with the Authority.

Reason: In the interests of visual amenity.

4. Landscaping, including hard surface landscaping shall be carried out and preserved in accordance with a scheme and programme which shall have been 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, minor artifacts and street furniture, refuse receptacles, lighting and services as applicable soft landscape works shall include plans and written specifications noting species, 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.

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

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

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

6. No goods of any description shall be stored other than within the defined buildings

Reason: In the interests of visual amenity.

7. The non-food retail units hereby permitted shall not be used for the sale of any goods other than those within the following categories:

Outdoor activity equipment and associated clothing and footwear, DIY and decorating goods, garden goods, furniture, motor and cycle goods, soft and hard furnishings and furnishings, household textiles, pictures, homewares, glassware, tableware, household goods, electrical goods, bathroom and kitchen goods and accessories, household cleaning products, lighting, seasonal goods, giftware, toys, arts and crafts , pet products and ancillary confectionary products.

Goods falling outside of this range may be sold only where they form a minor and ancillary part of the stores' operation.

Reason: To prevent unacceptable harm upon the existing centres

8. The non-food retail units hereby approved shall not be subdivided or amalgamated without the prior consent of the Local Planning Authority

Reason: To prevent unacceptable harm upon the existing centres.

9. The retail activity with each retail units approved shall be undertaken by a single retail business and no floorspace shall be sub-let or otherwise used to create concessionary areas

Reason: To prevent unacceptable harm to the existing centres.

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

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

11. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) The parking of vehicles of site operatives and visitors;
- ii) Loading and unloading of plant and materials;
- iii) Storage of plant and materials used in constructing the development;
- iv) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) Wheel washing facilities;
- vi) A management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;
- vii) A scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- viii) A Management Plan to identify potential ground and water contaminants
- ix) A scheme to control noise during the construction phase.

Reason: To maintain the operation and safety of local streets and the through routes in the area during site preparation and construction.

12. Development shall not begin until a phasing programme for the whole of the development and for the highways works referred to, has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved phasing programme.

Reason: To define the permission and in the interests of the proper site development.

13. Prior to first occupation hereby approved, the s106 contribution relating to off site pedestrian and cycle route provision must be paid in full.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that these sustainable transport links can be substantially completed at an early stage in the development of the site and hence effect the modal choice of the occupants; in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions.

14. Prior to first occupation hereby approved, the s106 funding for the highway improvement scheme at Cropper Road/Lytham St Annes Way Roundabout must be paid in full. The scheme to be delivered will be subject to detailed design.

Reason: In order to maintain network reliability and safety and ensure that residents of the development have satisfactory access to services and facilities.

15. Prior to the first trading of the building hereby approved the payment of s106 funding for the public transport improvement to help deliver a high frequency Public transport service must be paid in full to support delivery of a good frequency bus service.

Reason: To ensure the provision of a high quality public transport service that will limit the impact of this development on the local transport network.

16. Prior to the first occupation of the development hereby permitted, a Full Travel Plan shall have been submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan to include objectives, targets, measures to achieve targets, monitoring, and implementation timescales and continue with the provision of a travel plan co-ordinator. The approved plan(s) will be audited and updated at intervals as approved and the approved plan(s) be carried out.

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

17. There shall not at any time in connection with the development hereby permitted be planted hedges, trees or shrubs over 1m above the road level within any visibility splay required to maintain safe operation for all users.

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

19. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied, unless otherwise agreed in writing with the Local Planning Authority. The car park shall then be available at all times whilst the site is occupied.

Reason: To ensure that there is adequate parking for the development proposed when the buildings are occupied.

20. The development hereby approved shall not be commenced until a scheme for the provision of foul water drainage works has been submitted to and approved by the Local Planning Authority. The means of drainage shall be implemented in accordance with the approved scheme, prior to first occupation of the development hereby approved.

Reason: To reduce the increased risk of flooding by ensuring provision of a satisfactory means of foul water disposal.

21. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:
- a) Confirmation that the surface water drainage scheme that is proposed has been informed by a full ground investigation to explore the option of ground infiltration to manage the surface water in preference to discharging to a surface water body, sewer system or other means
 - b) 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;
 - c) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development Greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - d) 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);
 - a. Flood water exceedance routes, both on and off site;
 - b. A timetable for implementation, including phasing as applicable;
 - e) 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 ensure that the proposed development can be adequately drained, and to ensure that there is no flood risk on or off the site resulting from the proposed development.

22. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details.

The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the drainage for the proposed development can be adequately maintained, and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance

23. 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:

- i. on-going inspections relating to performance and asset condition assessments
 - ii. 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, 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

25. All surface water attenuation structures, for example 'Geocellular Storage Systems' and flow control devices/structures required to secure an acceptable surface water drainage scheme are to be constructed and operational prior to the commencement of any other development.

Reason: To ensure site drainage during the construction process does not enter the watercourses at un-attenuated rate, and to prevent a flood risk during the construction of the development

26. This consent relates to the following details:

Approved plans:

TO BE INSERTED ONCE FINAL LAYOUT AGREED WITH OFFICERS

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

Item Number: 8

Application Reference:	17/0380	Type of Application:	Householder Planning Application
Applicant:	Mr Shepherd	Agent :	Cassidy + Ashton Group Ltd.
Location:	3 QUEEN STREET, LYTHAM ST ANNES, FY8 5LQ		
Proposal:	REMOVAL OF PART OF EXISTING BOUNDARY WALL TO PROVIDE VEHICULAR ACCESS AND CREATION OF 1 NO. PARKING SPACE		

Decision

Householder Planning Application:-Refused

Reason

1. The development proposed involves the demolition of a length of low, cobble, boundary wall to the property to enable the provision of a vehicle access and parking area in the side garden to this Grade II listed dwelling. This wall is an historic boundary feature to the Lytham Conservation Area and as such the loss of cobble section and formation of a break in the wall will detract from the strong positive contribution that this wall, and the many others that form boundaries to other dwellings in the area, form. This will be a harmful impact to the character of the streetscene and to the contribution and sense of enclosure that the unbroken wall makes to the conservation area and the setting of the listed building. Furthermore, the provision of an off road parking space in the side garden area and its use for parking of vehicles will obscure the interest features of the listed building and compound the harm caused.

The provision of an off-street parking space will not be of such a benefit to outweigh these harmful impacts, and so the harm to the significance of the heritage asset and to the character of the streetscene is such that the application is contrary to Policies HL5, EP3 and EP4 of the Fylde Local Plan, as altered (October 2005) and Policies GD7 and ENV5 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

Informative notes:

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

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

Item Number: 9

Application Reference:	17/0381	Type of Application:	Listed Building Consent
Applicant:	Mr Shepherd	Agent :	Cassidy + Ashton Group Ltd.
Location:	3 QUEEN STREET, LYTHAM ST ANNES, FY8 5LQ		
Proposal:	LISTED BUILDING CONSENT FOR REMOVAL OF PART OF EXISTING BOUNDARY WALL TO PROVIDE VEHICULAR ACCESS FROM HENRY STREET AND FORMATION OF HARDSTANDING PARKING SPACE		

Decision

Listed Building Consent:-Refused

Reason

1. The development proposed involves the demolition of a length of low, cobble, boundary wall to the property to enable the provision of a vehicle access and parking area in the side garden to this Grade II listed dwelling. This wall is an historic boundary feature to the Lytham Conservation Area and as such the loss of cobble section and formation of a break in the wall will detract from the strong positive contribution that this wall, and the many others that form boundaries to other dwellings in the area, form. This will be a harmful impact to the character of the streetscene and to the contribution and sense of enclosure that the unbroken wall makes to the conservation area and the setting of the listed building. Furthermore, the provision of an off road parking space in the side garden area and its use for parking of vehicles will obscure the interest features of the listed building and compound the harm caused.

The provision of an off-street parking space will not be of such a benefit to outweigh these harmful impacts, and so the harm to the significance of the heritage asset and to the character of the streetscene is such that the application is contrary to Policy EP4 of the Fylde Local Plan, as altered (October 2005) and Policy ENV5 of the submission version of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

Informative notes:

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:
 1. Where appropriate the council will seek to engage with applicants to resolve concerns over development proposals either before the application is submitted as promoted by para 188 of NPPF, or during the consideration of the application as promoted by para 187 of the NPPF. However, in some circumstances it will not be possible to resolve these concerns and so a refusal of the application is necessary due to the environmental / social / economic harm that will be caused by the development as identified in the reasons for refusal. In these circumstances an application is refused to enable the overall speed and quality of the council's decisions to be maintained.

Item Number: 10

Application Reference:	17/0404	Type of Application:	Change of Use
Applicant:	Mr Mark Bamforth	Agent :	
Location:	65 WARTON STREET, LYTHAM ST ANNES, FY8 5DG		
Proposal:	CHANGE OF USE OF GROUND FLOOR FROM RETAIL (CLASS A1) TO MIXED USE OF RETAIL / BEAUTY SALON (SUI GENERIS)		

Decision

Change of Use: Granted

Conditions and Reasons

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

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

2. This permission / consent relates to the following details:

- Location Plan - FBC Ordnance Survey 100006084

Reason: To provide clarity to the permission.

Informative notes:

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

Item Number: 11

Application Reference:	17/0435	Type of Application:	Full Planning Permission
Applicant:	Mythop Gardens Limited	Agent :	Thomas Associates Architects
Location:	ASHTONS NURSERY GARDENS, MYTHOP ROAD, LYTHAM ST ANNES, FY8 4JP		
Proposal:	RESUBMISSION OF APPLICATION 16/0413 FOR ERECTION OF 12 DWELLINGS WITH ASSOCIATED ACCESS FROM MYTHOP ROAD		

Decision

Outline Planning Permission: Approved subject to the completion of a Section 106 Agreement to secure:

- Provision of a scheme to deliver a fair and proportionate contribution towards affordable housing provision in Lytham through the delivery of an appropriate off site scheme of affordable housing by the applicant
- A proportionate and viable financial contribution towards securing off site public open space, or the improvement of existing public open space.

The Planning Permission be subject to the following conditions (or any variation to them that are considered necessary by the Head of Planning and Regeneration in the light of considerations that arise between the Committee date and the issuing of a planning permission),

Conditions and Reasons

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

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

2. This consent relates to the following details:

Approved plans:

- Location Plan - Dwg no. 2593/01
- Site Plan - Dwg no. 2593/03P
- Roof Plan - Dwg no. 2593/11P
- Site Survey - Dwg no. 2593/02E
- Site Levels - Dwg no. 2593/04P
- Floor Plans & Elevations (1) - Dwg no. 2593/05P
- Floor Plans & Elevations (2) - Dwg no. 2593/06P
- Floor Plans & Elevations (3) - Dwg no. 2593/07P
- Floor Plans & Elevations (4) - Dwg no. 2593/08P
- Floor Plans & Elevations (5) - Dwg no. 2593/09P
- Floor Plans & Elevations (1) - Dwg no. 2593/12P
- Site Sections - Dwg no. 2593/10P
- Proposed Site Access - Dwg no. 2013-206-005 Rev A

Supporting Reports:

- Design and Access Statement produced by Thomas Associates Architects

- Flood Risk Assessment produced by Waterco Consultants, dated November 2016 and referenced w1554-161107-FRA
- Transport Statement produced by SCP Transport Planning, dated March 2016 and referenced GW/14083/TS/1
- Drainage Strategy Report produced by Hamilton Technical Services - Issue 2, dated 05 December 2016

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

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the approved plans.

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. Within 3 months of development first taking place, details of the height, design, materials and finish of all boundary treatments at the site (the siting of which is shown on drawing no. 2593/11P) shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in accordance with the duly approved details before any of the dwellings are first occupied, and retained as such thereafter.

Reason: In the interests of site security and to ensure a satisfactory relationship with the character of surrounding buildings and the street scene in accordance with the requirements of FBLP policy HL2.

5. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, within three months of development first taking place a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Fylde Borough Local Plan policies HL2, EP14 and EP18, and the National Planning Policy Framework.

6. Notwithstanding the provision of Article 3, Schedule 2, Part 1, Classes A, B, C, D, E & F 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.

[CLASS VARIABLES

A	House Extensions.
B&C	Roof Extensions/alterations
D	Porches
E	Curtilage buildings
F	Hardstanding
G	Flues and Chimneys

H Satellite antenna]

Reason: 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.

7. Notwithstanding the provision of Classes A & B of Part 2 to Schedule 2 in Article 3 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.

[CLASS VARIABLES

- A Gates, walls, fences
- B New access
- C Exterior treatment]

Reason: 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.

8. Prior to any on site construction a Construction Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan is to include method and details of construction; including vehicle routing to the site, construction traffic parking and any temporary traffic management measures, times of construction, access and deliveries. Such a Construction Plan is to be implemented and adhered to during the construction of the development.

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

9. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Ref: w1554-160822-FRA), Waterco Ltd, November 2016 and the following mitigation measures detailed within the FRA:
- a. Limiting the surface water run-off generated by the critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
 - b. Demonstration within the FRA that the improvement/protection and maintenance of existing flood defences will be provided.
 - c. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
 - d. Confirmation of the opening up of any culverts across the site.
 - e. Finished floor levels are set no lower than 3.85 m above Ordnance Datum (AOD).
 - f. The proposed mitigation measures as stated in Section 9.3 of the FRA are implemented.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, and reduce the risk of flooding to the proposed development and future occupants.

10. The development permitted by this planning permission shall be carried out in full accordance with the approved Drainage Strategy Report (Issue 2, dated 05 December 2016) and produced by Hamilton Technical Services

Reason: To ensure that the proposed development can be adequately drained, and to ensure that there is no flood risk on or off the site resulting from the proposed development

11. 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 Residents' 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:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. 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 the proposed development can be adequately drained, and to ensure that there is no flood risk on or off the site resulting from the proposed development for the lifetime of the development

12. No part of the development hereby approved shall be occupied until the approved access has been constructed and completed in accordance with the approved drawing (dwg no. 2013-206-005).

Reason: To ensure a suitable and safe means of access to the site for vehicular traffic in accordance with the requirements of policy HL2 of the Fylde Borough Local Plan and the NPPF.

13. Where any dwelling on the development incorporates an integral garage for the purpose of housing a motor vehicle then that accommodation shall not be modified or converted for any other purpose without the prior approval of the Local Planning Authority.

Reason: To ensure that there is adequate parking provision retained within the dwelling curtilage.

Informative notes:

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