

Agenda

Planning Committee

Date:	Wednesday, 18 March 2020 at 10am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman) Councillors Tim Armit, Chris Dixon, Kiran Mulholland, Jayne Nixon, Linda Nulty, Liz Oades, Michael Sayward, Heather Speak, Ray Thomas, Stan Trudgill.

Public Speaking at the Planning Committee

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

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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 11 March 2020 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24.	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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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 Local Plan to 2032 Adopted Version (October 2018)
- Joint Lancashire Minerals and Waste Local Plan
- Bryning-with-Warton Neighbourhood Plan
- Saint Anne's on The Sea Neighbourhood Development Plan
- National Planning Policy Framework 2019
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- Other Supplementary Planning Documents, Guidance and evidence base documents specifically referred to in the reports.
- The respective application files
- The application forms, plans, supporting documentation, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
- Any additional information specifically referred to in each report.

These Background Documents are available either at www.fylde.gov.uk/resident/planning or for inspection by request at the Town Hall, St Annes Road West, St Annes.

Planning Committee Schedule 18 March 2020

Item Number: 1

Committee Date: 18 March 2020

Application Reference:	18/0662	Type of Application:	Full Planning Permission
Applicant:	Mr COLLINS	Agent :	Mr D Kovacs
Location:	2 ANGEL LANE CARAVAN PARK, FAIRFIELD ROAD, STAINING, BLACKPOOL, POULTON LE FYLDE, FY6 8DN		
Proposal:	ERECTION OF UTILITY BUILDING		
Ward:	STAINING AND WEETON	Parish:	Staining
Weeks on Hand:	19	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/@53.8279566,-2.9775107,375m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site relates to one of the 6 pitches on the Angel Lane Caravan Site in Hardhorn which is occupied as traveller site and has a complex planning history. The proposal is for the erection of a utility building on the pitch that is designed to meet the needs of the occupiers of that pitch for toilet, washing and cleaning facilities. Whilst the planning permission for the site includes utility buildings the structure that is proposed (10m x 5m) exceeds the approved size (5m x 4m) and so requires a separate permission.

The principle of the development of the wider Angel Lane site was accepted by the Inspector's decision on an appeal in 2016, with that including a utility block for each pitch. Crucially that decision also accepted that the harm that the site caused in the wider landscape was outweighed by the benefits from the establishment of the site and the provision of a site for the residents.

Whilst the proposed building is larger than that which is permitted, the overall impact on the wider landscape from this increased size is modest as the building is not prominently sited when viewed from the closest vantage points and will only be seen in the context and against the backdrop of the site as a whole with its caravans, walls, and other buildings. As such it is considered that the proposed building will not in itself be harmful in the landscape. It is also sited in the same location as the approved building and so can only replace that approved structure. The drainage from the building is to connect to the existing approved arrangements, and there are no highways, ecology or other such technical matters that would justify a refusal of the application. Accordingly, the proposed increase in scale of the building over the approved building is acceptable and so recommended for approval.

Reason for Reporting to Committee

The application complies with the Scheme of Delegation and so can be determined by officers under delegated powers. However, given the history of the site and the Planning Committee's involvement in previous decisions it is considered appropriate to present the application to the Planning Committee for a decision.

Site Description and Location

The application site is plot 2 of Angel Lane Caravan Park. The successful appeal of application 14/0490 granted permission for the retention of 6 pitches at the site subject to several conditions. The development permitted includes three to four caravans per pitch, of which only one can be a static caravan and in total 20 caravans are permitted on the site as a whole. Each plot benefits from permission for a utility building measuring 5m (l) x 4m (w) x 3.5m (h).

The site is located to the south of Fairfield Road, due south east of Poulton-le-Fylde and Hardhorn village, north east of Staining, and to the west of Singleton. The site has a frontage to a vehicular access track, which links the site with Fairfield Road 60 metres to the north. The area surrounding the site is mostly agricultural land with a scattering of houses, farms and equestrian uses. On the other side of Fairfield Road in Wyre borough is a site with extant permission for a housing development.

The site is located in the open countryside in the Fylde Local Plan to 2032, and the boundary with the adjoining authority, Wyre, is situated 35m metres to the north of the site.

Details of Proposal

The application is for the erection of a double utility building to serve the residents of plot 2. This pitch is occupied by the applicant and his family, and his sister and some of her children. As stated above there is permission for the erection of one utility building on each pitch but this has not been constructed on this pitch, with a small shed type building the only existing structure on this plot other than the touring caravans. The proposed utility building would measure 10m in length, 5m in width and be 4.05m to the ridge. The submitted plans state that it would be constructed in facing brick, with a concrete tiled roof and white pvc windows and doors.

Relevant Planning History

None specific to this pitch, with the planning permission for the site approved under reference 14/0490 for this and 5 other pitches as set in the Site Description section of this report.

Relevant Planning Appeals History

None specific to this pitch, although planning permission 14/0490 was granted on appeal.

Parish/Town Council Observations

Staining Parish Council notified on 08 November 2019 and comment:

"It was noted that there is an excess of caravans on the existing site which must be addressed by FBC Enforcement."

It was resolved that there is no objection to the application in principle, however, the residential density of caravans must be addressed in conjunction with the application."

Statutory Consultees and Observations of Other Interested Parties

Wyre Borough Council - Planning Dept

No objections.

Neighbour Observations

Neighbours notified:

29 November 2019

Number of Responses

Seventeen objections received

Summary of Comments

Many of the letters refer to lack of enforcement action against the residents for breaches of planning condition. However, applications are considered on their own merits, so reference to other areas of the site where the residents are in breach of conditions are not relevant to the determination of this application. Other comments raised by neighbours which are relevant are as follows;

- Visual impact.
- Too big.
- Drainage of buildings.
- Generators needed will create noise.
- Building not needed. Touring caravans provide showers etc.
- Impact on highway safety.

Relevant Planning Policy

Fylde Local Plan to 2032:

ENV1	Landscape
GD4	Development in the Countryside
GD7	Achieving Good Design in Development
H5	Gypsies, Travellers and Travelling Showpeople's Sites

Other Relevant Policy:

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

Site Constraints

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) Regulations 2017.

Comment and Analysis

Principle of the development

The national Planning Policy for Traveller Sites 2015 (PPTS) and policy H5 of the Fylde Local Plan to

2032 all contain guidance and criteria for the development of new Traveller sites. In this case the proposal is for a utility building on an existing residential pitch on a lawful travellers site which is owned individually by this applicant. As the pitch has planning permission through reference 14/0490 then there is no dispute over the principle of their occupation of the site to consider in this application.

Part of the existing planning permission for that use includes the erection of a utility building with the proposal here seeking permission for a larger building to occupy the site. The principle of a utility building has already been established through that permission and is to provide the cleaning and washing facilities for the residents on this pitch. The building authorised under the existing permission has yet to be constructed but with the permission being extant it could be at any time. However, the proposed site plan provided with the application shows the new building over the footprint of the approved building, meaning that if this building is granted permission, and is built, then the previously approved utility building could not also be built. With this in mind the principle of the development is acceptable.

Design and visual impact

Turning to the specific details of the proposal Policy GD7 'Achieving good design in development' and Policy ENV1 'Landscape' are the key relevant policies of the Fylde Local Plan to 2032 against which to consider the design of the proposed building and its visual impact.

Due to the position of the applicant's pitch within the wider Angel Lane site the proposed building is to be located centrally on the southern boundary of the whole site. The most prominent views of the site, which is in an area of particularly open and flat landscape that offers long-range views, are from the north and east and from the carriageway of Fairfield Road. The visual harm that the overall site has on the local landscape was rehearsed at the Public Inquiry into application 14/0490 after which the Inspector found that whilst there was landscape harm, this did not outweigh the benefits of the proposal. Whilst conditions requiring landscaping have not been fully complied with, and the planting that has taken place is far from matured, this proposed building is in the least prominent position of the site when viewed from the available vantage points and would be surrounded by caravans, vehicles and the walls of the development site. It would therefore be seen in the context of the permitted site area and would not appear out of character with the rest of the site.

As such given that the wider visual harm of the Angel Lane site has been accepted the visual impact of this specific development is considered to be acceptable and not in conflict with the requirements of Policy GD7 and ENV1.

Other issues

The proposal is to replace an existing permitted utility building with a larger one. The occupants of the plot and the number of permitted caravans would remain the same, therefore there would be no additional highway movements to and from the site, so no highways issues are raised by the development. There are also no additional issues raised around issues such as ecology, landscaping and residential amenity. The appeal decision was subject to several conditions which remain in place and still place requirements over the site as whole irrespective of the decision on this application.

With regards to the drainage arrangements, the applicants provided details of a septic tank as part of the discharge of conditions for the appeal scheme and this development would feed into that tank. Recent legislation changes mean that it will soon not be possible to discharge a septic tank into a watercourse so this would need to be manually emptied rather than pass into the watercourse, but this is a matter that applies irrespective of the current proposal as the septic tank is an existing feature on the site. As such there are no additional drainage issues created by this development.

With regard to the representations received about need for generators to provide power to the buildings, generators do not constitute development and as such planning permission is not needed to operate them. If the noise from them were to be an issue neighbouring residents would need to raise their concerns with the Local Authority within which they are located (Wyre) and their environmental protection team would need to investigate and if appropriate take action.

Conclusions

The development is for a larger utility block on a traveller's pitch at Angel Lane caravan park. The pitch has extant permission for a smaller block and as such the principle of the development is acceptable. The proposed block whilst larger will have limited visual impact due to the size and position of the development in the context of the overall site whose visual harm has been accepted in the context of the benefits of the development outweighing that harm. Accordingly the application proposal is considered to be acceptable.

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 permission relates to the following plans:

- Location Plan , Site Plan and Elevations - ERECTION OF UTILITY BLOCK


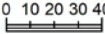
Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

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

3. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the buildings 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 Policy GD7 of the Fylde Local Plan to 2032.



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Application No. 5/18/0662	Address 2 Angel Lane Caravan Park, Field 7126, Fairfield Road, Staining	Grid Ref. E.3357 : N.4372	Scale 0 10 20 30 40 m 

Item Number: 2

Committee Date: 18 March 2020

Application Reference:	19/0300	Type of Application:	Outline Planning Permission
Applicant:	Mr Executors of J Johnson	Agent :	DC & MG Associates Ltd
Location:	SMITHY COTTAGE, KIRKHAM ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SD		
Proposal:	OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF FOUR DWELLINGS (2NO. TWO STOREY SEMI-DETACHED, 1NO. TWO STOREY DETACHED AND 1NO. DETACHED BUNGALOW) WITH ASSOCIATED INFRASTRUCTURE (ACCESS, LAYOUT AND SCALE APPLIED FOR WITH APPEARANCE AND LANDSCAPING RESERVED)		
Ward:	NEWTON WITH TREALES	Parish:	Treales, Roseacre and Wharles
Weeks on Hand:	45	Case Officer:	Alan Pinder
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/@53.7892167,-2.8517417,188m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to a parcel of land located on the south side of Kirkham Road between Smithy Cottage and Smithy Farm New House in the village of Treales, and seeks outline planning permission for four dwellings and an associated access road from Kirkham Road. Access, scale and layout are applied for with appearance and landscaping reserved for later consideration. The site is neighboured to the east, south and west by built development, and to the north by land that is currently open but benefits from planning permission for the erection of 3 dwellings.

The current scheme is a revision to that originally submitted which has reduced the number of dwellings, reduced their scale and improved their layout on the site. It is now considered that the scale and density of the proposal, and its relationship with the surrounding development, is such that it would represent minor infill development that satisfies exception f) of policy GD4 of the Fylde Local Plan to 2032. Hence the principle of development accords with the provisions of the development plan and is acceptable.

The proposed dwellings would follow the established pattern of development along the south side of Kirkham Road and would be located amongst, and seen in conjunction with, existing buildings. As such they would not appear as harmful or erosive additions to the surrounding landscape context. While the proposal would result in the loss of two protected trees within the site these are in poor condition with a limited lifetime remaining and the reserved landscaping scheme could introduce new replacement tree planting that would ensure the longevity of the green infrastructure provided by the site within the village.

A safe and suitable means of access would be provided for the development and County Highways opine that the four new dwellings would not unduly impact on the safe use of the local highway network. The development would not give rise to any other adverse effects in terms of ecology or flood risk. Therefore, the proposal is considered to represent sustainable development in accordance with the relevant policies of the Fylde Local Plan to 2032 and the NPPF.

Reason for Reporting to Committee

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

Site Description and Location

The application relates to an irregularly shaped parcel of land extending to an area of approximately 0.23 hectares located on the south side of Kirkham Road within the village of Treales. The site formed part of the former farmstead of Smithy Farmhouse and is presently occupied by a dilapidated and ruined former agricultural building. To the east of the site is a detached two storey dwelling (Smithy Farm New House) and to the west is Smithy Cottage, a detached two storey dwelling that used to be grade 2 listed but has recently been de-listed. On the land immediately adjoining the site to the south construction has begun on four detached dwellings approved under planning permission ref. 17/0471. Within the site are two trees protected by Tree Preservation Order (TPO - 1989 No.12) and along the western edge of the site, just outside the site boundary, is a group of trees that are subject to the same TPO.

The site lies outside of any settlement boundary and is wholly within countryside as designated in the Fylde Local Plan to 2032.

Details of Proposal

This application seeks outline planning permission for the construction of four dwellings (two detached and two semi-detached) together with a new access road from Kirkham Road to serve the dwellings. Access, layout and scale are applied for with appearance and landscaping reserved for later consideration.

Access

A new access road to serve the proposed dwellings would be formed from the southern side of Kirkham Road. This access would feature a 2 metre wide footpath that links into the existing footpath along the site frontage of Kirkham Road.

Layout

The submitted layout shows a single detached dwelling (plot 1) fronting onto Kirkham Road and set back approximately 9 metres from the edge of the highway. Directly to the rear of this property, towards the southern site boundary, would be the second detached dwelling (plot 2), and to the west of this would be two semi-detached dwellings (plots 3 and 4).

Scale

The submitted elevation drawings indicate that plots 1, 3 and 4 would all be two stories in scale (7.7 metre ridge height and 4.8 metre eaves) and plot 2 would be a dormer bungalow with a 6.4 metre ridge and 3.2 metre eaves.

The original scheme was submitted for the erection of 5 dwellings all at two storey, and has been the subject of revisions following discussions between officers and the applicant over the past few months. The revisions have been the subject of re-notification with the Parish Council and neighbours.

Relevant Planning History

None relating to this site.

Relevant Planning Appeals History

None

Parish/Town Council Observations

Treales, Roseacre & Wharles Parish Council were originally notified on 10 May 2019 and were re-notified on 23 January 2020 in respect of the current proposal.

Their original comments were to raise object to the development for a range of reasons.

The revised comments relate to the scheme under consideration and also raise objection. These are included here in full:

“At their meeting on the 11 February 2020 the Parish Council resolved to Object to this application as follows:

- As statutory Consultees with the greatest local knowledge, the Parish Council has assessed this application to be in conflict with the Adopted Fylde Local Plan. It is a harmful, unacceptable residential development in an unsustainable location in designated countryside, which significantly harms the intrinsic value and rural character of the countryside of Fylde. These views are a material consideration and as such should be awarded significant weight in determination.*
- The application site is in a location of designated countryside that the Fylde Local Plan considers being so inaccessible for services and so unsustainable for development that it falls outside the settlement hierarchy as described in policy GD1. The location has neither mains sewage or mains gas. In conflict with NPPF para 78, it does not enhance or maintain the viability of the rural community; neither does it support services in a village nearby. In conflict with NPPF para 84, there is no “local business or community need in the rural area” to justify development adjacent to or beyond existing settlements. It is in conflict with NPPF para 103 as such significant developments “should be focused on locations which are or can be made to be sustainable, through limiting the need to travel and offering a genuine choice of transport modes”.*
- The location has no access to services required for a sustainable location within Fylde Borough Council’s threshold of 800m walking distance, as used and defined in “Fylde Council’s Settlement Hierarchy Background Paper March 2016”. No services are within 1600m of the application site and some services are 2400m distant. There are no buses, trains, shops, post office, community facility, doctors’ surgery, indoor leisure facility, primary school, secondary school or public open space accessible by acceptable distances on foot or by sustainable modes of transport.*

- *The site is located in designated countryside and falls within the policy GD4. It conflicts with all elements (a-f) of Policy GD4. It is not "minor infill" re (g) as this should relate to development within minor settlements. In the current adopted local plan, Treales had its settlement boundaries removed and therefore Treales is located wholly within an area designated as countryside. As a result, the proposed development is also wholly within designated countryside.*
- *It is not a minor development and is of a substantial scale of 4 dwellings in designated countryside. It proposes the creation of two further urbanised road accesses. This will create a continuous urban ribbon development uncharacteristic of the countryside setting and causing fundamental material impact on the rural character of the area. It effectively doubles the length of continuous roadside development as compared to that within the former settlement area, since the withdrawal of the settlement boundaries in the Parish. This has been formed by successive approvals of developments of "minor infill" in conflict with the material objections of the Parish Council, cumulatively continuing to further blight the rural character of the location. This is characterised by hedge rowed roadside fields and woodland, interspersed with former estate farmsteads. What is being formed is an urbanised ribbon development that is characteristic of a commercial housing on strategic development sites, entirely in conflict with the FLP and NPPF.*
- *Currently the site is a critically prominent and valued, significant agricultural orchard with several TPO protected trees associated with Smithy Farm, which until 2018 was protected by listed building status. Though this protection was removed, this farmhouse is still considered by FBC to be of significant heritage importance to the area and is to be included in FBC newly developed Heritage Assets list. The loss of this roadside orchard and TPO trees associated with Smithy Farm will have a detrimental material impact on the rural character of the area. The FBC Tree Officer has stated "The removal of several more TPO protected trees in Treales, where there has been a lot of tree removal in the area, will have a negative impact on the rural amenity value and reduce the natural soft green infrastructure that this area provides."*
- *The proposed development is in conflict with the need to protect the intrinsic value and rural character of the countryside of Fylde. As a result of successive incremental recent development approvals, this new application - if approved - will result in an urbanised continuous ribbon development along the countryside lane of Kirkham Road, in conflict with the countryside setting, putting further pressure on the remaining characteristic roadside fields in the area on the north side of the road.*
- *During the whole period covered by the 1996 & 2005 Fylde Local Plans, the majority of the hamlet of Treales was encompassed by the settlement boundary. During this period the number of dwellings increased by 50% with 13 new dwellings being constructed. The current FLP removed the settlement boundary and Treales is now within an area designated as countryside. In the past four years alone, the same number of dwellings has been approved in designated countryside in conflict with the material objections of adverse material impact on the character by this Parish Council and therefore in conflict with FLP policy GD4 a-f inclusive. These successive residential developments have led to incremental urbanisation of the countryside. The Parish Council now firmly believe that a critical situation has now been reached whereby the unique rural heritage and character of Treales will be irreparably harmed if this application is approved. The Parish Council would be pleased to invite the members of the Planning Committee to visit that parish to see the evidence for themselves.*
- *The application site is characteristically a roadside significant agricultural orchard area; it is a valued open space and its retention is now critical to the protection of the intrinsic rural heritage*

and character of Treales and the surrounding area. This is a critically harmful, unsustainable development in the countryside that is in unacceptable conflict with fundamental policies of the adopted Fylde local Plan GD4 a-f, and the NPPF for the reasons given above and therefore the application should be refused.”

Statutory Consultees and Observations of Other Interested Parties

Regeneration Team (Trees)

I have had a look at the application and the site. There are TPO'd trees in the area of the proposed development site. Some tree species are not in good condition, however I would like to retain the trees in the development as there is an Oak tree within Group 2 TPO. Removal of any of the trees will have a negative impact on the remaining trees.

It would be good to see how the development is to be constructed including where the proposed barriers for root protection will be installed, as per BS5837:2012 Trees in relation to design, demolition and construction recommendations.

If the trees cannot be retained for the proposed development then I would like to see the landscaping plan that shows tree replacements, species, size and location. My concern is that there has been a lot of tree removal in the area and any more will have a negative impact on the rural amenity value and reducing the natural soft green infrastructure that this area provides.

Regarding possible solution to negate the loss of trees within this development site would be to plant at least 2 new trees for every tree felled. Replacement trees would have to be of suitable size, species and quality so they have the best chance to can grow to their full potential.

I am prepared to have the species they would like to be planted submitted for approval and the trees should be a minimum of extra heavy standard 14-16 cm girth at 1m from ground level and height 3.5m or greater than.

I would also like to see a Arboriculture Impact Assessment and Method Statement on the impact on the trees remaining on site and how new trees will be planted and maintained for at least 5 years, along with replacement of any trees that are unsuccessful in establishing.

Tree replacement for the removal of TPO trees would need to be planted in a location as near to the original TPO tree and would then be itself protected by a TPO, protecting the trees for future development or tree works.

Lancashire County Council - Highway Authority

No objections to the proposal and opine that the development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. Specifically:

- The highway network surrounding the site has a good accident record and appropriate sightlines (2.0 x 59m) can be fully achieved over the applicant's land and adjacent adopted highway.
- The development would provide an acceptable level of suitable sustainable transport links fronting the site and LCC fully supports the widening of the footpath to 2

metres along the frontage of the site. This widening will need to be carried out under a s278 agreement

- The proposed internal road layout and parking provision conform with current guidelines, although additional works would be required if the applicant wishes to offer the road for adoption

Neighbour Observations

Neighbours notified:	10 May 2019
Amended plans notified:	23 January 2020
Number of Responses	Two letters of support, one other making comment
Summary of Comments	Supporting comments <ul style="list-style-type: none">• Pleased the site is not being over developed and proposes a generously spaced mix of housing with an aesthetically pleasing streetview• This small development will enhance Treales as a place to live
	The other letter highlights barn owl activity in the area of the application site

Relevant Planning Policy

Fylde Local Plan to 2032:

DLF1	Development Locations for Fylde
S1	Proposed Settlement Hierarchy
GD4	Development in the Countryside
GD7	Achieving Good Design in Development
INF1	Service Accessibility and Infrastructure
ENV1	Landscape

Other Relevant Policy:

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

Site Constraints

Tree Preservation Order

Environmental Impact Assessment

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

Comment and Analysis

Policy Background

The starting point for the assessment of planning applications is the Fylde Local Plan to 2032. This provides policies which deliver the housing needs that have been identified through the plan period, with the majority of these in Strategic Locations for Development across the borough, but with other allocations and windfall sites intended to make up the balance.

The council has recently received the Inspector's report on its Annual Position Statement that was

submitted in July 2019. This highlights some concerns over the housing delivery element, but also indicates that the council should use an alternative method of calculating its housing supply. This has the effect of indicating that the council's Plan no longer delivers a 5 year housing supply, and as a consequence the council has instigated a Judicial Review of the Inspector's report as the council believes that it has strayed into matters that are outside of the remit of an Inspector examining an Annual Position Statement. The council also published a revised Annual Position Statement in February 2020 which takes account of the matters raised by the Inspector that were within his remit. This concludes that the council has a 5.1 year housing supply and so the Plan continues to deliver the necessary housing supply and retained full development plan status.

Policy DLF1 of the Fylde Local Plan to 2032 refers specifically to the windfall sites, stating that these are small housing sites amounting to between 1 and 9 dwellings which are not allocated and can occur throughout the borough where compliant with the other policies in the plan. Small committed sites and windfalls yet to come are anticipated to provide around 1040 homes within the plan period and so contribute 11 % of the overall housing requirement, with some larger windfall sites also contributing to this figure. There is therefore an expectation in the Fylde Local Plan to 2032 that 11% of the housing requirement over the Plan period will be delivered outside of the allocated sites. These sites could be delivered within existing settlements, or within the Strategic Locations on unallocated sites, or elsewhere throughout the Borough when, as DLF1 states, they are compliant with other policies in the Plan.

Principle of Development

The application site, and the whole of Treales village, is washed over by the Countryside allocation under Policy GD4 of the Fylde Local Plan to 2032. This is generally restrictive of new development and states:

"Development in the Countryside.....will be limited to:

- a) that needed for purposes of agriculture, horticulture or forestry; or other uses appropriate to a rural area, including uses which would help to diversify the rural economy, including small-scale tourist accommodation, holiday caravan sites and very exceptionally, larger scale tourism development;*
- b) the re-use or rehabilitation of existing permanent and substantial buildings;*
- c) extensions to existing dwellings and other buildings in accordance with Policy H7;*
- d) development essentially needed for the continuation of an existing enterprise, facility or operation, of a type and scale which would not harm the character of the surrounding countryside;*
- e) isolated new homes in the countryside which meet the criteria set out in Policy H6.*
- f) minor infill development*

Therefore as Policy DLF1 requires that any acceptable windfall development must comply with the other policies of the Plan it is necessary to examine whether or not the proposed development complies with any of the above criteria. Clearly criteria a) – e) are not applicable in this case, leaving criterion 'f) minor infill development' as the key assessment for this proposal. Policy GD4 provides no guidance on what constitutes minor infill development, although the justification for the policy explains in para 7.15 that *"Minor infill development will be of a scale and use that does not have a material impact on the rural character of the area and does not conflict with the provisions of policy ENV3."* Policy ENV3 relates to 'Existing Open Spaces' (EOS) as identified on the Policies Map, however the application site is not designated as an EOS. Hence in order to accord with criterion f) of Policy GD4 the proposed development must pass three tests to be considered acceptable: it must be minor, it must be infill, and it should not materially impact on the rural character of the area.

Is the development minor?

In the absence of any definition of this in the Plan the council has interpreted whether a scheme is 'minor' development with reference to the context of the site, in particular the extent of surrounding built development. This means that in an undeveloped and isolated location a development would need to comprise 1 or a maximum of 2 dwellings to satisfy the definition, whereas in an area where there is a greater level of existing development then a larger figure could be accepted as remaining minor in scale.

In this instance the site is located within the village of Treales and is close to the centre of the village where the immediate context is formed by existing built development. The proposal is for four dwellings set in a relatively spacious layout on a site surrounded by existing dwellings to the side, dwellings under construction to the rear, and a site with planning permission for development opposite. The scale of the development is reflective of that established within the remainder of the village. Within this context it is considered that the proposal satisfies the scale requirement of criterion f) and represents 'minor' development.

Is the development infill?

The next test is to consider whether or not the application site constitutes an 'infill' development site. This is also not defined in the Local Plan, but it is logical to assume that for a scheme to constitute infill development it must be immediately adjacent to existing built development on two opposing sides. This approach is supported by reference to key planning definitions as follows:

- The Planning Portal's glossary defines it as; *"Infill development - The development of a relatively small gap between existing buildings"*
- Development Control practice (DCP) defines it as: *"INFILL - development inserted into a gap in an existing largely developed frontage. A term widely used in planning policies designed to limit the extent to which new building may take place in villages, and with varied definition in local plans".*

Accordingly this requires an assessment of the characteristics of the site and the surrounding built or unbuilt development. In this instance the proposed development is the construction of four dwellings on a plot of land neighboured immediately to the east, west, and south by built development, and opposite a site to the north with planning permission for residential development. This existing development is immediately adjacent to the site boundaries without any paddocks or other open land. It is located almost centrally within the extent of existing development on the south side of Kirkham Road that forms the village core of Treales.

Within this context and bearing in mind the definitions set out above and the interpretation of other developments across the borough since the adoption of the Fylde Local Plan to 2032 it is considered that the proposal does represent infill development.

Would the development materially impact on the rural character?

The application site is an area of previously developed land that has, over the years, reverted to a large extent back to rough grassed land. It is occupied by a single dilapidated building and some tree planting, and which is neighboured to the west by Smithy Cottage and the industrial units of Foundry Yard, to the south by residential properties currently under construction, and to the east by the Foundry Court residential development. This surrounding development effectively isolates the site from views across the countryside to the south and limits its contribution to rural character to views from within the village itself.

The proposed site layout sets a single dwelling (plot 1) on the left hand side of the Kirkham Road site frontage with the remaining three dwellings (plots 2, 3 and 4) being located to the rear of the site;

plot 2 immediately to the rear of plot 1 and plots 3 and 4 in the far south western corner. This proposed layout provides ample space between the four dwellings that enables the site to retain a degree of openness when viewed from within Treales village and which will continue to contribute to the rural character of the village.

The Parish Council express the view that the site brings critical value to the character of the village as an orchard that contributes to the setting of the formerly listed Smithy Cottage, and whilst there is some value in this the scheme has a layout that retains some openness, landscaping and tree planting to the frontage and so will appear as a typical form of development in a rural village.

Obviously any development on a site that is currently undeveloped will have an impact on that site, but the question with this aspect of Policy GD4 relates to a material impact on the rural character of the area and with the site being within the context of the existing development in the village, being imperceptible in long range views of the village, and being developed to a sensitive scale and density it is accepted that it will not have a material impact on the character of the rural area.

Summary to Compliance with Criterion f)

Having regard for the above comments and assessment it is considered that the proposal does represent minor infill development in accordance with criterion f) of policy GD4 of the Fylde Local Plan to 2032 plan and thus the principle of the development should be considered acceptable. It is therefore necessary to examine if there are any overriding material considerations to indicate that the development should be resisted for other reasons.

Scale and layout of dwellings

The application proposes three x two-storey dwellings (plots 1, 3 and 4) and one dormer bungalow (plot 2). Plot 1 would front onto Kirkham Road where it would sit along the nominal building line created by Smithy Cottage and the residential development to the east, and where it would be 'read' against the context of the two storey dwellings occupying the south side of Kirkham Road. Plots 3 and 4 are semi-detached and located to the rear of the site, where they would be 'read' against a backdrop comprising of two storey dwellings built on the Foundry Yard site under 15/0450 and the dwellings currently under construction (ref. 17/0471). Within this context the scale of these proposed dwellings is considered appropriate. The fourth dwelling, plot 2, would be a dormer bungalow sited to the rear of plot 1, where it would also be 'read' against the backdrop of dormer bungalows being constructed on the Foundry Yard site under 17/0471 to the south.

As explained earlier the layout is spacious and reflects the character established in the wider area. The frontage property is well set back from the road, with the pair of semi-detached houses set further back behind the trees that are retained to the side of Smithy Cottage, and the dormer bungalow in the corner of the site. Each property has a frontage onto the existing highway or the new cul-de-sac with garden areas to the rear. This is an area of the scheme that has been improved since first submission by the removal of one of the plots and the reorientation of those that remain and accordingly there are now no concerns over the layout that is proposed which accords with the requirements of Policy H2 and GD7 of the Fylde Local Plan to 2032. As a precautionary measure a condition is suggested to withdraw permitted development rights for plots 1 and 2 as these are the ones that have the proportionally smaller gardens and so where future extensions would need to be most carefully assessed, hence this measure provides the council with that control.

Neighbour amenity

The neighbouring properties potentially affected by the proposed development are plots 9 to 12 of 17/0471 currently under construction to the south of the site, and Smithy Farm New House which is adjacent to the east of plot 1. As the detailed matter of appearance is not applied for at this stage,

specific window positions in relation to neighbouring dwellings are not before the Council for consideration. Nevertheless, the submitted site layout and illustrative elevations indicate that sufficient spacing would be achieved between the proposed dwelling and neighbouring dwellings to ensure that neighbour amenity is not unduly harmed by way of overshadowing and overbearing appearance, and acceptable window positions can be achieved in each proposed dwelling to ensure no overlooking or loss of privacy occurs for any dwelling. As such the scheme accords with the requirements of Policy GD7 of the Fylde Local Plan to 2032 in this respect.

Access & parking

The development includes the formation of a new access road off Kirkham Road to serve the proposed dwellings. This road provides a turning head at its southern end, a 2 metre wide footpath on its east side that runs the complete length of the new road, and a shorter section of 2 metre wide footpath on the west side at the junction with Kirkham Road. Both footpaths would link into the existing footpath that runs along the site frontage.

Each dwelling would have provision for the off street parking of two cars, which accords with the parking standards and the reasonable requirements for properties of this scale. County Highways have raised no objections to the proposal, opining that the development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. Given the limited scale of the development, the visibility available at the access point, and the standard and capacity of Kirkham Road it is considered that there are no highway safety or other access related issues with the proposal and so it complies with the requirements of Policy GD7 of the Fylde Local Plan to 2032 in that regard.

Ecology

The development site includes a dilapidated timber building that is to be removed from site as part of the development. The building is in a very poor state of repair with almost half the building having already collapsed and multiple large openings in the sides and roof of the remaining structure. As such it was not considered to present itself as a potential habitat for either bats or barn owls and a bat/barn owl survey was not submitted as part of the application. A detailed visual inspection of the building by the case officer provided no evidence of nests/roosts and no owl or bat pellets were observed inside or around the building. This notwithstanding a precautionary approach should be applied if planning permission is granted to ensure that surveys are undertaken prior to the commencement of any approved development works or the removal of the dilapidated building from site so that the developer is not in breach of the Wildlife and Countryside Act should the building have been colonised in the intervening period.

Trees

Two trees within the site, and a grouping of trees just outside the western site boundary, are subject to a tree preservation order (1989 No.12).

The council's tree officer has visited the site and assessed the trees in question. Whilst the proposal involves the loss of two of the protected trees he has raised no objection to the proposal and opines that the two protected trees within the site are in poor health and have a limited remaining lifespan. With this in mind he has requested that the landscaping reserved for later consideration should include replacement trees of a minimum extra heavy standard that will secure longevity of the site's contribution to the village's green infrastructure, and protection measures to BS 5837:2012. Subject to these conditions it is considered that there are no adverse impacts to the longevity of the tree cover in the area which is important to the character of the site as part of a wider rural village. Accordingly the scheme complies with Policy GD7 in this respect.

Conclusions

The application relates to a parcel of land located on the south side of Kirkham Road between Smithy Cottage and Smithy Farm New House in the village of Treales, and seeks outline planning permission for four dwellings and an associated access road from Kirkham Road. Access, scale and layout are applied for with appearance and landscaping reserved for later consideration. The site is neighboured to the east, south and west by built development. The scale and density of the proposal, and its relationship with the surrounding development, is such that it would represent minor infill development that satisfies exception f) of policy GD4 of the Fylde Local Plan to 2032. Hence the principle of development accords with the provisions of the development plan.

The proposed dwellings would follow the established pattern of development along the south side of Kirkham Road and would be located amongst, and seen in conjunction with, existing buildings. As such they would not appear as harmful or erosive additions to the surrounding landscape context. While the proposal would result in the loss of two protected trees within the site these are in poor condition with a limited lifetime remaining and the reserved landscaping scheme could introduce new replacement tree planting that would ensure the longevity of the green infrastructure provided by the site within the village.

A safe and suitable means of access would be provided for the development and County Highways opine that the four new dwellings would not unduly impact on the safe use of the local highway network. The development would not give rise to any other adverse effects in terms of ecology or flood risk. Therefore, the proposal is considered to represent sustainable development in accordance with the relevant policies of the Fylde Local Plan to 2032.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. Application for approval of reserved matters must be made not later than the expiration of three years from 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 any development takes place:
 - the external appearance of the buildings; 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 relates to the following plans:
 - Location Plan - Drawing no. 18 0521 OP 03
 - Proposed Site Layout - Drawing no. 18 0521 OP 01 Rev F
 - Drawing no. 18 0521 OP 02 Rev D - Draft House Type Elevations

Any application for approval of reserved matters submitted pursuant to condition 1 of this permission shall accord with the details shown on the approved plans insofar as they relate to the site area, scale, and layout of the development and the means of access to it and shall not exceed the maximum number of dwellings applied for.

Reason: The application is granted in outline only in accordance with the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission.

4. Any application which seeks approval for the reserved matter of landscaping pursuant to condition 1 of this permission shall include a landscaping scheme that provides details of:
- a) any trees, hedgerows and any other vegetation on the site to be retained;
 - b) compensatory tree planting to replace any trees removed and which shall be a minimum of extra heavy standard 14-16cm girth at 1 metre from ground level and a height of 3.5 metres or greater;
 - c) the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i) or (ii);
 - d) the type, size, species, siting, planting distances and the programme of planting of hedges, trees and shrubs; and
 - e) Mitigation measures taken in accordance with BS5837:2012 to protect trees outside of, but in close proximity to, the boundary of the application site.

The duly approved landscaping scheme shall be carried out during the first planting season following the first occupation of the dwelling or the completion of the development, whichever is the sooner; and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure suitable retention and strengthening of existing landscaping on the site in the interests of visual amenity and to secure appropriate biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV1, and the National Planning Policy Framework.

5. Prior to the commencement of any development on site details of the siting, height, design, materials and finish of all boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. Only the duly approved boundary treatments shall be constructed and these shall be in full accordance with the approved details prior to the first occupation of the plot to which they relate, and shall be retained as such thereafter.

Reason: In the interests of site security and to ensure a satisfactory finish to the development in the streetscene in accordance with the requirements of Policy GD7 of the Fylde Local Plan to 2032.

6. Prior to the commencement of any development hereby approved full details of the finished levels above ordnance datum, for the proposed buildings and external areas of the site in relation to existing ground levels shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the dwellinghouse and surrounding buildings before any ground works take place to establish site levels in the interests of residential and visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and

the National Planning Policy Framework.

7. Prior to the commencement of any development hereby approved a scheme for the disposal of foul and surface water from the development 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:
- a) separate systems for the disposal of foul and surface water;
 - b) an investigation of surface water drainage options which follow the hierarchy set out in the Planning Practice Guidance, including evidence of an assessment of ground conditions and the potential for surface water to be disposed of through infiltration;
 - c) details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development discharge rate does not exceed the pre-development rate (including an appropriate allowance for climate change);
 - d) details of any necessary flow attenuation measures, including the use of SUDS where appropriate; and
 - e) details of how the scheme will be maintained and managed after completion.

The duly approved scheme shall be implemented before the dwelling is first occupied and shall be managed and maintained as such thereafter.

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

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

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

9. Prior to the commencement of any development hereby approved, or the removal of any buildings from the site, a survey of the site conducted by a suitably qualified ecologist shall be undertaken to establish the presence or absence of nesting or roosting sites for bats or Barn owls and the results submitted to the Local Planning Authority. Should any sites be identified, then a mitigation scheme to ensure that the development is undertaken without causing harm to these protected species (including a phasing scheme for these works) shall be submitted to the Local Planning Authority for approval. The development shall be carried out in full accordance with the mitigation measures identified in the approved scheme.

Reason: To ensure that the development will be undertaken with a minimum risk of disturbance to bats and/or Barn owls and their habitats in accordance with the protection to such species under the Wildlife & Countryside Act 1981.

10. 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 dwellings hereby approved for plots 1 and 2 (as shown on the approved site layout) 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 dwellinghouses is maintained and to safeguard the amenities of the occupiers of adjacent dwellings in accordance with the requirements of Fylde Local Plan to 2032 policies GD4, GD7 and H7.

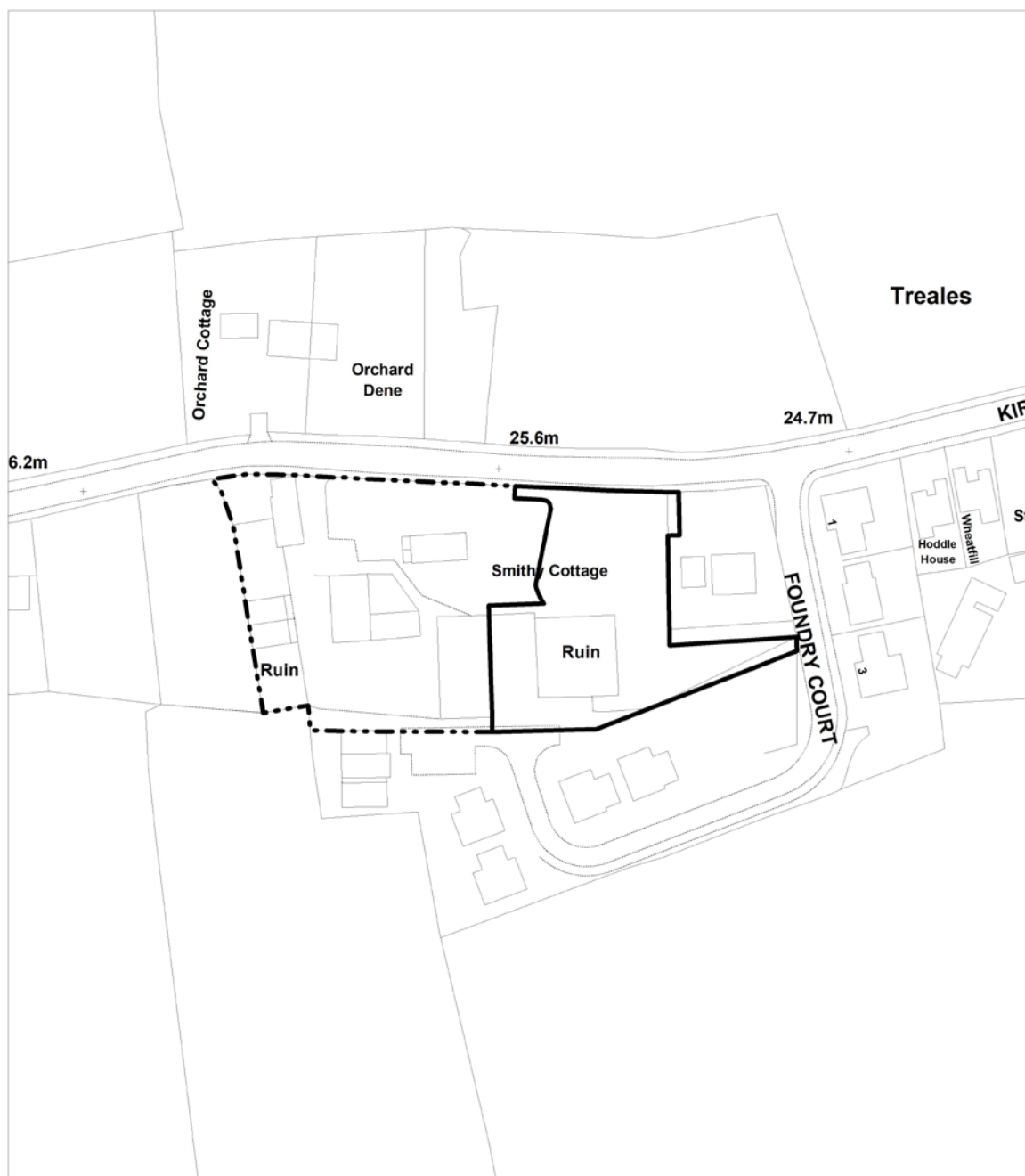
11. Prior to the commencement of any development hereby approved a scheme for the design, construction and drainage of the new site access and road (the position of which is shown on drawing no. 18 0521 OP 01 Rev F) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for a minimum visibility splay of 2.0 metres x 59 metres in both directions at the junction of the site access with Kirkham Road. The site access and road shall be constructed in accordance with the duly approved scheme before any of the dwellings to be served by the access and road are first occupied, except that final surfacing of the road shall not take place until the final dwelling has been substantially completed. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent order following the revocation or re-enactment thereof (with or without modification), the visibility splay shall thereafter be kept free of any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction).


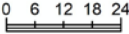
Reason: To ensure a suitable and safe means of access to the site for vehicular traffic and to achieve a satisfactory standard of engineering works in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

12. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:
- a) hours of work for site preparation, delivery of materials and construction;
 - b) arrangements for the parking of vehicles for site operatives and visitors;
 - c) details of areas designated for the loading, unloading and storage of plant and materials;
 - d) arrangements for the provision of wheel washing and road sweeping facilities, including details of how, when and where the facilities are to be used;
 - e) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
 - f) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
 - g) measures to ensure that construction and delivery vehicles do not impede access to adjoining properties;
 - h) measures to control the emission of dust and dirt during construction;

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

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



		(c) Crown Copyright and database right (2020). Ordnance Survey (100006084).	
Application No. 5/19/0300	Address Smithy Cottage, Kirkham Road, Treales	Grid Ref. E.3439 : N.4328	Scale 0 6 12 18 24 m 

Item Number: 3

Committee Date: 18 March 2020

Application Reference:	19/0507	Type of Application:	Full Planning Permission
Applicant:	Mrs Bowen - Price	Agent :	Keystone Design Associates Ltd
Location:	OLD CASTLE FARM, GARSTANG ROAD, LITTLE ECCLESTON WITH LARBRECK, POULTON-LE-FYLDE, FY6 8ND		
Proposal:	RESUBMISSION OF APPLICATION 18/0637 FOR CHANGE OF USE OF LAND TO PROVIDE SIX PITCH STATIC HOLIDAY CARAVAN SITE WITH INTERNAL ACCESS ROAD AND ASSOCIATED BIN STORE.		
Ward:	ELSWICK AND LITTLE ECCLESTON	Parish:	Little Eccleston with Larbreck
Weeks on Hand:	38	Case Officer:	Ruth Thow
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/@53.8506027,-2.9184907,375m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is a farm located on Blackpool Road in Little Eccleston to the east of the Windy Harbour junction. Agricultural activity has seemingly ceased and been replaced with an equestrian related operation. The proposal is to establish a small holiday caravan site on land to the rear of the farm for six static caravan pitches.

The site is in the Countryside where Policy GD4 of the Fylde Local Plan applies and is generally restrictive of new development. However, it does allow for small scale tourism development and it is considered that a site of this scale would comply with that exception. This conclusion is supported with the scheme providing an appropriate level of landscaping to the vantage points on Blackpool Road and Fleetwood Road, and the absence of any objections from the highway authority on the use of the access point, and all other matters such as drainage and ecology being adequately addressed in the submission.

Accordingly the proposal accords with the relevant policies of the Fylde Local Plan to 2032 in Policies GD4, GD7, ENV1, and EC7 and is recommended for approval subject to a series of conditions.

Reason for Reporting to Committee

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

Site Description and Location

The application site is Old Castle Farm, Garstang Road, Little Eccleston. This is located on the south side of Garstang Road to the eastern side of the Windy Harbour junction. The site contains a detached bungalow which fronts to the road with the associated land, stables and other outbuildings situated to the rear of that.

The outbuildings consist of a mix of traditional brick-built buildings, some more modern agricultural style buildings, and two blocks of stables built in concrete blocks. To the east of the bungalow is a 'trotting track' which is also within the applicant's ownership but does not form part of this application site.

The site is within a countryside area as designated on the Fylde Local Plan to 2032.

Details of Proposal

This application proposes a change of use of part of the land that is to the rear of the dwelling for the siting of 6 static caravans for holiday purposes together with an internal access road and bin store. The site measures 0.24 Hectares and it is proposed that the access which currently serves the dwelling and stables will be used to service this site with a road extended into the land and three caravan pitches situated either side each with 2 parking spaces provided per caravan.

A landscape buffer of indigenous hedgerow planting is proposed for the three sides of the site which abuts open countryside.

Relevant Planning History

Application No.	Development	Decision	Date
19/0518	ERECTION OF 1.8M HIGH BRICK WALL / RAILINGS TO FRONT BOUNDARY OF PROPERTY WITH 2M HIGH BRICK POSTS AND 2M HIGH SLIDING GATE TO ACCESS SUPPORTED BY 2.2M HIGH BRICK POSTS	Refused	20/08/2019
18/0601	RE-LOCATATION OF EXISTING OPEN FRONTED STORAGE BUILDING AND FORMATION OF SAND PADDOCK AND GRAZING AREA FOR HORSE EXERCISE FOR PRIVATE USE	Granted	09/11/2018
18/0637	CHANGE OF USE OF LAND TO PROVIDE SIX PITCH STATIC HOLIDAY CARAVAN SITE WITH INTERNAL ACCESS ROAD AND ASSOCIATED BIN STORE AND TOILET BLOCK.	Refused	09/11/2018
76/1041	OUTLINE - REPLACEMENT FARM WORKERS BUNGALOW.	Refused	23/03/1977
77/0377	FARMHOUSE CONVERTED INTO SINGLE STOREY FARM WORKERS FARMHOUSE.	Refused	14/09/1977
77/1064	REMOVAL OF CONDITION - AGRICULTURAL WORKS CONDITION.	Granted	19/04/1978

Relevant Planning Appeals History

None.

Parish/Town Council Observations

Little Eccleston with Larbreck Parish Council notified on 27 June 2019 and comment:

The Parish Council considered this application at their meeting on 18th July 2019 and It was resolved that the Parish Councils previous comments of objection to the original application still stand for this resubmission.

Parish Council comments received in respect of application no. 18/0637:

Firstly, the applicant has not proved a need for this application. There are already numerous holiday home sites in the local area and unless a need for more can be demonstrated, this application should be refused outright.

The proposed use as a static holiday home site would, by reason of its siting and location within a countryside area outside defined settlements. would if allowed, result in a detriment to the visual amenity and character of this part of the countryside and would set a precedent for further similar uses elsewhere in the countryside which would be difficult to resist. Therefore, the proposal would have a detrimental impact on the character of the area.

The site location is considered unsustainable being in the open countryside and remote from local services and amenities with the reliance on a car as means of transport to reach the nearest settlement for essential services. The nearest settlement of any note is Little Eccleston with Larbreck (3.0km) with no meaningful amenities other than a hotel/restaurant. Other villages nearby include Great Eccleston (4.1km) and Elswick (4.8km) all with limited rural facilities.

This application will have a marked visual impact on the landscape. This impact is compounded, in that the holiday homes are present on an all-year-round basis.

The caravans will not bring any environmental improvements to the site and surroundings with significant landscape harm and with no real benefit to the local economy. As such the proposals are not considered sustainable.

It is the Parish Councils opinion that the siting of the proposed caravans associated with the existing and proposed buildings, parked visitors vehicles and other paraphernalia associated with a caravan site would result in a cluttered appearance and an unacceptable degree of landscape impact at this open countryside location.

The Parish Council would request the Planning Officers to clarify why a toilet block is required. Static caravans have their own facilities.

In recent years there has been a significant increase in the quality of cabins and chalets available, while satisfying the definition of what a caravan is under the Caravan Sites and Control of Development act 1960. It is important that this type of accommodation is not abused and used as permanent accommodation. If this application is granted it is essential that the Planning Officers address this and restrict the length of occupancy periods permitted.

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

LCC Highways does not have any objections regarding the proposed change of use and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

It is requested that the access for the site from Garstang Road is included in this application as requested in application 19/0518.

The applicant has shown the sightlines of 2.4m x 160m can be achieved.

It is requested that the site access is improved to show a 6m (preferably 10m) kerbed radius. This enhances the site entrance to other road users and to customers to the caravan site.

They then suggest a series of planning conditions relating to on-site turning and the visibility at the access point.

Commercial & Licensing (Caravans)

They do not raise any objection to the scheme but highlight the need for a site licence under the Caravan Sites and Control of Development Act 1960, and that this will need to ensure compliance with the Model Standards 1989: for Holiday Caravan Sites in particular (but not exclusively) to the requirement for spacing between caravans and recommended distances from the boundary of the site.

Regeneration Team (Landscape and Urban Design)

The council's Landscape Officer has been consulted on the scheme in its original form and as revised. He initially requested that the species mix of the proposed landscaping be revised to better reflect the native hedgerows and shelter belts of the area, and that further details of the planting and maintenance of this area be provided.

The revised plans under consideration provide that detail and so he now has no outstanding concerns over the scheme.

Highways England

The proposals would be highly unlikely a level of traffic that would have a material impact upon the A585 trunk road, and so we have no objection to these proposals.

Natural England

Thank you for re-consulting Natural England on the attached Shadow HRA.

We agree for this application, that subject to appropriate planning conditions, and the proposed mitigation (visitor packs), that the development will not have an adverse effect on the site integrity of the Morecambe Bay designated site, and therefore we have no objection to the granting of planning permission.

Prior to adoption it may be prudent for the HRA to be split into Assessment of Likely Significant Effect prior to moving onto Appropriate Assessment. Regarding recreational disturbance the HRA concludes no significant impacts, this should ideally be amended to no adverse effect on site integrity (correct terminology for Appropriate Assessment).

United Utilities - Water

Raise no objections subject to conditions to require the final details of a surface water and a foul water drainage scheme to be supplied and agreed.

Neighbour Observations

Neighbours notified: 27 June 2019
Site Notice Date: 09 July 2019
Number of Responses None received

Relevant Planning Policy**Fylde Local Plan to 2032:**

GD4	Development in the Countryside
GD7	Achieving Good Design in Development
EC6	Leisure, Culture and Tourism Development
EC7	Tourism Accommodation
CL1	Flood Alleviation, Water Quality and Water Efficiency
EC1	Overall Provision of Empt Land & Existing Empt Sites
ENV1	Landscape
ENV2	Biodiversity

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) Regulations 2017.

Comment and Analysis

This application seeks permission for a new holiday caravan site to be operated in conjunction with the existing dwelling and private stables at Old Castle Farm. The proposal includes the provision of six static caravans and a bin store for holiday use.

The submission follows an earlier application under reference 18/0637 which was refused planning permission. The earlier application was for a different parcel of land on the site that was alongside Garstang Road and was refused for reasons relating to highway safety associated with the formation of a new access point, the loss of amenity space and landscape impacts, and the lack of any drainage information.

Principle of development

The application site is located in the open countryside and as such Policy GD4 'Development in the Countryside' is the starting point for assessing any development proposed. The supporting text for this policy refers to the importance that the countryside is protected from unacceptable development which would harm its rural character, and that the intrinsic value and rural character of

the countryside of Fylde needs to be protected. However, it recognises that certain forms of development are necessary to support rural life and maintain or enhance the rural economy. Policy GD4 then defines the types of development which are acceptable in the countryside in appropriate circumstances which includes:

- a) *“that needed for purposes of agriculture, horticulture or forestry; or other uses appropriate to a rural area, including uses which would help to diversify the rural economy, including small-scale tourist accommodation, holiday caravan sites and very exceptionally, larger scale tourism development;”*

This exception lends support to development which help diversify the rural economy and explains that this could include a small-scale tourist development. As such it is necessary to assess if this scheme meets that requirement as otherwise it would not have any support under the Countryside designation policy.

It is also necessary to assess the proposal against Policy EC7 which relates to tourism accommodation has a section that addresses ‘Holiday Caravans and Camping Pitches’. This allows *“A limited increase in static and touring caravan and camping pitches will be permitted within existing site boundaries in order to enable environmental improvements.”* Policy EC6 also promotes rural tourism but restricts this to the conversion of rural buildings and so is not relevant to this proposal.

Starting with the Policy GD4 assessment, the scale of the application site and the scope of the development are both considered to be so limited that they fits the requirement to be small scale in Policy GD4. As the proposal is for a holiday site it is also a tourism development and so must meet that requirement of the policy also. The Plan is to be a positively framed document as required by NPPF and so it cannot have been drafted to exclude the potential development of any new caravan sites anywhere in the countywide. As such it has to be the case that additional tourism development is supported and subject to this scheme satisfying other planning issues as set out in this report then the scheme will accord with exception a) of Policy GD4 of the Fylde Local Plan to 2032.

With regards to Policy EC7, the reference to ‘existing site boundaries’ in the quoted section above makes it clear that it relates to existing sites only and so has a lesser relevance here where a new site is submitted and is to be tested against Policy GD4.

Assuming that the interpretation of the support in Policy GD4 to small-scale tourism developments is intended to allow for new holiday caravan sites to be established it is now necessary to look at the other planning implications of the proposal which is done in the following sections of this report.

Visual impact

Policy GD7 of the local plan refers to 'Achieving Good design in development' and includes various criteria for which developments need to comply. These are extensive and not all are relevant for every application, however the following criteria are those most relevant to this proposal:

- c) *Ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed.*
h) *Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the local area.*
i) *Taking the opportunity to make a positive contribution to the character and local distinctiveness of*

the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

j) Ensuring parking areas for cars, bicycles and motorcycles are safe, accessible and sympathetic to the character of the surrounding area and that highway safety is not compromised

In addition Policy ENV1 refers to development and its visual impact within its landscape context and the landscape type in which it is situated and requires:

a) A landscaped buffer of appropriate depth and species will be provided for development that impacts upon land in or adjacent to the Countryside, and wherever necessary includes advanced planting, in order to limit the visual impact of development;

b) Development proposals will ensure that existing landscape features will be conserved, maintained, protected and wherever possible enhanced through increased tree and shrub cover including soft edge / transitional areas of planting;

c) In the event of the loss of landscape features, the impact will be minimised or, where loss is unavoidable, their like-for-like replacements will be provided. Where such features, including trees, woodlands, hedgerows and field ponds, are lost and replaced, measures will be put in place to manage these new features;

d) Suitable landscape planting of native species, appropriate to its context should be incorporated within or, where appropriate, close to new development. Measures should be put in place for the management of such landscaping. Specific consideration should be given to how landscaping schemes will minimise the rate of surface water run-off;

e) Details of the ongoing maintenance of all landscaping areas will be presented for approval by the Council.

The proposed caravan site is limited in size and is to be situated to the rear of the existing buildings on site which assists in reducing its visual impact from Garstang Road to the east. It will however be visible over the hedge when approaching along that road to the west, and from Fleetwood Road. To assist in reducing that impact the scheme includes a landscaped buffer zone which is to be established around the perimeter of the site and will soften these views over time. This continues the existing woodland screening situated to the north and west and will provide a new hedge to the east and enhance the existing hedge to the south side. The extent and details of this have been revised since first submission to accord with the views of the council's Landscape Officer so that if properly implemented it will provide an effective landscaping belt to the site perimeter over time.

The most prominent views of the proposed site will be obtained from Fleetwood Road but are distant views given the *circa* 300 metres separation distance between the proposed site and the highway. These will reduce as the strategic landscaping implemented alongside the recently remodelled junction with Garstang Road matures, and as the presence of the existing landscaping and the backdrop of the buildings at Old Castle Farm will also assist to limit the impact of the development in these views.

Given the above arrangements it is considered that the proposal has limited visual impact and therefore complies with the requirements of Policy GD7 and ENV1.

Access Considerations

The site is to be accessed from the existing access point to Garstang Road which serves the dwelling and the existing equestrian operations undertaken on site. This provides a suitable level of visibility and standard of construction, with neither LCC highways nor Highways England raising any objection to the proposal. The level of traffic movements associated with a holiday static use is

relatively limited and it avoids the turning movements that would regularly occur from a holiday touring site.

The local highway authority have requested some amendments to the scheme to ensure that the access is within the application site boundary and that has been arranged, with their suggestions regarding visibility and other matters included as conditions subject to amendments to make them fit the tests for planning conditions. With these matters incorporated into the final decision the application is considered to have an appropriate access point that complies with the requirements of Policy GD7 in that regard.

Impact on neighbours

The nearest residential neighbours are the occupiers of the bungalow at Old Castle Farm which is intended to be the manager's accommodation for the new holiday caravan site. This property is within the blue edge of the application rather than the red edge and so does not form part of the application site, hence a planning condition is suggested which will ensure that a management plan is provided to ensure that the management of the caravan site is appropriately undertaken from this property.

The nearest neighbours not associated with the proposed caravan site are those to the rear at 'Kirkham i'th' Fields', and at circa 425 metres separation will not suffer a loss of amenity by way of loss of light or overlooking. Some noise may be experienced as a consequence of the proposed use but given the high background noise levels in the area as a consequence of the road network it is expected that the effective management of the caravan site will prevent undue disturbance.

As a consequence it is considered that the proposed development complies with the requirements of Policy GD7.

Impact on other uses at the site

The site contains the farmhouse and a series of stables, with the actual area of the application site providing the midden for these stables. It is not clear what alternative arrangements are in place for this, and so a condition is to be imposed to ensure that manure storage arrangements are appropriately provided for within the land edged blue that is therefore available to the applicant for this purpose.

There are 4 static caravans located elsewhere on the site. It seems that 3 of these have been on site for many years, with one occupied residentially, two others occupied as ancillary accommodation associated with the dwelling at the site, and the occupation of the other unknown. These are matters that the planning enforcement team will be investigating separate to the decision on this application as the caravans are located outside of the application site. As such they cannot influence the council's decision on this application.

Ecological Implications

The application is accompanied by a Habitats Regulation Assessment which provides an appropriate assessment of any likely significant effect upon the nature conservation value of Morecambe Bay and Duddon Estuary Special Protection Area, the Morecambe Bay Special Area of Conservation and Wyre Estuary Site of Special Scientific Interest arising from the proposed change of use of land to use as a holiday caravan site for six caravans.

These areas are designated as they support breeding and non-breeding sea and water birds on the inter tidal mudflats and sandflats and a full consideration of the potential hazards arising from the development of the application site and subsequent use by holidaying caravan users and of their likely significance was assessed.

The assessment concludes that the development of the site will not, either alone or in combination with other plans and projects, have an adverse effect upon the interest features of Morecambe Bay and Duddon Estuary SPA or Morecambe Bay SAC. Consequently, the integrity of these European protected sites will be maintained and the proposed development complies with the requirements of Policy ENV2 of the Local Plan and the aims of the NPPF in particular paragraphs 170, 174, 175 and 176.

Given that this is a formal decision for the council to make alongside the decision on the planning application it is necessary for this shadow HRA to be formally adopted by the council as part of its decision on this application and so this is reflected in the officer recommendation.

Flood Zone and Drainage

The application site is within Flood Zone and as such has less than 1 in 1,000 annual probability of river or sea flooding. It is expected that the surface water runoff from the additional hard surfaced areas on site will be attenuated to a greenfield rate with an outfall into the existing watercourse. Foul water is proposed to be dealt with via a new specialised treatment plant approved by the Environment Agency.

The drainage strategy proposed shows a viable sustainable drainage solution is achievable within the constraints of the site, with the implementation of this secured through conditions. Accordingly the proposal is considered to comply with the requirements of Policies CL1 and CL2 of the Local Plan to 2032.

Other matters

Little Eccleston Parish Council have made several comments in respect of a previous application for caravans at Old Castle Farm and those comments have been reiterated in the current application. The comments refer to:

- 'A need for this application' - Policy GD4 of the LP to 2032 aims to support rural life and enhance the rural economy and sets out the criteria for which development in the countryside is to be assessed. 'Need' is not a requirement in the policy.
- 'The proposal would have a detrimental impact on the character of the area' - This current application is in a different part of the site from that applied for in a previous application, commented on by the Parish Council. For reasons of the containment of the site by the existing and proposed landscaping, the presence of the existing buildings and the separation distances between the site and from public viewpoints, as set out above, the development is considered acceptable in this regard.
- 'The site location is considered unsustainable being in the open countryside and remote from local services and amenities'. - The proposal in this instance is presented as a holiday caravan site and not residential and so the need for access to day to day services is not that as for a residential development. The NPPF supports rural tourism at paragraph 83 and this carries through in Fylde Local Plan Policies EC6 and EC7 as discussed earlier in this report.
- The caravans will not bring any environmental improvements to the site and surroundings with significant landscape harm and with no real benefit to the local economy' - The proposal

includes significant areas of enhanced landscape planting which will bring about benefits in biodiversity in the area. It is recognised that rural tourism helps to diversify the rural economy, albeit this will be small scale given the number of caravans proposed in this case.

- 'The Parish Council would request the Planning Officers to clarify why a toilet block is required'. - The proposed development has been amended during the process of the application and the toilet block removed from the scheme.
- 'In recent years there has been a significant increase in the quality of cabins and chalets available, while satisfying the definition of what a caravan is under the Caravan Sites and Control of Development act 1960. It is important that this type of accommodation is not abused and used as permanent accommodation. If this application is granted it is essential that the Planning Officers address this and restrict the length of occupancy periods permitted' - The development is proposed as for the purposes of holiday use and a condition to this effect will be included as part of this recommendation.

Conclusions

The application relates to a proposal for a new static caravan site for six caravans for holiday use.

The merits of the application have been considered, with the limited number and location of the caravans and with the increased landscaping the visual impact of the scheme is greatly improved. The drainage and ecology implications are acceptable, subject to conditions, highway safety and connectivity implications are also considered to be appropriate.

As a consequence of the above the proposal is considered to comply with the requirements of the Fylde Local Plan to 2032 for the reasons set out above, and the aims of the National Planning Policy Framework.

Recommendation

That the shadow Habitats Regulation Assessment submitted by the applicant's ecological consultant be adopted as the council's Habitats Regulation Assessment and 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 permission relates to the following plans:

- Location Plan - Drawing no.A018/201/S/03 REV. B
- Proposed Site Plan - Drawing no.A018/201/P/20 REV. F
- Proposed landscape Plan - Drawing no. A018/201/P/21 REV. B
- Proposed drainage Plan - Drawing no. A018/201/P/104 REV. A

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

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

3. Prior to first use of the land for a static caravan holiday site as hereby approved; a 'Management Plan' shall be submitted to the Local Planning Authority and agreed in writing, with the agreed plan implemented throughout the operation of the site. This management plan shall set out details of the operation of the site including where the management will be undertaken from, frequency and timing of regular management visits to the site, by what methods visitors are able to contact the site manager when not present, reception arrangements and opening times, procedures to be undertaken in an emergency, etc.

Reason: To ensure adequate supervision and security arrangements are available for the safe and secure operation of the site in the absence of any residential accommodation within the site. In accordance with Policies GD4 and EC7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

4. The caravan site hereby approved shall be laid out in accordance with that indicated on drawing no. A018/201/P/20 REV. F and listed in condition no. 2 of this decision.

Reason: To define the permission and layout of the site in the interests of clarity and the character and visual amenity of the area. In accordance with Policies GD4, GD7, ENV1 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

5. None of the caravans on the site hereby approved shall be occupied as a persons permanent, sole or main place of residence.

Reasons: The development is provided for holiday use only as occupation on a permanent basis would be contrary to the provisions of Policies DLF1 GD4, GD7, contained in the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework which protects sporadic residential development.

6. The owners/operators of the caravan site shall maintain a register of names of all owners/occupiers of individual caravans, their main home addresses, and the period of occupancy including date of arrival and date of departure from the caravan site. This information shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the approved holiday accommodation is not used for permanent residential occupation which would be contrary to Policies DLF1 GD4, GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

7. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing A018/201/P/104, Rev A, Dated 07/08/2019. For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, foul and surface water shall be drained on separate systems and no surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding. In accordance with the provisions of Policy CL1 and CL2 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

8. Before the development hereby permitted becomes operative the visibility splays measuring 2.4 metres by 160metres in both directions to be provided, measured along the centre line of the proposed road from the continuation of the nearer edge of the existing carriageway of Garstang Road to the satisfaction of the Local Planning Authority. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

Reasons: To ensure adequate visibility at the street junction or site access in the interest of

highway safety in accordance with Quality of Development Policy and Transport Policy in the Local Plan. In accordance with Policy GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework, in particular paragraph 109.

9. The landscaping of the site hereby approved shall be carried out in accordance with the landscaping scheme indicated on drawing no. A018/201/P/21 REB. B. 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 no later than the next available planting season following the commencement of the development.

Reasons: To enhance the quality of the development in the interests of the amenities of the locality in accordance with Policies GD7 and ENV1 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

10. 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 silvicultural 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.

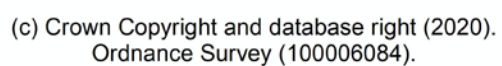
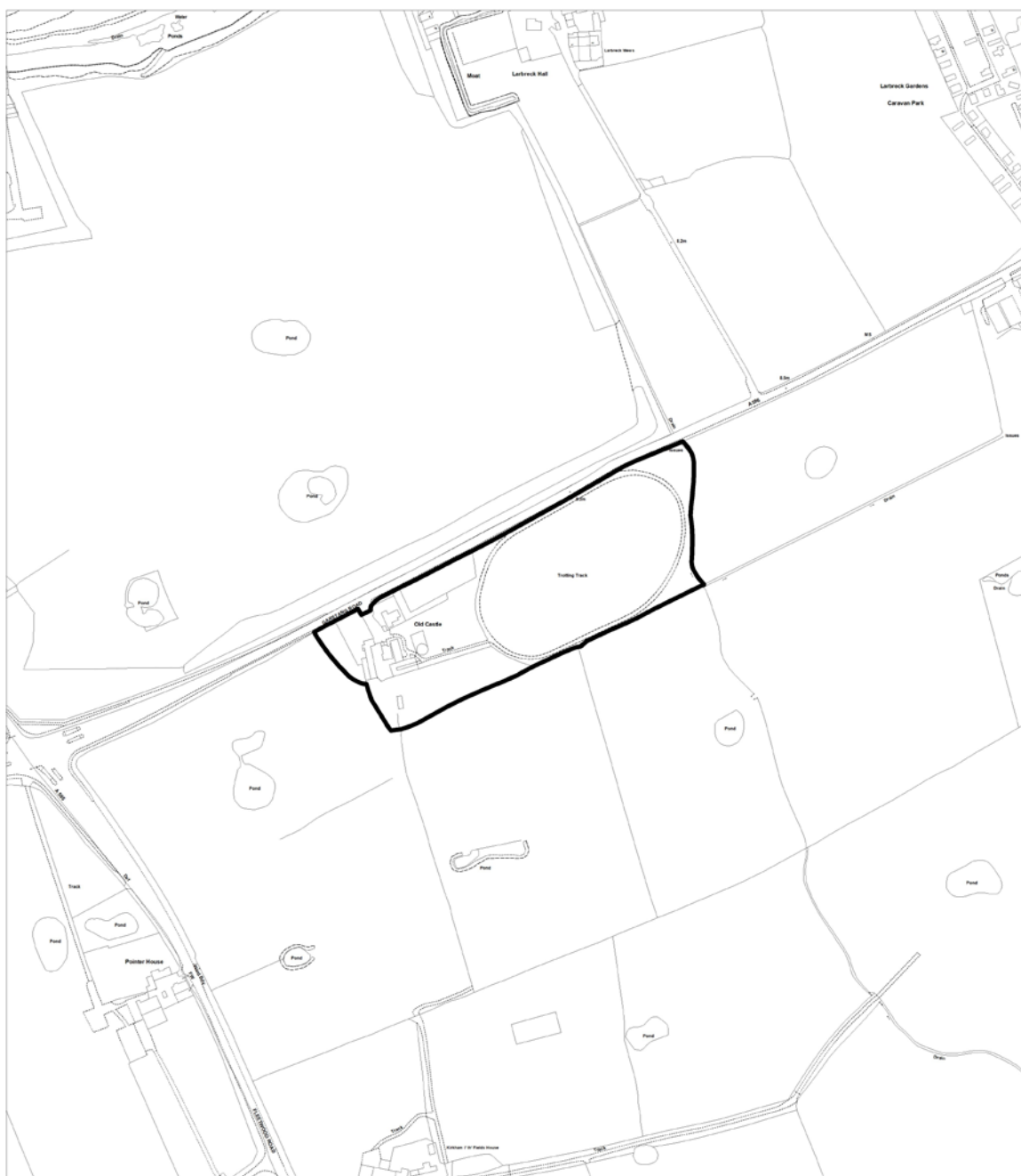
11. Prior to the commencement of the development hereby approved a scheme to indicate the alternative manure storage arrangements for the stables at Old Castle Farm shall be submitted to and approved in writing by the Local Planning Authority. This facility shall be conveniently located to serve the requirements and of a size that meets the reasonable needs for the generation of manure from these stables. It shall be a covered facility to ensure that the potential for contamination of ground water is minimised.

The facility shall be implemented in accordance with the approved details in advance of the commencement of development and shall be retained at all times that equestrian activity is undertaken at the site.

Reason: To provide an appropriate facility for the storage of manure generated by the on-going equestrian activity at the site and to ensure that the potential for groundwater contamination is minimised by the use of that facility. This is to accord with the requirements of Policy CL2 of the Fylde Local Plan to 2032.

12. Prior to the first use of the land as a static holiday caravan site, the owner/operators of the site shall produce a 'visitors pack' this should highlight the sensitivity of the Wyre Estuary Site of Special Scientific Interest (SSSI), Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and Ramsar Sites and the Wyre-Lune Marine Conservation Zone. The information shall include the reason for their designation, its sensitivities to recreational impacts and should increase visitors awareness to other appropriate dog walking areas locally and to dog walking behaviours when walking close to birds/over habitats. The information pack should highlight alternative recreational opportunities in the vicinity and copies should be distributed to all visitors to the site and be made available at all times.

Reason: In the interests of the protection of the special designated sites in accordance with the Habitats Regulations, Policy ENV2 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.



Scale
0 25 50 75 100 m

Item Number: 4

Committee Date: 18 March 2020

Application Reference:	19/0597	Type of Application:	Full Planning Permission
Applicant:	Towers	Agent :	Firth Associates Ltd
Location:	BRADKIRK HALL FARM, WEETON ROAD, MEDLAR WITH WESHAM, PRESTON, PR4 3NA		
Proposal:	CONVERSION OF EXISTING BARN TO DWELLINGHOUSE WITH ASSOCIATED EXTERNAL ALTERATIONS AND EXTENSIONS, USE OF ADJACENT AGRICULTURAL LAND AS DOMESTIC CURTILAGE AND DEMOLITION OF ADJOINING PORTAL-FRAMED AGRICULTURAL BUILDINGS.		
Ward:	MEDLAR WITH WESHAM	Parish:	Medlar with Wesham
Weeks on Hand:	34	Case Officer:	Ruth Thow
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/@53.7944198,-2.8980509,375m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is a brick and rendered block barn located along the roadside of Weeton Road close to its junction with the Kirkham Bypass in Wesham. The building has been in agricultural use until recently with that associated with the activities undertaken at Bradkirk Farm which is primarily located on the opposite southern side of Weeton Road but includes a series of buildings on this northern side. The site is located in designated Countryside.

The application proposes the conversion of the building to form a single residential dwelling and involves some rebuilding of the front and rear elevations to facilitate that, along with some elevational changes. A pair of more modern barns are to be demolished to provide an area of garden for the proposed dwelling.

Whilst the erection of new dwellings in the countryside is generally contrary to Policy GD4 of the Fylde Local Plan to 2032, there are a number of exceptions to this including '*b) the re-use or rehabilitation of existing permanent and substantial buildings*'. In this case it is considered that the extent of the rebuilding that is involved in the proposal is sufficiently limited to enable the building to be considered as a 'substantial' building in accordance with this requirement and so accord with this aspect of Policy GD4. There are no other planning policy or material considerations of such weight that they can influence the overall planning balance on the application and so it is recommended for approval. A series of conditions are proposed including one that requires that the applicant provides a technical methodology of the conversion works to ensure that this is undertaken without the loss of the building.

Reason for Reporting to Committee

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

Site Description and Location

The application site is part of the land and buildings at Bradkirk Hall Farm and are located on the north side of Weeton Road in Wesham. The proposal involves a group of three barns consisting of a larger, two storey barn, with two single storey barns adjoining the main barn with one situated on the north side and one situated to the east. Two further barns are attached to the barns that are proposed to be converted with an additional recently constructed building sited to the north.

The site is opposite the main site of Bradkirk Hall Farm, formerly in agricultural use but recently the buildings associated with the farm have been granted approval for conversion to an employment use.

The application site is generally flat with little natural landscaping and is designated as countryside on the Fylde Local Plan to 2032.

Details of Proposal

This application seeks permission for the conversion of the existing barn to a four-bed dwellinghouse, including the change of use of agricultural land to residential land, associated external alterations, and the demolition of the adjoining two portal-framed agricultural buildings.

The dwelling provides for an office, combined dining/kitchen/living room, utility, and four bedrooms ensuite with entrance hall on the ground floor with mezzanine level.

Externally the design of the conversion includes some new window openings, roof lights and patio doors and folding doors with an extension to the rear that occupies part of the footprint of the barns to be demolished and measures 5.5 m x 5.3 metres. Four vehicular parking spaces are also to be provided to the western boundary with these accessed from an existing access to the site.

The scheme has been subject to revision during its consideration to reduce the extent of the alterations that are proposed to ensure that it results in a conversion of the existing building and to be more sympathetic to the existing building's character.

Relevant Planning History

There is an extensive recent planning history at this site, and whilst none of it is directly relevant to this proposal the applications from the past 5 years are included here for context.

Application No.	Development	Decision	Date
19/0574	ERECTION OF BOUNDARY WALL AND GATEPOSTS BETWEEN 2M AND 2.6M IN HEIGHT AROUND SITE ENTRANCE AT JUNCTION WITH WEETON ROAD	Granted	09/10/2019
19/0282	ERECTION OF AGRICULTURAL BUILDING TO PROVIDE SHEEP HOUSING AND LAMBING ACCOMMODATION INCLUDING ASSOCIATED	Granted	06/09/2019

18/0771	HARDSTANDING AND LANDSCAPING APPLICATION FOR PRIOR APPROVAL OF AGRICULTURAL DEVELOPMENT FOR ERECTION OF STEEL FRAMED BUILDING FOR LIVESTOCK	Prior Approval is not required	05/11/2018
18/0512	CONSTRUCTION OF NEW AGRICULTURAL BUILDING FOLLOWING DEMOLITION OF EXISTING AGRICULTURAL BUILDING.	Refused	28/09/2018
18/0386	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS ON PLANNING PERMISSION 16/0738 CONDITION 7 - CONSTRUCTION METHOD STATEMENT	Advice Issued	09/07/2018
18/0028	DEMOLITION OF TWO EXISTING AGRICULTURAL BUILDINGS (BUILDING D AND F ON PLANNING PERMISSION 16/0738) AND CONSTRUCTION OF NEW BUILDING TO BE USED AS CLASS B8 STORAGE AND DISTRIBUTION USES.	Withdrawn by Applicant	07/10/2019
17/1060	ADVERTISEMENT CONSENT FOR DISPLAY OF 2NO NON ILLUMINATED FASCIA MARKETING BOARDS.	Granted	15/02/2018
17/0917	APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS ON PLANNING PERMISSION 16/0738 - CONDITION 3 (SITE ACCESS DETAILS), CONDITION 4 (INTERNAL VEHICULAR MOVEMENT), CONDITION 5 (CAR PARKING PHASING), CONDITION 9 (SURFACE WATER DRAINAGE), CONDITION 11 (TREE PROTECTION SCHEME), AND CONDITION 12 (LANDSCAPING)	Withdrawn by Applicant	07/10/2019
16/0738	CONVERSION OF A SERIES OF AGRICULTURAL BUILDINGS TO ENABLE THEIR USE AS CLASS B1/B2/B8 UNITS. CONSTRUCTION OF NEW ACCESS TRACK AND ACCESS POINT TO WEETON ROAD AND ADDITIONAL HARD SURFACED PARKING AREAS	Granted	30/06/2017
15/0635	OUTLINE APPLICATION FOR THE ERECTION OF A REPLACEMENT DWELLING (ACCESS APPLIED FOR WITH OTHER MATTERS RESERVED)	Refused	16/11/2015

Relevant Planning Appeals History

Application No.	Development	Decision	Date
15/0635	OUTLINE APPLICATION FOR THE ERECTION OF A REPLACEMENT DWELLING (ACCESS APPLIED FOR WITH OTHER MATTERS RESERVED)	Dismiss	05/05/2016

Parish/Town Council Observations

Medlar with Wesham Town Council notified on 29 July 2019 and comment:

“The Town Council wishes to make the following comments and observations:

- *The Council Object to the Proposal.*
- *The building is out of keeping with its surroundings.*

- *The Council would welcome an overview of the overall plans for Bradkirk Hall Farm, rather than the numerous applications for new agricultural buildings, changes of use and new buildings.*
- *An application for a dwelling for agricultural worker dwelling(s) would have preferable.*
- *If the application is approved the Town Council request that it is tied to the agricultural use."*

The Town Council were re-notified on revised scheme and on 19 February 2020. They advise that the comments previously made still apply but add:

"They would also like to add:-

The number of residential properties required by the local plan is already being met without this application. This application is for a residential property outside the settlement area."

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

Highways have no objections to the proposed development and is of the opinion that the proposed development as presented should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.

Greater Manchester Ecology Unit

The application was submitted with an ecological appraisal which they have assessed and comment as follows:

"Summary

A small bat roost of common Pipistrelle was identified a license will be required from Natural England if permission is granted. Occasional use by barn owl was also recorded. Otherwise the site is of only very low ecological interest.

Bats

A small roost of common Pipistrelle was identified following two emergence surveys carried out at an optimum time of year. I am satisfied that the disturbance of these roosts can be adequately mitigated and the conservation status of this species maintained and that Natural England would if permission was granted issue a European protected species license."

They then recommend a condition that requires that a licence is procured prior to the commencement of works.

Barn Owl & Other Nesting Birds

Occasional use of the brick barn by Barn Owl was identified but no evidence of breeding. No evidence of use as nesting habitat by other birds such as swallow or house sparrow was identified either. I have no reason to doubt the findings of the report.

Wintering Birds

Evidence was provided demonstrating that the development has negligible potential to impact on species such as pink-footed geese and whooper swan. Given the scale of the development I have no reason to doubt these conclusions. No further information or measures are required.

Other Protected Species

All other potential species were reasonably discounted with no evidence found or suitable habitat identified. No further information or measures are required.

Contributing to and Enhancing the Natural Environment

Section 170 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. The only significant impacts are the loss of small bat roost and the loss of a barn owl roost. Mitigation is proposed for both along with enhancement for other bird species such as swallow through provision of nest boxes in the new barn adjacent to the site. I am satisfied that the proposals are adequate. The mitigation measures recommended in the two reports can be conditioned.

Building Control Manager

We have attended site and referred to the Structural Report undertaken by John Davis Consultants – Project No.8406.

- The report refers to the existing structural piers that are corbelled out in brick work (Page 4) and currently supporting the roof trusses. These piers will also be acting as a buttress and thus support the existing wall. If these are removed then the integrity of the wall will be compromised. Having looked on the proposed plans the brick piers appear not to be shown either at ground or first floor level. For Building Regulations this will require further Structural design however we have mentioned this because we are aware that a certain percentage of brickwork must be retained.*
- The barn is currently given lateral restraint by tie bars which fall within the proposed area to be rebuilt – again this may have a detrimental effect to the existing structure.*
- Having looked at the drawings it would appear that the Annexe is being completely rebuilt.*
- The majority of the barn is rendered in a 12.5mm render and therefore it was not possible to review the existing quality of brickwork.*
- Fig 1 within the John Davis Report shows the existing Side Elevation where the Annexe is attached – in addition to the area shown as required rebuilding we felt the wall was bowing to the left above the existing window and therefore may require remedial works – see attached.*
- The Barn is situated next to a main road and therefore access for a Fire Engine tender is achievable.*
- There doesn't appear to be a mains sewer locally and therefore a drainage design would need to be agreed. If a soak away was to be considered then sufficient and relevant percolation testing would be necessary.*

Environmental Protection (Pollution)

They raise no objection to the proposal subject to appropriate protection being put in place to limit the times of building work for neighbouring amenity and to ensure that any contamination is appropriately handled.

LCC Archaeology:

Bradkirk Hall Farmhouse is a designated heritage asset, Listed at Grade II and recorded on the Lancashire Historic Environment Record, PRN 18359). The present building is dated to 1764, although the site is probably very much older. The manor of Bradkirk is not mentioned in Domesday, but seems to have been extant from the 12th century, with a family taking this as their surname from the at least the 14th century (Farrer and Brownbill 1912, Victoria History of the County Palatine of Lancaster, Vol.7 pp.153-7).

A medieval moat (PRN 12901) has been suggested to the west of the barn, but its actual existence and exact site is not certain with the wooded square east of the farmhouse also suggested as a possible location. Although the proposed location of the moat remains conjectural, in the absence of any definitive proof, in the form of an archaeological assessment of the site, that the proposed tree planting will not cause damage to surviving archaeological earthworks or below-ground deposits I would advise that this element of the proposals is not permitted.

The barn is shown on the Ordnance Survey 1:10,560 1st Edition (Lancashire sheet 59, surveyed 1863) and the OS 1:2,500 1st Edition (Lancashire sheet 59.04, surveyed 1891-2). The barn is therefore considered to be of some historical interest, showing the development of and response to changing agricultural practices and economics over time. The Heritage Statement that accompanies the application considers that "the scale of the barn suggests it may date from the late C18th or early C19th" (p. 6).

The period 1750-1880 has been recognised as the most important period of farm building development in England. The Council for British Archaeology's 'An Archaeological Research Framework for North West England: Volume 2, Research Agenda and Strategy' has indicated that "there is an urgent need for all local authorities to ensure that farm buildings undergoing adaptation are at least considered for recording" (p. 140) so that "a regional database of farm buildings can be derived and variations across the region examined." (ibid.)

Consequently should the Local Planning Authority be minded to grant planning permission to this or any other scheme, we would recommend that a record of the building be made prior to conversion and that such work is secured by means of a condition.

Neighbour Observations

Neighbours notified:	29 July 2019
Site Notice Date:	02 August 2019
Number of Responses	None

Relevant Planning Policy

Fylde Local Plan to 2032:

GD4	Development in the Countryside
GD7	Achieving Good Design in Development
GD8	Demonstrating Viability
ENV1	Landscape
ENV2	Biodiversity
ENV5	Historic Environment
H3	Conversions and Change of Use to Residential
H6	Isolated New Homes in the Countryside

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) Regulations 2017.

Comment and Analysis

This application seeks permission for the conversion of a barn and two attached smaller barns and an extension to a residential use, following the demolition of two attached portal framed buildings.

Background

The applicant sought planning permission, in outline form, under application no. 15/0635 for the erection of an open market dwelling with unrestricted occupancy in the vicinity of these barns. The application was subsequently refused due to the failure of the scheme to comply with the requirements for new residential development in the countryside, with this view upheld at appeal.

Since the determination of the above appeal the applicants have been granted approval to develop the sheep rearing enterprise undertaken on the farm and its associated land with the grant of approval for a new building (application no. 19/0282 refers) at the September 2019 meeting of Committee. This building provides improved welfare facilities for the applicant's animals as an expansion of the existing business and ensure that the application building is no longer in active agricultural use.

The applicants have submitted a personal statement with the current application which advises that the dwelling will allow the applicants to be on site to ensure the welfare of the stock, to provide site security and for the better day to day management of business. However this application is not presented as being justifiable solely on the basis of meeting a rural worker's needs.

The principle of development – Policy Background

The application site is located within the Countryside where Policy GD4 of the Fylde Local Plan to 2032 applies. This is generally restrictive of new development unless it meets one of several exemptions to that restraint. There are 3 possibilities that could apply to this scheme:

a) that needed for purposes of agriculture, horticulture or forestry; or other uses appropriate to a rural area, including uses which would help to diversify the rural economy, including small-scale tourist accommodation, holiday caravan sites and very exceptionally, larger scale tourism development;

b) the re-use or rehabilitation of existing permanent and substantial buildings;

d) development essentially needed for the continuation of an existing enterprise, facility or operation, of a type and scale which would not harm the character of the surrounding countryside;

A further policy test that could be relevant is Policy H6 of the Fylde Local Plan to 2032 which refers to 'Isolated New Homes in the Countryside'. This has a series of examples where such properties can be supported which includes criterion 4: 'Where the development would re-use redundant or disused buildings and lead to enhancement in the immediate setting.' This is consistent with the approach advocated in paragraph 79 of the NPPF.

From the above it is clear that there are several possible policy tests for a development of this nature. Notwithstanding the applicant's supporting statement explains about their work on the farm and the benefits that their occupation of a dwelling in this location would bring to allow them to continue to care for their animal, the application is not proposed as a rural worker's dwelling and no supporting information accompanies the application to justify that the dwelling is needed for agricultural purposes for a rural worker. As a consequence criterion b) of Policy GD4 and criterion 4) of Policy H6 (which repeats criterion c of paragraph 79 NPPF) are the relevant tests for the determination of this application. Essentially, if the building is not capable of a sensitive and appropriate conversion then it cannot comply with policy, but if it is capable of conversion then it does comply with policy.

Capability of conversion works to the existing buildings

The application is submitted with a 'Structural Inspection' report from Davis Consultants (Chartered Civil & Structural Engineers), and the council's Building Control officer has also provided advice.

The structural report concludes that the building is in reasonable structural condition but does set out a series of defects. These include a section of the front elevation that is to be rebuilt, a section of the rear wall to be re-built, and other areas of cracking that will need repair and the construction of new foundations. The roof is also to be replaced, and there are other alterations to provide a small extension and revised openings.

Having regard to the requirements of Policy GD4 and Policy H6 and the NPPF, the key test is that the building being converted is permanent and of brick with render construction so that it could be described as '*substantial*'. As a brick building it is clearly of a solid construction, but there are works required to it to make it habitable. Some guidance on quantifying this is provided in the council's 'Conversion of Rural Buildings' SPD of 2004 which refers to this requiring no more than 25% of the walls of the building to be replaced.

Whilst the re-building works are reasonably significant, from the submitted survey it is estimated that they do not exceed this figure and so it is accepted that the amount of re-building is acceptable. The conversion does involve other more minor works including the formation of new windows and door openings and the significance of these design aspects is assessed below.

It is considered that the extent of the conversion works complies with criterion b) of Policy GD4, criterion 4 of Policy H6 of the Fylde Local Plan to 2032, and so paragraph 79 of the NPPF in that regard. A condition will be imposed to any permission to ensure that a clear methodology for the conversion is provided prior to works commencing to ensure that this requirement is satisfied in the implementation of any planning permission. In the event that the building were to fail during these works then any permission for 'conversion' could not be implemented and so it is critical that this is imposed and that the requirements of any agreed scheme are carefully implemented.

Design and impact on visual amenity

Policy H3 (*Conversions and change of use to residential*) and Policy GD7 (*Achieving Good Design in Development*) both promote good design. During the course of the application's determination design amendments have been secured to better retain the overall rural characteristics of the farm buildings.

The amended plans now indicate a reduction in the overall height of the building, reduction on the number of openings to retain more of the existing openings with new openings limited, and a

revision in the scope of a rear extension. Whilst it is not usual to allow extensions to agricultural buildings as part of their conversion, in this case the extension is located to the rear and is within a part of a large portal frame barn that is to be removed as part of the conversion. The effect of this extension is to join two elements of the existing building and to mask an existing wall which is constructed in unfinished blockwork as it is currently within an active sheep barn. This extension allows a more cohesive design to be secured to the barn conversion and so is considered to be acceptable in this context that achieves a balance between ensuring a reasonable level of amenity for the future occupiers whilst retaining the existing agricultural detail of the building. Architectural detail such as the open brick features and main barn door openings are all proposed to be retained. Whilst some areas are to be repaired and rebuilt the design and materials proposed for the conversion preserve the historic character.

Overall it is accepted that the development will provide positive benefits through the conversion to a dwelling which will retain the majority of the existing building's form with a modest extension, will retain the key architectural features of the rural building, and will clear the unattractive portal frame buildings for the site.

Access and Parking

The development proposes to utilise an existing access off Weeton Road which currently serves the application barns and the recently constructed barn. This has good visibility and is a well established access point that will be suitable for use for the single residential dwelling, and will provide adequate parking and turning facilities for the dwelling.

As a consequence of this the route to the remaining agricultural barns is to be revised to use a field gate that is positioned to the west of the site. The use of this existing access does not create any planning implications as it clearly forms part of the existing agricultural activity on the site. There is no surfaced track to the new agricultural buildings and the applicant's agent has been advised of the planning implications should one be required in the future, but as this is outside of the current application site it is not for consideration at this time.

LCC Highway Engineers have commented that the proposal will have a negligible impact on the highway network and have not objected. Consequently the proposal is considered acceptable in this regard and complies with Policy GD7.

Impact on neighbouring uses

The application site is to the north side of Weeton Road, the nearest residential uses are the main farmhouse at Bradkirk Hall Farm and two farm cottages situated within the former farmstead buildings. As the separation distances between the proposed dwelling and the existing dwellings is approximately 58m and 123m respectively there would be no detrimental impact for the occupiers of these dwellings as a consequence of the proposed development.

Members will be aware that permission has been granted for the former farm buildings to the south of Weeton Road to be converted to employment uses and that this approval has now been implemented. These buildings are far nearer to the proposed residential property at around 20 metres and an industrial use of the building has the potential to impact on the amenity of the proposed occupiers of the new dwelling. Notwithstanding the above the applicants and their family retain control over the units, thereby limiting the potential impact from users. It is also the case that these are on the opposite side of Weeton Road which runs immediately adjacent to the building and so will be a key influence on background noise levels. In addition, the council's

Environmental Protection Officers have been consulted on the proposal and have not raised an objection to the development.

Consequently, it is considered the proposal is in accordance with this aspect of Policy GD4 and will not have a detriment impact on residential amenity for existing and proposed occupiers.

Extent of Curtilage and Landscaping

The application is submitted with a proposed site plan which indicates the proposed extent of residential curtilage. This area takes in that currently occupied by the buildings to be demolished which will form the domestic garden to the proposed dwelling along with a small paddock area to the east of the building. The site plan indicates the provision of some landscaping to the rear of the new dwelling and to the north side with hardstanding to the west. However, no detailed landscape plan has been provided to accompany the proposal and due to the location of the site landscaping is required, to enhance the visual amenity, biodiversity and to protect the privacy of future occupiers of the dwellings.

Given that the area of land that is proposed for this curtilage is not currently open countryside, the proposed use of this area for garden to this dwelling does not lead to any new development in the countryside and is acceptable. The area to be used for this has been reduced from first submission to be proportionate for a property of this scale. A landscaping scheme is required and will be secured by condition. This will ensure that the garden area is appropriately fenced for privacy and provided with a hedge boundary to soften its impact in views from Weeton Road. With this condition this aspect is acceptable and will comply with the requirements of the Local Plan Policy ENV1 and the aims of the NPPF.

Ecology

The application has been submitted with a Bat survey and an Ecological Appraisal.

The Bat survey identified use of the building as a day roost by the 'Common Pipistrelle' bat. Mitigation measures are therefore required to ensure the protection of the species under the Conservation of Habitats and Species Regulations 2017. The mitigation includes the provision of alternative bat roosts in the form of specialist bat boxes during and after the work has been completed and the inclusion of 'bat bricks' into the fabric of the building. A licence from Natural England will also be required prior to carrying out the removal of the bats.

The Ecological Appraisal advises that

- The site has no statutory or non-statutory designations and none within 5km of the site.
- The nearest Biological Heritage Site (BHS), Wesham Marsh (Ref. 43SW04), is over 750m east of the site.
- There are three field ponds within 250m and all are evaluated as 'poor' using the HSI and there is no GCN terrestrial habitat on the site and there is no reasonable likelihood of impact on GCN generated by the proposals.
- Barn owl roost potential is present in both barns, with signs of use evident in B2 only and there is the potential for nesting birds, especially swallows, in the two barns, but overall nesting bird habitat on the site is limited and bird interest cannot exceed 'local' i.e. Parish value.
- The site has no value for wintering pink-footed goose and whooper swan, and given the scale and location of the development, measurable impacts on wintering birds are not predicted.
- The LERN study returned no records of whooper swan or record of pink-footed goose within

2km.

- The survey revealed no evidence of use of the site by badger and the site is unsuitable for badger habitation.

Subject to the mitigation proposals for bats being carried out and this will form a recommendation of this application, the proposal is considered acceptable having regards to the requirement of Policy ENV2 of the Local Plan the guidance in the NPPF.

Impact on listed building

The farmhouse at Brackirk Hall Farm is a Grade II Listed Building, as such a Heritage Statement has been submitted to accompany the application to assess the impact of the proposal on the heritage asset. This report advises that the hall is dated 1764 and is believed to occupy the site of an older dwelling and on the first editions of Ordnance Survey map of 1844 the hall and the barns were shown to be established.

It is considered that the application barns make a minor contribution to the visual setting of the hall however this is not of appreciable relevance to the evidential value and setting of the hall. This is particularly evident as the barns are not within the main farmstead group and have been extended and rendered thereby reducing their aesthetic value.

Paragraph 193 of the NPPF requires that great weight should be given to the conservation of the heritage asset. Policy ENV5 of the local plan requires that proposals should conserve, protect and where appropriate enhance the character, appearance, significance and historic value of the heritage asset.

The conversion of the barns will result in exterior changes to the building and this process of conversion and restoration together with landscaping of the site will bring about an appreciable improvement to the visual setting of the listed hall.

Other matters

The Town Council request that if the application is approved that it is tied to the agricultural use. However, whilst the application refers to the occupation of the dwelling by the applicants who work on the farm, the application does not seek approval for a new dwelling for a rural worker. In this instance the application is for a conversion of existing buildings to a dwelling and so the tests for this type of development are those set out above, and not those which would relate to the establishment of a rural workers dwelling. Accordingly it is not appropriate to impose such a condition.

Conclusions

This application proposes the conversion of former agricultural buildings together with other associated works to facilitate the conversion of the building to a single dwelling. It is considered that the principle of the development is acceptable having regard to Policies GD4 and H6 of the Local Plan to 2032 and complies with the requirements of Policies GD7, ENV1, ENV2 and ENV5 in regards to visual and neighbour amenity, highway safety, protected species and impact on the heritage asset and will not result in harm, subject to conditions.

Accordingly, the development is recommended for approval subject to conditions.

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 permission relates to the following plans:

- Location Plan - Drawing no. BB/1/000 Rev B
- Proposed Site Plan (showing ground floor layout) - Drawing no. BB/1/010 REV. D
- Proposed site plan (showing landscaping) - Drawing no. BB/1/011 REV. C
- Proposed ground floor plan - Drawing no. BB/1/110 REV. D
- Proposed first floor plan - Drawing no. BB/1/111 REV. D
- Proposed front elevation plan - Drawing no. BB/3/310 REV. D
- Proposed rear elevation plan - Drawing no. BB/3/311 REV. D
- Proposed south side elevation - Drawing no. BB/3/313 REV. D
- Proposed north side elevation - Drawing no. BB/3/312 REV. D

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

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

3. Prior to the commencement of any development hereby approved a methodology statement to detail the scope of the works to be undertaken to the building associated with the proposed conversion to a dwelling shall be submitted to and approved in writing by the local planning authority. This statement shall detail:

- a) the buildings within the site that are to be demolished, the timing of these works and the methods to be employed to ensure that these works do not impact on the structural integrity of the main building
- b) the elements of the main building which are to be rebuilt or replaced
- c) the elements of the main building that are to be subject to repair
- d) the finished external materials of the walls of the main building and its roof
- e) the methods to be employed to structurally support the main building during the conversion works
- f) any alterations to the internal floor levels of the main building
- g) any additional foundations or internal walls that are to be introduced to the main building
- h) the identification of the existing features such as bricks, roof timbers, window and door frames, etc that are to be retained in the converted building
- i) the sequence that the conversion project is to follow.

The conversion shall only be undertaken in accordance with this approved scheme.

Reason: To ensure that the development is undertaken as a conversion in accordance with Policy GD4 of the Fylde Local Plan to 2032.

4. Prior to the commencement of any conversion works hereby approved the details of bricks, render, slates and design and materials for the windows and doors, supported by samples, shall be

submitted to and approved in writing by the Local Planning Authority. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the authority.

Reason: In the interests of visual amenity and character of the area in accordance with Policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

5. Prior to the commencement of any development a scheme and programme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include specific details of finished levels, means of enclosures, hard surfacing materials, 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 in accordance with Policies GD4 and GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

6. 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 silvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary.

Reason: To ensure a satisfactory standard of development and in the interest of visual amenity in the locality in accordance with Policies ENV1 and ENV2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

7. No development hereby permitted shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing, surface water must drain separately from the foul and no surface water will be permitted to discharge directly or indirectly into the existing foul /combined sewerage systems. The development shall be completed, retained and managed in accordance with the approved details.

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

8. No development, site clearance/preparation, or demolitions shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise the creation of a record of the building to Level 3 as set out in 'Understanding Historic Buildings' (Historic England 2016). It should include a full description of the building, inside and out, a drawn plan, elevations and at least one section (which may be derived from checked and corrected architect's drawings), and a full photographic

coverage, inside and out. The record should also include a rapid desk-based assessment, putting the building and its features into context. This work should be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists (www.archaeologists.net), and shall be submitted to the local planning authority prior to the first occupation of the dwelling.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site. in accordance with Policy ENV5 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

9. No demolition or conversion works hereby approved shall take place until the Local Planning Authority has been provided with either:
1. a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development: or
 2. a written statement from the relevant licensing body to the LPA to the effect that it does not consider that the specified development will require a license together with a method statement detailing the measures to be put in place to compensate for the loss of the existing bat roosts within the building and to mitigate any other potential impacts to bats arising from the development which shall include:
 - a) Details of all new bat roosting provision to compensate for the loss of roosts arising as a result of the development.
 - b) Details of any other mitigation and/or reasonable avoidance measures to be implemented during the construction period in order to minimise the potential for harmful effects to bats.
 - c) A timetable for implementation of the measures in a) and b).

The duly approved method statement shall be implemented in full accordance with the details, recommendations and timescales contained therein. Any new bat roosting provision to compensate for the loss of roosts arising from the development shall be fully constructed and made available for use before any works that would result in the destruction of the existing roosts in Building 2 first take place, and shall be retained as such thereafter.

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

10. In the event that the demolition or conversion works hereby approved do not lawfully commence prior to 1 April 2020 then a reassessment of the buildings within the site boundary for barn owl nesting potential shall be undertaken and the findings supplied to the Local Planning Authority. In the event that this assessment identifies barn owl activity then the submission shall also include appropriate mitigation for this activity and a programme of its implementation, which shall be complied with in the implementation of the planning permission.

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

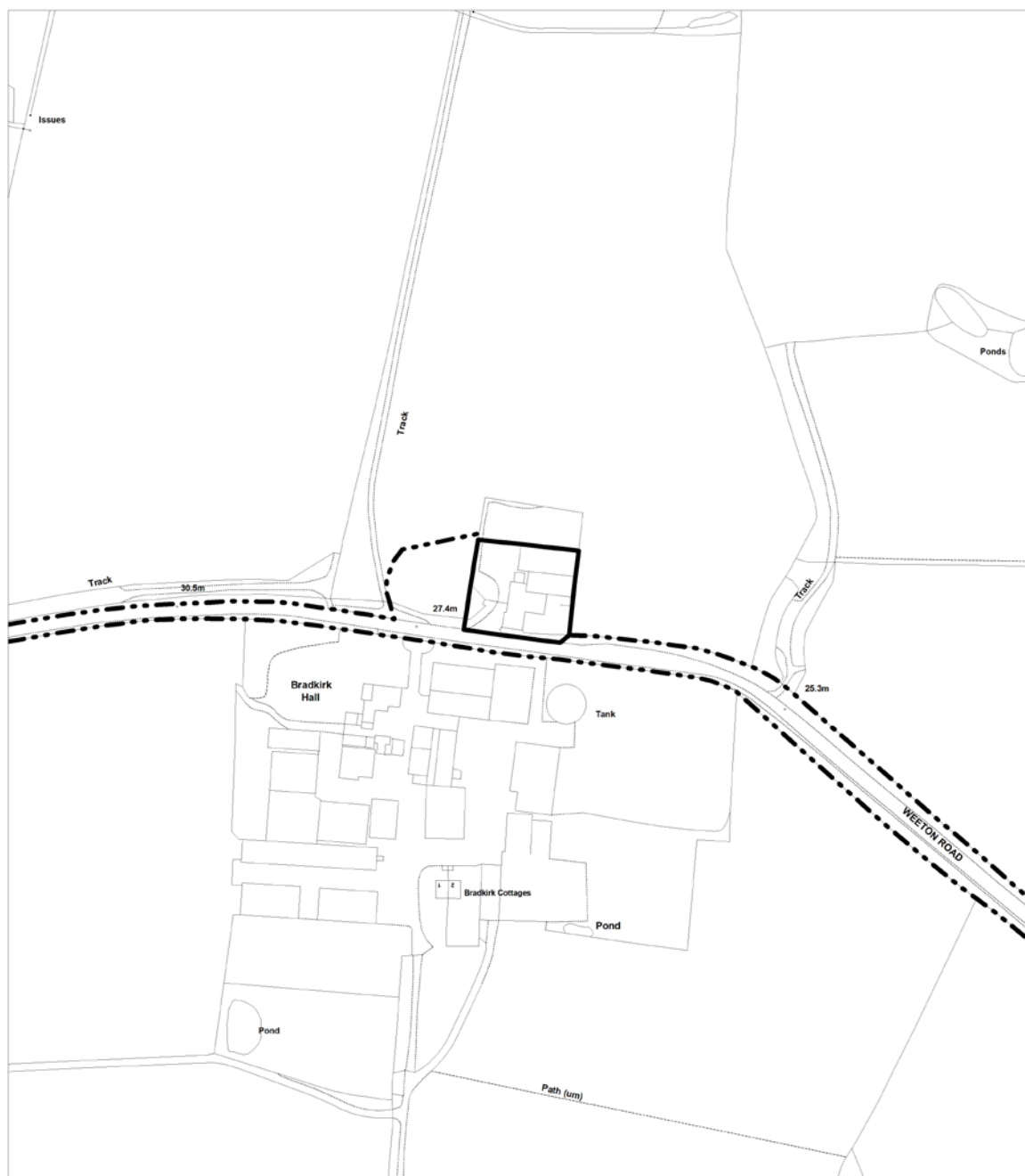
11. Prior to the commencement of any development on the conversion of the barn to a dwelling hereby approved, details of the routing, design and timing of the erection of any fencing, walling or


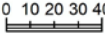
other boundary treatments associated with the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include for the separation of the domestic curtilage of the dwelling hereby approved from the surrounding land that is to be retained in agricultural use. Only the agreed boundary treatments shall be erected on site, and these shall be erected prior to the first occupation of the dwelling, and shall be maintained and retained in those locations at all times thereafter.

Reason: To provide a physical separation between the domestic area and any other land in the applicant's ownership and the extent of the development, in the interests of visual amenity in the countryside in accordance with Policies GD4 and GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

12. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D, E, G and H 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 the interests of visual amenity in the countryside and in order to prevent over development of the site in accordance with the requirements of Policy GD4 and GD7 of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.



		(c) Crown Copyright and database right (2020). Ordnance Survey (100006084).	
Application No. 5/19/0597	Address Bradkirk Hall Farm, Weeton Road, Wesham	Grid Ref. E.3409 : N.4335	Scale 0 10 20 30 40 m 

Item Number: 5

Committee Date: 18 March 2020

Application Reference:	19/0887	Type of Application:	Outline Planning Permission
Applicant:	NHS Property Services Ltd	Agent :	Turley
Location:	WESHAM PARK HOSPITAL, DERBY ROAD, MEDLAR WITH WESHAM, PRESTON, PR4 3AL		
Proposal:	OUTLINE APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS AND A RESIDENTIAL DEVELOPMENT OF UP TO 51 DWELLINGS WITH ASSOCIATED INFRASTRUCTURE (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)		
Ward:	MEDLAR WITH WESHAM	Parish:	Medlar with Wesham
Weeks on Hand:	18	Case Officer:	Kieran Birch
Reason for Delay:	Delays in consultation replies		

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

<https://www.google.co.uk/maps/@53.7892584,-2.8808359,188m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

The development proposed for consideration by members is an outline application with all matters reserved asides access for the erection of up to 51 dwellings on land currently occupied by Wesham Park Hospital. The site is located within the settlement of Wesham, which is a strategic location for development in the Fylde Local Plan to 2032.

The site is within the settlement boundary and there are no policies that preclude residential development in this area. Policy DLF1 requires 1040 homes within the plan period (11 %) of the housing requirement, to be provided in windfall sites both small and large, which can be located throughout the Borough. The site is in an area characterised by residential development and is a brownfield site the principle of residential development in this area is considered acceptable.

The scheme would not have any significant adverse effects on the visual amenities of the area. The indicative layout plan and parameters plan show that the development would sit comfortably in this existing urban form. There are no highways, ecology or drainage issues and the development would result in an acceptable relationship with surrounding land uses. The proposal is therefore considered acceptable and it is recommended that planning permission be granted subject to a legal agreement to secure appropriate contributions.

Reason for Reporting to Committee

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

Site Description and Location

The application site is Wesham Park Hospital, located off Derby Road, Wesham. The site is surrounded by residential development on three sides with additional land associated with the former hospital buildings to the east, beyond which lies an area of public open space. Derby Road forms the southern boundary of the site and Wesham Park Drive forms the western boundary

The existing buildings on the site date to the early 20th century and were originally constructed as the Fylde Union Workhouse. They were designed by the architects Charles Haywood and Fred Harrison and comprised a large workhouse in a pavilion style plan form with a separate infirmary building to the north and ancillary buildings to the south.

The complex of buildings were later adapted and altered for use as a military hospital before being converted into an NHS hospital in the late 20th century. More recently, the infirmary buildings to the north and other buildings to the south have been demolished. The remaining buildings are now largely vacant, and some are in a poor state of repair, being supported by scaffolding. The buildings were in use as offices but became vacant in November 2019.

Details of Proposal

The development has been put forward as an outline application by NHS Property Services for the demolition of the existing buildings on the site and for the erection of 51 dwellings, with access being a detailed matter for consideration and all other matters being reserved for future approval.

An indicative layout and parameters plan have been submitted which show the access points and the scale of development shown across the site. Three storey development is proposed along the north and part of the western boundary, parking is situated behind these developments. Six dwellings are proposed to be fronting Derby Road with an access proposed on that road to serve those dwellings. Another access is proposed along Wesham Park Drive to serve the development. Along the north of the site an access road is being retained that will serve the rear of the medical centre which would be subject to a future application.

The indicative plan provides 18 houses (11 x 2 bed and 7 x 3 bed) and 31 apartments (9 x 2 bed and 24 x 1 beds).

Relevant Planning History

Application No.	Development	Decision	Date
19/0830	APPLICATION FOR PRIOR NOTIFICATION FOR PROPOSED DEMOLITION OF EXISTING HOSPITAL BUILDING TO BASEMENT LEVEL, INCLUDING THE REMOVAL OF ALL OBSTRUCTIONS, SLABS AND FOUNDATIONS UNDER PART 11 OF GENERAL PERMITTED DEVELOPMENT ORDER	Approve Prior Determination	11/11/2019

Relevant Planning Appeals History

None

Parish/Town Council Observations

Medlar with Wesham Town Council notified on 13 November 2019 and comment:

Option A - the Council have no specific observations to make on upon the proposal.

Kirkham Town Council notified on 13 November 2019 and comment:

Kirkham Town Council believe this application has already been approved. (The Town Council were informed this was not the case and comments could be provided but nothing further was received).

Statutory Consultees and Observations of Other Interested Parties

Lancashire CC Flood Risk Management Team

No comments received.

Greater Manchester Ecology Unit

Bat roosts were found within the building complex. Three small roosts were identified and as they will be lost a license is required. Given the size of the roosts and the species involved, common pipistrelle and soprano pipistrelle, GMEU are satisfied that the favourable conservation status of these species will not be significantly harmed and that mitigation can be provided. They suggest a condition to achieve this. They also suggest a condition for repeat surveys as part of any Reserved Matters application.

The development is within 5km of a European Site and adjacent to a pink footed goose feeding area. GMEU state that the development falls just below the trigger to consultant NE which is 1ha at this distance within the existing urban area, but they recommend the LPA consult NE as the development could be two phases (NE comments below). They state that recreational packs may be required by Ne and that given the proximity to functionally linked land that they recommend the need for a welcome pack to be conditioned as part of RM and that a HRA is triggered.

The trees on site have bird nesting potential. They therefore suggest a condition requiring removal outside of bird nesting season. With regard to net gain this will be achieved through the gardens of the proposed development and should be maximised through the use of native trees and a bat and bird box scheme. These details can be provided as part of the reserved matters application.

United Utilities - Water

UU have reviewed the submitted FRA and found it to be acceptable. They request a condition that ensures the development is carried out in accordance with the principles in the FRA which specifies that surface water will only be allowed in the sewer if evidence is provided that infiltration cannot be incorporated into Suds. They also suggest a management condition to be applied to any permission.

LCC Education

As the application is outline their assessment is based on all the dwellings will be 4 bedrooms. They state that the development will yield 19 primary school places and 8 secondary school places. There isn't a shortfall in secondary school places but there is in primary school places. They therefore request a contribution of £304,960.26 for 19 primary school places.

Environmental Protection (Pollution)

No objections to the proposal.

Natural England

State that for residential development in this area proportionate assessment of recreational disturbance impacts on the coastal designated site from the development is required via the screening stage of the Habitat Regulations.

The determination of likely significant effect is for the competent authority (the LPA) to do. If we are satisfied that the proposal can conclude no likely significant effect there is no further need to consult NE. Where the screening cannot rule out a likely significant effect on the coastal site then an Appropriate Assessment is required and NE will need to be consulted.

LCC Highways

(LCC) Highways do not have any objections in principle to the proposed 51 dwellings with associated infrastructure, providing the applicant can provide a commitment to a carriageway narrowing of Station Road to 7.5m and upgrading of the traffic signals to puffin type signals, as detailed in this report. Where the applicant is not willing to commit the road narrowing and upgrading of the traffic signals to puffin type signals (LCC) Highways would ask that planning permission is refused as the proposed development would fail to adequately promote safe and sustainable travel to and from the site and social inclusion.

(LCC) Highways understands the current outline planning application is concerned with the site access and impact on the surrounding highway infrastructure only and the internal highway layout of the site and car parking will be considered as part of a future reserved matters planning application.

(LCC) Highways have based this report on a development of 51 dwellings and the future development for a new medical facility with a GFA of approximately 1,343sqm on the remainder of the site and the information listed below:-

- a. *Observations during a site visit on the 20th January 2020 at 10:30*
 - *A desk top study using our mapping system Mapzone;*
 - *Curtains Transport Statement dated 22nd October 2019*
 - *Curtains Framework Travel Plan dated 22nd October 2019*
 - *Drawings*
 - *72229/75001 rev P02 "Access Arrangement"*
 - *72229/05001 rev P01 "Swept Path Analysis Large Refuse Vehicle"*
 - *NHSM3005/02 rev F "Illustrative Layout"*

Introduction

The housing development will be accessed via new accesses on to Wesham Park Drive and Derby Road. Both Wesham Park Drive and Derby Road are unclassified roads are categorised as Local Access Roads with a speed limit of 20 mph fronting the site accesses.

The future development for a new medical facility with a GFA of approximately 1,343sqm. The illustrative plan indicates staff will access a rear car park off the existing northern access on to Wesham Park Drive. Visitors to the medical facility will access the site from the existing eastern access of Derby Road.

Wesham Park Drive has a 2m footway fronting the site access, the carriageway width is 5.5m and the opposite side of the road has a 2m footway. The road benefits with street lighting.

Derby Road has a 1.4m wide verge behind a 2m footway fronting the site access, the carriageway width is 7.25m and the opposite side of the road has a minimum of a 2m footway. The road benefits with street lighting.

From or mapping system "Mapzone", the proposed development will have direct access along Bridleway 5-8-BW13 along Derby Road. I have forwarded details of this planning application to Lancashire County Councils Public Rights of Way Section and asked them to contact you directly regarding the impact of the development on the definitive bridleway and any required improvements through the section 278 works or contributions through the section 106 process.

Highway Capacity

(LCC) Highways agrees with conclusion within the Curtains Transport Statement dated 22nd October 2019 and are of the opinion that the proposed overall development will not have a severe impact on highway capacity or congestion in the immediate vicinity of the site.

Site access

The Lancashire County Councils five year data base for Personal Injury Accident (PIA), was checked on the 4th February 2020. The data indicates there has not been any reported incidents near the access to the development. The report does indicate one serious accident at mini roundabout with Derby Road and Wesham Park Drive.

Whilst any accident is regrettable, the highway network surrounding the site is considered to have a good accident record and indicates there are no underlying issue which the proposed development would exacerbate.

Based the guidelines in Manual for Streets, observations on site and the plans provided by the applicant, (LCC) Highways are of the opinion that available sight lines from both accesses onto Wesham Park Drive over the existing adopted highway are acceptable for this size and scale of development. The available sight lines from the housing access onto Derby Road are acceptable but part of the sight line will be over the existing grass verge behind the existing adopted footpath.

There has not been any speed surveys carried out on Derby Road near the site access points. While the classified speed is 20mph (LCC) Highways are of the opinion that 85th percentile speeds wet road speed nearer 28mph.

Using table 7.1 from Manual for Streets and the estimated 85th percentile speed of 28mph the sight lines of 2.4 x 39m to be provided in both directions from the new site access onto Derby Road.

(LCC) Highways are of the opinion that the proposed geometry of the site accesses to this site and the future medical centre are to prescribed design standards for this size of development for all highway users.

As part of the medical centre access off Derby Road (LCC) Highways are of the opinion that proposed development will remove existing walking route to existing medical centre. To mitigate against the impact of the development; provide safe facilities for pedestrians, children and the mobility impaired and improve social inclusion the applicant should provide a 2m wide footpath for around the radius of the eastern access, on both sides of the junction. Where the access to the medical centre is gated pedestrian access should not be restricted and made to walk on the carriageway at the site access.

(LCC) Highways are of the opinion that the proposed 51 dwellings and the future development for a new medical facility will not have a severe impact on highway safety in the immediate vicinity of the site providing acceptable sight lines and pedestrian facilities are provided as detailed above.

The new site access works will need to be constructed under a section 278 agreement of the 1980 Highways Act. 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 is advised to contact the Community Services before works begin on site. Please contact developeras@lancashire.gov.uk for further information and advice.

Sustainable links

(LCC) Highways are of the opinion that proposed development will remove the existing walking route to the existing medical centre. To mitigate against the impact of the development; provide safe facilities for pedestrians, children and the mobility impaired and improve social inclusion the applicant should provide a 2m wide footpath for around the radius of the eastern access to the medical centre, on both sides of the junction. Where the access to the medical centre is gated pedestrian access should not be restricted and made to walk on the carriageway at the site access.

The proposed housing development will increase the desire for pedestrian movements from the site to facilities such as the train station; employment; Public Houses; St John' Roman Catholic Church; Kirkham Grammar School; The Willows Catholic Primary School Kirkham; Public Baths; Health Centre etc. Additionally the future medical centre will also generate a desire for local residents to walk to the site.

To walk to these facilities residents need to cross Station Road, while there are existing crossing facilities south of the mini-roundabout with Derby Road (LCC) Highways are of the opinion that this crossing area should be modified by reducing the walking distance on road from 10.75m to 7.5m and upgrading of the traffic signals to puffin type signals to allow adjustable crossing times for mobility impaired and the elderly.

It should be possible to widen both the western and eastern footpath to narrow the road to 7.5m. This recommendation would not affect any car parking due to the existing no waiting at any time order and the extent of the zig zag markings. By providing the build out this should also reduce the speed of traffic approaching the mini-roundabout

The off-site access works will need to be constructed under a section 278 agreement of the 1980 Highways Act. 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 is advised to contact the Community Services before works begin on site. Please contact developeras@lancashire.gov.uk for further information and advice.

(LCC) Highways are of the opinion that the proposed development can be improved to provide inclusive and safe place; promote social interaction; allow for easy pedestrian and cycle connections within and between neighbourhoods; streets are safe and accessible; opportunities to promote walking and cycling are identified and pursued; limiting the need to travel and offering a genuine choice of transport modes; safe and suitable access to the site can be achieved for all users; give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; address the needs of people with disabilities and reduced mobility in relation to all modes of transport; create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

(LCC) Highways are of the opinion that the proposed development as presented does not provide an acceptable level of safe or desirable suitable sustainable transport links and recommend a refusal unless the recommended sustainable transport links regarding footpath facilities to the future medical centre and changes to the existing signals are provided as detailed above.

Travel Plan

The following amendment is required to the Curtins Framework Travel Plan dated 22nd October 2019: - Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years

Sustainable Transport and Section 106 Contributions

(LCC) Highways are not seeking any section 106 contributions as part of this development providing the recommended section 278 off site works are provided for the alterations to the signals on Station Road to narrow the carriageway and provide a puffin signals.

Internal Highway Layout

(LCC) Highways understands the current outline planning application is concerned with the site access and impact on the existing highway infrastructure only. All other highway matters such as the internal highway layout; and car parking etc. are to be determined as part of a future reserved matters application.

(LCC) Highways recommends the applicant considers the following provisional comments before submitting a reserved matters application:-

- 1. Access for refuse and fire appliances if the access road to the staff car park is gated.*
- 2. Refuse collection to the housing site off Derby Road.*
- 3. Car parking standards to be based on the recommendations in the Joint Lancashire Structure Plan*
- 4. Cycle storage for the apartments to be based on the recommendations in the Joint Lancashire Structure Plan*

Conclusion

(LCC) Highways do not have any objections in principle to the proposed 51 dwellings with associated infrastructure, providing the applicant can provide a commitment to a

carriageway narrowing of Station Road to 7.5m and upgrading of the traffic signals to puffin type signals, as detailed in this report. Where the applicant is not willing to commit the road narrowing and upgrading of the traffic signals to puffin type signals (LCC) Highways would ask that planning permission is refused as the scheme would fail to adequately promote safe and sustainable travel to and from the site other than vehicles and social inclusion.

Neighbour Observations

Neighbours notified:	13 November 2019
Site Notice Date:	15 November 2019
Press Notice Date:	21 November 2019
Number of Responses	One letter received
Summary of Comments	Concerned about impact on schools and doctors. Increase in traffic, adding to that at motorway junction. Speed of motorists down Derby Road

Relevant Planning Policy

Fylde Local Plan to 2032:

DLF1	Development Locations for Fylde
ENV2	Biodiversity
ENV4	Provision of New Open Space
GD7	Achieving Good Design in Development
H1	Housing Delivery and the Allocation of Housing Land
H2	Density and Mix of New Residential Development
INF2	Developer Contributions
NP1	Presumption in favour of Sustainable Development
S1	The Proposed Settlement Hierarchy
SL4	Kirkham and Wesham Strategic Location for Development

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) Regulations 2017.

Comment and Analysis

The main issues when considering this application are;

- The principle of the development
- Visual impact on character of the area.
- Highways
- Flooding and drainage
- Residential amenity
- Ecology

- Other issues

Principle of the Development

Policy Background

As ever Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 indicates that development proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF advocates a presumption in favour of sustainable development.

The development plan consists of the Fylde Local Plan to 2032. This plan identifies the application site as being within the settlement boundary of Wesham. Wesham is identified as a Local Service Centre and is part of the Kirkham and Wesham Strategic Location for Development allocated under policy DLF1 – Development Locations for Fylde. This policy outlines where the 8175 houses found to be necessary over the plan period will be constructed.

90% of these dwellings will be within the four strategic locations for development, Policy DLF1 also refers specifically to Windfall sites, stating that these are small housing sites amounting to between 1 and 9 dwellings, which are not allocated and can occur throughout the borough where compliant with the other policies in the plan. These are anticipated to provide around 1040 homes within the plan period (11 %) of the housing requirement, the policy also states that some larger windfall sites will also contribute to this figure. There is therefore an expectation in the Development Plan that 11% of the housing requirement over the Plan period will be delivered outside of the allocated sites. These sites could be delivered within existing settlements or within the Strategic Locations on unallocated sites or elsewhere throughout the Borough when as DLF1 states when compliant with other policies in the Plan. It is the case with this application that the site is located within the settlement where there is no presumption against residential development but a requirement to comply with other policies such as GD7 – achieving good design in the Plan.

Therefore the proposed development is acceptable in principle in this location as it is located both within the settlement and in a strategic location for development , and the fact that DLF1 and SL5 allow for development of windfall sites throughout the Borough in order to make up 11% of the overall housing requirement in the Plan. Given that the site sits in area of residential development and is a brownfield site the principle of residential development in this area is considered acceptable.

Demolition of the building

The demolition of the existing building was considered as part of an application for prior notification for demolition under permitted development. The applicants submitted a demolition schedule, method statement and details of the site finish with that application. They also submitted a written scheme of investigation which outlined that the demolition will be subject to written recording of the heritage value of the building. Officers ensured that this recording would include a site visit with officers to identify materials which would be retained for retention in a heritage sculpture/monument on the site. The agreed materials will be stored on site. This application was found to be permitted development as long as it is carried out in accordance with the details submitted in support of the notification.

Prior to the determination of this application an item was presented for Members to determine to whether to add the building to the Local List and place an Article 4 direction on the building to prevent the permitted development route to demolition. Members resolved not to do so and

therefore the loss and demolition of the building has already been considered and found acceptable. This demolition consent remains in place regardless of any decision on this application.

Visual impact on character of the area

The application has been made in outline with all matters reserved for future consideration asides access which is considered below. The existing site consists of the building described above. The complex of buildings is set at the rear of the site with an extensive car park set in front of it with some trees located within the site. There is a grass verge with tree planting behind it along the southern boundary to Derby Road. To the north and western boundaries of the site are residential dwellings of two to three stories in scale.

Policy GD7 – achieving good design in development requires that densities of new housing development reflects the character of the surrounding area, with the arrangement shown on the illustrative layout and parameters plan submitted the development would comply with this criteria. Criteria d of the same policy requires that the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.

The application was subject to pre-application discussions with officers who advised that three storeys would be acceptable along the footprint of the existing building and fronting the northern part of the site and Wesham Park Drive due to the scale of the existing building and the fact that the adjoining dwellings are also three storeys. The indicative layout relates to that of the surrounding context in terms of scale and the location of development. It follows the form of existing development and by doing so this criterion is complied with.

Criteria h requires development to be sympathetic to surrounding land uses and occupiers and avoid demonstrable harm to the visual amenities of the area. Given that the application site will be located directly adjacent to residential development on three sides and is a brownfield site in the settlement then it is entirely compatible with the surrounding land use, and will not create and demonstrable harm to the visual amenities of the area. The site will be viewed from any direction as part of residential development within the settlement. Despite the layout presented being indicative a condition can be used to ensure that any Reserved Matters application significantly reflect this layout and parameters plan to ensure that the visual impact is the same.

Landscaping is a reserved matter for this application; however the indicative layout retains the landscaped frontage to Derby Road and the significant trees along Wesham Park Drive, with additional landscaping shown within the site. It is therefore considered that the development of this site will have an acceptable impact on the visual amenities of the area.

Highways

Paragraph 34 of the NPPF requires that decisions should ensure that developments that generate significant movement are located where the need for travel can be minimised and the use of sustainable transport modes can be maximised. The NPPF promotes sustainable transport. It requires that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment, and that decisions should take account of whether;

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;

- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

It states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are 'severe'.

The application has been submitted with a framework Travel Plan and a Transport Statement which has been considered by LCC Highways whose comments are reported above. They state they have no objection in principle to the development, provided that the applicant commits to carriageway narrowing of Station Road to 7.5m and upgrading of the traffic signals to puffin type signals. Where the applicant is not willing to commit the road narrowing and upgrading of the traffic signals to puffin type signals (LCC) Highways would ask that planning permission is refused as the proposed development would fail to adequately promote safe and sustainable travel to and from the site and social inclusion.

LCC state that they agree with the applicants Transport Statement and are of the opinion that the proposed development will not have a severe impact on highway capacity or congestion in the immediate vicinity of the site.

Based the guidelines in Manual for Streets, observations on site and the plans provided by the applicant, (LCC) Highways are of the opinion that available sight lines from both accesses onto Wesham Park Drive over the existing adopted highway are acceptable for this size and scale of development. The available sight lines from the housing access onto Derby Road are acceptable but part of the sight line will be over the existing grass verge behind the existing adopted footpath. On the proposed layout this verge is to be retained and as such these are achieved with LCC stating that the proposed access and that retained to serve the medical centre are to prescribed design standards for this size of development for all highway users.

LCC refer to the need for sustainable links as the proposed development will remove the existing walking route to the existing medical centre. They state that the applicant should provide a 2m wide footpath for around the radius of the eastern access to the medical centre, on both sides of the junction. Where the access to the medical centre is gated pedestrian access should not be restricted and made to walk on the carriageway at the site access. The proposed housing development will increase the desire for pedestrian movements from the site to facilities such as the train station; employment; Public Houses; St John' Roman Catholic Church; Kirkham Grammar School; The Willows Catholic Primary School Kirkham; Public Baths; Health Centre etc. Additionally, the future medical centre will also generate a desire for local residents to walk to the site.

To walk to these facilities residents need to cross Station Road, while there are existing crossing facilities south of the mini-roundabout with Derby Road (LCC) Highways are of the opinion that this crossing area should be modified by reducing the walking distance on road from 10.75m to 7.5m and upgrading of the traffic signals to puffin type signals to allow adjustable crossing times for mobility impaired and the elderly. The applicants have submitted a letter stating that they do not agree that this is need on highways safety grounds. LCC are considering that letter and will provide a response, the content of which will be provided in the late observations report. However LCC are clear in their representation that the proposed development as presented does not provide an acceptable level of safe or desirable suitable sustainable transport links and recommend a refusal unless the recommended sustainable transport links regarding footpath facilities to the future medical centre and changes to the existing signals are provided as detailed above. Therefore, it is not anticipated that their request will be withdrawn and that these off site works will be necessary to make the

development acceptable in highways terms.

LCC are not requesting any s106 contributions from the scheme and confirm that the internal layout, car parking etc will be considered as part of any reserved matters application. LCC conclude;

(LCC) Highways do not have any objections in principle to the proposed 51 dwellings with associated infrastructure, providing the applicant can provide a commitment to a carriageway narrowing of Station Road to 7.5m and upgrading of the traffic signals to puffin type signals, as detailed in this report. Where the applicant is not willing to commit the road narrowing and upgrading of the traffic signals to puffin type signals (LCC) Highways would ask that planning permission is refused as the scheme would fail to adequately promote safe and sustainable travel to and from the site other than vehicles and social inclusion.

Flooding and drainage

The site is not in a flood zone but is of a scale of development where a Flood Risk Assessment needs to be submitted. The application has therefore been submitted with an FRA and drainage assessment. The existing site is covered in buildings and hardstanding, it is currently drained via a combined sewer along Derby Road and a surface water sewer along both Derby Road and Wesham Park Drive. A foul water drain also runs along Wesham Park Drive which has a 6m easement that is respected by the proposed layout.

With regard to the proposed development foul water is proposed to be connected to the existing foul network on Wesham Park Drive. United Utilities have no objection to that connection being made. With regard to surface water it is proposed that this will be dealt with via infiltration, and the if this is not possible evidence should be provided, and only then would a connection to the surface water drain would be permitted. This would be at a rate no greater than 58 l/s with attenuation provided on site. Discharge into a watercourse is not feasible given the distances from the application site to the nearest watercourse. UU have no objections and request a condition that the drainage of the site is in accordance with the principles set out in the FRA. The LLFA have not commented on the application.

Residential amenity

Policy GD7 – Achieving good design in development of the Fylde Local Plan to 2032 requires development to be of a high standard and requires that new residential development that ensures that amenity will not be adversely affected by neighbouring uses both existing and proposed. This amenity impact includes privacy, dominance, loss of light, over shadowing or disturbance resultant from the development itself on neighbours, or during the construction period. The Councils SPD on house extensions provides additional guidance with reference to separation distances between dwellings to ensure the amenity of residents is safeguarded.

The proposed indicative layout shows that dwellings will be appropriately located so as not to create any unacceptable overlooking or loss of light to existing neighbouring dwellings and those proposed within the site itself. They are appropriately set back from the highway to leave enough separation distance and room for landscaping and have a similar relationship between each other as the dwellings surrounding the site.

The level of vehicle activity associated with the development of the dwellings is not considered to have a significant noise impact on adjacent residents and is therefore unlikely to cause an unacceptable disturbance. It is inevitable that there will be some disruption for residents during the

construction period. This disruption however is temporary, for duration of the build and is therefore acceptable. Conditions can be imposed to reduce this disruption for neighbours and construction hour's restriction, wheel wash facility and dust controls are recommended. As such there are no amenity issues with the application and the scheme complies with the relevant aspects of Policy GD7.

Ecology

The application has been submitted with a supporting ecological survey and assessment. This outlines that the development is not considered to impact on any conservation designations as the site is sufficiently small scale and distant from sites to avoid any significant effects on them, either directly or in-directly. Some small potential bat roosts were found but no other ecological constraints exist asides some of the existing trees have bird nesting potential.

GMEU were consulted on the application their response is reported above. With regard to the bat roosts located within the building complex they state none of them were of high importance, and they are satisfied that the conservation status of these species will not be harmed, and that mitigation can be provided. They recommend a condition to secure this. With regard to the existing trees they recommend a condition that prevents their clearance during bird nesting season. They also recommend that native tree planting and bat and bird boxes be incorporated into the housing scheme to enhance the natural environment.

GMEU state that the site is within 5km of the Ribble SPA, with the only likely impact as noted in the submitted assessment being indirect impact from an increase in recreational pressure. Whilst the distance falls short of the trigger to consult NE, they recommended that they were consulted as this is a two-stage development. Whilst NE were consulted on GMEU's advice the second phase of the development of this site is for a modern health centre to replace the existing one on the site and as such would not have any impact on recreational pressure. GMEU recommend that due to the proximity of the development to potentially functionally linked land, identified by the consultants as pink-footed geese major feed area, that the need to provide a welcome pack is conditioned for provision as part of reserved matters.

NE were consulted and their response is shared above. Essentially, they state that Fylde as a competent Authority need to undertake a proportionate assessment of recreational disturbance impacts on designated sites from the proposed development, and if Fylde are satisfied that the proposed development can conclude no likely effects there is no further need to consult NE. The Local Plan to 2032 as a whole has been subject to a HRA which Natural England have accepted, this includes consideration of the allocated sites. This site is located within the settlement surrounded by residential development and there is a large area of POS near to the site where owners are likely to walk their dogs etc. It is therefore considered on balance that there are no likely significant effects on balance from the proposed development.

Other issues

Public Open Space – The application does not propose any open space. Policy ENV3 of the Local Plan states that on sites where the requirement of open space is less than 0.2ha then a commuted sum can be sought to help provide POS or improve POS near to the site. As the quantum of development proposed is 0.1ha the applicants have stated a commuted sum will be agreed. Given the proximity of open space for recreation this is seen as acceptable and the Council's Parks team have confirmed that a contribution can be used to improve that area. It is therefore considered appropriate that a contribution of £1000 per dwelling be secured towards this space.

Affordable Housing – The proposed development is for 51 dwellings with a mix of 2 and 3 bed apartments and houses. Policy H4 requires developments of 10 or more dwellings to provide 30% affordable housing, which is indicated as part of this application. Therefore, the proposed development will need to be subject to a legal agreement to confirm the appropriate tenures for the affordable housing.

Education – LCC Education have requested £304,960.26 for 19 primary school places. This is based on the development being 100% 4-bedroom dwellings so this will be reduced when the final mix is known. LCC have been asked to confirm which primary school the contribution will go to, however there are seven within 2 miles of the site which could benefit from the contribution.

Conclusions

Having considered the characteristics of the site and the development proposed it is Officer's opinion that the application site is acceptable in principle in accordance with Policy DLF1 which allows for development of windfall sites throughout the Borough in order to make up 11% of the overall housing requirement in the plan.

Given that the site sits against housing development to three sides and continues the existing built form within an urban environment the development will have only a very localised landscape impact and will not harm the visual amenities of the area.

The access proposed to the site is safe and LCC confirm that that the development will not have an impact on highway capacity or safety. They request off site highway works to increase the sustainability of the site for pedestrians. The proposed layout is such that residential amenity will be protected, and appropriate conditions can ensure there are no ecology, drainage or other issues.

Recommendation

That the decision to GRANT Planning Permission be delegated to the Head of Planning and Housing, with that decision being subject to the completion of a Section 106 agreement and a schedule of appropriate conditions.

The S106 Agreement is to secure:

- provision, retention and operational details for 30% of the proposed dwellings to be affordable properties in accordance with the requirements of Policies H4 and INF2 of the Fylde Local Plan to 2032
- a financial contribution of £1,000 per dwelling (and the phasing of the payment of this contribution) towards securing off site public open space in accordance with the requirements of Policies ENV4 and INF2 of the Fylde Local Plan to 2032
- a financial contribution of up to £304,960.26 (and the phasing of the payment of this contribution) towards the improvement of education capacity in the vicinity of the site in accordance with the requirements of Policies HW2 and INF2 of the Fylde Local Plan to 2032
- a financial contribution (and the phasing of the payment of this contribution) towards the council's proportionate costs in relation to the monitoring of the obligations of this agreement in accordance with the requirements of Regulation 122 (2A) of the Community Infrastructure Regulations 2010

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.

The suggested Planning Conditions and Reasons are as follows:

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. Details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development commences and the development shall be carried out as approved.

Reason: This permission is an outline planning permission and details of these matters still remain to be submitted.

3. This permission relates to the following plans:

- Location Plan - (NHSM3005 01 REV A)
- Illustrative proposed site layout plan (NHSM3005 02 REV F)
- Parameters Plan (NHSM3005 06 REV A).

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

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

4. The development shall be for up to 51 dwellings and the details for these that are submitted as part of any Reserved Matters application shall be substantially in accordance with the illustrative proposed site layout plan (NHSM3005 02 REV F) and Parameters Plan (NHSM3005 06 REV A).

Reason: In order to ensure a satisfactory layout that does not harm the visual amenities of the area.

5. Any application which seeks approval for the reserved matters of layout, scale or appearance pursuant to condition 2 of this permission shall include details of the mix of type and size (including bedroom numbers) of the dwellings to be provided, which shall demonstrate compliance with the requirements of policy H2 of the Fylde Local Plan to 2032. The development shall thereafter be carried out in accordance with the duly approved details.

Reason: To ensure that the development delivers an appropriate mix of types and sizes of housing suitable for a broad range of age groups to reflect the demographics and housing requirements of the Borough as set out in the Fylde Coast Strategic Housing Market Assessment in accordance with the requirements of policy H2 of the Fylde Council Local Plan to 2032 and the National Planning Policy Framework.

6. Any application which seeks approval for the reserved matters of layout, scale or appearance pursuant to condition 2 of this permission shall provide for at least 20% of the properties that are designed specifically to accommodate the elderly including compliance with optional technical

standard M4(3A) (wheelchair-accessible dwellings) unless a different percentage is required to comply with Policy H2 of the Fylde Local Plan to 2032.

Reason: To ensure that the identified need for the provision of properties for this sector is catered for in this development as required by Policy H2 of the Fylde Local Plan to 2032, and the National Planning Policy Framework.

7. Any Reserved Matters submission in relation to layout shall include details of existing and proposed site levels throughout the site and finished floor levels of all dwellings. The development shall thereafter only be carried out in accordance with the approved levels.

Reason: In order that the dwellings have an acceptable visual impact, and do not harm residential amenity.

8. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. 071666-CUR-00-XX-RP-D-72001, Rev: V03, Dated: 18/10/2019) which was prepared by (Curtins Consulting Ltd). In line with the Flood Risk Assessment; surface water will only be allowed to communicate with the public surface water sewer if evidence can be provided showing that infiltration cannot be incorporated into the proposed surface water drainage solution.

Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

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

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

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

10. Prior to the commencement of development, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include and specify the provisions to be made for the following, with the development undertaken in full accordance with the agreed CMP:

- a) The timing of construction works on the various days of the week.
- b) The timing of deliveries to the site on the various days of the week.
- c) The locations for the parking of vehicles of site operatives and visitors;

- d) Loading and unloading of plant and materials used in the construction of the development;
- e) Storage of such plant and materials;
- f) Wheel washing and road sweeping facilities, including details of how, when and where the facilities are to be used;
- g) Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- h) Routes to be used by vehicles carrying plant and materials to and from the site;
- i) Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reasons: to protect the amenity of neighbouring residents from undue disturbance during the construction works.

11. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets and other communal areas including POS and landscaped areas within the development have been submitted to and approved by the local planning authority. These areas shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an adoption agreement has been entered into with the local highway authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policy GD7 of the Fylde Local Plan to 2032.

12. No clearance of trees and shrubs in preparation for or during the course of development shall take place during the bird nesting season (1st March - 31st 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 trees and shrubs shall take place until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

Reason: In order to prevent any habitat disturbance to nesting birds, in accordance with Policy ENV2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

13. As part of reserved matters landscaping plans shall be submitted which include native tree planting and bird and bat boxes/bricks throughout the site. The development shall be carried out in accordance with the approved details.

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. Prior to occupation of the dwellings hereby approved full details of a homeowner's pack shall be submitted to and approved in writing by the Local Planning Authority. This pack will highlight and explain the sensitivity of the surrounding areas, the importance of keeping dogs on a lead, and identify other suitable recreational areas locally. All initial occupiers shall be provided with the approved pack, and with sufficient packs that these can be passed to subsequent occupiers of the property.

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. The new estate road for the approved development shall be constructed in accordance with the Lancashire County Council Specification for Estate roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be

further extend before any development commences fronting the new access road.

Reasons: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

16. The visibility splays measuring 2.4 metres by 39 metres in both directions to be provided, measured along the centre line of the proposed new road from the continuation of the nearer edge of the existing carriageway of Derby Road, to the satisfaction of the Local Planning Authority. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

Reasons: To ensure adequate visibility at the street junction or site access in the interest of highway safety.

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

- a. Site access onto Derby Road
- a. Site access onto Wesham Park Drive
- b. Off-site works:-
- c. Street lighting improvements to highlight the new accesses.
- d. Carriageway narrowing of Station Road to 7.5m and upgrading of the traffic signals to puffin type signals

Reasons: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

18. No part of the development hereby approved shall commence until the approved alterations to the access to Derby Road has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority.

Reason: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

19. No part of the development hereby approved shall be occupied until the approved scheme for the off-site works has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority.

Reasons: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy.

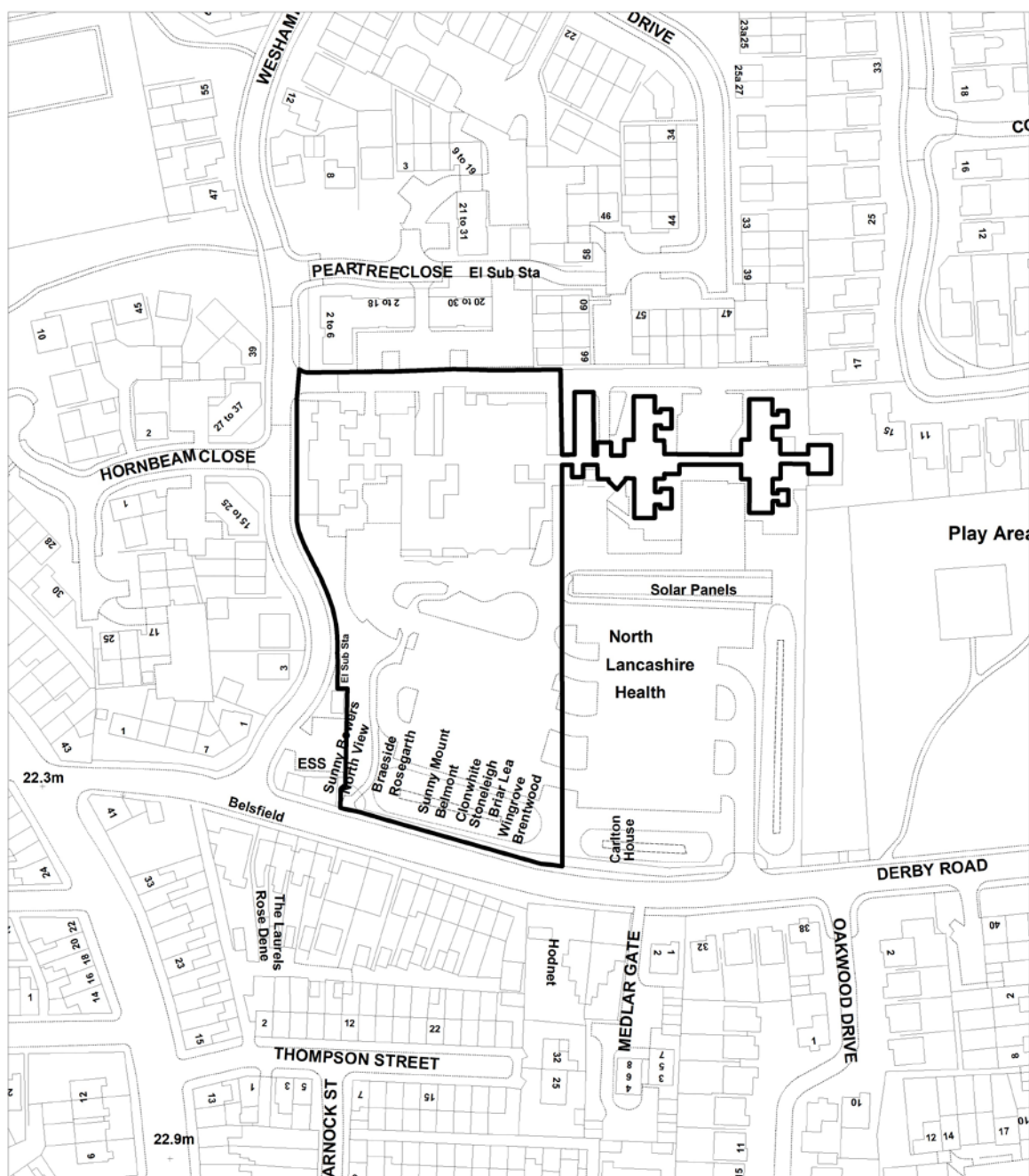
20. Prior to the first use of the development hereby permitted, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is

carried out.

Reasons: To promote and provide access to sustainable transport options

21. Prior to commencement of the development hereby approved, a scheme to protect all retained trees and hedgerows during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall indicate the trees and hedgerow for retention and provide for a no dig in the vicinity of the tree roots, and provide details of a Construction Exclusion Zone around the Root Protection Areas of the trees/hedgerows along with details of a non-compacting material to be laid on the existing soil level so heavy plant can access the site without impacting on the tree roots. The Construction Exclusion Zone shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012 and shall be maintained as such during the entirety of the construction period.

Reason: To protect existing trees and hedgerows which are to be retained as part of the development, in accordance with Policy ENV2 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.



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Ordnance Survey (100006084).

Application No.
5/19/0887

Address
Wesham Park Hospital, Derby Road,
Wesham

Grid Ref.
E.3419 : N.4328

Scale
0 6 12 18 24 m

Item Number: 6

Committee Date: 18 March 2020

Application Reference:	19/0926	Type of Application:	Reserved Matters
Applicant:	Hallam Land Management Limited	Agent :	SATPLAN Ltd
Location:	CLIFTON HOUSE FARM, LYTHAM ROAD, BRYNING WITH WARTON, PRESTON, PR4 1AU		
Proposal:	RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION 17/1050 SEEKING DETAILED PERMISSION FOR THE LAYOUT, APPEARANCE, LANDSCAPING AND SCALE OF A DEVELOPMENT INVOLVING 96 DWELLINGS WITH ASSOCIATED OPEN SPACE AND INFRASTRUCTURE INCLUDING DETAILS REQUIRED BY CONDITIONS 1, 2, 12, 15, 18 AND 22 OF OUTLINE PLANNING PERMISSION 17/1050		
Ward:		Parish:	Bryning with Warton
Weeks on Hand:	17	Case Officer:	Matthew Taylor
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/@53.7482178,-2.9031167,376m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application relates to a *circa* 3.74 hectare parcel of open farmland located to the north of the A584 (Lytham Road) and east of Clifton House Farm, Warton. The site is bordered by a caravan park to the east (Oaklands), open fields to the north and a series of industrial units to the west. A detached dormer bungalow (no. 278 Lytham Road) occupies a central location fronting onto Lytham Road to the southern edge of the site and a row of two storey houses are located on the opposite site of the A584 to the south. The land has outline planning permission (including access) for a residential development of up to 115 dwellings (planning permission 15/0562 as varied by S73 application 17/1050) and is allocated as a strategic housing site (reference HSS13) on the Fylde Local Plan to 2032 Policies Map.

The application seeks approval for the reserved matters of layout, scale, appearance and landscaping in connection with a residential development involving 96 dwellings with associated infrastructure and open space. The application is also accompanied by details to satisfy the requirements of conditions imposed on the outline permission where these require information to be provided at the reserved matters stage.

The layout of the dwellings would follow the frontage of Lytham Road along the site's southern fringe while being set back behind a landscaped verge and cul-de-sacs flanking the roadside. The main estate road would run in a northerly direction from a single point of vehicle access onto Lytham Road to the southwest corner of the site before branching off in easterly and westerly directions into a series of cul-de-sacs split by a central, square-shaped 'village green' incorporating a play area. As required by condition 15 of the outline permission, separate shared pedestrian and cycle accesses would be created onto Lytham

Road (on the southern boundary) and to the Oaklands site (on the eastern boundary) in order to create sustainable transport linkages with adjoining land.

Dwellings would be orientated to front onto the estate road, with strong dual-aspect elevations adding interest on corner plots and a sense of openness maintained by the siting, height and materials of boundary treatments. The majority of dwellings (including all those bordering the site perimeter) would be two storeys in height. A group of 16 taller, 2.5 storey house types would front onto a feature paved area of the estate road overlooking the northern and eastern edges of the village green. The external appearance of the dwellings – including their style, materials, fenestration, architectural features and detailing – would be compatible with the character of surrounding residential development and would achieve elevational interest through the use of protruding features including bay windows, canopies, facing gables and integral garages. Dwellings would be laid out to address key nodal points and, where houses border open countryside to the north, they would be orientated with an outward facing aspect and set behind a landscaped buffer in order that they respect the rural fringe along this boundary.

The proposed landscaping scheme would deliver the minimum area of open space required by condition 1 of the outline permission, with a central green providing a focal point for the development. Landscape buffers would be introduced around the perimeter of the site to soften the development's visual impact from surrounding vantage points and internal landscaping would present tree-lined streets with low-level shrub and hedge planting to break up parking areas and provide foreground screening to boundary treatments.

The proposed density of housing, combined with its spacing, window arrangement and orientation in relation to existing properties surrounding the site will ensure that the development assimilates sympathetically with its surroundings and would have no undue effects on the privacy and amenity of neighbouring occupiers through loss of outlook, overshadowing or overlooking. Appropriate details have been submitted to satisfy those conditions on the outline permission that require specific details to be provided at the reserved matters stage and the scheme demonstrates that suitable arrangements can be made for the provision of affordable housing (specific details of which are to be provided through the submission of an Affordable Housing Statement to satisfy the requirements of the planning obligation). The development would also provide a suitable mix of house size and makes specific provision for 20% of the dwellings to be designed as specialist accommodation for the elderly through compliance with optional technical standard M4(3(2a) (wheelchair adaptable dwellings). No other adverse effects would arise with respect to the internal highway layout, drainage or ecological impacts to indicate that the development's impact could not be appropriately mitigated.

Therefore, it is considered that the layout, scale, appearance and landscaping of the development is in accordance with the relevant policies of the Bryning with Warton Neighbourhood Development Plan, the Fylde Local Plan to 2032 and the provisions of the National Planning Policy Framework.

Reason for Reporting to Committee

The application is classified as major development and the officer recommendation is for approval. Bryning-with-Warton Parish Council have also objected to the application.

Site Description and Location

The application relates to a broadly rectangular parcel of land measuring approximately 3.74 hectares in area located to the east of Clifton House Farm and north of the A584 (Lytham Road), Warton. The site falls within the settlement boundary of Warton and is allocated as a strategic housing site (reference HSS13) on the Fylde Local Plan to 2032 Policies Map. Outline planning permission (including 'access' as a detail matter) has been granted for a development of up to 115 dwellings on the site pursuant to planning permission 15/0562 (allowed by appeal reference APP/M2325/W/15/3141398), which was subsequently varied by S73 application 17/1050 granted on 15 February 2019.

Ground level rises gently, but consistently, in a northerly direction across the site from a low point alongside Lytham Road to the crest of a hill which forms the northern boundary. The site is enclosed by a narrow strip of hedging along its southern boundary with Lytham Road which reaches a maximum height of *circa* 2.5m, and by linear tree belts which fall outside the site boundaries along the eastern and western perimeters. A group of trees to the southeast corner of the site are protected by Tree Preservation Order (TPO – Group G of TPO no. 7). A fragmented hedgerow runs latitudinally across the site in close proximity to the northern boundary which is marked by a low post-and-rail fence beyond. The northern boundary follows a chamfered profile between hedgerows running at right angles to the northeast and northwest corners which enclose uses on adjoining land.

The site wraps around a detached dormer bungalow (no. 278 Lytham Road) which occupies a central position fronting onto Lytham Road along the southern boundary (though this property falls outside the application land). Adjoining land to the east is occupied by a vehicle repair/caravan storage site (Lytham Road Garage) and caravan park (Oaklands Caravan Park) which benefits from an extant outline planning permission for a residential development of up to 53 dwellings (15/0194). Adjoining land to the west is occupied by a group of industrial units arranged around a hardstanding yard. Both adjoining commercial uses are separated from the site by strips of vegetation comprising trees and hedgerows. Land to the north of the site comprises open farmland. A row of two storey houses run parallel with the southern site boundary on the opposite side of Lytham Road.

Details of Proposal

The application is submitted pursuant to outline planning permission 17/1050 (which included the detailed matter of access) and seeks reserved matters approval for the layout, scale, appearance and landscaping of a residential development involving 96 dwellings with associated open space and infrastructure.

The scheme would deliver a mix of 4 apartments and 92 terraced, semi-detached and detached houses comprising the following combination of dwelling sizes: 4 x 1 bed; 18 x 2 bed; 43 x 3 bed; and 31 x 4 bed. Whilst the provision of affordable housing is dealt with principally through the S106 agreement attached to the outline permission, the scheme identifies a total of 30 dwellings to meet the definition of "Affordable Housing" in Annex 2 of the NPPF in order to meet the 30% requirement in the planning obligation. These will be located in two separate parcels to the eastern and western areas of the site and comprise a mix of 1, 2 and 3 bed units with an indicative tenure of 60% affordable rent (18 units) 30% shared ownership (10 units) and 10% discounted market sale (2 units). The scheme also indicates that 20% of the dwellings (20 plots) will be designed to comply with optional technical standard M4(3(2a)) of the Building Regulations relating to wheelchair adaptable dwellings.

Layout – Dwellings would be laid out to follow the main spine road branching off the approved vehicle access onto Lytham Road to the southwest corner of the site. Two principal cul-de-sacs

would branch in easterly and westerly directions off the spine road which would, in turn, merge with private drives serving plots on the southern and northern fringes of the development. Dwellings along the southern edge of the site would be orientated to front onto Lytham Road behind a landscaped verge and two separated private drives. Those along the eastern and western boundaries would have a rear or side facing aspect in relation to adjoining land uses, with those along the northern fringe being orientated with their front elevations facing over surrounding countryside. A 'village green' incorporating a play area would provide a dedicated area of open space to the centre of the site, with dwellings orientated to face onto this space. Shared pedestrian and cycle connections would be created off cul-de-sacs to the northeast (onto the Oaklands site) and southeast (onto Lytham Road) corners of the site.

Scale – A total of 13 different house types are proposed, with 11 of these (80 plots) – including all those bordering the site boundaries – being two storeys in height. Two house types (16 plots) would be 2.5 storeys with rooms created in the roof space through the use of dormer windows. These 2.5 storey house types would be arranged in a L-shaped group around the northern and eastern edges of the central green.

Appearance – The elevations of the dwellings would include a mix of features and detailing to add depth and interest. These include bay windows, porches/canopies, facing gables, roof-level pediments and modest dormer windows and protruding garages. A mix of hipped and dual-pitch roofed profiles would add variety, along with well proportioned windows to ensure symmetry and balance to façades. Materials include two different types of red brick, a mix of grey and red roof tiles and rendered dressings distributed across three different 'character areas'.

Landscaping – A total of 8800m² of open space is to be provided as part of the scheme. The open space comprises: (i) a central 'village green' with a play area measuring 3102 m²; (ii) landscaped verges alongside the northern and southern fringes of the site totalling 4853 m²; and (iii) other areas of communal, incidental landscaping occurring throughout the development totalling 845 m². Tree, hedge and shrub planting would be introduced throughout the site to create the theme of tree-lined avenues following the profile of the estate road. Plots would be arranged with garden frontages onto the estate road, extending round the side of corner plots. Boundary treatments bordering the highway would comprise a mix of hedges, curved walls and/or railings, with close-boarded fences to rear gardens.

Relevant Planning History

Application No.	Development	Decision	Date
17/1050	APPLICATION TO VARY CONDITION 7 OF PLANNING PERMISSION 15/0562 (OUTLINE APPLICATION WITH ACCESS FOR A RESIDENTIAL DEVELOPMENT OF UP TO 115 DWELLINGS) IN ORDER TO REMOVE COMPONENTS (A) AND (B) AND TO INCREASE THE NUMBER OF DWELLINGS THAT CAN BE CONSTRUCTED IN ADVANCE OF THE COMPLETION AND BRINGING INTO USE OF A PACKAGE OF OFF SITE HIGHWAY IMPROVEMENTS AT THE JUNCTION OF CHURCH ROAD, LYTHAM ROAD AND HIGHGATE LANE (COMPONENT (C)) FROM 15% TO 33% OF THE OVERALL DEVELOPMENT	Approved with 106 Agreement	15/02/2019
15/0903	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 115 DWELLINGS AND	Refused	27/05/2016

ASSOCIATED INFRASTRUCTURE (ACCESS
APPLIED FOR WITH OTHER MATTERS
RESERVED) - RESUBMISSION OF APPLICATION
15/0562

Relevant Planning Appeals History

Application No.	Development	Decision	Date
15/0562	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 115 DWELLINGS AND ASSOCIATED INFRASTRUCTURE (ACCESS APPLIED FOR WITH OTHER MATTERS RESERVED)	Allowed	13/02/2017

Parish/Town Council Observations

Bryning-with-Warton Parish Council – Initially notified of the application on 22.11.19 and subsequently of amended plans on 23.01.20. The Parish Council responded to these consultations on 23.12.19 and 04.03.20, advising that they object to the application and recommend refusal on the following grounds:

Response dated 23.12.19:

- e. **Principle** – While it is a matter of record that the Parish Council has long opposed this development as 'unsustainable', the outline planning permission 17/1050 was subsequently approved through the planning processes, the applicants 'Hallam' had sought to assure the Parish Council and the local community the development would be 'sympathetic' to the issues and concerns raised in objection. However, the resultant reserved matters application seems to have taken no account of those matters outlined.
- **Highways** – The primary concerns at outline stage were acknowledged as traffic congestion, particularly on the main road, which also deemed the proposed access unsafe, absence of any tangible requirement for additional housing in Warton causing the unnecessary destruction of yet more countryside around the village and the failure to recognise the interests of the local community through the developing Neighbourhood Development Plan. The Secretary of State ruled in favour of the development with the proviso of conditions in regard to highway improvements. In relevance these highway improvements are far from being completed which carries a great deal of significance should the application be granted?
- **Levels** – The planning documents submitted seem to indicate that the floor levels of most of the plots at the front of the development will be at least one metre higher than Lytham Road. The hedgerow that is purported to be retained to help screen the new development will be lower than the ground floor levels. This is contrary with the Neighbourhood development Plan, Objective 2 "For new development to integrate with existing and be of benefit to the community", BWNE2 Protecting and enhancing local character and Landscape. It clearly does not respect local character. The Outline Planning 'Streetscene' diagrams (15/0562 Illustrative) showed the new dwellings to be on the same level as Lytham Road but that now appears to not be the case. The Streetscene submitted for Reserved Matters are inadequate and misleading - they need to show the relationship with Lytham Road and existing properties (including No 278). There is also a need to show a North to South 'Streetscene' that shows the elevation from Lytham Road. Constructing dwellings with floor levels a metre higher than Lytham Road is unacceptable and unjustified. It would have to be acknowledged of course this would address, for those properties at least, the local concerns

of significant surface water flooding associated with drainage of the area and issues with Wrea Brook.

- **Drainage** – The agreed SUDS solution at the outline planning stage was ponds at the front of the development. However the developer is now stating that, because of the amount of clay, that is no longer a viable solution. So despite the drainage concerns being raised at the outline application stage, and discounted, and contrary to the NDP Policy BWNE3 - and now a significant element of consideration by the Planning Authority given recent events, referenced in section 10 of the NPPF, the design is to reduce surface water run off by installing a number of underground tanks for holding excess surface water before it is discharged into the existing water network. This is not the recommended approach to drainage for major developments so we need confirmation from the relevant Authorities, LLFA and UU, that this new solution will not increase the risk of flooding to properties in the surrounding area and Lytham Road where there is some history of drainage issues even now without this development. There is naturally scepticism given the current events that the site can be drained in compliance with existing policies and the Parish Council would ask who is to be held accountable in the future if capacities are not capable of meeting the demands. It will also be important to ensure the proposed underground tanks, if approved, will be installed at the start of construction and that a planning condition ensures that this happens - to negate risk of flooding of Lytham Road and properties during the development.
- **Landscaping** – The developer's new Landscaping plan makes much of the fact that existing hedgerow will be retained and gap-filled, not least to provide some screening from the road, but as already stated the new dwellings are going to be higher than previously agreed at the Outline Planning stage. It needs to be understood how much of the existing hedgerow will be removed for the access. Experience of the 'Miller' development on Church Road, Warton is that they have taken out half of the hedgerow without any apparent reason or justification. The amount of 'buffer' planting proposed in the new Landscaping plan is significantly less than that presented at the Outline Planning stage and so the Landscaping plan should be rejected until revised in accordance with earlier drafts and subsequent promises made by the developers.
- **Neighbouring Property - 278 Lytham Road:** Relationship issues with the site - conflict with NDP Objectives 1 Preserving local character, and 2, for new development to integrate with existing and be of benefit to the community. The 'Outline Planning' promised and agreed "thick buffer of landscaping" around the perimeter of the existing property and associated Landscaping Plan. But all that has been removed in the new Landscaping Plan. The new landscaping plan in relation to No 278 is unacceptable. The 'Streetscenes' submitted as part of Outline Planning showed the relationship of the new properties either side of No 278. The 'Streetscenes' document submitted under this Reserved Matters does not show this relationship. This relationship must be understood before any approval, i.e. The Streetscene needs to show the height relationship of No. 278 with plots 96 and 77 and the plot behind.
- **Open space and play area** – It is disappointing to see that in this detailed layout the open space area which, in discussions with the developers post Outline application, had the potential to marry up with the adjacent development and genuinely become a focus of the whole Village rather than just a piece of open area on the residential development. Given it is completely surrounded by the roads and there are the obvious safety concerns for children using the play area. Long term maintenance of grassed and shrubbery in this area is also a concern. It appears from the application that the materials and design for the Children's play area have already been decided in the absence of any local consultation or the relevant local Authority. The long term upkeep and maintenance of such spaces on housing developments have become a major concern for local Town and Parish Councils to the point representations are being made to Central Government to include legislation covering the financial implications from developers. The Parish Council would expect

appropriate conditions set to account for future upkeep.

- **Vehicular movement on site** – The outline application was approved for an anticipated capacity of up to 115 dwellings but it comes as no surprise the optimism of the planners was in excess to the real potential and it is now reduced to 96 dwellings. The Access considerations references a flexible approach to the application of parking and ratio of allowance of parking per property. The optimism of the planners again overrides practicality that they cannot foresee the parking and access problems in the design, particularly for local services, deliveries etc., particularly in and around the public open space at the centre of the development.
- **Phasing** – The developer indicates that the site will be implemented in one phase but the logistics of this are not comprehensible given the impact to the local community. More detail is required about when the off-site highways improvements will be implemented and when the drainage tanks will be installed before approval is granted.
- **Off-site highway works** – These need to be consistent with NDP Policy 'Community Action: Sustainable Transport' which requires that developers work with the Parish Council, LCC etc. to develop a long term sustainable strategy for improvements to the highway network and the management of traffic in and around Bryning with Warton to reduce the impact of development on the community. NDP Objectives 9, 11 and 18 are relevant'. Clarity as to what measures are being taken forward, and when, in relation to any agreed off-site highways works to ensure safe access, e.g., traffic-calming measures, movement of bus stop, 'refuge' islands, improving cycle lanes and pavements. Planning conditions need to state that, at the very least, traffic calming measures need to be installed before the access is constructed and timed as not to coincide with any roadworks on the crossroad junction at the centre of the Village as multiple obstructions will cripple the traffic network access through the village. As an additional note on traffic matters the NDP, Objective 8, identified the provision of strong gateways on the key approaches to the village, e.g. Lytham Road, which denotes entrance to the village. The Parish Council had had discussions with the applicants 'Hallam' at, and post, the Outline Planning stage about such a gateway as part of the Clifton House Farm development, incorporating traffic calming measures, and they were sympathetic and supportive to the idea. There is nothing in the Reserved Matters submission and if the application is granted then the Parish Council would like to pursue this concept further with the developers.
- **Air pollution** – The environmental issue is extremely high profile and the Parish Council supports such initiatives for new developments and the implications of increased road traffic to the area. It is believed Fylde Borough Council has a policy of ensuring that all new developments have some form of electric vehicle re-charging points. There is nothing in the 'Reserved Matters' that addresses this.
- **Heritage/conservation** – An antiquated tree referred locally to as "Old Tom/Crack Willow". Outline planning indicated that this would be removed. But it does not seem to be in the way of the access or anything. Is there not a case for it to be retained for heritage reasons.
- **Conditions** – Should planning permission be granted the following conditions should be imposed: (i) Commencement of the development should not coincide with the Roadworks on the Lytham Road junction Church Road Junction; (ii) Housing that can be built on the site before the Highways improvement schemes are implemented is set at 15%; (iii) Access to the site is not constructed until traffic-calming measures and other off-site highways improvements are implemented; (iv) no dwellings to be constructed until infrastructure/drainage tanks installed; (v) Future Site Management of Children's Playground site and equipment; (vi) Confirmation of construction working hours; (vii) The Parish Council would also ask for Confirmation of the S106 agreement to pay £41,000 towards the Village Centre Regeneration Scheme Public Realm improvements (supporting NDP Policy BWLC1 and NDP Objectives 13 and 14) and payment prior to commencement of development

rather than subject to implementation of their plan to assist in the refurbishment of the Village centre.

Response dated 04.03.20:

- **Amended plans** – It is virtually impossible for the layman to identify what the changes shown on the amended plans are. Given the significant impact that such large scale development has on the Parish and the technical and practising planning knowledge required surely the Authority should insist on developers providing a commentary on the specific changes that they have made in response to a consultation.
- **Revised design and access statement** – The applicant states that “the proposed development reflects the design parameters agreed at the outline permission stage”. Clearly this does not apply to the landscaping. Their indicative masterplan agreed at the outline planning stage promised a thick buffer of landscaping around the perimeter of 278 Lytham Road and showed a continuous thick buffer around the perimeter of the site. The latest Landscaping Plan has not re-instated these necessary buffers as the Parish Council requested - so it does not reflect the design parameters agreed at the outline permission stage.
- **Site levels/street scenes** – The Parish Council requested Streetscenes that reflected the nature of the relationship of properties with Lytham Road and with No 278 Lytham Rd. That has still not been provided. As a reminder, there is a precedent for this application: - 'Streetscenes' submitted as part of Outline Planning showed the relationship of the new properties either side of No 278 and front facing properties with Lytham Road. Therefore there is still great concern that the application shows that the ground levels of properties facing onto Lytham Road will be a metre higher than Lytham Road and those at the back of the site much higher. This is inconsistent with the outline permission which showed the new dwellings along Lytham Road to be on the same level as Lytham Road ('Streetscene' diagrams (15/0562 Illustrative)). The site levels identified in their plans are not consistent with the design parameters agreed at the outline permission stage.
- **Phasing of off-site highway works** – The amendments still do not mention the timing of the off-site highway works. At the very least, traffic calming measures need to be installed on Lytham Road before the site access is constructed. Reassurances that this is in place is again a key concern to the local community.
- **Spine road through to Church Road** – There is a clear implication from LCC Highway's comments and the applicant's response that it is assumed development will come forward on land to the north of the site sooner rather than later despite that land being designated as open countryside. In their responses (latest 27/2/20) 'LCC' state that "Highways are of the opinion that the overall highway layout linking Church Road to Lytham Road (when completed) may not conform to the current guidelines. The developer, in response, does point out to 'LCC' that "the land directly to the north of the site is currently designated as open countryside in the Fylde Local Plan 'up to 2032'. It is understood that there may be an intention (in the future) for this land to be developed, along with the creation of a link road to Church Road, located to the north-east" but that any "works would not be required until the land to the north has been unlocked for development and the planned link road and other housing schemes progress". If plans for development of these additional areas are already being promoted with the Planning Authority the Parish Council/local Community would urge that in keeping with the principle of the National Planning Policy Framework it is engaged at the earliest opportunity as further planned growth of the 'Parish' needs to be accounted for in both practical, infrastructure etc. and policy, NDP, matters going forward.

Statutory Consultees and Observations of Other Interested Parties

Housing (FBC) – Comments as follows:

- The layout ensures that the affordable housing units are spread across the site and there is a good mix of property sizes.
- The tenure includes shared ownership. As with discounted market sale, we would need to be satisfied with the 100% RICS valuation of these units to ensure they are affordable and this needs to be reflected in the affordable housing statement.

Lancashire Fire and Rescue – No objections. The following recommendations are made:

- It should be ensured that the scheme fully meets the requirements of Building Regulations Approved Document B, Part B5 “Access and facilities for the Fire Service”.
- It should be ensured that the proposal is provided with suitable provision of fire fighting water in compliance with national guidance.

LCC Education – As per the s106 for outline 15/0562, the final primary and secondary education contribution will be calculated once the owner informs LCC on the approval of the RM within 20 days of the decision.

LCC Highways – Final comments 27.02.20 following receipt of amended plans as follows:

- LCC Highways do not have any objections to the proposed 96 dwellings and are of the opinion the development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
- The current application is concerned with the internal layout of the site only and the site access and impact on the surrounding highway infrastructure was approved by the planning inspectorate as part of planning appeal APP/M2325/W/15/3141398.
- The following considerations will need to be provided on the future site to the north of the site to ensure the overall highway layout linking Church Road to Lytham Road conforms with the current guidelines; recommendations; the philosophy of Manual for Streets; Creating Civilised Streets; the National Planning Policy Framework; and Fylde Local Plan:- (1) The main spine road linking Church Road to Lytham Road must be designed to ensure that vehicle speeds are kept below 30mph with use of horizontal deflection. Vertical deflection such as rumble strips, road humps and cushions will not be permitted where the route is to be used by buses. Typically the speed reducing features to be at a maximum of 125m centres. The highway consultant has indicated that the northern site will need to curve round to the east to connect Church Road and this future feature can reduce speeds when the site is extended. LCC accepts this in principle providing an acceptable curved road can be provided near the end of spine road for this application as part of a future application for the site to the north; (2) It is accepted that all of the properties associated with this phase of the development are all within 400m walking distance of the existing bus stops near the site. As part of any future developments the bus stop locations will need to be considered.
- The sustainable links through the site and connectivity with the surrounding neighbourhood are acceptable. The level of car parking provision and internal highway layout are acceptable, providing speed reducing features and bus stop locations can be provided on the future site to the north of the site.
- Conditions are recommended to secure the following: (i) a scheme for the construction of the new estate road; (ii) an estate street phasing and completion plan setting out the development phases and the standards that each estate street serving those phases will meet. No dwelling within each phase should be occupied until each estate road has been completed; (iii) No development shall take place until details of the arrangement for the future management and maintenance of streets within the development has been submitted and approved; (iv) No development shall take place until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have

been submitted; (v) All private car parking and manoeuvring areas for each dwelling shall be marked out before each is first occupied; (vi) all garages shall be maintained as such for the parking of vehicles and shall not be converted to living accommodation.

Ministry of Defence (MoD) – No objections. Comments 17.12.19 as follows:

- The application site is approximately 1.17 km from the centre of Warton Aerodrome and approx. 715m from the centreline of runway 07/25. Warton Aerodrome is operated by BAE Systems and provides an internationally and nationally significant element of the Lancashire Advanced Engineering and Manufacturing Enterprise Zone. The site occupies the statutory birdstrike safeguarding zones surrounding the aerodrome.
- Subject to the addition of conditions requiring the submission and approval of a bird hazard management plan and a construction management strategy to any consent issued, the MOD has no safeguarding objections to this proposal.
- Birdstrike – Within this designated zone, the principal concern of the MOD is that the creation of new habitats may attract and support populations of large and, or, flocking birds close to the aerodrome. The presence of such species has a significant and detrimental effect on aviation safety by increasing the possibility of birdstrike. The details submitted indicate that it is proposed to plant 28no. *Quercus robur* (Common Oak), this species is canopy forming and would provide ideal nesting/roosting habitat for flocking bird species such as corvids, pigeon and starlings. Therefore, we request that the number of *Quercus robur* is reduced and that other species that do not provide such habitat are used instead. MOD would also request that the number of berry bearing species across hedgerow, tree and shrub planting is reduced as they provide exploitable food resource for flocking bird species considered hazardous to aircraft safety. It is requested that a condition is attached to any permission issued requiring the submission of a Bird Hazard Management Plan,
- Cranes – The MOD recognises that cranes may be used during the construction of buildings at this site. These may affect the performance of the safeguarded technical assets as well as air traffic safety. It will be necessary for the developer to liaise with the MOD prior to the erection of cranes, tall plant or construction equipment, or any other temporary tall structures. The MOD would request that a condition be included in any planning permission granted to ensure that the MOD is notified of when and where cranes will be erected.
- As per Planning Circular 01/03: Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas, if Fylde Council decides to grant planning permission contrary to our advice then we must be notified 28 days prior to a decision being made.

Neighbour Observations

Neighbours notified:	22 November 2019
Site notice posted:	4 December 2019
Press notice:	5 December 2019
Amended plans notified:	23 January 2020
No. Of Responses Received:	6
Nature of comments made:	6 objections

The appropriate neighbouring properties were notified of the application by letter on 22 November 2019. Additional letters were sent out on 23 January 2020 following the receipt of amended plans, and allowed an additional 21 day period for comments on the revised plans. In addition, as the application involves major development notices have been posted on site and in the local press. A total of 6 letters have been received in objection to the application. The points made in the letters are summarised as follows:

Principle:

- There are 2 ongoing building sites in Warton and plans for more. The neighbourhood plan has been ignored as the Village cannot sustain any more housing with the necessary infrastructure being put in place. The houses at Blackfield End Farm are not selling well, showing the lack of need for further housing in Warton.
- The development would be better located further towards the Birchwood area where access onto Lytham Road is less complicated.

Highways:

- The secretary of state's appeal decision indicated that there would be a new crossroads in place at Church Road/Lytham Road Junction before any more houses have been built. This has been ignored and both Miller and Stewart Milne homes where dwellings have been constructed before the Crossroads have been started. No further development should be permitted until the crossroad junction has been created.
- The site of the proposed access off Lytham Road is on a bend which has resulted in many fatal accidents in the past and has over 20 crashes in the last 9 years. Cars pass by this access at over 60mph in a 30mph zone and there will be a terrible problem getting in and out of the proposed access.
- The access is located in close proximity to a number of other junctions onto Lytham Road. This will result in several conflicts between vehicles entering and exiting these junctions at the same time.
- Lytham Road is very busy with BAE during the week and busier traffic at the weekends there will be disruption to the road causing tailbacks and inconvenience to the staff at BAE and the locals getting to their place of work.
- Many new housing developments have been constructed recently in Warton and most take access off Lytham Road. This has led to excessive volumes of traffic and long tailbacks during peak hours. No further applications should be considered unless their main entrance/exit does not open onto Lytham Road or until a suitable bypass is implemented that reduces traffic on Lytham road to sustainable levels.
- Access for construction vehicles during the development will be hazardous if these movements are allowed to occur before the off-site highway works are completed.

Officer note: The means of access to the site, off-site highway works and other transport impacts (including those relating to network capacity) have been approved as part of planning permissions 15/0562 (at appeal) and 17/1050. Condition 7 of outline permission 17/1050 limits the proportion of dwellings that can be occupied prior to the completion of the works at the Church Road/Lytham Road/Highgate Lane junction to a maximum of 15%. These matters cannot be revisited at the reserved matters stage.

Drainage:

- There has been an increase in surface water gathering on Lytham Road since the nearby Riversleigh development has been completed. The construction of a further 96 dwellings on a greenfield site will create further surface water flooding issues.
- The lowest lying part of the site running onto Lytham Road is waterlogged for much of the year. This low point will naturally affect all flood water from the site that cannot drain away.
- As the dwellings would be elevated in relation to no. 278 Lytham Road, there is a real risk that surface water from surrounding gardens will drain into the garden of the existing bungalow which is set at a lower level. A separate drain should be introduced to the rear of no. 278 to direct surface water away from the rear garden of the existing dwelling.

Ecology:

- The creation of the new access will result in clearance of existing hedgerow to provide visibility splays and additional lighting, which would be harmful to wildlife – especially bats, as noted in the bat survey.
- The bat survey was undertaken in summer 2018. Additional development at Blackfield End Farm may have resulted in displacement of bats which would warrant another, more recent survey for this site.

Other matters:

- The dwellings should be fitted with solar panels and rainwater harvesting to improve their sustainability credentials.

Relevant Planning Policy

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

The Fylde Local Plan to 2032 (the 'FLP') was formally adopted by the Council at its meeting on Monday 22 October 2018 as the statutory, adopted development plan for the Borough. Therefore, the FLP should guide decision taking for the purposes of paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework. In addition, as the site falls within the Bryning with Warton Neighbourhood Development Plan (BWNP) boundary, the BWNP also forms part of the adopted development plan in this case.

Fylde Local Plan to 2032:

S1	The Proposed Settlement Hierarchy
DLF1	Development Locations for Fylde
M1	Masterplanning the Strategic Locations for Development
SL3	Warton Strategic Location for Development
GD7	Achieving Good Design in Development
H1	Housing Delivery and the Allocation of Housing Land
H2	Density and Mix of New Residential Development
H4	Affordable Housing
T4	Enhancing Sustainable Transport Choice
T5	Parking Standards
CL2	Surface Water Run-Off and Sustainable Drainage
ENV1	Landscape
ENV2	Biodiversity
ENV4	Provision of New Open Space

Other Relevant Policy:

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
BWNP	Bryning with Warton Neighbourhood Plan

Bryning with Warton Neighbourhood Development Plan (BWNP):

BWNE1 – Protecting and Enhancing Local Wildlife and Habitats
 BWNE2 – Protecting and Enhancing Local Character and Landscape
 BWNE3 – Design to Reduce Surface Water Run Off

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, but does not exceed the threshold in Column 2 of the table relating to category 10(b) developments. Therefore, it is not Schedule 2 development for the purposes of the Regulations and, accordingly, is not EIA development. Furthermore, the outline application (17/1050) was not EIA development.

Comment and Analysis

Policy context and main issues:

As outlined in paragraphs 10 and 11 of the NPPF, at the heart of the Framework is a presumption in favour of sustainable development. In terms of decision taking, subparagraphs c) and d) of paragraph 11 indicate that this means:

- c) approving development proposals that accord with and up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - (i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 12 of the NPPF makes clear that “the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

As the application seeks approval for reserved matters pursuant to outline planning permission 17/1050 (which included ‘access’ as a detailed matter), issues concerning the principle of development and the access to the site (including transport impacts at and away from the site) have already been assessed and found acceptable. Accordingly, these matters are not to be revisited at this stage. Instead, the main issues for consideration in this application relate to specific impacts associated with the development’s layout, scale, appearance and landscaping, having particular regard to:

- Its compliance with the conditions and parameters associated with outline planning permission 17/1050 which have specific implications for the reserved matters stage.
- Its effects on the character and appearance of the area.
- Its impact on the amenity of surrounding occupiers.
- Any other relevant matters, including those relating to the development’s internal highway layout, the type and distribution of affordable housing, ecology and drainage.

Compliance with outline permission 17/1050:

In addition to conditions setting out which reserved matters are outstanding and detailing the time limit for the submission of an application for approval of reserved matters (conditions 2 and 3 respectively), outline planning permission 17/1050 includes several conditions which either specify that certain details are to be provided as part of any application for approval of reserved matters submitted pursuant to the outline permission or require details that are intrinsically linked to those matters as 'pre-commencement' conditions. Those are conditions 1, 6, 12, 15, 18 and 22. The scheme's compliance with the provisions of each of those conditions is addressed in turn below:

Condition 1 (phasing and quantum of open space):

Condition 1 includes two requirements. The first is to provide a phasing plan for the development. The second requires the development to deliver a "total open space provision of not less than 0.87ha including a play area" and for the phasing plan to give details of how much of that area of open space is to be allocated to each phase.

A phasing plan submitted with the application (drawing no. 1324-CMP-01 A) shows that the development would be subdivided into five separate phases, with housing developed sequentially in 12 sub-phases following a circular build route from the southwest to the southeast corners of the site. Each phase includes an associated area of open space which would be laid out concurrently with the housing in that phase. The central 'village green' area (which includes the play space) is to be used as the site construction compound during the build, with the green and play area itself to be laid out concurrently with the final (fifth) phase of housing.

The application is accompanied by an open space plan (drawing no. 1324-OS-01 A) which provides details of all open space areas within the development. Collectively, these areas provide 0.88 ha of open space across the development and so the minimum figure of 0.87 ha in condition 1 is satisfied. Drawing no. P.1251.19.02 provides details of the play area's design and the equipment that is to be located within it in order to satisfy those requirements of condition 1.

The submitted phasing plan sets out an appropriate approach for the phasing of the development, proportionate subdivision of the development into smaller sequences and suitable delivery of open space in connection with each phase. It should be noted that condition 17 of the outline permission requires the public open space allocated to each phase to be laid out before any dwelling on each associated phase is occupied. Furthermore, condition 17 stipulates that "no dwelling on the last of any phase of the development which includes residential dwellings shall be occupied until the play area and all the public open space on all phases has been laid out and made available for its intended purpose." Accordingly, the central village green and play area must be laid out and made available for use before any of the dwellings in phase 5 are first occupied. Condition 17 also requires the developer to submit a scheme for the maintenance of the public open space areas before development commences on each phase.

In combination, therefore, the phasing plan, public open space plan and the requirements of condition 17 of the outline planning permission will ensure an appropriated phased delivery of the development and associated open space in order to satisfy the requirements of condition 1 of the outline planning permission.

Condition 6 (quantum of housing and traffic generation):

Condition 6 requires that "no greater quantity of housing shall be built than that which would give rise to traffic generated by the development no greater than that forecast in the submitted Transport Assessment July 2015 by Croft Transport Solutions".

The Transport Assessment (TA) cited in the condition was submitted with application 15/0562. Paragraphs 1.1.4 and 6.5.1 of the TA make clear that the traffic generation forecast in the TA relates to a development of “up to 120 residential dwellings”. Paragraph 6.5.4 of the TA indicates that “the residential development [of up to 120 dwellings] is forecast to generate a two-way total of approximately 70 trips in the AM peak hour and 79 trips in the PM peak hour. These trip rates are considered extremely robust as a proportion of the development site is likely to consist of affordable units.”

This application for approval of reserved matters involves a development of 96 dwellings – a quantum some 24 units (or 20%) less than that used to forecast traffic generation in the TA. It is also noted that 30 of the proposed 96 dwellings would be affordable housing units (which typically experience lower levels of vehicle ownership). Given the 24-unit reduction in the number of dwellings between the outline and reserved matters schemes, the proposed development would not give rise to a level of traffic generation that is greater than that forecast in the TA. Accordingly, there would be no conflict with condition 6 of the outline permission.

Condition 12 (levels):

Condition 12 requires “details of finished floor levels and external ground levels of each plot” to be provided before development takes place.

Details of these levels are shown on the drainage plans submitted with the application (drawing nos. 01-01 Rev D and 01-03 Rev C). Notwithstanding that specific matters relating to foul and surface water drainage are dealt with separately through condition 11 of the outline permission (which is the subject of a separate condition discharge application – 19/0975), the drainage plans provide separate details of finished levels for each plot.

The topographical survey submitted with the application shows a fall of 7.18m across the site between the highest point on the northern boundary (13.68m AOD) and the lowest point to the southeast corner of the site adjacent to Lytham Road (6.50m AOD). The finished floor levels of the dwellings will follow the natural change in levels across the site, with those along the southern edge being set at a low point of 8m AOD and stepping up to a high point of 13.40m AOD alongside the northern boundary. Aside from following the natural south-north rise in levels across the site, the finished levels of the dwellings are intended to ensure that foul and surface water is directed via a gravity fed system to the appropriate sewer network and/or attenuation features proposed across the site.

Objections have been raised with respect to the lack of street scenes/cross sections to show the development’s relationship with the retained dwelling at no. 278 Lytham Road in terms of level differences. However, the submitted topographical survey and drainage plans do show eaves and ridge levels for this property in relation to the development, which allows its finished floor level to be calculated from previous plans. When visiting the site it is apparent that the bungalow at no. 278 is elevated in relation to Lytham Road. The eaves level of the bungalow is given in the topographical survey at 11.29m AOD, with the ridge rising to 15.24m AOD. Previous plans for the bungalow from application 15/0562 show the building to have an eaves height of 2.8m, giving a finished floor level of 8.49m AOD. For comparison, the floor, eaves and ridge levels of the immediately adjacent plots (while also set back slightly from no. 278) surrounding the bungalow are as follows:

- Plots 77 (east) – floor 8.2m, eaves 13.2m & ridge 16.7m AOD.
- Plot 96 (west) – floor 8m, eaves 13.2m & ridge 16.6m AOD.

- Plot 87 (north) – floor 9.1m, eaves 14.3m & ridge 17.6m AOD.

As dwellings surrounding the bungalow at no. 278 are all two storeys in height, their eaves and ridge heights will naturally be taller than the adjacent bungalow. There is, however, very little difference between the finished floor levels of the existing and proposed dwellings, with the finished floor level of the bungalow being set between 0.29m and 0.49m higher than the plots either side. The floor level of the dwelling to the north (rear) of no. 278 would be elevated by 0.61m, but that must be the case given the natural, northerly rise in contours across the site.

When the proposed finished floor and external ground levels are considered in combination with the spacing that would be achieved between the proposed dwellings and the retained dormer bungalow at no. 278 Lytham Road (as detailed in the amenity assessment below), there is no reason to conclude that the proposed levels are unacceptable.

Condition 15 (pedestrian and cycle connections):

Condition 15 requires details of “pedestrian and cycle accesses to the southern and eastern boundaries of the site” to be submitted and stipulates that no dwelling on the phase within which those accesses fall shall be occupied until they have been “completed and made available in accordance with the approved details”.

The development includes the provision of two separate, shared pedestrian and cycle linkages to the southeast (onto Lytham Road) and northeast (onto the Oaklands site which benefits from an extant outline permission for residential development) corners. These links would measure 3.5m in width to provide a shared surface for cyclists and pedestrians, and fall within development phases 3 (northeastern link) and 5 (southeastern link). Prior to these links being delivered, access for cyclists and pedestrians would be via the main entrance from Lytham Road to the southwest corner (which, in accordance with condition 5, is to be delivered in full prior to any of the dwellings first being occupied)

The siting, size and timing for the delivery of the two pedestrian/cycle links would ensure appropriate and proportionate connections with adjoining land and highway infrastructure outside the site in order to maximise opportunities for travel to and from the site by more sustainable modes. The Local Highway Authority have also confirmed that these connections are suitable. An additional condition is recommended to require details of the means by which vehicle access through them will be restricted to be submitted before any development on phases 3 and 5 takes place. However, the specific requirements of condition 15 have been met.

Condition 18 (retained trees and hedgerows):

Condition 18 requires “details of existing trees or hedgerows which are to be retained on site and the manner of their protection” to be submitted. Parts (i) and (ii) of the condition afford protection to the trees and hedgerows shown as being retained and part (iii) requires any protective fencing around retained specimens to be put in place before any construction works commence and for a construction exclusion zone to be formed within this fenced area.

The application is accompanied by an Arboricultural Impact Assessment and Method Statement. The documents identify the need to remove a linear hedge running latitudinally through the northern part of the site (‘H2’) and a total of 4 individual trees (‘T1, T4, T5 and T6’) located to the eastern, southern and western boundaries. Three of the trees to be removed are retention category ‘U’ specimens (those with serious, irremediable, structural and/or physiological defects) and one is a

category 'B' (those of moderate quality with an estimated remaining life expectancy of at least 20 years) specimen. Except where sections of the hedgerows fronting Lytham Road ('H11' and 'H12') are to be removed to create vehicle and pedestrian/cycle accesses into the site, all other trees and hedgerows on the eastern, southern and western boundaries are to be retained and safeguarded by protective fencing.

The Parish Council have queried whether the veteran crack willow tree to the southwest corner of the site ('T1') should be retained for its heritage value. However, the root protection area to the east of this tree runs through the centre of the main site access from Lytham Road and this specimen has a number of other defects which result in a retention category 'U' classification. Accordingly, it is neither possible nor desirable for this tree to be retained.

Providing that the development is carried out in accordance with the measures set out in the submitted Arboricultural Impact Assessment and Method Statement, the requirements of condition 18 will be satisfied. It is also noted that the additional landscaping introduced as part of the development will result in a substantial net gain in vegetation coverage across the site in order to offset the modest losses arising from the development.

Condition 22 (housing mix):

Condition 22 requires any application which seeks approval for the reserved matters of layout, scale or appearance to "include details of the mix of type and size (including bedroom numbers) of the dwellings to be provided, which shall demonstrate compliance with the requirements of policy H2 of the Fylde Council Local Plan to 2032."

FLP policy H2 requires developments to deliver "a broad mix of types and sizes of home, suitable for a broad range of age groups". The policy states that "all developments of 10 or more dwellings will therefore be required to include at least 50% of dwellings that are 1, 2 or 3 bedroom homes", with further requirements for a greater proportion of 1 and 2 bed homes to be delivered within or close to the Tier 1 and Tier 2 rural settlements identified in policy S1 (though this is not applicable in the case of Warton which is identified as a 'Local Service Centre'). Policy H2 includes an additional requirement for "at least 20% of homes within residential developments of 20 or more homes [to be] designed specifically to accommodate the elderly, including compliance with optional technical standard M4(3(2a)) (wheelchair adaptable dwellings), unless it is demonstrated that this would render the development unviable".

The proposed housing mix includes 4 x 1 bed; 18 x 2 bed; 43 x 3 bed; and 31 x 4 bed dwellings. Accordingly, as a total of 65 dwellings – equating to 68% of the total – would comprise 1-3 bed homes, the scheme surpasses the housing mix requirements of policy H2 with respect to dwelling size.

In terms of the second requirement relating to the provision of specialist accommodation for the elderly, the development includes a total of 20 plots across two house types – equating to 21% of the total – that are designed to be compliant with optional technical standard M4(3(2a)) of the Building Regulations relating to wheelchair adaptable dwellings. The applicant has provided illustrative floor plans for the two house types in question to show how they could be easily adapted in the future for a wheelchair user without the need for substantial rebuilding works (the only physical works required involve the removal of a non-structural partition wall at ground floor level). For clarity, optional technical requirement M4(3(2a)) of the Building Regulations requires that "the provision made must be sufficient to allow simple adaptation of the dwelling to meet the needs of occupants who use wheelchairs". Accordingly, the requirement in policy H2 is for the designated

M4(3(2a)) dwellings to be built to a specification where their physical structure is capable of being adapted in the future with minimal retrofitting (i.e. that the buildings are capable of being easily adapted in the future without the need for major rebuilding works or extensions etc.). The dwellings do not need to be built 'as adapted' at this stage.

As set out in paragraph 0.3 of Approved Document M of the 2010 Buildings Regulations (as amended), optional requirement M4(3) "only applies where a condition that one of more dwellings should meet the relevant optional requirement is imposed on new development as part of the process of granting planning permission." Accordingly an appropriate condition has been imposed to require the 20 dwellings identified on drawing no. 1324-BE-01 F as being "Building Regs Part M4(3)2a compliant" to be constructed so they are compliant with that standard. With this condition in place the development will comply with the requirements of condition 22.

Character and appearance:

FLP policy M1 sets out a master planning approach for the development of strategic sites (involving 100 or more homes) within the strategic locations for development named in policy DLF1 (one of which is "Warton"). The policy identifies 24 criteria (a) – x)) that masterplans for developments in these locations should achieve, along with the need for a design code to be prepared.

FLP policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 15 guiding principles (a – o).

FLP policy ENV1 requires development to have regard to its visual impact within its landscape context and type, and for an assessment to be made as to whether it is appropriate to the landscape character, amenity and tranquillity of the area within which it is situated. Criteria a) – e) of the policy require, where necessary, that developments conserve existing landscape features and provide suitable compensation and/or strengthening of landscape planting.

Paragraph 127 of the NPPF sets out six general principles of good design (a – f) and paragraph 129 indicates that local planning authorities should make use of "tools and processes for assessing and improving the design of development [including] assessment frameworks such as Building for Life". Paragraph 130 of the NPPF indicates that "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".

In addition, BWNP policy BWNE2 states that development proposals should demonstrate good design, respect local character and where possible, reinforce local distinctiveness.

Masterplanning principles:

Outline planning permission 15/0562 (as varied by 17/1050) included 'access' as a detailed matter and so fixes the strategy for vehicle, pedestrian and cycle access to, from and around the site. This strategy includes a single point of vehicle access onto Lytham Road supported by a series of off-site highway works including a dedicated right hand turn lane with ghost island approach, carriageway widening and pedestrian refuges. This access would merge with a spine road to the western end of the development and a series of cul-de-sacs are shown to branch off this main route. Separate, shared pedestrian and cycle connections are also to be formed onto adjoining land to the south (Lytham Road) and east (Oaklands) of the site.

The outline application included an illustrative masterplan and parameter plans which identified general landscaping principles, the extent and location of open space and development parcels. Where necessary, appropriate conditions were imposed on the outline permission to secure these design principles which, for the reasons given in the preceding section, have been satisfied through the reserved matters submission. As matters relating to 'layout' were not applied for at the outline stage, it is not necessarily the case that this application for approval of reserved matters must replicate the development layout shown on the illustrative masterplan for the outline. Similarly, the indicative street scenes for the outline application referred to by the Parish Council do not need to be replicated at reserved matters as 'scale' was not applied for at outline.

The illustrative plans accompanying the outline application should, therefore, be taken as providing indicative guiding principles rather a rigid framework within which the reserved matters scheme must fit precisely. That notwithstanding, the layout for the reserved matters scheme follows the basic principles established by the outline permission with respect to the inclusion of landscaped buffers along the site boundaries, the provision of a central 'village green', the general highway layout which splits the development into separate perimeter blocks and the concept of outward facing dwellings onto existing highways and open countryside.

While planning permissions 15/0562 and 17/1050 involved a development of up to 115 dwellings, as the reserved matters approval seeks permission for only 96, the provisions of policy M1 (which relate only to strategic sites of "100 or more homes") are not directly applicable in this case. Nevertheless, the most important Masterplanning principles established by the indicative layout to the outline have been carried through by the reserved matters submission.

Layout:

The site comprises an area of open farmland wrapping round a detached dormer bungalow (no. 278 Lytham Road) that fronts onto, but occupies a staggered position set back from, the A584. The land is contained by a caravan park to the east and a series of industrial units to the west, with hedgerows marking the boundaries with these uses and the highway of Lytham Road. A mix of semi-detached and terraced two-storey dwellings finished in a mix of red brick and render follow a linear pattern fronting onto the opposite side of Lytham Road to the south.

The proposed layout addresses the site's frontage with the highway of Lytham Road through the inclusion of a linear group of front-facing dwellings flanking the roadside to either side of no. 278. These dwellings would be set back behind a landscaped grass verge and private driveways branching off the main estate road. Corner plots to the southeast (no. 76) and southwest (no. 1) corners of the site would be orientated with their side elevations facing Lytham Road, with dual aspects to these elevations maintaining an active frontage to the roadside. This linear development frontage onto Lytham Road would replicate the pattern of existing dwellings on the opposite side of the A584.

The front-facing aspect of dwellings onto the highway is carried through the remainder of the layout, with dwellings being orientated to present active front and/or side elevations to the roadside and fenestration arrangements affording strong dual-aspect frontages on corner plots. Where the site is contained by other built development to the east and west, dwellings are arranged with a rear and/or side facing aspect to these urbanised edges. In contrast, where dwellings border the site's northern boundary with open countryside they are orientated with an outward, front-facing aspect to this rural fringe, being set back behind a wide landscaped buffer in a similar fashion to the Lytham Road frontage. This front-facing aspect and screening buffer along the site's rural edge with adjoining countryside ensures a sympathetic assimilation of the development into the surrounding landscape and avoids utilitarian features such as tall rear garden boundary fences backing onto the

open fields beyond. The rural edge of the northern boundary would be reinforced by the introduction of a continuous, linear hedgerow that is to be planted along this perimeter to separate it from farmland beyond.

Dwellings within the site would be arranged around the focal point of a central, square-shaped 'village green'. The estate road would border the perimeter of the green, with houses orientated to face over this feature and the play area, thus maximising opportunities for natural surveillance. Similarly, shared pedestrian and cycle connections to the east and south of the site would be positioned to form extensions off the footways of proposed cul-de-sacs and would be well overlooked by flanking dwellings to provide attractive sustainable transport routes. Dwellings would be laid out to follow a regular building line, with consistent gaps to their front and side gardens affording a sense of rhythm and coherence to the roadside.

As condition 1 of the outline permission requires a minimum provision of 0.87 ha of open space, this limits the developable area of the site to around 2.87ha. Based on this developable area, the scheme would achieve a development density of 33 dwellings per hectare – a figure which complies with the minimum net residential density of "30 homes per hectare" set out in FLP policy H2. The number of dwellings has been maximised by including a larger proportion of 1-3 bed homes than is required by policy H2 of the local plan while also ensuring appropriate spacing between dwellings, provision of perimeter landscape buffers and a structured layout to open spaces that respects the character of the area. Taking these constraints into account, the 96 dwellings proposed are considered to represent an efficient use of land despite delivering 19 fewer houses than the maximum applied for at outline.

Scale:

The majority of proposed dwellings – including all those plots bordering the perimeter of the site – are two storeys in height. A total of 13 different house types are proposed, with 11 of these (80 plots) being two storeys in height. Two house types (16 plots) would be 2.5 storeys with rooms created in the roof space through the use of dormer windows. These 2.5 storey house types would be arranged in a L-shaped group around the northern and eastern edges of the central green.

The existing bungalow at no. 278 Lytham Road, while of a predominantly single storey height, includes a substantial amount of floorspace at first floor level afforded by a steep pitched roof and large, flat-roofed dormer to the rear. Flat and pitch-roofed extensions have also been added to the side and rear of the bungalow and a detached garage is located to the northwest corner. The garden area is enclosed by a low (*circa* 1.25m) high brick wall and timber panel fencing which borders the application site. Other nearby dwellings include bay-window fronted two-storey dwellings with a mix of hipped and dual-pitched roofs on the opposite side of Lytham Road and a mix of two and single storey height units on the industrial estate to the west. Recently constructed dwellings at the nearby Riversleigh Way development are two storeys in height, though the wider frontage of Lytham Road is characterised by a mix of two storey dwellings and bungalows.

The prevailing two-storey scale of surrounding buildings fronting onto this stretch of Lytham Road would be preserved by the siting of a linear row of two-storey houses along the site's southern fringe with the A584 and, more generally, flanking the site perimeter. While the two-storey height of the dwellings would be greater than that of the dormer bungalow at no. 278, properties located to either side the existing dwelling would occupy a staggered position set back a minimum of 6m from the front elevation of no. 278 and set away from the sides of the existing building by between 7m (plot 77) and 10m (plot 96) respectively. When this spacing around the dwelling is considered in combination with its elevated position in relation to Lytham Road – along with the fact that the

finished floor level of the bungalow is between 0.29m and 0.49m higher than the houses proposed to either side – the proposed dwellings would not appear as unduly dominant or overpowering features when seen alongside no. 278.

The proposed 2.5 storey dwellings would incorporate rooms in the roof space through the use of a combination of steeply pitched roofs and small, centrally-positioned dormer windows to front elevations (and roof lights in the rear slope). The tallest of the 2.5 storey house types (the 'CHE') would reach 10.5m to the ridge, stepping down to 9.5m to the 'SNO'. These dwellings would be arranged with the 4 tallest house types located to the northeast corner of the green, stepping down to the south and west before meeting a two storey dwelling on the junction with the estate road. As a result, the dwellings would be arranged to follow a graduating ridgeline stepping up towards a high point in the corner of the site. This would ensure a sense of coherence and legibility across the collection of taller house types that would also assist in framing the 'village green' as a central focal point through the use of taller house types.

The scale of the proposed dwellings would be compatible with the character of other residential development along Lytham Road and would address sensitive public vantage points while ensuring variety across the development and introducing different character areas.

Appearance:

A total of 13 different house types are proposed. Despite variations between them in terms of the style of architectural features and detailing there is commonality with respect to window proportions, alignment and the character of protruding features (including bay windows, porches, canopies, garages and facing gables). Interest would be added through the use of cambered and arched brick headers to window openings and gallows brackets supporting front canopies.

Roofs would incorporate a mix of hipped and dual-pitched profiles, with eaves lines broken by pediments and facing gables to add depth and avoid overly flat façades. Elevations would incorporate a strong sense of rhythm and symmetry, with well-proportioned windows avoiding large areas of blank brickwork. Genuine corner-turning aspects would be afforded through the number, proportions and alignment of window openings to corner plots.

Materials include two different types of red brick, a mix of grey and red roof tiles and rendered dressings distributed across three different 'character areas'. This would ensure a simple, uncomplicated palette of materials which reflects the vernacular of surrounding buildings.

Landscaping:

The submitted landscaping scheme provides wide buffers of open space alongside the northern (flanking open countryside) and southern (bordering Lytham Road) boundaries, with narrower strips of landscaping where the site borders the caravan park to the east and the industrial site to the west – with the existing hedgerows and tree planting along these boundaries being retained.

The Parish opine that the screening provided by sections of the retained hedgerow to the southern boundary with Lytham Road would be limited by the elevated aspect of the proposed dwellings to the roadside. While it is recognised that the *circa* 1.8m height of the hedgerow means that any screening of a two-storey dwelling behind would always be restricted, the scheme includes the provision of a deep landscaping buffer along the site's southern boundary that varies between a minimum of 8m and a maximum of 19m in depth and would be occupied by a combination of new tree and hedge planting in order to soften the development's visual impact when travelling along

Lytham Road by setting it back behind a landscaped buffer. This is a principle carried forward from the illustrative masterplan to the outline and will ensure a softening of development's southern fringe and an attractive landscaped frontage to the roadside.

Dwellings flanking the northern site boundary would be orientated with their front elevations facing outwardly over open countryside. A meandering landscaped buffer measuring between a minimum of 8m and a maximum of 21m in depth would intervene between the private drives to these dwellings and the boundary with adjoining fields beyond. This landscaped buffer would be marked by a new, continuous hedgerow running along the full length of the boundary line, hedged borders to the northern edge of two private drives running east and west of the main spine road and other scattered tree and hedge planting within the buffer, which also wraps around the northeastern boundary. This arrangement reflects the principles of the illustrative masterplan to the outline and ensures a softening of the development's edge at the point of transition where it borders open countryside to the north of the site.

Internal landscaping would be arranged to follow the theme of a tree-lined avenue with hedge and shrub borders within front/side gardens to the roadside and parking spaces broken by flanking hedge planting and front garden lawns. Perimeter tree planting would be introduced to the fringes of the central 'village green' which would provide a central, focal open space for the development and a play area. The extent of landscaping introduced by the development would result in substantial net gains in the coverage of vegetation across the site while following the siting and extent of planting borders to the perimeter of the site in order to soften the development's sensitive boundaries to Lytham Road on the south and countryside to the north in accordance with the objectives of FLP policy ENV1.

Boundary treatments to the dwellings would include a combination of hedged borders and 1.2m high railings to front gardens; 1.8m high brick boundary walls screened by foreground hedge and shrub planting to the side of corner plots where these face the roadside; and 1.8m high timber fencing to rear garden boundaries concealed from the estate road. The siting, height and materials of boundary treatments would preserve a sense of openness and greenery to the estate road while providing appropriate security and privacy to private gardens.

The Parish Council are concerned that the landscaping strategy does not follow that shown on the indicative masterplan for the outline permission due to the lack of a tree planting buffer around the existing dwelling at no. 278 Lytham Road. While it is correct that the perimeter buffer around no. 278 shown on the illustrative masterplan has not been carried through at reserved matters, this does not fundamentally undermine the appropriateness of the landscaping strategy and there is no condition on the outline permission that requires the landscaping for the development to come forward in strict (or substantial) accordance with the illustrative masterplan for the outline. In particular, given that the layout of the development has been arranged to address the Lytham Road frontage by broadly following the building line and front-facing aspect of no. 278 to the A584, there is no reason why the existing dwelling should be separated (or 'buffered') from the remainder of the development through the introduction of a landscaped border. It is, instead, considered preferable to integrate the bungalow alongside the remainder of the development rather than attempt to annexing it away from the housing proposed around it. The substantial spacing distances achieved between the existing bungalow and houses to both sides and the rear of the property would avoid any adverse amenity impacts on the occupiers of this dwelling and so there is no need for additional screening to mitigate effects associated with overlooking or outlook.

For the reasons given above the proposed development, by reason of its layout, scale, appearance and landscaping, would assimilate sympathetically with its surroundings and responds positively to

the design principles established by the outline permission. Accordingly, the scheme is considered to demonstrate compliance with the principles of good design set out in BWNP policy BWNE2, FLP policies GD7 and ENV1, and the NPPF.

Impact on amenity:

FLP policy GD7 c) requires that development proposals facilitate good design by “ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed”. In addition, criterion o) states that “all new housing developments should result in a high standard of amenity for occupiers. The standard of amenity for occupiers should not be compromised by inadequate space, poor layout, poor or lacking outlook or inconvenient arrangements for waste, access or cycle storage. Developments should include adequate outside amenity space for the needs of residents.”

Furthermore, paragraph 127 f) of the NPPF indicates that planning decisions should ensure developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

Existing occupiers:

The site borders a caravan site to the east (though part of this land benefits from an extant outline permission for up to 53 dwellings – 15/0194), a small industrial estate to the west and open countryside to the north. The closest neighbouring dwellings are the dormer bungalow at no. 278 Lytham Road located centrally alongside the southern boundary and two storey houses on the opposite side of the A584 to the south.

The existing property most affected by the development in amenity terms is no. 278 Lytham Road. This dormer bungalow occupies an elevated aspect to Lytham Road and its floor level is also raised slightly above adjoining farmland on both sides. The bungalow occupies a central position within a rectangular plot, with a driveway approach to a detached garage on the west side. The main private garden area is located to the rear and is enclosed by low (*circa* 1.25m high) fencing. Existing trees and hedge borders to the front of the dwelling are to be retained in their current location.

The commentary concerning condition 12 above details the differences in finished floor, eaves and ridge levels between the bungalow and the adjacent two storey dwellings proposed on either side and to the rear. The finished floor levels of the plots immediately to the east (no. 77) and west (no. 96) sides of the bungalow would be set some 0.29m and 0.49m lower than that of the bungalow respectively. Both adjacent dwellings would have a side-facing aspect to the bungalow (with no windows in either side elevation to these house types) and would be both set back (with their front elevations broadly aligning with the rear wall of the bungalow) and set away from the sides of the existing dwelling by between 7m (plot 77) and 10m (plot 96) respectively. Dwellings to the rear of no. 278 would be set on slightly higher ground (being elevated by 0.61m) to follow the natural rise in levels to the north, but the closest of these houses (plot 87) would achieve a minimum separation of 16.5m with the rear garden of no. 278 and 29m with the rear elevation of the bungalow itself. Rear and side garden boundary fences to plots 77, 96, 86, 87 and 88 would also provide a 1.8m high fence to screen the gardens of the new dwellings from that of no. 278.

While it is recognised that the present outlook from no. 278 over open fields will change significantly as a result of the development, the above spacing distances, window arrangements, building orientations, garden buffers and boundary treatments would avoid any undue effects on the amenity of the existing occupiers of the bungalow that would unacceptably impact their amenity as

a result of overshadowing, loss of outlook or overlooking. The spacing and layout of dwellings around the bungalow would avoid properties appearing as unacceptably oppressive or imposing features in the outlook of no. 278 (from both their windows and garden areas) and would ensure appropriate levels of privacy between existing and proposed gardens.

In terms of existing properties on the opposite side of Lytham Road, the closest dwellings on the southern edge of the development would achieve a minimum separation of approximately 40m with these two storey houses. As views between the dwellings would be across the busy, intervening thoroughfare of the A584, the development would have no harmful effects on the amenity of these occupiers by reason of its scale, layout or appearance.

Dwellings along the eastern and western fringes of the development would be orientated with a combination of front, rear and side facing aspects to these boundaries with the caravan site and industrial estate. The proposed layout also superimposes the illustrative masterplan for the Oaklands residential development (15/0194) to demonstrate the relationship with that scheme.

The closest building to the east is a vehicle repair garage on the Oaklands site which would be located a minimum of 52m away from the closest of the proposed dwellings. Caravans are stored on the land surrounding the building, but these are not occupied. When the illustrative layout for 15/0194 is added to the planning layout it is also apparent that the dwellings would achieve suitable spacing and orientation with that scheme in order that it would not prejudice the feasibility of any application for approval of reserved matters on that site. The closest building on the industrial estate to the west is a two storey unit located to the northwest corner. Dwellings bordering this unit would have side (over a distance of 13m – plot 28) and front (over a distance of 22m – plots 17-20) facing aspects to this unit, with additional screening provided by an intervening hedgerow along the boundary line. Accordingly, an acceptable relationship would be achieved with these uses.

Future occupiers:

Separation distances between dwellings within the development vary across the site, but consistently achieve a minimum spacing of 21m between opposing elevations containing windows to habitable rooms and a minimum of 12m between principal (those containing habitable room windows) and secondary (those without habitable room windows) elevations. Dwellings are set in rectangular plots and benefit from gardens of a consistent length providing proportionate buffers between them. The density of development makes efficient use of developable areas while ensuring appropriate spacing between dwellings and avoiding unduly constrained and/or oddly shaped gardens that are unacceptable overlooked. Accordingly, the development would ensure a high standard of amenity for future occupiers, commensurate with the density and character of other nearby residential development.

Condition 16 of the outline planning permission identifies noise attenuation measures to be incorporated into the development as set out in section 5 of the noise assessment to the outline permission. This includes measures such as enhanced glazing, trickle vents and provision of 1.8m high close boarded fencing to rear garden boundaries. The need for these measures varies across the site, with the main noise sources being traffic on Lytham Road and commercial noise associated with industrial units to the west. It is, however, noted that dwellings have been laid out to maximise spacing with these noise sources. In any case, the mitigation measures set out in the noise assessment and to be implemented through condition 16 of the outline planning permission would avoid any harmful effects on future occupiers by reason of noise disturbance.

The village green includes a central, *circa* 250 m² play area with 6 pieces of play equipment geared

towards young children. The size of the play area would be sufficient to provide a Local Area for Play (a LAP) for the purposes of the definition in the Fields in Trust publication "Guidance for Outdoor Sport and Play

Beyond the Six Acre Standard". That publication also recommends that LAPs should be located within 100m walking distance of the dwellings they are intended to serve, have a minimum activity zone of 100 m² and achieve a minimum 5m separation with the boundary of neighbouring dwellings. The size and central location of the LAP in relation to the village green would achieve these objectives in order to satisfy the requirements of condition 1 of the outline permission which requires the provision of a play area as part of the overall open space provision for the scheme and so would make suitable play space provision for future occupiers without adversely affecting the amenity of occupiers overlooking the area.

Other matters:

Highways

Criteria p), q) and r) of FLP policy GD7 require developments to ensure that they prioritise the needs of non-motorised users through design measures and do not prejudice highway safety.

FLP policy T4 requires developments to enhance opportunities for travel by maximising access to sustainable transport modes. Policy T5 relates to parking provision and indicates that "a flexible approach [will be applied] to the level of car parking provision, dependent on the location of the development". Paragraph 11.61 of the local plan indicates that the Council "will prepare a Supplementary Planning Document (SPD) on parking standards". However, as this has not yet been adopted the standards contained in the Joint Lancashire Structure Plan are of greatest relevance in this case.

A number of objectors have raised concerns regarding the positioning of the access onto Lytham Road and general highway capacity issues. However, as access has been approved at outline stage consideration of the development's transport effects are limited to the internal highway layout only. Matters relating to the suitability of the site access and highway capacity issues have been approved at outline and cannot be revisited at this stage.

Following amendments to the scheme the Local Highway Authority (LHA) have advised that, subject to the imposition of conditions relating to the construction of the estate road, provision of parking spaces and retention of garages for parking, they have no objections to the proposed internal highway layout and consider the level of parking provision to be acceptable. Accordingly, there is no reason to conclude that the development would have any adverse effects on highway safety.

The scheme includes the provision of two shared pedestrian/cycle linkages through to adjoining land – a link to the Oaklands site to the northeast corner and onto Lytham Road to the southeast corner. These routes are to be delivered as part of development phases 3 and 5, before any of the dwellings on those phases are first occupied. These two linkages would provide suitable permeability through the site to encourage travel by sustainable modes between the site and local bus stops, shops and services on Lytham Road. The masterplanning principle of pedestrian and cycle connectivity between each of the allocated housing sites in Warton would also be ensured through the delivery of a connection point through to the Oaklands site at the point where the same connection through to Clifton House Farm is shown on the illustrative layout for 15/0194. While the Oaklands site has not yet been subject to an application for approval of reserved matters, the link shown for the Clifton House Farm scheme can be constructed up to the shared boundary with that site in anticipation of that development coming forward at a later date. The LHA consider the two linkages

to be of a suitable size and location in highway safety terms. A condition has been recommended requiring details of a means of vehicle access restriction (e.g. through the use of bollards) to be submitted before any development on each associated phase first takes place.

The Parish Council are concerned that the comments of the LHA relating to observations concerning traffic calming and bus stops along the main spine road are encouraging development to come forward on adjoining land to the north of Clifton House Farm (between this site and Blackfield End Farm – BEF – accessed off Church Road) which is designated as open countryside on the FLP Policies Map. It is, however, made clear in the LHA's final comments dated 27.02.20 that such matters will only become applicable at a future point in time if the adjoining land to the north were to come forward for development. There is no current application for development on this land and, as identified by the Parish Council, it is presently designated as countryside in the FLP. However, as with the road layout for the BEF development, the main spine road for the Clifton House Farm (CHF) scheme has been designed with a wider (6.5m) carriageway in order to build-in future capacity for a bus service to run along any link road which may be created between Lytham Road and Church Road through CHF, BEF and the connecting parcel of land that intervenes between those two sites. Such considerations will, however, only become applicable should an application to link the CHF and BEF sites be submitted in the future.

Affordable housing and other contributions:

Outline planning permission 15/0562 (as varied by 17/1050) is subject to a planning obligation which requires the development to deliver the following contributions:

- 30% of the dwellings to meet the definition of “affordable housing” in the NPPF, with an anticipated tenure split of 60% affordable rent and 40% intermediate housing.
- A bus service contribution of £125,000.
- Financial contributions towards new primary and secondary school places (with the precise figure to be calculated by LCC within 20 days of reserved matters approval being granted).
- A public realm contribution of £41,567 towards a public realm enhancement scheme associated with landscape improvements to the village centre around the junction of Lytham Road with Church Road/Highgate Lane and Harbour Lane.
- A travel plan contribution of £24,150 and travel plan monitoring contribution of £6,000.

The Parish Council have queried the trigger for the payment of the public realm contribution and request that this be secured prior to commencement of development. For clarity, the trigger for payment of the Public Realm Improvements Contribution is given in paragraph 4.1 of the Second Schedule to the planning obligation and requires that this is paid “on or prior to the commencement of development”. Accordingly, the early trigger mentioned by the Parish Council will be achieved through the existing 106.

While the provision of affordable housing is controlled principally through the planning obligation – which requires the submission of an Affordable Housing Scheme prior to the commencement of development – the reserved matters application includes details of the number, size, mix and siting of the affordable housing units, along with an indicative tenure. The 30 affordable housing units are shown to include a mix of 4 x 1 bed flats, 18 x 2 bed houses and 8 x 3 bed dwellings. These will be located in two separate parcels to the eastern and western areas of the site and split across four separate phases. In terms of tenure, a split of 60% affordable rent (18 units) 30% shared ownership (10 units) and 10% discounted market sale (2 units) is proposed to follow the proportions identified in the planning obligation.

The Council's Housing Services Manager considers the location, mix and tenure of the affordable

housing to be acceptable as a matter of principle and that this sets an appropriate basis for the preparation of the Affordable Housing Scheme which is to be submitted as part of the planning obligation.

Paragraph 26-040-20140306 of the NPPG states that “in well-designed places affordable housing is not distinguishable from private housing by its design, nor is it banished to the least attractive part of the site.” It is commonplace for affordable housing to be grouped in clusters across a site as this simplifies management arrangements for RPs. These clusters should, however, be dispersed around a development rather than grouped into a single area. In this case, the development provides two main pockets of affordable housing at opposite (eastern and western) ends of the site, though these are also spread in a north-south direction across four separate phases with market housing intervening between them. In terms of their design, the external appearance of the affordable housing units would not be readily distinguishable from the market dwellings in terms of materials or elevational detailing. Accordingly, the amount, location, layout, size and tenure of the affordable housing shown in the reserved matters application is, in principle, considered to be acceptable in accordance with the objectives of FLP policy H4 (save that precise details are subject to separate agreement through the planning obligation).

Drainage:

FLP policy CL2 sets out a hierarchy of measures that should be used to attenuate surface water discharge from development sites. The policy indicates a preference for infiltration, followed by attenuation in open features for gradual release into a watercourse and, finally, storage in tanks. The policy also encourages surface water to be discharged direct to a watercourse in the first instance, with discharge to a surface water sewer where this is not possible and finally to the combined sewer. Policy CL2 indicates that development should make use of sustainable drainage systems whenever practical and reduce discharge to greenfield run-off rates wherever feasible. Where discharge is allowed to a surface water sewer, policy CL2 indicates that evidence must be provided to demonstrate that capacity exists within that sewer, including relevant authorisation from the appropriate infrastructure provider.

Policy BWNE3 of the BWNP indicates that the provision of sustainable urban drainage systems will be supported and encourages surface water flows to be directed along specific routes away from property and into surface water attenuation facilities. The policy also indicates that hardstanding driveways and parking areas should make use of porous materials where possible.

Objectors and the Parish Council have raised concerns about how surface water from the development will be disposed of to prevent flooding of surrounding land and property. The principles of an appropriate drainage strategy were, however, identified in the flood risk assessment to the outline application and accepted as being robust at the time that appeal APP/M2325/W/15/3141398 was allowed. In particular, condition 11 of the outline permission deals specifically with foul and surface water drainage and requires the submission of a scheme for its disposal prior to commencement (rather than at the time of a reserved matters submission). Accordingly, while it is recognised that the location of surface water attenuation features is linked to the development layout, the provision of suitable drainage infrastructure is a matter for separate consideration through the condition discharge process rather than one which requires a detailed resolution at the reserved matters stage. It is, however, noted that a separate application to discharge condition 11 of planning permission 17/1050 has been submitted in tandem with the application for approval of reserved matters (application reference 19/0975). That strategy proposes the following measures:

- Surface water runoff from the development will discharge at a maximum flow rate of 20l/s

to the existing 225mm diameter existing surface water network along the site frontage on Lytham Road. Post development runoff rates will be restricted to 20l/s, for the design periods up to and including the 1:100 year event.

- Surface water drainage will drain by gravity via 2 networks (10 l/s each) to the existing 225mm diameter surface water sewer. The existing network has been checked and confirmed as having sufficient capacity for the proposed flows.
- Flows are to be restricted using a Hydrobrake flow control device to ensure flow rates off site are restricted to a 20l/s maximum for all design periods.
- Flow rate restrictions will require surface water volumes to be stored on site prior to discharge at the allowable runoff rate of 20l/s for all design periods. A system of underground attenuation tanks in 3 locations across the site (to the southern edge of the village green and under the private drives to plots 77-82 and 92-96 at the front of the site) will allow storage for volumes up to and including the 1:100year rainfall event with a 30% climate change allowance, to be stored on site without the system flooding.
- Both surface water networks will be put forward for adoption under a Section 104 agreement with United Utilities.
- For rainfall events exceeding the 1:100year with 30% climate change allowance event, external levels will be set to direct water away from properties. Finished floor levels of the dwellings will be set a minimum of 150mm above the surrounding ground level to ensure exceedance routes direct water away from property.
- Foul flows will drain by gravity with connection to the existing 300mm diameter foul network within Lytham Road.

The Parish Council are concerned that the development does not include soft engineered surface water attenuation features (e.g. ponds, lagoons, swales etc.) and, instead, favours hard engineering solutions such as underground storage tanks which will discharge to a surface water sewer. There is, however, no condition on the outline permission which specifically requires the drainage strategy to make use of soft engineering solutions and the drainage strategy submitted with application 19/0975 explains that as ground conditions are characterised by impermeable clay soils infiltration-based drainage solutions have been discounted.

Ultimately, the overriding objective of the drainage strategy is to limit the rate of surface water discharge from the site to the pre-development (greenfield) rate (plus an appropriate allowance for climate change) and to provide appropriate capacity for excess surface water to be held within the site in order to ensure that this discharge rate is achieved. The technical aspects of the drainage strategy will be scrutinised by the Lead Local Flood Authority (LLFA) and United Utilities (UU) as part of condition discharge application 19/0975. It is, however, noted that – as part of application 19/0975 – UU have confirmed their agreement for the applicant to discharge to the surface water sewer on Lytham Road on the basis that flow rates are restricted to 20 l/s and so, in principle, discharge to a surface water sewer has been accepted by the infrastructure provider. Comments from the LLFA on application 19/0975 are awaited and so the determination of this condition discharge application remains outstanding to date. There is, however, no reason to delay a decision on the reserved matters application until that pre-commencement condition is discharged as they are not reliant on each other.

Ecology:

Section 1 of FLP policy ENV2 (a) identifies a hierarchy of nature conservation sites falling within three tiers including International, National and Local designations. Criterion (b) sets out a list of five principles that must be followed for developments within or affecting designated nature conservation sites. Criterion (c) of the policy defines what will constitute damage to nature

conservation sites in assessing developments. Section 2 of policy ENV2 indicates the protection that will be afforded to priority species. Paragraph 170 d) of the NPPF requires developments to minimise impacts on and provide net gains for biodiversity.

Policy BWNE1 of the BWNP requires development to demonstrate how biodiversity will be protected and enhanced, including through the protection of existing natural features and the creation of new habitats.

The outline planning application was accompanied by a series of ecology and protected species surveys. Conditions 10, 19 and 20 of planning permission 17/1050 relate to ecology issues arising from those surveys and require the provision of householder information packs highlighting the sensitivity of the Ribble and Alt Estuary, the need for a buffer zone with a ditch to the east of the site and a restriction on the timing that vegetation clearance across the site can occur.

This application is accompanied by updated bat, breeding bird and great crested newt surveys to determine whether any changes have occurred in the intervening period since the outline permission was granted. Those surveys conclude as follows:

- **Bats** – There has been no change to the locations of key areas of foraging and identified commuting routes for bats. The levels of bat activity and species recorded throughout the 2014 surveys were recorded again in 2015 and 2018. All of the hedgerows around the application site were recorded to support commuting or foraging bats to some extent, with the western boundary hedgerow and southern boundary hedgerow offering the most valuable habitat for bats. It is recommended that all of the boundary hedgerows and lines of trees around the site are retained in their current state and kept unlit wherever possible. The proposed development within the current application site will incur no loss or damage to any roosts either within or directly adjacent to the application site. The bat activity surveys conducted throughout 2014, 2015 and 2018 identified no bats roosting within the crack willow specimen that is to be lost to create the access, despite the tree being assessed as 'Category 2' for bat roost potential. Reasonable avoidance measures should be taken during the removal of this tree. It would be best practice to enhance the application site for roosting bats. It is recommended that a minimum of three bat boxes are erected on suitably sized trees in the area to be left as green, in a southern orientation. All external lighting included in the detailed designs should be sensitive to bats and the existing gaps in the hedgerow and missing lengths should be planted with native species, in a mix containing a minimum of 5 native woody species.
- **Breeding birds** – The site supports a very limited assemblage of common breeding birds, few of which were of conservation significance. Potential nesting habitat was largely limited to hedgerows that demarcate existing field boundaries. The majority of these would be retained and enhanced within the developed site. Any losses would be compensated by new hedgerow planting proposed along the northern boundary. It is likely, therefore that the impact of the proposed development would be negligible on the assemblage of breeding species currently occupying the site. Recommendations are made to avoid site clearance works during the main bird breeding season, to use soft landscaping with a layered structure at different heights, and to incorporate nest boxes for Starlings and House Sparrows into or on the exterior walls of the new buildings.
- **Great crested newts** – eDNA survey of ponds within 500 m of the proposed development site showed negative for traces of great crested newt. It can be concluded, therefore, that the probability that a great crested newt population would be disturbed by the proposed redevelopment is negligible.

While the updated ecology surveys do not indicate that the development would have any materially

different effects on priority species and habitats in comparison to those observed at the outline stage, a number of mitigation and biodiversity enhancement measures are recommended. Appropriate conditions have been imposed to require the implementation of and/or a scheme for these measures where required. Accordingly, appropriate controls can be put in place to ensure that the development delivers suitable biodiversity enhancements in accordance with the BWNP, FLP policy ENV2 and the NPPF.

Conditions:

The Parish Council have requested that any grant of reserved matters approval is subject to the following conditions:

- Commencement of the development should not coincide with the Roadworks on the Lytham Road/Church Road Junction.
- Housing that can be built on the site before the Highways improvement schemes are implemented is set at 15%.
- Access to the site is not constructed until traffic-calming measures and other off-site highways improvements are implemented.
- No dwellings to be constructed until infrastructure/drainage tanks installed.
- Future Site Management of Children's Playground site and equipment.
- Confirmation of construction working hours.

Condition 7 of outline planning permission 17/1050 restricts the number of dwellings that can be occupied prior to the completion and bringing into use of the junction improvement works at the Church Road, Lytham Road and Highgate Lane junction to a maximum of 15%. Condition 5 requires the access onto Lytham Road and associated works shown on drawing no. 0988-F01 revision F to be completed and made available for use before any dwelling is first occupied. As the outline application included access (and highway capacity matters), there is no opportunity to alter these conditions or impose additional highway-related restrictions at the reserved matters stage. Accordingly, points 1, 2 and 3 are addressed by conditions on the outline permission.

Condition 11 of the outline permission relates to drainage and states that “no dwelling shall be occupied until it is provided with its drainage as approved”. In addition, it will always be the case that all connections to the surface water drainage system for individual dwellings will need to be put in place at the time when groundworks for that dwelling are undertaken (in advance of first occupation). Therefore, the trigger for implementation of the drainage infrastructure in point 4 is already appropriately addressed by condition 11 of the outline permission.

Condition 17 of the outline permission requires the areas of public open space in the development to be “retained thereafter in accordance with a maintenance scheme which shall have been submitted to and approved by the local planning authority before development commences on the relevant phase”. Accordingly, the condition requires details of maintenance arrangements for the open space in each phase to be submitted in advance of development on that phase commencing. The requirements of this condition will apply equally to the play area laid out in phase 5 and so no additional condition is required in this regard as such a condition would duplicate the provisions of condition 17. Accordingly, point 5 is already addressed by the conditions to the outline permission.

Condition 21 of the outline permission requires the submission of a construction method statement before development commences. Part a. of the condition requires that the statement includes “the hours of site operation”. Therefore, details of construction working hours will need to be provided to satisfy condition 21 of the outline permission and do not need to be duplicated at reserved matters stage.

The conditions recommended below are required to address details that are not already covered under the outline permission and are, instead, specifically related to the development's scale, layout, appearance and landscaping and/or require the development to be implemented in accordance with details that have been provided at the reserved matters stage.

Conclusions

The application relates to a *circa* 3.74 hectare parcel of open farmland located to the north of the A584 (Lytham Road) and east of Clifton House Farm, Warton. The site is bordered by a caravan park to the east (Oaklands), open fields to the north and a series of industrial units to the west. A detached dormer bungalow (no. 278 Lytham Road) occupies a central location fronting onto Lytham Road to the southern edge of the site and a row of two storey houses are located on the opposite site of the A584 to the south. The land has outline planning permission (including access) for a residential development of up to 115 dwellings (planning permission 15/0562 as varied by S73 application 17/1050) and is allocated as a strategic housing site (reference HSS13) on the Fylde Local Plan to 2032 Policies Map.

The application seeks approval for the reserved matters of layout, scale, appearance and landscaping in connection with a residential development involving 96 dwellings with associated infrastructure and open space. The application is also accompanied by details to satisfy the requirements of conditions imposed on the outline permission where these require information to be provided at the reserved matters stage.

The layout of the dwellings would follow the frontage of Lytham Road along the site's southern fringe while being set back behind a landscaped verge and cul-de-sacs flanking the roadside. The main estate road would run in a northerly direction from a single point of vehicle access onto Lytham Road to the southwest corner of the site before branching off in easterly and westerly directions into a series of cul-de-sacs split by a central, square-shaped 'village green' incorporating a play area. As required by condition 15 of the outline permission, separate shared pedestrian and cycle accesses would be created onto Lytham Road (on the southern boundary) and to the Oaklands site (on the eastern boundary) in order to create sustainable transport linkages with adjoining land.

Dwellings would be orientated to front onto the estate road, with strong dual-aspect elevations adding interest on corner plots and a sense of openness maintained by the siting, height and materials of boundary treatments. The majority of dwellings (including all those bordering the site perimeter) would be two storeys in height. A group of 16 taller, 2.5 storey house types would front onto a feature paved area of the estate road overlooking the northern and eastern edges of the village green. The external appearance of the dwellings – including their style, materials, fenestration, architectural features and detailing – would be compatible with the character of surrounding residential development and would achieve elevational interest through the use of protruding features including bay windows, canopies, facing gables and integral garages. Dwellings would be laid out to address key nodal points and, where houses border open countryside to the north, they would be orientated with an outward facing aspect and set behind a landscaped buffer in order that they respect the rural fringe along this boundary.

The proposed landscaping scheme would deliver the minimum area of open space required by condition 1 of the outline permission, with a central green providing a focal point for the development. Landscape buffers would be introduced around the perimeter of the site to soften the development's visual impact from surrounding vantage points and internal landscaping would present tree-lined streets with low-level shrub and hedge planting to break up parking areas and

provide foreground screening to boundary treatments.

The proposed density of housing, combined with its spacing, window arrangement and orientation in relation to existing properties surrounding the site will ensure that the development assimilates sympathetically with its surroundings and would have no undue effects on the privacy and amenity of neighbouring occupiers through loss of outlook, overshadowing or overlooking. Appropriate details have been submitted to satisfy those conditions on the outline permission that require specific details to be provided at the reserved matters stage and the scheme demonstrates that suitable arrangements can be made for the provision of affordable housing (specific details of which are to be provided through the submission of an Affordable Housing Statement to satisfy the requirements of the planning obligation). The development would also provide a suitable mix of house size and makes specific provision for 20% of the dwellings to be designed as specialist accommodation for the elderly through compliance with optional technical standard M4(3(2a) (wheelchair adaptable dwellings). No other adverse effects would arise with respect to the internal highway layout, drainage or ecological impacts to indicate that the development's impact could not be appropriately mitigated.

Therefore, it is considered that the layout, scale, appearance and landscaping of the development is in accordance with the relevant policies of the Bryning with Warton Neighbourhood Development Plan, the Fylde Local Plan to 2032 and the provisions of the National Planning Policy Framework.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This permission relates to the following plans:
 - Drawing no. 013-006-P002 Rev C – Site boundary.
 - Drawing no. 1324-PL-01 F – Proposed site layout.
 - Drawing no. 1324-MT-01 G – Proposed materials layout.
 - Drawing no. 1324-BE-01 F – Beds/type layout.
 - Drawing no. 1324-OS-01 A – Indicative OS plan.
 - Drawing no. 1324-CMP-01 A – Construction management plan.
 - Drawing no. P.1251.19.01 Rev C – Landscape proposal (sheet 1 of 2).
 - Drawing no. P.1251.19.01 Rev C – Landscape proposal (sheet 2 of 2).
 - Drawing no. P1251.19.02 – Play area design.
 - Drawing no. 1324-AH-01 H – Affordable homes layout.
 - Drawing no. 1324-RF-01 F – Refuse strategy layout.
 - Drawing no. 1324-DM-01 A – Indicative demise plan.
 - Drawing no. 1324-EV-01 A – Electric vehicle charging pts.
 - Drawing no. 1324-BT1 – 1.2m railings.
 - Drawing no. 1324-BT2 – 1.8m divisional fence.
 - Drawing no. 1324-BT3 – 1.8m screen wall.
 - Drawing no. 1324-BT4 – Entrance feature wall.
 - Drawing no. 1324-HT-ASC-A & 1324-HT-ASC-P – ASC planning drawing.
 - Drawing no. 1324-HT-ASCDA-A & 1324-HT-ASCDA-P – ASC-DA planning drawing.
 - Drawing no. 1324-HT-CM4-PL b; 1324-HT-CM4-P B; 1324-HT-CM4-C b – COX, MAX & MOW (4 block) floorplans and elevations.
 - Drawing no. 1324-HT-CM6-PL b; 1324-HT-CM6-P b & 1324-HT-CM6-C – COX, MAX & MOW (6 block) floor plans and elevations.
 - Drawing no. 1324-HT-CAN-P; 1324-HT-CAN-A & 1324-HT-CAN-PL – CAN planning drawing.
 - Drawing no. 1324-HT-HRT-A & 1324-HT-HRT-P – HRT planning drawing.
 - Drawing no. 1324-HT-LYM-A & 1324-HT-LYM-P – LYM planning drawing.

- Drawing no. 1324-HT-LON-AC a & 1324-HT-LON-P a – LON planning drawing.
- Drawing no. 1324-HT-BRT-A & 1324-HT-BRT-P – BRT planning drawing.
- Drawing no. 1324-HT-LNBT-A a & 1324-HT-LNBT-P a – LON & BRT planning drawing.
- Drawing no. 1324-HT-RIB-C b – RIB planning drawing.
- Drawing no. 1324-HT-HEN-A – HEN planning drawing.
- Drawing no. 1324-HT-CHE-C – CHE planning drawing.
- Drawing no. 1324-HT-SNO-C – SNO planning drawing.
- Drawing no. 1324-HT-GAR-9 – Single garage planning drawings.

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

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

2. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be carried out in full accordance with the phasing (including the sequencing and triggers for the construction of housing and highway infrastructure, laying out of open space, play areas and landscaping, and formation of pedestrian and cycle links to adjoining land) indicated on drawing no. 1324-CMP-01 A.

Reason: In order that the development takes place in an appropriate sequence and to ensure that the associated infrastructure required to support and/or mitigate the development's impact is put in place concurrently with each phase of housing in the interests of proper planning and to ensure compliance with the requirements of conditions 1 and 15 of outline planning permission 17/1050, in accordance with the objectives of Fylde Local Plan to 2032 policies T4 and ENV4.

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the buildings shall be constructed in accordance with the materials detailed on drawing no. 1324-MT-01 G.

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

4. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, boundary treatments to each plot shall be erected in accordance with the details (including their siting, height, design, materials and finish) shown on drawing nos. 1324-PL-01 F; 1324-BT1; 1324-BT2; 1324-BT3 and 1324-BT4 before the dwelling on that plot is first occupied, and shall be retained as such thereafter.

Reason: In the interests of the security of future occupiers, to ensure adequate levels of privacy between neighbouring dwellings and to achieve an acceptable relationship with the street scene in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

5. No development associated with the construction of the electricity substation shown on drawing no. 1324-PL-01 F shall take place until details of the size, height, materials and design of the building and any associated means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The electricity substation shall thereafter be constructed in full accordance with the duly approved details.

Reason: For the avoidance of doubt and as no such details have been submitted as part of the application, to ensure an appropriate appearance for ancillary structures to be erected as part of

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

6. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the soft landscaping scheme for the development shown on drawing no. P.1251.19.01 Rev C (sheets 1 of 2 and 2 of 2) shall be carried out during the first planting season after each associated phase of housing identified on drawing no. 1324-CMP-01 A is substantially completed. The areas which are landscaped shall be retained as landscaped areas thereafter in accordance with a maintenance scheme which has been submitted to and approved in writing by the Local Planning Authority pursuant to the requirements of condition 17 of planning permission 17/1050. 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 concurrently with each phase of housing in the interests of visual amenity, to provide biodiversity enhancements and to ensure compliance with the requirements of condition 18 of planning permission 17/1050 in accordance with the requirements of Fylde Local Plan to 2032 policies ENV1 and ENV2, and the National Planning Policy Framework.

7. No development shall take place until a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by the Local Planning Authority. As a minimum, the BHMP shall contain the following:
 - The means of managing the site during construction – it is anticipated that recently turned earth, and any imported material has the potential to expose preferred food sources for flocking birds; as well as create temporary ponding or puddling which may also be an attractant to bird species deemed hazardous to aircraft safety. The BHMP should set out how risks associated with these operations and features will be mitigated.
 - Details of the maintenance regimes proposed for planting and managing landscaped areas to include the heights and species to be used (care should be taken to avoid a proliferation of berry bearing shrubs or plants and those species that provide ideal roosting or feeding environments for starlings, pigeons or corvids); and
 - The means of monitoring any standing water within the site, whether temporary or permanent, to include any Sustainable Drainage System or part thereof;

Development shall thereafter be carried out in strict accordance with the details in the duly approved BHMP, and those requirements and activities set out in the BHMP shall be implemented, operated and complied with as such thereafter.

Reason: To ensure that appropriate measures are put in place to minimise the potential to provide a habitat desirable to hazardous large and/or flocking birds which have the potential to pose a considerable hazard to aviation safety in order to limit the risk of bird strike to aircraft operating in the area in the interests of aviation safeguarding for the Warton Aerodrome in accordance with the requirements of Fylde Local Plan to 2032 policy T2 and the National Planning Policy Framework.

8. No development shall take place until a Construction Management Strategy (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall cover the application site and any adjoining land which will be used during the construction period and shall include:
 - Details of the location and heights of any cranes, tall plant or construction equipment, and any other temporary tall structures; and
 - Details of any proposed obstacle lighting.

Development shall thereafter be carried out in strict accordance with the duly approved CMS.

Reason: To ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems in order to limit risks to aircraft operating in the area in the interests of aviation safeguarding for the Warton Aerodrome in accordance with the requirements of Fylde Local Plan to 2032 policy T2 and the National Planning Policy Framework.

9. No above ground works shall take place until a scheme for the design, construction and drainage of all new estate roads and associated footways has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full engineering, drainage, street lighting and constructional details. Each estate road and their associated footways shall be constructed in full accordance with the duly approved scheme and the phasing shown on drawing no. 1324-CMP-01 A before any of the dwellings to be served by that road are first occupied.

Reason: To ensure a satisfactory standard of engineering works for the construction of roads and footways to serve the development and to provide satisfactory facilities for access and circulation of all road users in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

10. None of the dwellings hereby approved shall be first occupied until a scheme setting out arrangements for the future management and maintenance of all the estate roads and associated footways to be constructed pursuant to condition 9 of this permission has been submitted to and approved in writing by the Local Planning Authority. The estate roads and associated footways shall thereafter be managed and maintained in accordance with the duly approved scheme.

Reason: To ensure that satisfactory measures are put in place for the management and maintenance of estate roads and footways to serve the development in order to provide satisfactory facilities for access and circulation of all road users in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

11. No development within phases 3 and 5 (as identified on drawing no. 1324-CMP-01 A) shall take place until a scheme for the siting, layout, height, design, materials and finish of barriers to prevent vehicle access along any part of the shared surface cycle links located in each of those phases (as identified on drawing no. 1324-PL-01 F) has been submitted to and approved in writing by the Local Planning Authority. The vehicle barriers shall thereafter be installed in accordance with the duly approved scheme before each of the associated shared surface cycle links are first brought into use, and shall be maintained as such thereafter.

Reason: To ensure that appropriate measures are put in place to prevent vehicle access along the shared pedestrian/cycle linkages to the southern and eastern boundaries of the site and to secure the exclusive use of these routes by pedestrian and cycle traffic in order to provide a safe and suitable means of access to the site for these specific users in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T4, and the National Planning Policy Framework.

12. The private vehicle parking and manoeuvring areas for each dwelling shall be constructed and made available for use in accordance with the details (including their surface treatment) shown on drawing no. 1324-MT-01 G before each associated dwelling is first occupied, and shall be retained as such thereafter for the parking and manoeuvring of vehicles.

Reason: In order that there is adequate provision for vehicles to be parked clear of the highway in the interests of road safety and to ensure appropriate surface treatment of parking areas in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policies T5 and GD7, and the National Planning Policy Framework.

13. Notwithstanding the provisions of Schedule 2, Part 1, Classes A 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), all garages (whether integral or detached) shown on drawing no. 1324-PL-01 F shall be retained for the parking of vehicles and shall not be converted to or used as additional living accommodation.

Reason: To ensure that appropriate provision is maintained for the parking of vehicles off the highway in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T5, and the National Planning Policy Framework.

14. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, all buildings shall be constructed in accordance with the finished floor levels shown on drawing no. 01-03 Rev C.

Reason: To ensure a satisfactory relationship between the new dwellings and between the development and surrounding buildings in order to achieve a high standard of amenity for existing and future occupiers and to ensure that appropriate mitigation measures are put in place to avoid the development being put at an unacceptable risk of flooding in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and CL2, and the National Planning Policy Framework.

15. The 'MAX' and 'LON' house types identified as being "Building Regs Part M4(3)2a compliant" on drawing no. 1324-PL-01 F (20 dwellings in total) shall be constructed to comply with optional requirement M4(3)(2)(a) contained in Part M, Schedule 1 of the Building Regulations 2010 (as amended).

Reason: To ensure that the development delivers a suitable proportion of dwellings that are designed to provide specialist accommodation for the elderly in order to satisfy the requirements of condition 22 of planning permission 17/1050, the objectives of Fylde Local Plan to 2032 policy H2 and to provide an appropriate mechanism to secure compliance with optional requirement M4(3)(2)(a) under Part M, Schedule 1 of the Building Regulations 2010 (as amended).

16. None of the dwellings hereby approved shall be first occupied until a scheme for the incorporation of the following biodiversity enhancement measures into the development and a timetable for their provision has been submitted to and approved in writing by the Local Planning Authority:

- a) The measures identified in section 6, recommendations 'R1', 'R6' and 'R7' of the report titled 'Historical and Update Bat Surveys Report' by 'Biora Limited' (report reference SE0728-02/J02/A/DH Rev A).
- b) The measures identified in section 5, recommendation 5.3 of the report titled 'Breeding Bird Survey' by 'Biora Limited' (report reference RC0144.01BBS-0 Rev 0)

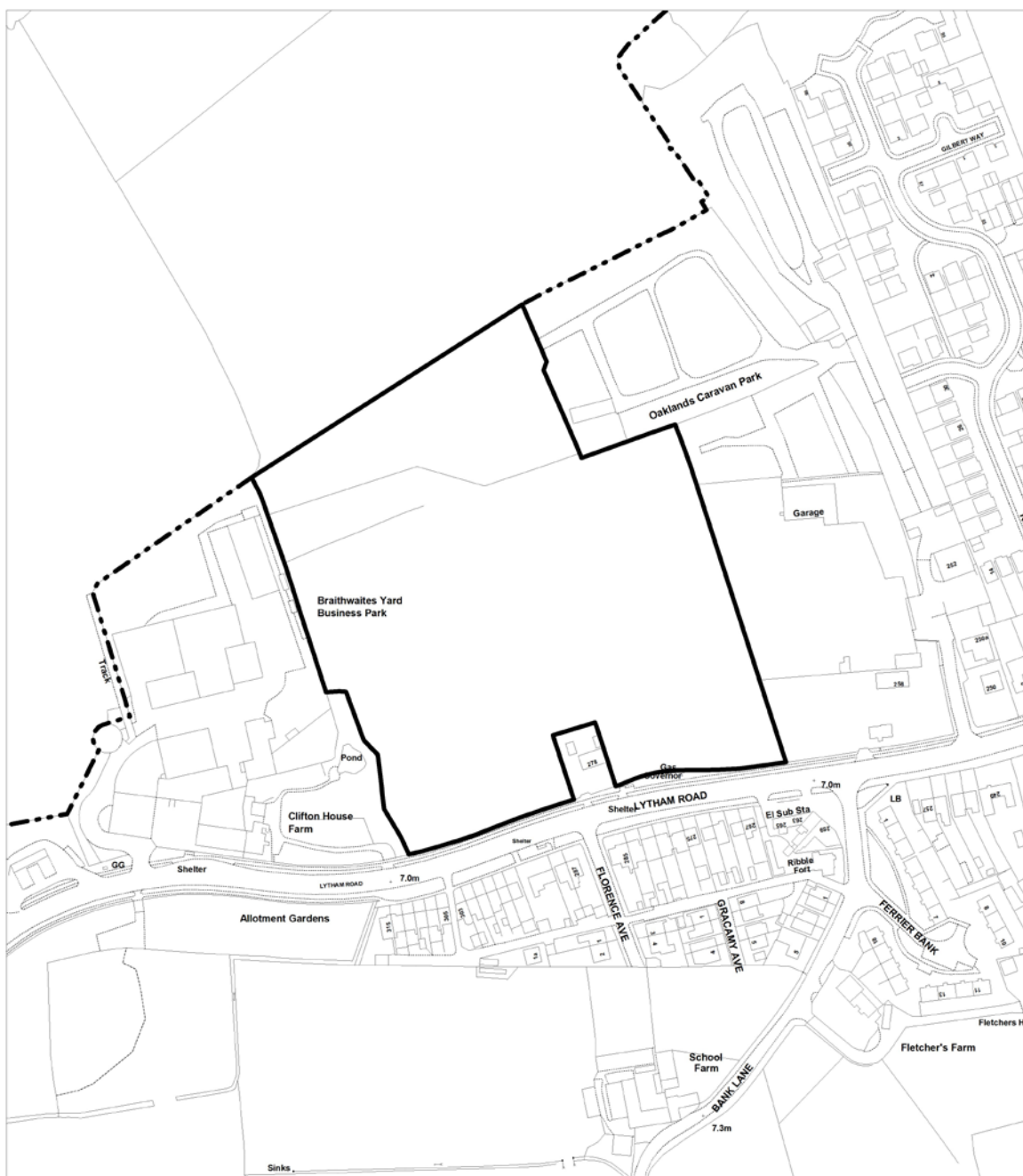
The biodiversity enhancement measures shall thereafter be implemented in accordance with the details and timetable in the duly approved scheme, and shall be retained as such thereafter.


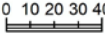
Reason: To ensure that the development delivers appropriate biodiversity enhancements in accordance with the objectives of Fylde Local Plan to 2032 policy ENV2 and the National Planning Policy Framework.

17. The felling of the crack willow tree (identified as 'T1' in the 'Arboricultural Impact Assessment' by 'Biora Limited' – report reference SE0728-04_H02d_AIA_DW) shall be carried out in strict accordance with the reasonable avoidance measures set out in section 6, recommendation 'R3' of the report titled 'Historical and Update Bat Surveys Report' by 'Biora Limited' (report reference SE0728-02/J02/A/DH Rev A).

Reason: The tree has been assessed as a 'category 2' specimen for bat roost potential. Accordingly,

appropriate reasonable avoidance measures should be taken during the felling of this specimen in order to limit the potential for harm to protected bat species in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended).



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Application No. 5/19/0926	Address Clifton House Farm, Lytham Road, Warton	Grid Ref. E.3404 : N.4284	Scale 0 10 20 30 40 m 

Item Number: 7

Committee Date: 18 March 2020

Application Reference:	19/0937	Type of Application:	Change of Use
Applicant:	Sange	Agent :	Emperor UK Ltd.
Location:	8 CROFT COURT, PLUMPTON CLOSE, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5PR		
Proposal:	CHANGE OF USE OF EXISTING TWO STOREY OFFICE (CLASS B1a) TO A MIXED USE AS HEALTH CLINIC (CLASS D1) ON GROUND FLOOR AND SUPPORTING OFFICE (CLASS B1a) AT FIRST FLOOR		
Ward:		Parish:	
Weeks on Hand:	17	Case Officer:	Beth Winstanley
Reason for Delay:	Negotiations to resolve difficulties		

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

<https://www.google.co.uk/maps/@53.7885249,-2.9885121,94m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is a unit within a two storey office building located on Croft Court, which is a small cul-de-sac of similar properties on the Whitehills Business Park. At present the unit has a lawful use as offices within Class B1, with Class B2 (general industrial) and Class B8 (storage and distribution) uses found across the Whitehills estate.

The proposal relates to a change of use of the premises to a mixed use of Class B1 (office) at first floor and Class D1 (health practise) at ground floor with this associated with a private medical consultancy intending to occupy the unit and offering their services through a mixture of telephone, internet and direct patient advice. The submitted plans indicate that the ground floor will have 3 consulting rooms which patients will be able to attend by appointment only. The first floor will have a number of offices which will be used by practitioners to provide online appointments and referrals for the patients. It is proposed that patients will also be able to access this service remotely as will staff allowing them to be able to work from home rather than coming to the site.

The application has been brought to Committee for determination due to the Parish Council objecting to the application on the grounds of highway safety and internal space concerns. During the consideration of the application clarification has been sought on these issues from the applicant and this resulted in a revised description of the proposal and confirmation of the available parking areas. This has been re-notified to the Parish Council but they retain their objections on this basis.

However, this clarification was sufficient to address the initial concerns of LCC Highways subject to conditions being imposed to limit the number and times of patients visits to the site, and to ensure that the proposed parking areas all remain available for use.

With this clarification the proposal will allow a suitable employment related use of these premises to proceed without causing harm to highway safety or other planning matters and so the officer recommendation is for approval as the application complies with policies GD6, GD7, EC1 and T5 of the Fylde Local Plan to 2032.

Reason for Reporting to Committee

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

Site Description and Location

The application site is located within Whitehills Business Park, a strategic employment site located on the periphery of Fylde and Blackpool and is situated close the M55 Junction 4. The site itself is located within a cul-de-sac of small buildings predominately used for office use (Class B1 a) of the Use Classes Order). Beyond this cul-de-sac there are a number of Class B2 and Class B8 uses within the wider area of the business park.

Details of Proposal

The application looks to gain approval for a mixed-use development at unit 8, Croft Court, Whitehills. This is to consist of a health clinic (class D1) on the ground floor and office space (class B1a) at first floor. This office space is to provide areas where doctors and other health practitioners would work to provide advice to patients on a consultancy basis via telephone and web-based services. As such the level of patient visits is reduced over that expected of a traditional GP practice.

Internally there will be minor alterations which include the formation of new partitions to create the ground floor; reception, two consultation/treatment rooms together with new offices to the first floor.

There will be no external or structural alterations to the fabric of the structure, other than a desire for an illuminated company sign which would be the subject of a separate application for advertisement consent if progressed.

When the application was initially submitted there was some ambiguity over the actual method of operation of the use and so clarification on this has been sought which has resulted in the revised scheme as set out above. The applicant has also confirmed the level of parking that is available.

Relevant Planning History

No relevant history

Relevant Planning Appeals History

None

Parish/Town Council Observations

Westby with Plumpton Parish Council notified on the original and revised submission.

Initial comments

It was resolved to recommend REFUSAL. The facility seemed very cramped internally and there is insufficient parking allocated.

Further Comments

After re-assessing the revised submission, it was resolved to recommend refusal. The facility still seemed very cramped internally and there is insufficient parking allocated for the number of treatment rooms - the facility is open for public consultations as opposed to a call-centre.

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

In their comments to the initial submission LCC Highways advised that the limited availability of parking spaces and likely level of patient / staff visits to the site were such that the proposed change of use will have a detrimental impact on highway safety in the immediate vicinity of the site and should be refused.

In their subsequent comments to the scheme as amended with a clarified change of use statement and additional parking the request for refusal is withdrawn subject to the imposition of conditions which limit the number of patients in the working day and patients using the facility for screening and tests are to be arranged for after 5pm and at the weekends.

Neighbour Observations

Neighbours notified:	20 November 2019
Amended plans notified:	31 January 2020
Number of Responses	2 in total (1 to original and 1 to re-notification)
Summary of Comments	Both representations express reservations about the parking arrangements for the site. They highlight the pressures on parking in the area and explain that this does have implications for the operation of existing businesses.

Relevant Planning Policy

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD6	Promoting Mixed Use Development
GD7	Achieving Good Design in Development
EC1	Overall Provision of Empty Land & Existing Empty Sites
T5	Parking Standards

Other Relevant Policy:

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

Site Constraints

Article 4 direction

Environmental Impact Assessment

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

Comment and Analysis

With the proposal not involving any built development or other alterations to the building the main issues for consideration are the principle of the use being established on the site given the local plan designation as an employment site, and the parking and other operational implications of this.

Car-Parking

The main concern in regards to the application at 8 Croft Court is the impact that the proposal will have on parking arrangements within the vicinity of the site. The area is made up of a number of offices which have created a high demand on parking spaces and concerns over the adequacy of these and the operation of the parking on site is reflected in the comments of the Parish Council and the neighbour respondents. To assess this it is necessary to look at the compliance with the agreed parking standards.

In advance of the preparation of the Supplementary Planning Document to define Fylde's parking standards that is envisaged in Policy T5 of the Fylde Local Plan to 2032, the council uses the standards set out in the Joint Lancashire Structure Plan as a recommendation for the parking provision. This document sets out different parking standards for different uses dependent on their likelihood to attract vehicles movements to the site. The existing office use is based on 1 space per 35m² and so for a building of this size (100m² gross floor area per floor) a target of 6 spaces would be appropriate. For a medical practice the standards are 4 spaces per consulting room and so the 6 rooms initially proposed that could have been used for that purpose suggests that 24 spaces would be appropriate. However, now that the actual intended use of the building has been better clarified to be split between these uses with offices at first floor and 3 consultancy rooms on the ground floor a total of 3 spaces for the office element and 12 spaces for the medical element is the figure that the parking standards suggest as being appropriate.

The 5 spaces that are provided is still less than the total of 15 spaces that are suggested and so it is necessary to provide further controls over the operation of the building so that no more than 1 of the consulting rooms can be in operation during daytime hours when parking pressures in the surrounding area are highest. Taking this approach and imposing these controls by condition to any planning permission it is accepted that the parking provided in this scheme will be adequate to avoid undue parking pressure on the surrounding road network.

Lancashire County Council Highways originally objected to the application on highway safety grounds due to the recommended parking provision for the original D1 proposed class, but with the alterations to the scope of the submission, the additional parking provision and the suggested conditions to control the extent of daytime use they have been able to withdraw that objection.

Compliance with Employment Designation

Originally, the application proposed a full change of use to class D1 (Health Clinic), and would have allowed a medical surgery to take place at the site. It was considered that the change of use would contradict policy EC1 of the Fylde Local Plan to 2032 which seek to retain the premises on employment sites such as Whitehills in an employment use. The proposal was then amended to a mixed use after discussions relating to the use of the site were held with the applicant. The decision

to split the use of the premises allows the nature of the proposal to be shown more clearly and reduces the number of rooms available for patient access to 3, with a greater emphasis on office space for online consultation.

Due to the continued Class B1 use for part of the premises it is considered that the proposal would be an acceptable addition to the business park. The partial change to use class D1 to the ground floor level contradicts policy EC1 of the Fylde Local Plan to 2032 due to the D1 not being categorised as an agreed use class for Whitehills, however the mixed use aspect of the proposal as well as the minimal disruption it will cause to the neighbouring businesses means that there is no unacceptable harm created for the proposal.

Public use

The ground floor of the premises will be available to the public for appointments and procedures when medical staff are in attendance. Due to this public access it has meant reception staff will be required at core times of the day in order to provide help and support to the patients. The revised supporting statement advises appointments will be approximately 40 minutes per length, with only one GP within the premises per day being available for face to face appointments with patients. The parish council comments that the *facility seemed cramped internally*, however after assessing the layout and the planned set up of the practise, it is considered that the space provided for the public would be sufficient due to the level of footfall within the practise with only one patient waiting to be seen at a time. There is ample office space to the first floor of the practise creating a separate space for the online workforce in order to keep the areas to the ground floor for patient use. As such it is considered that the premises are appropriate for the intended use in this regard.

Conclusions

The application site is a unit within a two storey office building located on Croft Court, which is a small cul-de-sac of similar properties on the Whitehills Business Park. At present the unit has a lawful use as offices within Class B1, with Class B2 (general industrial) and Class B8 (storage and distribution) uses found across the Whitehills estate.

The proposal relates to a change of use of the premises to a mixed use of Class B1 (office) at first floor and Class D1 (health practise) at ground floor with this associated with a private medical consultancy intending to occupy the unit and offering their services through a mixture of telephone, internet and direct patient advice. The submitted plans indicate that the ground floor will have 3 consulting rooms which patients will be able to attend by appointment only. The first floor will have a number of offices which will be used by practitioners to provide online appointments and referrals for the patients. It is proposed that patients will also be able to access this service remotely as will staff allowing them to be able to work from home rather than coming to the site.

The application has been brought to Committee for determination due to the Parish Council objecting to the application on the grounds of highway safety and internal space concerns. During the consideration of the application clarification has been sought on these issues from the applicant and this resulted in a revised description of the proposal and confirmation of the available parking areas. This has been re-notified to the Parish Council but they retain their objections on this basis. However, this clarification was sufficient to address the initial concerns of LCC Highways subject to conditions being imposed to limit the number and times of patients visits to the site, and to ensure that the proposed parking areas all remain available for use.

With this clarification the proposal will allow a suitable employment related use of these premises to proceed without causing harm to highway safety or other planning matters and so the officer

recommendation is for approval as the application complies with policies GD6, GD7, EC1 and T5 of the Fylde Local Plan to 2032.

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 permission relates to the following plans:

- a) Location Plan - Red edge outlines on Drawing 04-802-AB01 by Croft Goode Partnership (received 31 January 2020)
- b) Proposed Internal Layout - Unreferenced drawing (received 31 January 2020)
- c) Change of use statement - Amended statement (received 31 January 2020)

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

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

3. Notwithstanding the provisions of the Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and the Town and Country Planning (Use Classes) Order 1987 (as amended) the ground floor of the premises shall only be used for purposes that fall within Class D1 of the Town and Country Planning (Use Classes) Order 1987, and the first floor shall only be used for purposes that fall within Class B1a of that Order.

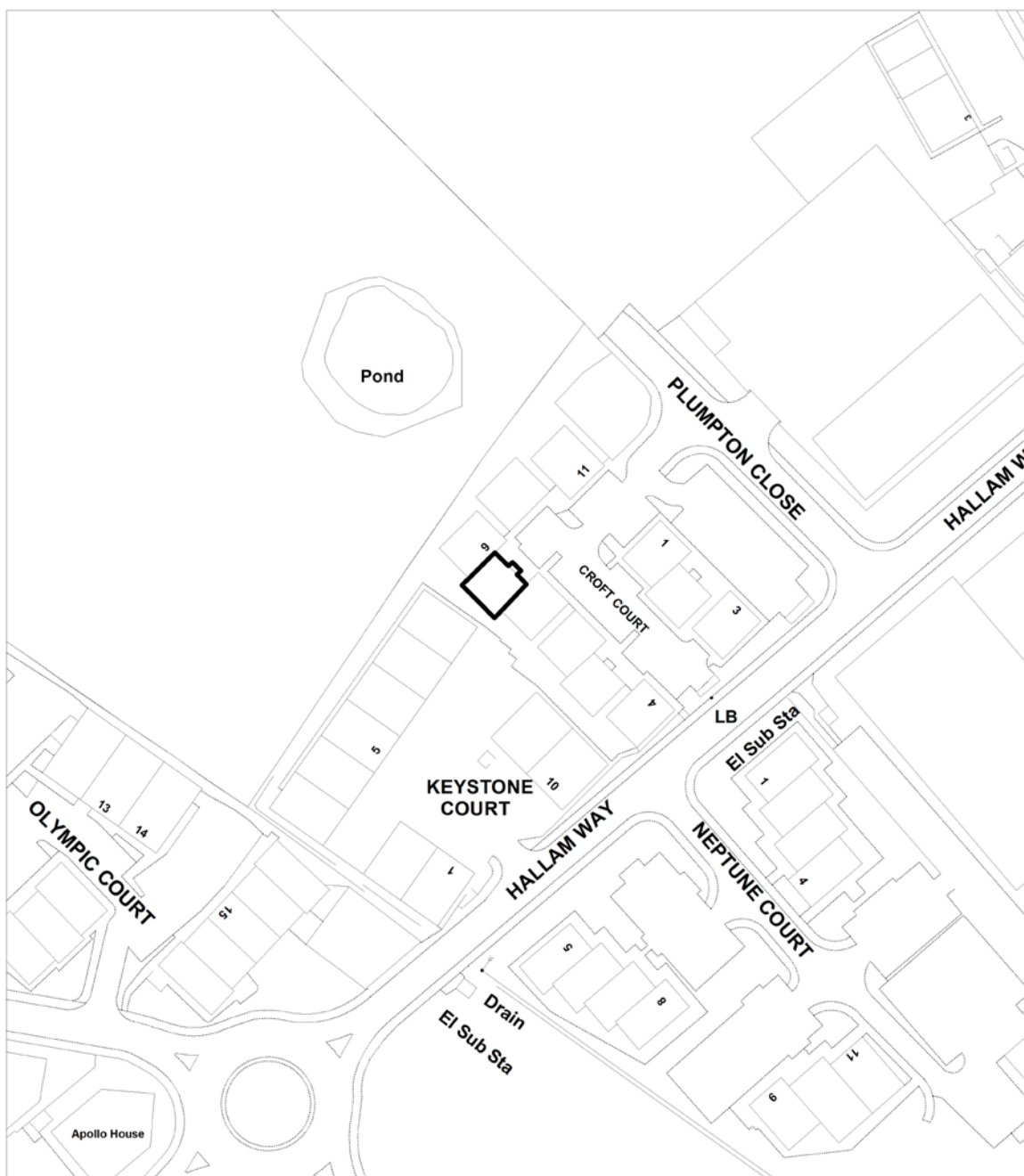
Reason: To ensure that the proposed use does not prejudice the employment use of the wider Whitehills Business Park and that there is appropriate control over the extent of the medical centre use given its expected higher level of vehicle movements to the site. These controls are required to accord with Policy GD7, EC1 and Policy T5 of the Fylde Local Plan to 2032.


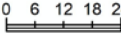
4. Where patients and other customers are to visit the premises between 9am and 5pm on Monday – Friday (inclusive) there shall be no more than 12 appointments undertaken during any single day between those hours, and there shall only be a maximum of 1 consultancy room operating at any single time between those hours.

Reason: To ensure that the proposed use does not prejudice highway safety and parking arrangements of the site in the interests of highway congestion and safety as required by Policy GD7 and Policy T5 of the Fylde Local Plan to 2032.

5. Prior to the first use of the premises for the mixed use hereby approved the five parking spaces indicated as being available for the use on the Location Plan approved under condition 2 of this permission shall be made available for use. These spaces shall all remain available for use by staff / patients / visitors to the premises at all times thereafter.

Reason: To ensure that an appropriate level of parking provision is provided and retained for the mixed use proposed in the interests of highway congestion and safety as required by Policy GD7 and Policy T5 of the Fylde Local Plan to 2032.



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Application No. 5/19/0937	Address 8 Croft Court, Plumpton Close, Westby	Grid Ref. E.3349 : N.4329	Scale 0 6 12 18 24 m 

Item Number: 8

Committee Date: 18 March 2020

Application Reference:	20/0026	Type of Application:	Full Planning Permission
Applicant:	Miss Docherty	Agent :	
Location:	DEN BURN NURSERIES, OLD HOUSE LANE, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5LD		
Proposal:	CHANGE OF USE OF LAND TO EQUESTRIAN PURPOSES FOR PRIVATE USE. CONSTRUCTION OF A 40M X 20M Paddock WITH A 1.22M POST-AND-RAIL FENCING PERIMETER INCLUDING A WOODEN FIELD GATE		
Ward:	WARTON AND WESTBY	Parish:	Westby with Plumptons
Weeks on Hand:	9	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/@53.7906598,-2.9933543,188m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposal is for the formation of a sand paddock and the use of the land around it for equestrian purposes on a site known as Denburn Nurseries. This is a dwelling with an extensive curtilage that has previously been used as a nursery on the north side of Old Houses Lane in Westby. The site is allocated for both employment and residential development in the Fylde Local Plan to 2032.

The site has recently been sold by LCC with a covenant restricting the use of the site to either agriculture or equestrian use, meaning the site cannot be developed for housing or employment uses until that covenant expires. Approving this development would not prevent the future development of the site. The site is rural in nature and given the site already has permission for a mixed residential and nursery use the development is considered an appropriate form of rural development and therefore acceptable in principle.

It is not considered that there will be any visual harm created by the proposals, nor will there be any impact on residential amenity or highways. There are no issues with regards to drainage, trees and ecology. A condition can be put on the permission which restricts the use of the area to the owner of the dwelling which will protect amenity and ensure that there are no highways issues.

Reason for Reporting to Committee

The applicant is an Officer of Fylde Council and so it is necessary to present the application to the Planning Committee for a decision.

Site Description and Location

The application site comprises Denburn Nurseries which is a semi-detached dwelling, with an extensive curtilage which has previously been used as nursery down Old Houses Lane in Westby. The dwelling itself is two storeys, constructed in brick, with the first-floor pebble dashed, and has a hipped concrete tiled roof. To the rear of the dwelling is a brick stables that houses two horses. Surrounding the dwellings to the side and rear is an extensive area which formerly contained nursery buildings, the remains of which are visible throughout the site. There are trees within the site, a number of which have self-seeded. The adjoining dwelling is currently used as a nursery. The site is located within the Fylde-Blackpool Periphery Strategic Location for Development, and specifically an area where it is stated both residential and employment uses are acceptable. To the south of the site on Old Houses Lane permission has been granted subject to a 106 for residential development. To the north of the site is Peel Park- an area allocated for employment uses.

Details of Proposal

The proposal is for the change of use from the existing nursery uses to include equestrian uses and for the erection of a paddock. The paddock and equestrian use would be for the applicant's private use. The proposed paddock measures 40m x 20m and would be surrounded by a 1.22m high timber post and rail fence.

Relevant Planning History

None

Relevant Planning Appeals History

None

Parish/Town Council Observations

Westby with Plumpton Parish Council notified on 17 January 2020 and comment:

Resolved to offer no objections

Statutory Consultees and Observations of Other Interested Parties

None consulted.

Neighbour Observations

Neighbours notified:	17 January 2020
Number of Responses	None received.

Relevant Planning Policy

Fylde Local Plan to 2032:

ENV1	Landscape
ENV2	Biodiversity
GD7	Achieving Good Design in Development
NP1	Presumption in favour of Sustainable Development

Other Relevant Policy:

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

Site Constraints

Article 4 direction

Environmental Impact Assessment

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

Comment and Analysis**Principle of development**

The application site comprises a dwellings and former nursery site located within an area allocated for both employment and residential development. However, the site has recently been sold by LCC with a covenant restricting the use of the site to either agriculture or equestrian use, meaning the site cannot be developed for housing or employment uses until that covenant expires. The site is rural in its nature and already contains stable buildings and the remains of glasshouses and other buildings associated with the nursery use. Therefore, the site already has permission for a mixed residential and rural use. The proposed sand paddock would be used in association with the existing stable buildings to exercise horses owned by the applicant. This is an appropriate form of rural development and hence is acceptable in principle at this location and accords with the principles contained within the Fylde Local Plan to 2032.

Design, appearance and siting

The design, scale and materials of construction of the paddock and fencing are all considered appropriate and acceptable for a development of this scale and in this location. The paddock would be sited in the north western corner of the site, on an area that is clear of trees. Surrounding the site are trees which would mean that the proposal would not be visible from outside of the application site. Thus, there would be no harm to the visual amenities of the area and the development complies with policies ENV1 and GD7 of the Local Plan to 2032.

Highways access

The use of the land and paddock for equestrian use are for private use only and as such any vehicle movements to and from the site would be those ordinarily undertaken as part of the occupancy of the dwelling by the applicants. There are therefore no adverse impacts on the safe use of the highway, its capacity, or parking/amenity. A condition will be placed on any permission granted restricted the equestrian use to that of the occupant of the dwelling.

Neighbour amenity

The site is located adjoined to Roseleigh dwelling and nurseries. The proposed sand paddock is located in an appropriate position in the north west corner of the site way from the shared boundary. On this boundary there is a large amount of intervening boundary vegetation. It is not considered that the exercising of horses on this land would create any harm to the residential amenity of the neighbouring dwelling.

Other matters

The development will necessitate the removal of some trees from the site and indeed some have already been removed. However, officers visiting the site have found that these are self-seeded saplings and having discussed this with the Councils Tree Officer there are no objections to their removal. The position of the sand paddock is such that the better-quality tree specimens within the site and on its boundaries, which could support nesting birds are retained. The site is allocated for development and predominately grassland which does not comprise priority habitat, and therefore it is not considered the development will have an impact on protected species. The surface of the proposed sand paddock is permeable and therefore drainage will be the same as existing.

Conclusions

The development is acceptable in principle and will not have any impact on the amenity of neighbours, highway safety or capacity and will not create any visual harm. As such the development can be supported.

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 permission relates to the following plans:

- a) Location Plan - Denburn, Old House Lane.
 - Proposed Site Plan - Denburn, Old House Lane.
 - Proposed Elevations - Post & Rail Fencing Elevation View. Denburn, Old House Lane.

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

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


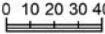
3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the application form and / or approved plans listed in condition 2 to this planning permission.

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 Policy GD7 of the Fylde Local Plan to 2032.

4. The development hereby approved shall be for the private use of the occupants of Denburn Nurseries only and shall not be used for any livery or other commercial purposes.

Reason: The use of the paddock for any commercial purpose could be injurious to neighbouring amenity, and prejudice highway safety in the locale.



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Application No. 5/20/0026	Address Den Burn Nurseries, Old House Lane, Westby	Grid Ref. E.3345 : N.4331	Scale 0 10 20 30 40 m 

Item Number: 9

Committee Date: 18 March 2020

Application Reference:	20/0040	Type of Application:	Full Planning Permission
Applicant:	Mr & Mrs HEALEY	Agent :	Ben Jurin Architecture Ltd
Location:	2 GROSVENOR STREET, LYTHAM ST ANNES, FY8 5HB		
Proposal:	SINGLE STOREY SIDE EXTENSION AND CONVERSION OF EXISTING GARAGE INTO DWELLING. (RE SUBMISSION OF APPLICATION 18/0760)		
Ward:	ST JOHNS	Parish:	
Weeks on Hand:	8	Case Officer:	Ruth Thow
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/@53.7374713,-2.9495584,94m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site relates to a double garage that is accessed from Grosvenor Street in Lytham and backs onto an outbuilding structure to the rear of a property on East Beach. The site is within the settlement area of the town but not the conservation area or subject to any other such constraints.

The application is to convert the garage to form a single residential dwelling with a small extension added to the side to form a shower room and WC. It is submitted as a revised scheme to an application from 2018 which sought to add a ground and first floor extension to the garage and convert it to a dwelling which was refused by the council and dismissed at appeal. As such it attempts to address the reasons for the appeal being dismissed.

As the site is located within the settlement the principle of residential development accords with local and national policy. The previous scheme was refused due to the harmful impacts which that scheme was felt to have on the amenity of neighbours around the site, with the Inspector agreeing with that conclusion in dismissing the appeal. The revised scheme now under consideration removes some harm by not involving an increase in the height of the building but continues to establish new residential activity immediately outside the window to an adjacent property which was an issue that the Inspector raised as a concern in his judgement. However, this is not dissimilar to many other tight residential relationships in the borough and so on balance is not considered on its own to justify a refusal of the application.

With the extension to the side of the garage the resultant dwelling will meet the minimum size requirements for a single bedroomed dwelling, and whilst this will offer a very limited standard of accommodation for the occupier without any private amenity space, it will be to that minimum standard and so on balance it is also not considered that this is sufficient a

harm to justify a refusal either.

Finally, as it is obviously a converted double garage the dwelling will be notably smaller than the scale of the other dwellings in the area and so will appear out of character in the streetscene. However, there is some variety in the street and this is also a concern that is not considered on balance to be sufficient to justify a refusal.

Having assessed these issues and the positive aspects of providing a residential unit in a sustainable settlement location and improving the appearance of the site by introducing a 'front garden' to it then the overall planning balance tips in favour of granting permission for the proposal. Accordingly, it is recommended for approval subject to a series of conditions including that the extension is constructed so that the building achieves the minimum size requirement and that various visual improvements are implemented to ensure that the building is subject to an appropriate conversion.

Reason for Reporting to Committee

The application is presented to Committee following a request from a ward member (Cllr Thomas) who advises that in his view *'the applicants have endeavoured with their architect to meet planners concerns'*. He provides some details on this relating to the reduced scale of this application compared to the previous, the mixed scale of dwellings in the area, the revised scheme providing a screened bin storage area, and the local support for the scheme.

Site Description and Location

The application site is 2 Grosvenor Street, Lytham St. Annes, (this address has been corrected as it was previously referred to as no. 2A). In particular the application refers to a semi-detached garage to the side of no. 4 Grosvenor Street and attached to the outbuilding at the rear of 42A East Beach, Lytham St. Annes. The garage does not appear to be related to the occupation any of the adjoining properties at present, although it was presumably constructed to form the garage to the property on the corner of Grosvenor Street with East Beach.

The application building is single storey and constructed in red brick with an 'up and over' double width garage door with a small forecourt area to the front of the building which is enclosed with a low brick boundary wall and railings.

The site is at the junction of Grosvenor Street with South Warton Street which is characterised by a mix of period properties, a more 'modern style' detached dwelling, and a 'coach house conversion'. Most of the properties have low boundary walls with soft landscaping in gardens fronting onto Grosvenor Street which links Warton Street to East Beach.

The site is located within the designated settlement of Lytham St. Annes on the Fylde Local Plan to 2032.

Details of Proposal

This application seeks permission for conversion and extension of the garage to form a dwelling. The application is submitted as a resubmission of application no. 18/0760 which was refused and subsequently dismissed at appeal.

This current application proposes a side extension to the existing building measuring 1.5 metres in width by 2.7 metres in length, which has been designed with a hipped roof with eaves height to match the existing building at 2.1 metres and with an overall ridge height at 3 metres.

Externally the garage door is to be replaced with a single entrance door with two windows either side and a circular window in the gable and a further window is to be inserted in the side elevation fronting onto South Warton Street.

The new dwelling would be single storey and provide a combined lounge and kitchen with separate bedroom, store and bathroom. Parking is to be accommodated on site to the front of the dwelling, but as the amenity space is wholly to the front there is no private garden area provided.

To the front of the site the existing fully open access point would be revised and electronic sliding gates provided.

In support of the application the agent has supplied 4 letters. Three of these are from properties that are in the general vicinity of the application site, but not adjacent to it, and one is from an adjacent neighbour. They offer general support for the principle of a dwelling and the design proposed, as well as the property removing the opportunity for the existing building to attract anti-social behaviour.

Relevant Planning History

Application No.	Development	Decision	Date
18/0760	EXTENSION AND ROOF LIFT TO GARAGE TO FACILITATE CONVERSION TO RESIDENTIAL DWELLING	Refused	22/01/2019
15/0869	FIRST FLOOR EXTENSION OVER EXISTING GARAGE WITH DORMER TO ROOF AND USE OF RESULTANT BUILDING AS 1 No. DWELLING	Refused	29/02/2016
03/0829	ERECTION OF DETACHED HOUSE (LAND AT REAR)	Refused	17/12/2003
03/0491	ERECTION OF TWO STOREY DWELLING	Refused	09/07/2003

Relevant Planning Appeals History

Application No.	Development	Decision	Date
18/0760	EXTENSION AND ROOF LIFT TO GARAGE TO FACILITATE CONVERSION TO RESIDENTIAL DWELLING	Dismiss	19/11/2019

Parish/Town Council Observations

Not in parished area.

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

They raise no objections to the application, and request that their standard advice note is added to any planning permission to highlight that the alterations to the highway required by the scheme are undertaken in accordance with highway legislation.

Neighbour Observations

Neighbours notified:	23 January 2020
Site Notice Date:	29 January 2020
Press Notice Date:	N/A
Number of Responses	5 letters of support have been received 1 letter of objection
Summary of Comments	<ul style="list-style-type: none">• no way impinges on my privacy or visual outlook• remove long standing eyesore• concerned over deterioration in fencing• area used for skateboarding• dwelling would enhance the surrounding properties• cannot see why planning permission has been refused• would stop young people causing problems• hopefully increase house prices• would be welcome asset• would improve aesthetic of look of street• would improve my outlook <p>Letter of objection</p> <ul style="list-style-type: none">• would lose daylight and sunlight• increase in road parking

Relevant Planning Policy

Fylde Local Plan to 2032:

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
H1	Housing Delivery and the Allocation of Housing Land
H2	Density and Mix of New Residential Development
ENV1	Landscape
H3	Conversions and Change of Use to Residential

Other Relevant Policy:

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
JHE	Joint House Extensions SPD

Site Constraints

Environmental Impact Assessment

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

Comment and Analysis

This application seeks permission for an extension and alterations to a garage together with its change of use to for a single dwelling. The property has previously been the subject of proposals for extensions and a conversion to a dwelling under application no. 18/0760 which was refused and subsequently dismissed at appeal. This re-submission varies from the previous application (18/0760) in that the dwelling is proposed remain at single storey height only and the design and location of the proposed extensions differ.

Principle

The application proposes a dwelling within an area of the settlement which is primarily residential and so the proposed use is considered to be compatible in regard to the existing land uses. As such the principle of the development is acceptable.

Notwithstanding this, regard must also be had to the remaining policies of the plan and the aims of the National Planning Policy Framework in regards to the following policies.

Relevant policies

Policy H1 refers to the requirement to ensure that there is enough deliverable land suitable for house building capable of providing a continuous 5-year supply.

Policy H2 refers to the density and mix of new residential development. Paragraph 9.36 of the justification to the policy refers to conversions and states:

'It is recognised that an element of the need for smaller units of accommodation will be provided by conversions; however, all windfalls including conversions and small sites will represent only 11% of all new homes during the plan period. Therefore, it will be crucial, in providing for the types of properties needed, that the mix provided on individual developments contributes to the need for smaller units of accommodation. A significant element of this should be accommodation for the elderly, considered separately below. '

Policy H3 refers to conversions and changes of use to residential. *'When considering proposals for residential conversions, careful attention should be paid to the amenity of nearby residents, the character of the immediate area, access to the nearest services, parking provision and the promotion of good design. Residential conversions should protect existing amenity space and should not result in any of the homes relying on what was previously a front garden for all of their private amenity space'.*

Policy GD7 refers to the general principles of good design and includes various criteria for which developments need to comply with. These are extensive and not all are relevant for every application, however the following criteria are appropriate and will be used to assess the application;

c) Ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed.

d) Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.

h) Being sympathetic to surrounding land uses and occupiers and avoiding demonstrable harm to the visual amenities of the local area.

i) Taking the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

j) Ensuring parking areas for cars, bicycles and motorcycles are safe, accessible and sympathetic to the character of the surrounding area and that highway safety is not compromised

k) Ensuring the layout, design and landscaping of all elements of the proposal, including any internal roads, pedestrian footpaths, cycleways and open spaces, create user friendly, sustainable and inclusive connections between people and places resulting in the integration of the new development into the built and historic environment.

Character and appearance

The application site is situated on the corner of Grosvenor Street and South Warton Street. The area is residential in character and predominantly consists of Victorian detached and semi-detached dwellings that are tight knit in their form and layout with the application building seen as an ancillary building in terms of its scale and appearance.

The proposal for a conversion of the garage to a residential use would result in a dwelling, in terms of its scale, massing and architectural character that is not reflective of the scale and massing of neighbouring properties as these are all larger dwellings providing accommodation at two storey or greater.

Whilst there is a 'coach house' building which has been converted to a dwelling situated opposite the application site, this is also a two storey property which is well set back from the highway and is more in keeping with the character and appearance of the street scene as it is one of a number of other such coach houses around the town. Despite the inference in the submission, it is not comparable in scale and form to the single storey double garage that is the subject of this application.

Notwithstanding this obvious tension between the scale and appearance of the application building and those which establish its setting, the site is in an accessible location where a residential use would normally be supported and there are some variances in the style and scale of those neighbouring properties. The building is an existing structure that has no apparent active use or future demand as a garage and so there is merit in its conversion to an alternative use that would provide it with a purpose.

Whilst the dwelling will be obviously much smaller than any of the others in the area it will meet the aims of Policy H3 to use conversions to meet the demand for smaller properties in the borough and so on balance it is not considered that the restricted size of the dwelling will create such a conflict with the character of the local area to justify refusal. As such it is accepted that it complies with Policy H3 and those elements of Policy GD7 of the Local Plan to 2032 that relates to the character of new development.

Occupier Amenity

The limited scale of the building also creates implications for the amenity of the future occupiers of the property. To support the application the agent refers to the 'Technical Housing Standards' produced by the DCLG which explains that a one-bedroom dwelling should be a minimum of 37 square metres in internal area.

Chapter 6 of this document advises '*Relating internal space to the number of bedspaces is a means*

of classification for assessment purposes only when designing new homes and seeking planning approval (if a local authority has adopted the space standard in its Local Plan). It does not imply actual occupancy or define the minimum for any room in a dwelling to be used for a specific purpose other than in complying with this standard.'

The extension to the building to provide it with a WC/shower room ensures that the proposed dwelling has an internal floor area of 37 square metres, and so exactly meets the minimum standard set out in the above document. The standards referred to are the minimum standards required and chapter 9 of the DCLG spacing standards document advises '*The gross internal areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.'*

Whilst there are no minimum spacing standards in the Fylde Local Plan to 2032 the requirements of Policy GD7 include the following criteria:

Criterion n) *Making provision for the needs of specific groups in the community such as the elderly and those with disabilities, in line with the Equalities Act'.*

Criterion o) *All new housing developments should result in a high standard of amenity for occupiers. The standard of amenity for occupiers should not be compromised by inadequate space, poor layout, poor or lacking outlook or inconvenient arrangements for waste, access or cycle storage. Developments should include adequate outside amenity space for the needs of residents. New homes designed specifically to accommodate the elderly should comply with optional standard M4(3(2a)) in accordance with policy H2.*

With the proposed extension the converted double garage in this application would provide the minimum standard of accommodation advised for a one-bedroomed dwelling, but would not allow that accommodation to be adequate for all occupants as it would not achieve the space needed for wheelchair accessibility. This is an unfortunate situation, with the concerns over the limited internal space compounded by the absence of any private amenity space outside the property as it only possesses a small front garden area.

However, with the proposal achieving the minimum standards set in national guidance on such matters it is not considered that a refusal of the application on the basis of the limited residential amenity that its future occupiers will enjoy can be sustained.

Accordingly, it is considered that, on balance, the proposal satisfies the requirements of criteria o) and n) of Policy GD7 of the Fylde Local Plan to 2032 relating to the standard of residential amenity in new development.

Neighbour amenity

The key issue with the refusal of the previous scheme was that it involved an increase of the height of the building to provide two storey accommodation which led to unacceptable impacts on neighbouring properties. These justified the council's reason for refusal and was supported by the Inspector in the dismissal of the subsequent appeal.

The current scheme removes that upward extension, and so the harm associated with it, but continues to establish a residential use in very close proximity to neighbouring dwellings to all sides and provides a side extension which brings it closer to the properties at 4 Grosvenor Street and 42

East Beach. This would be situated only 2 metres from a window situated on the ground floor of the side elevation of no. 4 Grosvenor Street, which is adjacent to the application property, and a similar distance to the property at 42 East Beach which is attached to 4 Grosvenor Street.

In the appeal decision the Inspector stated at para 10: *"The proposed development would bring greater activity and movement to and from the site than the previous use as a garage. As well as providing access to the dwelling, it also includes a bin store area and some amenity space. The potential increase in activity in close proximity of the side boundary between the properties could adversely affect the living conditions of the occupiers of No. 4 although it could be partly mitigated by way of appropriate boundary treatment."*

Several neighbour letters have been received in support of this application including one received from no. 4 Grosvenor Street. Notwithstanding this supporting letter the amenity of all occupiers is to be considered including that of future occupiers when determining planning applications. Having considered this aspect carefully it is considered that the potential for harm to neighbouring amenity is not so great that it justifies a reason for the refusal of the application, as the resultant arrangement will be similar to that found in other developments, such as flats, where dwellings are located in close proximity. As the Inspector highlights, a suitable solid fence to this part of the boundary would assist in mitigating noise if not smell nuisances from this arrangement, and is to be a condition to any planning permission.

Accordingly it is accepted that the greater activity and movement to, from and around the site which would not detrimentally affect the living conditions of neighbours to a degree that creates a conflict with criterion c) of Policy GD7 of the Fylde Local Plan to 2032 and the aims of the NPPF.

Parking/highway safety

The site has an existing access from Grosvenor Street which was originally proposed to be widened to accommodate two vehicles within the site. The LCC Highway Engineers have not objected to the scheme subject to the imposition of an informative in respect of the construction of the access.

The site plan has been revised at officer request to reduce the level of parking to a single space as this is clearly sufficient for the small single bed dwelling that is provided and brings visual improvements to the area through introducing a more meaningfully sized front garden to the property. It is considered that there are no parking or other highway safety issues with the proposal.

Conclusions

This application proposes the change of use and alterations and extension of an existing garage to facilitate its use as a one-bedroom dwelling.

The application is a resubmission of an earlier application which was refused and dismissed at appeal. The current proposal addresses the majority of the harms from the earlier scheme by retaining the existing form of the double garage without any upward extension, and whilst the resultant property will be extremely small and so sit uncomfortably in the streetscene it is accepted that the benefits to housing supply that it brings is sufficient to tip the planning balance in favour of granting planning permission. Accordingly the application is recommended for approval. A series of conditions are proposed including one to ensure that the extension needed to achieve the minimum spacing standard for a single dwelling is implemented, and that the physical alterations to the garage are undertaken in an appropriate manner and standard. The limited size of the site makes it essential that the permitted development rights are removed so that the council remains

control over any future proposals to alter the dwelling.

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 permission relates to the following plans:

- Location Plan - Drawing no. 201841A.LP.SP
- Proposed ground floor Plan - Drawing no. 201841A.PP.06.A
- Proposed front elevation Plans - Drawing no. 201841A.PP.09.A
- Proposed side elevation plans - Drawing no. 201841A.PP.10

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

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

3. 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 application form and / or approved plans listed in condition 2 to this planning permission.

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 Policy GD7 of the Fylde Local Plan to 2032.

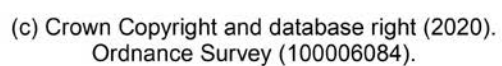
4. Prior to the first occupation of the dwelling the physical works required to extend and alter the garage to form a dwelling shall be completed in their entirety and in accordance with the details indicated on the plans approved under condition 2 of this planning permission, with these works including:
 - a) the construction of the extension to the side of the garage and its fitting out as an operational shower room for the dwelling,
 - b) the replacement of the existing garage door to the front of the building with the personnel door and windows
 - c) the erection of the boundary treatments to the Grosvenor Street and side boundaries of the site
 - d) the reduction in the extent of hard surfacing on the site frontage to that area shown on the approved site plan only, with that providing space for a single vehicle and pedestrian access to the site.
 - e) the provision of the bin storage area
 - f) the reduction in the width of the vehicular crossing to serve the site so that it reflects the revised on the approved plans and the reinstatement of the redundant area with a full-height kerb in accordance with the requirements of LCC as the local highway authority.

These works shall be retained in this condition at all times thereafter.

Reason: To provide an acceptable minimum standard of amenity for the future occupiers of the dwellings, to minimise the opportunity for the disturbance to the occupiers of neighbouring dwellings, and to ensure that the building and site has an appropriate appearance in the streetscene. These matters are to accord with the requirements of Policy GD7 of the Fylde Local Plan to 2032.

5. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D, F, G 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 Local Plan to 2032 policy GD7.



Scale
0 5 10 15 20 m

Item Number: 10

Committee Date: 18 March 2020

Application Reference:	20/0063	Type of Application:	Agric to Resi Prior Notification
Applicant:	Mr & Mrs P Metcalf	Agent :	Fox Planning Consultancy
Location:	ELSWICK LODGE, LODGE LANE, ELSWICK, PRESTON, PR4 3ZJ		
Proposal:	PRIOR NOTIFICATION FOR CHANGE OF USE OF AGRICULTURAL BUILDING TO ONE DWELLING TOGETHER WITH ASSOCIATED BUILDING OPERATIONS PURSUANT TO SCHEDULE 2, PART 3, CLASS Q OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED)		
Ward:		Parish:	Elswick
Weeks on Hand:	6	Case Officer:	Ruth Thow
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/@53.8394027,-2.856026,375m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

The application relates to the change of use of an agricultural building that is located on the very edge of Fylde borough at the junction of Lodge Lane with Watery Gate Lane, in Elswick into a dwelling. The building was constructed in around 1982 and is of a steel portal frame construction with cladding to the walls and roof above a concrete panel plinth to all sides.

The application is submitted under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 which allows for the development involved in the change of use of a building and land in its curtilage to a residential use along with the building operations that are reasonably necessary to convert the building to that use. This permitted development right is subject to an application for prior approval which requires the applicant to present details of the works that are proposed to the council, and the council to assess if these works satisfy the requirements of the legislation. As such the assessment to be made is based on the specifics of the legislation and not the wider planning policy implications that would be considered under a planning application for the conversion of a building to an alternative use such as a traditional barn conversion application.

In this case it is considered that the application fails to constitute permitted development for two reasons: the extent of the works required to facilitate the change of use, and the appearance of the resultant building.

Firstly the proposal involves the removal of all elements of the building other than its portal frame and the concrete plinth, with the converted building having a new internal wall constructed throughout, new cladding added to all walls with windows and doors added, a new roof, and a rendered treatment applied to the retained concrete plinth. Part Q(b) of

this legislation enables 'building operations reasonably necessary to convert the building' to a residential use. However, it is considered that the works proposed are tantamount to the erection of a new building as such a limited extent of the current building will remain, and so the works are beyond those which are 'reasonably necessary' and do not effectively involve a conversion of the existing building. Accordingly, the proposal fails to satisfy this requirement of the legislation and cannot be permitted development.

Secondly, the permitted development rights under Class Q are subject to conditions which require an assessment of a limited number of matters relating to the change of use. One of these is the design or external appearance of the building. In this case the building currently has a utilitarian agricultural appearance with blank cladding around all elevations and a simple form. Whilst it is inevitable that a change of use to a residential dwelling will require the insertion of windows and some other alterations to the building, the complete replacement of all external treatments to the building, the insertion of an extensive areas of floor to ceiling windows on all elevations, and the entirely glazed open corner balcony to the building will result in an overtly modern building that fails to respect either the current building or the rural character of the area within which it is situated. As such it is considered that that the submission fails to satisfy the requirements of this condition and does not represent permitted development as a result.

It is noted that the Parish Council wish to see some wider landscape improvements in the area and see the approval of this building as a method of assisting with the delivery of these, but this would be beyond the scope of an application of this nature and so cannot form part of the council's decision on this matter. Given the assessment of the matters that are capable of assessment under Class Q it is considered that the proposed development is in conflict with Schedule 2, Part 3, Class Q (b), Q.1 (i) and Q.2 (1) (f) of the Town and Country Planning (General Permitted Development) (England) Order 2015. As such it is not permitted development and the application is to be refused.

Reason for Reporting to Committee

The application is presented to Committee following a request from a ward member (Cllr Hayhurst) who advises that in his view *'the development would improve the appearance and setting of the building'* and so he has asked for it to be determined by Committee.

Site Description and Location

The application site is on land situated to the west of Elswick Lodge on Lodge Lane, Elswick. The application relates to a portal-framed agricultural building constructed with a concrete panel plinth with corrugated fibre cement clad elevations under a roof of fibre cement roof panels supported by a steel frame.

The building has a footprint of 318.95 square metres and is situated on the south side of Lodge Lane within a larger open field. The field has a low sparse hedge with large gaps interspersed with post and wire fencing to the roadside boundary with a low mature hedge dividing the plot from the dwelling at Elswick Lodge which is located to the east of the application site with open fields to the south and west side. A mature woodland is opposite the site on the north side of Lodge Lane with the properties Watery Gate Barn and Elswick Manor Cottage to the north and east of the site.

Vehicular access is proposed from the existing field access off Lodge Lane.

The site is within the countryside as designated on the Fylde Local Plan to 2032.

Details of Proposal

The application is submitted in accordance with the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – referred to hereafter as the “GPDO” – and, under Schedule 2, Part 3, Class Q, (a) and (b) seeks prior approval to change the use of the application building and its immediate curtilage as shown on drawing no. 201 REV. A to a single dwelling falling within Class C3 of the schedule to the Use Classes Order together with the building operations to convert the building.

The resultant floor area of the dwelling would be 462.89 square metres with its associated domestic curtilage having an area of 317.9 square metres and would therefore be classified as a 'larger dwelling house' in that legislation.

In terms of the accommodation the resultant dwelling would provide a combined family/kitchen/dining room, pantry, entrance hall, WC, utility room, living room, cloaks, study/library, two garages and a gym on the ground floor. To the first floor the dwelling provides a snug, balcony, four bedrooms (three en-suite), dressing room, laundry, bathroom, and a landing sitting area.

The application is accompanied by detailed floor plans, elevation plans, a structural report, ecological appraisal, contamination report, and a planning statement.

The proposed plans and planning statement refer to the development comprising:

- formation of window and door openings
- removal of the existing wall cladding and replacement with cedar cladding
- replacement of existing fibre cement roof sheeting with zinc sheeting
- formation of a curtilage
- provision of solar PV panels to the rear roof slope
- provision of solid fuel flue
- application of white coloured render to existing concrete plinth panels
- provision of two parking spaces for vehicles and bin storage
- shared access with curtilage and field

The application is made following the refusal of application no. 19/0826 and which the planning statement advises has been submitted to clarify and respond to matters raised in the report for application 19/0826.

Relevant Planning History

The planning history for the application building is set here. There is an extensive planning history associated with extensions and alterations to the dwelling at Elswick Lodge, but this is omitted here as it is not relevant to the current application or the building which is subject to the application.

Application No.	Development	Decision	Date
19/0826	PRIOR NOTIFICATION FOR CHANGE OF USE OF AGRICULTURAL BUILDING TO ONE DWELLING TOGETHER WITH ASSOCIATED BUILDING	Refused	03/12/2019

OPERATIONS PURSUANT TO SCHEDULE 2, PART
3, CLASS Q OF THE TOWN AND COUNTRY
PLANNING (GENERAL PERMITTED
DEVELOPMENT) (ENGLAND) ORDER 2015 (AS
AMENDED)

82/0144

AGRICULTURAL BARN

Granted

21/07/1982

Relevant Planning Appeals History

None.

Parish/Town Council Observations

Elswick Parish Council notified on 07 February 2020 and comment:

"It was resolved to recommend approval.

The barn is situated at the easterly entrance to the village on Lodge Lane on a section of road which is known locally as the Avenue of Trees. This is an ancient woodland with trees lining the road and forming a dense canopy which has been featured in many publications such as the celebrated Windmill Land which was written by Allan Clark in 1916. The parish council manages this section of woodland and periodically plants replacement trees to retain the canopy, five of which will be planted this month. Volunteers also plant primroses and bluebells most years to enhance and improve this important heritage site for the village which is a key feature in the village's Britain in Bloom entry.

The parish council considers that converting the current ugly barn to an eco-friendly dwelling provides the opportunity to greatly improve the visual appearance of the building and soften its impact on the heritage site. The applicant is keen to work with the parish council to further enhance the work already undertaken by the council and volunteers by planting additional trees and forest type plants. If officers are minded to reject the application the parish council requests that it should be determined by the Planning Committee to enable the applicant to outline his plans and that a site visit would also be appropriate to enable the Committee to view what is a very important site for the village.!

Statutory Consultees and Observations of Other Interested Parties

Wyre Borough Council - Planning Dept

No comments received at the time of writing report.

Lancashire County Council - Highway Authority

"LCC Highways does not have any objections in principle to the proposed prior notification for change of use of agricultural building to one dwelling, providing the applicant can address the issues regarding sightline provision.

It is requested that the red edge of the site is amended to meet the adopted highway. The adopted highway which is 1.5m from the edge of the carriageway.

The current access is via a recessed field gate with an off-centre fenced sight line splay. For agricultural vehicles where the cab is in an elevated position the height of the hedge and the angle of entry and egress is not an issue for highway safety.

For the change of use to a dwelling it is requested that an improvement to the westerly direction sightline is improved.

The sight lines of 2.4m x 25m to be provided in a westerly direction from the centre of the drive onto Lodge Lane. The site line requirement is based on table 7.1 from Manual for Streets and estimated wet road 85th percentile speed of 20mph.

The applicant should provide accurate details of the required sight line requirement, before determining the application, ensuring the entire sight line requirement is fully over land within the applicants control and/or over the adopted highway and to fully show all works which would be required to provide the sight lines. The sight line splays will require walls, fences, trees, hedges, shrubs, ground growth, structures etc. to have a maximum height of 1.0m above the height at the centre line of the adjacent carriageway.

The applicant is requested to enter into a s184 for the formation of a vehicle crossing in the adopted highway.

It is also requested that the car parking manoeuvring area is constructed to at least subbase before any development takes place within the site. This is to ensure that provision is made for the storage of materials and contracting staff as Lodge Lane does not the provision for on street parking due to the soft verges and being within close vicinity to the junction with Watery Gate Lane."

If these matters are resolved then LCC Highways go on to suggest a series of conditions be imposed relating to vehicle turning arrangements on site, the provision of parking areas, the provision of visibility splays, the surfacing of the driveway, and the positioning of any gates to the access point.

Environmental Protection (Pollution)

Do not raise objection to the development in principle but suggest that a series of conditions are imposed relating to:

- The implementation of the recommendations and conclusions of the Phase 1 Desk Study submitted in support of the application along with a validation report of these works.
- The implementation of a Type 3 Asbestos Survey prior to any redevelopment works, along with the appropriate handling of any asbestos that is identified.
- A watching brief be undertaken during the works for any areas of made ground, for any evidence of contamination during works, and for damage of the cement sheeting during its removal. Appropriate measures should be taken to mitigate any risks that are identified.
- Demolition and construction works should be undertaken during normal daytime working hours only.

Greater Manchester Ecology Unit

"Having considered the available information, I have the following comments to make.

An ecological appraisal has been undertaken and submitted in support of the application. The survey work was undertaken in July 2019 and led by a suitable experienced ecologist holding a Natural England bat licence. It appears to have been undertaken following best

practice guidelines.

Bats

The works proposed involve the conversion of a current barn/agricultural building into a dwelling. The building was subject to a daytime inspection in July 2019 to search for bats, evidence of bats and the potential of the buildings to support bats. No bats or evidence of bats was found, and the building was judged to have negligible potential to support roosting bats.

Bats are not considered a constraint to this development. However, the provision of roosting opportunities for crevice dwelling bats could be incorporated into the new building on the site, to deliver a biodiversity gain, in line with National Planning Policy.

Nesting birds

An informative should be used so that the applicant is aware of the legal protection that all active birds' nests receive. Work (to the building or any vegetation on the site) should be timed to avoid the main bird nesting season (March - August inclusive) unless it can otherwise be demonstrated that no active birds' nests are present.

Other protected species

No evidence of any other protected species was found on the site or are considered likely to be a constraint to the proposed development.

An informative should be used so that the developer is aware of the legal protection that certain species receive. If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work should cease immediately, and an ecologist/LPA should be contacted."

National Grid

No record of apparatus in the immediate vicinity

Neighbour Observations

Neighbours notified:	07 February 2020
Site Notice Date:	14 February 2020
Number of Responses	1 letter received
Summary of Comments	<ol style="list-style-type: none">1. innovative design will significantly enhance the appearance of the building2. do not agree designs are suburban3. balcony will enhance the residential amenity of dwelling4. pleased to see large areas of glazing & other eco elements <ul style="list-style-type: none">• type of prior notification that Fylde ought to be supporting• living across the road I have witnessed agricultural use of land from 2006 until present day including sheep, lamb and cattle

Relevant Planning Policy

Due to the nature of the application there is no legislative requirement to assess the application against any policies of the Fylde Local Plan to 2032 or other development plan documents. The legislation in the Town and Country Planning (General Permitted Development) (England) Order

2015 (as amended), and the guidance in the NPPF and NPPG are relevant.

Environmental Impact Assessment

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

Comment and Analysis

The application is submitted in accordance with the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – referred to hereafter as the “GPDO” – and, under Schedule 2, Part 3, Class Q, (a) and (b) seeks prior approval to change the use of the application building and its immediate curtilage as shown on drawing no. 201 REV. A to a single dwelling falling within Class C3 of the schedule to the Use Classes Order together with building operations to convert the building.

Scope of considerations:

Part 3, Paragraph W of the GPDO sets out the issues which Local Planning Authorities should take into account when determining prior approval applications submitted under Part 3. Subparagraph (3) indicates that the local planning authority may refuse an application where, in the opinion of the authority—

- (a) the proposed development does not comply with, or*
- (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with,*

any conditions, limitations or restrictions specified in this Part as being applicable to the development in question.

Paragraph W, sub-paragraph (10) sets out the policy context in which decisions on prior approval applications should be made, stating that:

(10) The local planning authority must, when determining an application—

- take into account any representations made to them as a result of any consultation under sub-paragraphs (5) or (6) and any notice given under sub-paragraph (8);*
- have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in February 2019, so far as relevant to the subject matters of the prior approval, as if the application were a planning application; and*
- in relation to the contamination risks on the site—*
 - (i) determine whether, as a result of the proposed change of use, taking into account any proposed mitigation, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990(b), and in doing so have regard to the Contaminated Land Statutory Guidance issued by the Secretary of State for the Environment, Food and Rural Affairs in April 2012(c), and*
 - (ii) if they determine that the site will be contaminated land, refuse to give prior approval.*

In addition to the provisions of paragraph W, and with respect to development under Class Q, the GPDO states that, subject to the criteria set out in Q.1 and the conditions in Q.2, the following is permitted development:

Development consisting of—

*(a) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; or
(b) development referred to in paragraph (a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.*

The submitted application seeks permission for the change of use of the building to a single 'larger' dwellinghouse' together with associated building operations. Accordingly, it seeks prior approval under Class Q(b). The conditions in Q.2 (1) set out the relevant matters to be taken into account in these circumstances, with all the criteria in Q.2 (1) being applicable in this case as follows:

*(a) transport and highways impacts of the development,
(b) noise impacts of the development,
(c) contamination risks on the site,
(d) flooding risks on the site,
(e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, and
(f) the design or external appearance of the building.*

The existing building:

The application is accompanied by a detailed floor and elevation plan together with a structural survey, ecological appraisal and a contamination report. It is the second application of this type for a change of use of this building to a dwelling.

Class Q applications applies to agricultural buildings, the starting point is whether the building is an agricultural building.

The council's records indicate that this building was constructed under a planning permission granted in 1982 as a general-purpose agricultural building for Elswick Lodge Farm. It seems to have been in agricultural use at some stage from the condition of the building.

The planning statement submitted with this application advises '*that the building has been in the applicant's ownership since 2006 and has been used for agricultural purposes in connection with the adjoining agricultural land for the keeping of sheep and cattle and to produce hay. The applicants also keep hens and a mobile hen coop is used on the land*'.

'The applicants understand from documents they received when they purchased the agricultural land and building that agricultural building was erected in 1982 and has been used solely for agricultural purposes to the present day'.

'There are no agricultural tenants on the land at Elswick Lodge Farm. Since it was purchased by the applicants in 2006 the applicants have had an informal agreement with Paul's brother, Mr Andrew Metcalf, to use the land and building at Elswick Lodge Farm in connection with his agricultural business at Out Rawcliffe.'

At the time of the case officer's visit on site in connection with the 19/0826 there was evidence of some agricultural machinery being stored in the building and a single hen in the coop.

Class Q advises that development is not permitted if:

(a) the site was not used solely for an agricultural use as part of an established agricultural unit—

(i) on 20th March 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;

Given the planning history and evidence submitted with the application it is considered that the building has previously been in an agricultural use and so meets this requirement of Class Q.

Extent of building operations permitted:

Subject to the restrictions in Q.1 and the conditions in Q.2, Class Q (b) of the GPDO allows:
“development referred to in paragraph (a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule”.

Subparagraph (i) to Q.1 indicates that development is not permitted where:

the development under Class Q(b) would consist of building operations other than—

(i) the installation or replacement of—

(aa) windows, doors, roofs, or exterior walls, or

(bb) water, drainage, electricity, gas or other services,

to the extent reasonably necessary for the building to function as a dwellinghouse; and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i).

Paragraph 105 of the ‘when is permission required?’ chapter to the NPPG (reference ID 13-105-20180615) provides guidance with respect to the extent of building works permitted under part Q(b), and states that:

“Building works are allowed under the right permitting agricultural buildings to change to residential use: Class Q of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. However, the right assumes that the agricultural building is capable of functioning as a dwelling. The right permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore, it is only where the existing building is already suitable for conversion to residential use

that the building would be considered to have the permitted development right."

Assessment of building works proposed

The application building comprises a steel portal-framed agricultural unit constructed in a combination of concrete panels and fibre cement cladding, in a single skin, under a cement sheet roof and supported by a steel frame with a concrete floor. The building currently has a short section of mezzanine floor spanning the width of the building at one end.

The applicant's structural survey reports on the construction of the building and refers to the building having steel gable posts in the block work which is up to a height of 2 metres with *'corrugated mineral fibre sheeting placed vertically'*.

'The roof is constructed from timber purlins six to each slope. These purlins are supported on the end gable frames and four more steel portal frames equally spaced along the length of the building. The roof is clad with a corrugated mineral fibre sheeting.'

The structural survey comments at *'4.0 Discussion - The intention is to convert this building into a dwelling. The structure of the barn is in a very good condition.'*

The intention is to replace the existing sheeting with a zinc sheeting similar in weight to the existing. Based on the changes made to introduce new inner leaf and partition walls the existing roof structure would be adequate. The steel portal frame and foundations would be able to cater for the proposed changes without any loss of structural integrity.'

The works proposed to convert the building include:

- Formation of window and door openings.
- Removal of existing wall cladding and replacement with cedar cladding.
- Replacement of the existing corrugated fibre sheet roofing with zinc sheeting.
- The formation of two internal garages.

The wall and roof sheeting are not intended to project any further from the existing cladding.

The application building has no openings other than the barn door opening on the south (rear) elevation.

The proposed building measures 22.86 metres by 13.7 metres, if a full first floor was to be provided over the ground floor this would result in a cumulative floor space of 626.36 square metres. Class Q allows for 'larger dwellings of no more than 465 square metres' and so a full first floor would exceed this limit and as a result the proposal involves only a partial first floor which results in a building with a cumulative floor space of 462.89 metres.

The conversion proposes the replacement of all of the external corrugated fibre sheet panels on the elevations with cedar timber cladding and that all the roof sheets are replaced with zinc roof sheeting with the existing plinth panels coated in white render.

An arrangement of window openings are proposed in all elevations with the main barn door opening retained on the rear elevation, together with floor to ceiling glazing at ground and first floor level with a glazed balcony screen at the south west corner. The design of these glazed elements are continued around the side elevation to the west to create a glass corner feature. A large glazed

element is also a feature on the west elevation.

The structural survey concludes that *'the barn is in good structural condition and there is no re-building required to the external wall of the building.'*

However, this is clearly not carried through in the submitted proposal as it is proposed that all of the existing wall cladding is to be replaced, new cladding provided and cavity wall (inner leaf) formed to provide insulation in order for the building to function as a dwelling. The removal of the existing cladding and roof would result in around 75% of the building's existing external surfaces being dismantled, leaving only the steel frame and plinth panels in place. A new inner leaf would then be constructed to create a cavity wall between the retained concrete block plinth which is to be rendered and externally new timber cladding provided to the insulation to form the external walls, with a new zinc roof covering added.

It is considered that the extent of these works would be tantamount to the construction of a new building. The removal of the existing cladding would leave only a skeleton of the steel frame of the existing portal-framed agricultural unit with very little of the existing building being retained as only the concrete plinth remains and this to be over rendered and insulated internally with a new cavity wall. The clear conclusion of this is that the extent of the proposed works is in excess of what could be considered to be 'reasonably necessary' to achieve the proposed change of use to residential use and would, in effect, result in the construction of a new building rather than a 'conversion'.

As such the proposal cannot comply with this fundamental requirement of Class Q and so does not represent permitted development meaning that this application must be refused.

Conditions

In the event that a proposal is assessed to comply with the requirements of Class Q(a) and Class Q(b) there are a series of conditions that require the submission of details to the local planning authority for assessment. These are set out in paragraph Q.2 (1) and cover the matters that are assessed here:

- a) transport and highways impacts of the development – With the site being located alongside the road and this having an existing access point with good visibility it is not envisaged that there will be any adverse implications from the development that is propose in this respect
- b) noise impacts of the development – There will be some road noise at the proposed dwelling, but it is not located in an area where there are other noise generating activities around it, such as within an active farmyard, and so it is not considered that the noise levels are such that they would be harmful to future occupier amenity
- c) contamination risks on the site The application is supported with a Phase I study that identifies the potential risks and the council's Environmental Protection team have raised a series of other areas that they would expect to be followed as part of the development works that are proposed to ensure that the risks to operatives during development and occupiers of the property following development are minimised. These are not considered to be particularly abnormal for a development of this nature and so would be acceptable if the proposed methodology of working, mitigation proposals, and other elements suggested by the EP team were followed.
- d) flooding risks on site – The site is not at an area that is identified as being at a higher flood risk and it is expected that an appropriate surface water and foul water drainage system can be implemented as part of the development.

- e) Whether the location of the building makes it otherwise impractical or undesirable for the building to change to a residential use – the building is remotely located from any settlement being within the countryside and not meeting the requirements of any of the exceptions in Policy GD4 for a residential development in this location (e.g. it is not a minor infill site, it is not proposed for a rural worker, etc), and as such it could be argued that the siting of a residential property is undesirable in this location under the Fylde Local Plan development strategy. However the test required by this condition is whether the siting is considered to relate to the practicalities of the establishment of a residential use in a former agricultural building and so relate to the distance of the site from services, the proximity to on-going agricultural or other commercial activities, or other such logistical restrictions. This is not the case with this building and so it is not considered that a reason for the refusal of this application can be sustained on this basis
- f) The design or external appearance of the building- This is a significant issue with this proposal and is set out in the following section of this report in more detail.

Appearance and design:

Criterion (f) of condition Q.2 (1) allows the LPA to take into account “the design or external appearance of the building” when considering applications under Part 3. The provisions in paragraph W (10) of the GPDO indicate that the NPPF (2019) should form the prevailing policy context for considering matters of design.

Paragraph 127 of the NPPF sets out six broad principles of good design. In particular, criteria a), b) and c) indicate that planning decisions should ensure developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

Paragraph 130 of the NPPF states that:

- d) Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Building operations proposed as part of the development include the addition of several new windows to the building’s elevations in order to allow its conversion to residential use. At present, the building lacks any windows to its external walls and is inherently agricultural in its appearance. A large sliding door exists to the south facing elevation and clear polycarbonate panels allow light into the roof.

The proposal includes the introduction of several large windows to the external walls, including floor-to-ceiling glazing in place of the sliding doors to the southern elevation, and on the west side. A 'wraparound' balcony with a glazed balustrade is proposed to the southwest corner at first floor level. Other openings are smaller and rectangular in shape. The proposed fenestration, having particular regard to the excessive size, coverage, proportions and design of window openings would give the building an overtly suburban appearance which would be incompatible with and unsympathetic to its simplistic, utilitarian agricultural character and rural setting within the countryside. In particular, the floor-to-ceiling glazing to the south and west facing elevations and the wraparound balcony proposed to the southwest corner at first floor level would introduce features

which are incongruous to and fail to integrate with the building's rural vernacular, is not in keeping with the style of neighbouring properties and would not improve the character and quality of the area.

The development is therefore contrary to the requirements of paragraphs 127 and 130 of the National Planning Policy Framework and condition Q.2 (1) (f) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and, accordingly, is not permitted by that Order.

Other Matters

The Parish Council highlight the unattractive appearance of the building and their desire for it to be visually improved to support the 'Elswick In Bloom' programme. They go on to refer to the applicant being keen to support these works with additional planting on land around the building. In considering these comments it is important for Committee members to recognise that this is not a planning application and relates only to the very restricted curtilage of the building which is effectively the building itself and a small strip of around 2m in width around the building and then its access and parking area. The legislation does not allow for any conditions to be imposed on a decision under Class Q and the land that could be landscaped would be outside of the application site anyway as the Class Q legislation strictly limits the extent of curtilage permissible. There is no legal scope for the approval of this application to be linked to any proposals to implement a wider landscaping scheme in the area, although as the planting of trees is not development there would be no reason why the landowner could not do this anyway. It is also the case that the building clearly has an agricultural form and appearance and sits in a landscape where agriculture is the predominant land use. The site is well outside of the settlement boundary with only isolated rural dwellings and other farms around and so its current appearance is not incongruous in that context.

The applicants in their supporting statement have referred to an example for a Class Q conversion in another authority where they believe that a similar submission was made, and was supported by that authority under the same legislation. The statement argues that the approach taken by that authority in that decision reflects the Government's intention with regards to this legislation rather than the unduly negative and unreasonably restrictive approach taken by Fylde officers in refusing the original application for this building. Whilst there are similarities between the cases, the decision on applications under Class Q are to be made by the determining authority based on their interpretation of the legislation. Your officers have assessed this application appropriately and consistently with how other similar proposals have been presented in Fylde. They have also reviewed appeal decisions from elsewhere in the country to establish how other local planning authorities and Inspectors assess the extent and design of works that can satisfy the requirements of Class Q. The result of this is as set out in this report and clearly indicates that a proposal such as this where a steel framed barn will be effectively rebuilt with the replacement of all its external materials, and will be largely redesigned due to the insertion of extensive areas of windows and doors cannot comply with the legislative requirements relating to a conversion of the building. As such this application cannot comply with the legislation in Class Q and should be refused.

Conclusions

The application relates to the change of use of an agricultural building that is located on the very edge of Fylde borough at the junction of Lodge Lane in Elswick with Watery Gate Lane into a dwelling. The building was constructed in around 1982 and is of a steel portal frame construction with cladding to the walls and roof above a concrete panel plinth to all sides.

The application is submitted under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 which allows for the development involved in the change of use of a building and land in its curtilage to a residential use along with the building operations that are reasonably necessary to convert the building to that use. This permitted development right is subject to an application for prior approval which requires the applicant to present details of the works that are proposed to the council, and the council to assess if these works satisfy the requirements of the legislation. As such the assessment to be made is based on the specifics of the legislation and not the wider planning policy implications that would be considered under a planning application for the conversion of a building to an alternative use such as a traditional barn conversion application.

In this case it is considered that the application fails to constitute permitted development for two reasons: the extent of the works required to facilitate the change of use, and the appearance of the resultant building.

Firstly the proposal involves the removal of all elements of the building other its portal frame and the concrete plinth, with the converted building having a new internal wall constructed throughout, new cladding added to all walls with windows and doors added, a new roof, and a rendered treatment applied to the retained concrete plinth. Part Q(b) of this legislation enables 'building operations reasonably necessary to convert the building' to a residential use. However, it is considered that the works proposed are tantamount to the erection of a new building as such a limited extent of the current building will remain, and so the works are beyond those which are 'reasonably necessary' and do not effectively involve a conversion of the existing building. Accordingly, the proposal fails to satisfy this requirement of the legislation and cannot be permitted development.

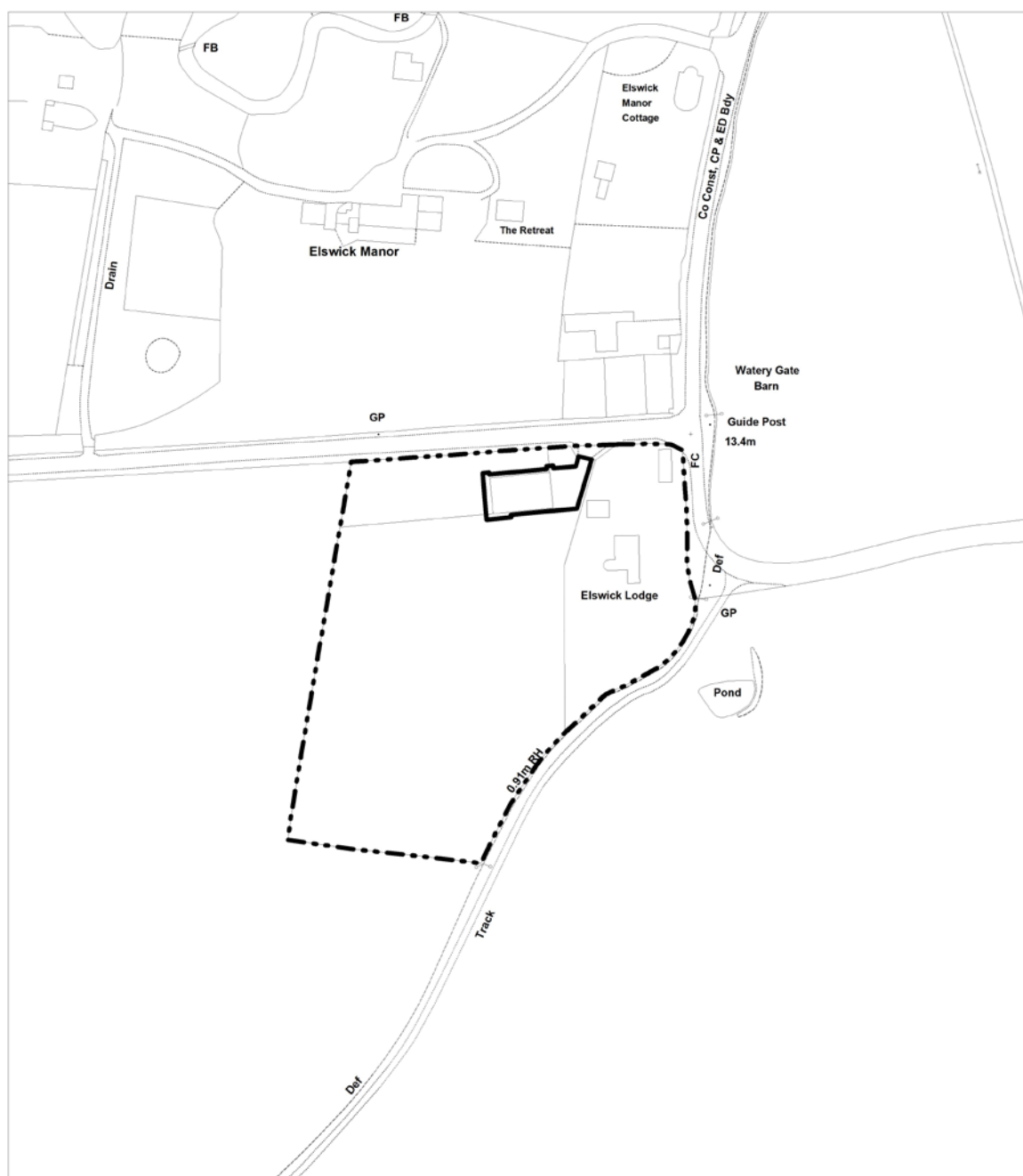
Secondly, the permitted development rights under Class Q are subject to conditions which require an assessment of a limited number of matters relating to the change of use. One of these is the design or external appearance of the building. In this case the building currently has a utilitarian agricultural appearance with blank cladding around all elevations and a simple form. Whilst it is inevitable that a change of use to a residential dwelling will require the insertion of windows and some other alterations to the building, the complete replacement of all external treatments to the building, the insertion of an extensive areas of floor to ceiling windows on all elevations, and the entirely glazed open corner balcony will result in an overtly modern building that fails to respect either the current building or the rural character of the area within which it is situated. As such it is considered that that the submission fails to satisfy the requirements of this condition and does not represent permitted development as a result.


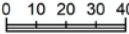
It is noted that the Parish Council wish to see some wider landscape improvements in the area and see the approval of this building as a method of assisting with the delivery of these, but this would be beyond the scope of an application of this nature and so cannot form part of the council's decision on this matter. Given the assessment of the matters that are capable of assessment under Class Q it is considered that the proposed development is in conflict with Schedule 2, Part 3, Class Q (b), Q.1 (i) and Q.2 (1) (f) of the Town and Country Planning (General Permitted Development) (England) Order 2015. As such it is not permitted development and the application is to be refused.

Recommendation

That Prior Approval be REFUSED for the following reasons:

1. The application relates to a portal-framed agricultural building with external walls comprising a mix of corrugated mineral fibre sheeting above a shallow concrete plinth. The building's roof is also constructed of similar corrugated fibre sheeting. The existing building is unsuitable for conversion to residential use and is incapable of functioning as a dwelling without the need for extensive works of dismantling and substantial reconstruction. In particular, the overwhelming majority (in excess of 75%) of the building's existing external surfaces (including all the sections of its external walls above the shallow concrete plinth and the whole of its roof) would be dismantled and replaced. In addition, a new blockwork inner leaf would need to be constructed around the existing steel frame to form a cavity wall to all four elevations in order to insulate the dwelling. The extent of building operations required to allow the existing portal-framed agricultural unit to function as a dwelling are tantamount to the construction of a new dwelling around the steel frame of the current building and are far in excess of what could be considered "reasonably necessary" to allow its conversion to residential use. Therefore, the proposed development is in conflict with the provisions of Class Q. (b) and the limitation in paragraph Q.1 (i) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Accordingly, the proposed development is not permitted by that Order.
2. The building operations proposed as part of the development, having particular regard to the excessive size, coverage, proportions and design of window openings would give the building an overtly suburban appearance which would be incompatible with and unsympathetic to its simplistic, agricultural character, neighbouring dwellings and rural setting within the countryside. In particular, the floor-to-ceiling glazing to the south and west facing elevations and the wraparound balcony proposed to the southwest corner at first floor level would introduce features which are incongruous to and fail to integrate with the building's rural vernacular and would not improve the character and quality of the area. The development is therefore contrary to the requirements of paragraphs 127 and 130 of the National Planning Policy Framework and condition Q.2 (1) (f) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and, accordingly, is not permitted by that Order.



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Application No. 5/20/0063	Address Elswick Lodge, Lodge Lane, Elswick	Grid Ref. E.3435 : N.4384	Scale 0 10 20 30 40 m 

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	18 MARCH 2020	5
LIST OF APPEALS DECIDED			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

The council received decision on the following appeals between 1 February 2020 and 6 March 2020.

SOURCE OF INFORMATION

Development Services

INFORMATION

List of Appeals Decided attached.

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform members that no appeals that have been decided during the period.

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473

Appeal Decisions

The council received decision on the following appeals between 1 February 2020 and 6 March 2020. The decision letters are attached as appendices to this report.

Rec No: 1

14 October 2019	19/0428	LAND ADJ TO MILE ROAD, THISTLETON	Written
		ERECTION OF AGRICULTURAL STORAGE BUILDING	Representations
			Case Officer: AP

Fylde Dec. Level DEL

Appeal Decision: Allowed: 10 February 2020

Rec No: 2

05 December 2019	19/0772	LAND ADJ, WINDMILL FARM, BACK LANE, WEETON	Written
		WITH PREESE, PRESTON, PR4 3HS	Representations
		APPLICATION FOR PERMISSION IN PRINCIPLE RELATING TO ERECTION OF 1 NO. DETACHED DWELLING HOUSE.	Case Officer: RT

Fylde Dec. Level DEL

Appeal Decision: Dismiss: 19 February 2020



Appeal Decision

Site visit made on 10 December 2019

by R Cooper BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th February 2020

Appeal Ref: APP/M2325/W/19/3237814

Land south of Mile Road, Greenhalgh, Greenhalgh with Thistleton PR4 3YA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Edward Ashton against the decision of Fylde Borough Council.
 - The application Ref 19/0428, dated 24 May 2019, was refused by notice dated 14 August 2019.
 - The development proposed is the erection of an agricultural storage building.
-

Decision

1. The appeal is allowed, and planning permission is granted for the erection of an agricultural storage building at land south of Mile Road, Greenhalgh, Greenhalgh with Thistleton PR4 3YA in accordance with the terms of the application, Ref 19/0428, dated 24 May 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following plans: Location plan – Scale 1:2500 and Drawing no. ML/EA/5824.
 - 3) The development shall be carried out in accordance with the recommendations in the ecology report (envirotech, Ref 4732, dated 25 July 2018).

Main Issues

2. The main issues are whether the appeal site is a suitable location for the proposed development, having regard to the Council's policies for the distribution of development in the countryside; and the effect of the proposed development on the character and appearance of the area.

Reasons

Location of Development

3. The appeal site is located within the countryside. Policy GD4 of the Fylde Local Plan to 2032 (the Local Plan) allows for certain types of development, which are considered to be acceptable in countryside locations. The policy, among other things, supports development needed for purposes of agriculture, horticulture or forestry.

4. The appellant's statement explains that the appeal site forms part of 3.6 hectares of agricultural grassland, and that the land previously formed part of a larger agricultural holding known as Summerer Farm. The appellant's proposal is to continue the agricultural use of the land, and to utilise the building for the storage of agricultural machinery, equipment and hay produced from the associated land.
5. I have considered local resident's and the Council's concerns in relation to the need for a building of this size, that the appellant has failed to demonstrate it is needed for the purposes of agriculture, and whether it is a commercially viable agricultural enterprise, and that the building could be re-utilised for an unsuitable use if the agricultural enterprise fails. However, these are not specific requirements of Policy GD4 of the Local Plan or the guidance provided in paragraph 83 of the National Planning Policy Framework (the Framework). Indeed, the above policies support the development and diversification of agricultural and other land-based rural businesses to support a prosperous rural economy.
6. I have considered the financial information provided by the appellant, and the Council's concerns in relation to the level of detail, and the profits estimated in the business plan. However, even I accept the limitations highlighted by the Council, the additional information does go beyond what is reasonably required by the relevant policies. Furthermore, its preparation by the appellant demonstrates that he has considered the running costs of the proposal, supporting his intentions to use the building for agriculture. I also note that the evidence suggests that there are no existing buildings associated with the appellant's land to support the agricultural use.
7. Based on the evidence before me the proposal would be consistent with this approach of supporting the rural economy. I am satisfied that the proposed agricultural storage building accords with Policy GD4 of the Local Plan and paragraph 83 of the Framework, and that there are no other material considerations in this particular case that indicate that the plan should not be followed. I have considered the High Court decision¹ referred to by the Council, however this does not alter my findings in relation to the proposal's consistency with the Local Plan and the Framework.
8. Therefore, the proposed countryside location of the agricultural building is considered to be acceptable. The development accords with Policy GD4, which amongst other things, limits new development in the countryside to that for purposes of agriculture, horticulture or forestry. Furthermore, the proposal is also consistent with paragraph 83 of the Framework which supports development that contributes to a prosperous rural economy.

Character and Appearance

9. The appeal site is located within an existing agricultural field. The field is bounded along all sides by mature hedgerow, with a pond located to the southeast of the site. The proposed building would be functional in design and appearance. The elevations would be constructed in blockwork to the lower levels, with timber boarding to the upper levels. The overall building would have an agricultural character and appearance, typical of its countryside location.

¹ Broughton v SSE [1992] JPL 550

10. The building would be positioned near the existing field access off Mile Road, its entrance doors facing towards the road. Due to its scale, location, and the flat topography of surrounding land, the building would be prominent to passers-by, travelling in both directions along Mile Road (B5269) and from a greater distance along Fleetwood Road (Fleetwood Road). However, the lower levels would be screened offsite by the existing hedgerow, and the timber upper elevations would provide a natural finish that would be sympathetic to the surrounding rural landscape. I am satisfied that the agricultural design and appearance would respect the site's countryside setting.
11. Therefore, I conclude that the proposed building would have regard to its countryside location and would not cause harm to the character and appearance of the area. The proposal accords with Policy GD7 of the Local Plan which seeks to ensure development is of high quality design that responds positively to its context and setting. The proposal is also consistent with paragraphs 84, 127, 130 and 170 of the Framework which support rural development that is sensitive to its surroundings, and sympathetic to local character.

Conditions

12. The Council have suggested planning conditions in the event of this appeal being allowed. I also have considered the use of planning conditions following the guidance set out in the Planning Practice Guidance and the Framework. In addition to the standard time limit condition, I have included a condition that specifies approved drawings to provide certainty. I have not imposed a separate condition for materials, as these are shown on the approved drawings. I have also included a condition that the development is carried out in accordance with the recommendations of the ecology report to prevent risk to protected species.

Other Matters

13. There are three ponds within 250m of the appeal site, and the appellant has submitted a Great Crested Newt survey report (envirotech, Ref 4732, dated 25 July 2018). The report concludes that the risk to Great Crested Newts at the site is low. Recommendations are made to further reduce the risk to amphibians. The Council and its ecology advisor (Greater Manchester Ecology Unit) have accepted these findings. Based on this evidence I am satisfied that the measures proposed would prevent harm to protected species, and the proposal accords with Policy ENV2 of the Local Plan.
14. I understand concerns have been raised by a local resident in relation to another temporary building, used for motorcycle club events. These do not form part of the proposals before me, and therefore do not affect my findings.
15. A local resident raised concerns that the planning application did not identify the location of the building. Details of the buildings location and appearance have been provided with the appeal, and from the information before me, I am satisfied that the necessary public consultation has been carried out.
16. I have considered the concerns raised in relation to the provision of services such as electricity, water, foul sewerage and drainage, and it is reasonable to expect that certain services may be required. However, I note from the application form that the appellant does not intend to connect to the existing

drainage system. Should any new separate systems be required in the future these may require planning permission. This does not alter my findings on the main issues above.

Conclusion

17. For the reasons given above, the appeal is allowed.

R Cooper

INSPECTOR

Appeal Decision

Site visit made on 28 January 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 19th February 2020

Appeal Ref: APP/M2325/W/19/3241054

Land adjacent to Windmill Farm, Back Lane, Weeton, Lancashire PR4 3HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Nigel Bennett against the decision of Fylde Borough Council.
 - The application Ref 19/0772, dated 20 September 2019, was refused by notice dated 28 October 2019.
 - The development proposed is planning in principle application for 1 no dwelling.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. As explained in the Planning Practice Guidance (the PPG), the Town and Country Planning (Permission in Principle) (Amendment) Order 2017 (the Order) is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for the proposed development from the technical detail. The scope of the first stage, that is to establish whether a site is suitable in principle for development, is limited to location, land use and amount of development.

Main Issues

3. The main issues in this appeal are:
 - i) Whether the appeal site is in a suitable location for new residential development, having regard to local and national planning policy for the delivery of housing; and
 - ii) The effect of the proposal on the character and appearance of the area.

Reasons

Whether or not the location is suitable for new residential development

4. The appeal site includes the site of a former windmill and part of an agricultural field between Windmill Farm and Weatheroak Farm. It is in the countryside. Back Lane is a typically narrow rural road, largely enclosed by mature hedgerows and with no footway or street lighting. There is sporadic and widely spaced built development along the road, including detached dwellings in large plots and groups of functionally related buildings such as farmsteads.

5. Policy DLF1 of the Fylde Local Plan to 2032 Adopted October 2018 (the LP) sets out the Council's locational strategy for new development. It is based on the hierarchy of settlements and it aims to focus development in the more accessible locations that have a good range of services and facilities. Away from the identified settlements, small housing sites may be supported provided they accord with other policies in the LP, including Policy GD4 which sets out the types of development that may be acceptable in the countryside.
6. The appeal site is not in an identified settlement. Moreover, the proposal would not meet any of the listed criteria for housing in the countryside, with the possible exception of minor infill development.
7. Although minor infill is not defined in the LP, the Council considers that it would be of a scale and use that does not have a material impact on the rural character of the area. Furthermore, in the absence of a specific interpretation of the meaning of infill in the LP, a recent appeal decision (ref APP/M2325/W/19/2119376) relating to minor infill development referred to the normal interpretation of infill, for the purposes of planning, as being a gap in an otherwise built up frontage. On this basis, I will go on to consider whether the appeal site constitutes a modest gap between buildings in a built up frontage.
8. There is a dog kennel building within the grounds of Weatheroak Farm in close proximity to the appeal site. However, the long road frontage of that property is formed from a dense mature hedgerow which screens the buildings from view. To the other side of the appeal site, the buildings at Windmill Farm are widely separated from the site by the garden of that property, which is predominantly comprised of lawns with scattered trees and mature hedgerows, including to the road frontage. The appeal site is separated from the road by a post and rail fence with an agricultural gate and it is clearly separated from the adjacent garden by a mature hedgerow. While there is a pedestrian gate in the hedgerow that allows access from the garden, the appeal site does not appear to form functional domestic outdoor space. As a result, the site is not visually or functionally well-related to the garden or, by implication, the buildings at Windmill Farm.
9. Furthermore, the 2 properties to either side are physically, functionally and visually separated from one another by the wide green gap that includes the appeal site and the garden of Windmill Farm. There are no properties on the other side of Weatheroak Farm from the appeal site. Windmill Farm is widely separated from the next nearest neighbouring property by agricultural land. Consequently, by virtue of the sparsely developed and traditional rural appearance of the countryside, including the characteristically rural boundary treatments, the appeal site is not a modest gap between buildings and it does not form part of a built up frontage. Therefore, although only one dwelling is proposed, it would not be minor infill for the purposes of the development plan.
10. The proposal would not be an isolated dwelling in the countryside, which the National Planning Policy Framework (the Framework) seeks to avoid. However, it would be remote from local services and facilities. In this respect, the site is approximately 800m from Weeton, which is a smaller rural settlement and it would be approximately 3.5km away from Wesham, which is the closest Local Service Centre.

11. The distances involved are further than could be considered a short or convenient walk. Moreover, the narrow road and the absence of footways and street lighting would not be conducive to walking. While the distances would be manageable by bicycle, the site is nevertheless not particularly accessible by sustainable modes of transport. The need to travel would not be minimised in this location and future occupiers would be heavily reliant on private car journeys to meet their reasonable daily needs. Notwithstanding provision in the development plan for smaller sites not allocated in the plan to come forward, it nevertheless seems likely that there would be more suitable locations elsewhere where housing growth could be delivered.
12. Therefore, the proposal would not be minor infill development and the appeal site is not in a suitable location for new residential development. It would conflict with the policies in the development plan, including Policies DLF1, S1 and GD4 of the LP. These require development to be located in accordance with the hierarchy of settlements and, outside of the settlements, to meet certain listed criteria. It would also conflict with the rural development aims of the Framework.

Character and appearance

13. Back Lane is a narrow rural road in the countryside. It is sparsely and sporadically developed with detached dwellings set in generous mature grounds and building complexes including farmhouses and barns. Built development is widely separated by open agricultural land with long views of the open countryside beyond the road. Consequently, the area has a traditional rural character and appearance.
14. Within the appeal site, the remains of the former windmill are visible. However, they are overgrown and they have been assimilated into the landscape. Consequently, in combination with the garden of Windmill Farm, the appeal site contributes to the appearance of an undeveloped gap between the properties to either side. In this respect, the site reinforces the distinctive pattern of development and it makes a positive contribution to the character and appearance of the countryside.
15. The appeal relates to a permission in principle application and the technical details would therefore be dealt with at a later stage. Nevertheless, and irrespective of the appearance of the dwelling, the proposal would increase the quantum of built development. It would also erode the characteristic spacing and traditional open pattern of development in the area. Moreover, by virtue of its elevated position on a brow in the road, a new dwelling in this location would be visually prominent. The increase in the hard built environment and the loss of the undeveloped gap would have an urbanising effect that would not relate well to the traditional rural surroundings.
16. Therefore, the proposal would result in significant harm to the rural character and appearance of the countryside. It would conflict with Policies GD4 f), GD7 and ENV1 of the LP. These require, among other things, that development in the countryside is appropriate to the rural character of the area, having regard to visual impact and landscape context, and making a positive contribution to local distinctiveness. It would also conflict with policies in the Framework that relate to the intrinsic character and beauty of the countryside.

Other Matters

17. Weatheroak Farm operates a commercial dog boarding and day care facility and I have therefore had regard to the concerns of interested parties in this respect. Given the close proximity of the kennel building to the appeal site, it seems likely that the noise of barking dogs would be detrimental to the living conditions of future occupiers. Consequently, future occupation of the proposed dwelling would be likely to result in noise complaints, thereby placing an unreasonable burden on the neighbouring business.
18. The proposal would be likely to result in harm to non-designated heritage assets, including the surface and buried remains of the former Weeton windmill and any earlier mills or buildings. The Framework advises that effects on the significance of non-designated heritage assets should be taken into account in decision-making, having regard to the scale of any harm or loss and the significance of the asset.
19. However, the PPG is clear that the permission in principle consent route is a 2 stage process that separates the consideration of matters of principle from the technical details. Therefore, potential impacts on matters including living conditions, neighbouring businesses and non-designated heritage assets do not fall within the scope of consideration at this first stage. Accordingly, I have not taken them into account in reaching my decision.

Planning Balance

20. Paragraph 11 d) of the Framework sets out that permission should be granted where the policies which are most important for determining the application are out-of-date, including situations where the council cannot demonstrate a five year supply of deliverable housing sites (5YHLS). In this case, there is evidence before me that the Council is able to demonstrate in excess of a 5YHLS and therefore the provisions of paragraph 11 d) do not apply.
21. One dwelling would make a minimal contribution to the supply of housing. There would be minimal economic benefits, primarily in the short-term during the construction phase. The social benefits would be severely limited by the inaccessible location, and the reliance of future occupiers on private car journeys. The appeal site is not in a suitable location for new residential development and there would be harm as result of the conflict with the Council's locational development strategy. The proposal would result in harm to the character and appearance of the countryside. These harms would outweigh the very limited economic and social benefits of the proposal.

Conclusion

22. I have found that the proposal would conflict with the development plan and there are no other considerations that would outweigh that conflict. For this reason, the appeal should therefore be dismissed.

Sarah Manchester

INSPECTOR