



Planning Committee Supplement

Wyre Borough Council
Please ask for: George Ratcliffe
Assistant Democratic Services Officer
Tel: 01253 887608

Planning Committee meeting on Wednesday, 10 January 2024 at 2.00 pm in the Council Chamber - Civic Centre, Poulton-le-Fylde

- (a) Application 1 - 1 Sarahs Fold Stalmine-with-staynall (Pages 3 - 4)
23/00627/FUL
Construction of new driveway and vehicular access with dropped kerb onto Smithy Lane.
- (b) Application 2 - Land Off Lambs Road And Raikes Road (Pages 5 - 10)
Thornton Cleveleys 22/00780/FULMAJ
Proposed erection of 40 dwellings with associated landscaping, car parking and infrastructure works (Phase 3(c)).
- (c) Application 3 - Layby At Woodfold Lane Cabus (Pages 11 - 12)
23/00941/FUL
Proposed re-siting of a shipping container to use as short stay café.

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PLANNING COMMITTEE UPDATE SHEET

COMMITTEE DATE: 10 January 2024

APPLICATION NO.	TEAM LEADER	ITEM NO.	PAGE NOS.
23/00627/FUL	Karl Glover	01	13-20

Revised National Planning Policy Framework (NPPF)

On the 19th December 2023 the Department for Levelling Up, Housing and Communities published a revised National Planning Policy Framework in response to the Levelling-up and Regeneration Bill: reforms to national planning policy consultation. The revised NPPF sets out the governments planning policies for England and how these are expected to be applied. The NPPF was revised following the publication the Planning Committee Agenda and as such a number of amendments to the report are to be updated. These amendments are set out below and are highlighted in bold

Paragraph 5.2.1 is to be amended to read:

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on **19th December 2023**. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2023 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

Paragraph 5.2.2 is to be amended to read:

5.2.2 The following sections / policies set out within the NPPF are of most relevance:

- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well-designed **and beautiful** places

Paragraph 9.5.2 is to be amended to read:

9.5.2 The applicant has identified a previous planning consent at Carr End Lane where the Highway Engineer has in the past accepted substandard visibility splays. However, this related to alterations to an existing access where on street parking was limited and the alterations led to an overall highway improvement over that which existed. Whereas the current proposal is for a new vehicle access which would be served by substandard visibility splays with no scope for improvement, and where the property already benefits from private parking at the rear on Sarah's Fold, in addition to on-street parking at the front on Smithy Lane. **Section 9 Paragraph 115** of the NPPF states that development should only be refused on highway grounds if there would be an unacceptable impact to highway safety. In this case, the proposal has been assessed to represent an unacceptable risk to highway

safety due to the lack of acceptable visibility splays and would therefore be contrary Policy CDMP6 of the Wyre Local Plan (2011-2031).

Officer Response:

Officers consider that amendments highlighted above do not have any material consequences for the assessment of the proposal

Amendment to Report and Reason for Refusal

Since the publication of the planning committee agenda it has transpired that reference to an incorrect Local Plan Policy has been listed within the body of the report and also within the reason for refusal. As such any reference to Policy CDMP1 is to be omitted from paragraphs 9.5.2 and 10.1. The reason for refusal is to be amended to read as follows:

The proposed vehicle crossing cannot provide a safe means of access to the site as the visibility splays shown on the submitted plan (Dwg No: LF/ME/3019) cannot be achieved at the required 2.4m x 25m and therefore the proposed vehicular access would result in poor visibility for drivers of vehicles leaving the property. This would be hazardous to other road users, and therefore the vehicles that would utilise the proposed access would pose an unacceptable risk to road safety on this section of Smithy Lane. The proposal is therefore contrary to Policy CDMP6 of the adopted Wyre Borough Local Plan (2011-2031) along with the provisions of the NPPF.

Officer Response:

Policy CDMP1 has been incorrectly referred to within the report and does not relate to highway safety impacts. The omission of this policy from the sections of the report as highlighted above and the reason for refusal does not have any material consequences to the assessment of the application.

PLANNING COMMITTEE UPDATE SHEET

COMMITTEE DATE: 10 January 2024

APPLICATION NO.	TEAM LEADER	ITEM NO.	PAGE NOS.
22/00780/FULMAJ	Karl Glover	02	21-50

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Paragraph 5.2.2 is to be amended to read:

5.2.2 The following sections / policies set out within the NPPF are of most relevance:

- Chapter 2 - Achieving sustainable development
- Chapter 4 - Decision-making
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 6 - Building a strong, competitive economy
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 - Promoting sustainable transport
- Chapter 12 - Achieving well-designed **and beautiful places**
- Chapter 15 - Conserving and enhancing the natural environment

Paragraph 9.46 is to be amended to read:

9.46 The improvements to the structural landscaping on the site will lead to biodiversity enhancement of the area, providing that landscape features are properly protected and managed. Overall the proposed development complies with the parameters of the masterplan and satisfies KDC5 of the site allocation

SA1/2 and also accords with **paragraphs 180 - 183** of the NPPF and Policy CDMP4 of the WLP31.

Officer Response:

Officers consider that amendments highlighted above do not have any material consequences for the assessment of the proposal

Additional Consultation Responses

LANCASHIRE COUNTY COUNCIL (ARCHAEOLOGY)

Since the publication of the Planning Committee agenda Lancashire County Council (LCC) Archaeology have provided a consultation response to the application raising no objection to the application subject to conditions and advisory notes.

LCC Archaeology have advised that the site has some potential for the preservation of buried remains related to settlement shown on the early 18th and early 19th century mapping along the western side of Raikes Road. As such it is recommended that initial stripping and excavation works in the eastern half of the site are subject to formal archaeological monitoring with appropriate recording of any remains encountered.

Officer Response:

Based on the observations received an additional condition relating to archaeological monitoring and recording works is to be attached as follows:

(Additional) Condition 26

No excavation or ground disturbance works on the application site, including any required for clearance/demolition, site preparation, compounds, services, landscaping, etc. shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological monitoring and recording works, to the standards and guidance set out by the Chartered Institute for Archaeologists as an integral part of the groundworks required for the development. This watching brief must be carried out by an appropriately qualified and experienced professional contractor and in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority and shall include a contingency plan for the unexpected discovery of significant remains. These works shall result in the compilation and deposition of a formal report on the works undertaken and the results obtained. The development shall be carried out in accordance with the agreed details.

Reason: Such a programme of archaeological work and investigation was not submitted with the application but is necessary prior to the commencement of development to ensure that any archaeological remains at the site are recorded and to ensure that there is an understanding of the significance of the heritage asset before it is lost, in accordance with policy CDMP5 of the Wyre Local Plan (2011-31) and Section 16 of the NPPF. The condition is required to be approved prior to commencement of development to ensure full

details are provided, that have not been forthcoming with the application, providing a true and accurate record which would not be possible after development.

LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY)

Since the publication of the planning committee agenda the agent has provided additional information to address the objection from the LLFA in relation to the submitted drainage strategy. The LLFA have responded advising that their comments remain unchanged as the drainage strategy fails to address highway drainage matters.

Officer Response:

Officers are satisfied that based on the observations from the Councils Drainage Engineer that all technical details and matters relating to highway drainage along with details of management and maintenance of the drainage system can be required to be provided and are adequately covered within both conditions 13 and 14 as set out within the committee report. These details would be required to be submitted prior to development and would be assessed in consultation with statutory and non-statutory consultees.

Additional Public Representations

Since the publication of the Planning Committee agenda 2 additional letters of objection has been received.

The objections raises concerns about the collective reports being out of date due to the amount of development works being undertaken and traffic alterations. Concerns have also been raised that no Archaeological Surveys have been undertaken given the amount of historic data within Raikes area. Concerns have also been raised with regard to the impacts upon the capacity of the A585 Skippool Junction and that this application will add to the existing problems.

Officer Response:

All of the supporting assessments and documents have been considered and assessed by statutory consultees who have raised no objections or concerns in relation to the timeframe the surveys have been undertaken and as such there is no requirement for updated survey to be requested or provided. As highlighted above LCC Archaeology have provided a consultation response and requested a pre commencement condition in relation to Archaeology. As set out in paragraph 6.4.1 of the report LCC Highways have advised that they do not believe that the proposed development will have a significant impact upon highway safety, capacity or amenity in the immediate vicinity of the site.

Amendment to House Type and Plans

Since the publication of the Planning Committee agenda the agent has substituted the three storey 4 bed Wentworth House Type (Drawing Number F250-01) for Plots 19 and 20 with a two storey 3 bed Tudor House type (Drawing Number F213-01R Rev C).

Officer Response:

The replacement house type for plots 19-20 is considered to be an improvement as to that previously proposed. Given the overall scale and height of the Wentworth House type it had potential to impact upon the residential amenity of the properties which back on to the site from Raikes Road in terms of overlooking and unacceptable impacts arising from bulk and massing. The replacement with the two storey Tudor House type is seen to be a significant improvement and will not result in any harm upon residential amenity of neighbouring properties.

Amendment to conditions

As a consequence of the amendment to the house type set out above a full set of revised plans has been submitted to reflect the changes made. As such amendments to the conditions listed in the committee report are required. These amendments are set out below and are highlighted in bold.

Condition 2 (Approved Plans)

The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 02.08.2022 including the following plans/documents:

Location Plan - BH-04377-001
Location Plan - BH-04377-002
Proposed Site layout Plan - BH-04377-005 **Rev H**
Proposed Site Plan - BH-04377-006 **Rev G**
Proposed Boundary Treatment Plan - BH-04377-007 **Rev F**
Proposed Materials Plan - BH-04377-008 **Rev F**
Tree Removal Plan - BH-04377-009 **Rev F**
Tree Protection Plan - BH-04377-010 **Rev F**
Proposed Hard Landscaping Plan - BH-04377-011 **Rev G**
Proposed Open Space Plan - BH-04377-012 **Rev F**
Proposed Levels and Services Plan - BH-04377-013 **Rev F**
Topographical Survey - BH-04377-014 Rev A
Committee Site Plan - BH-04377-015 **Rev C**
Proposed Solar Panel Layout Plan - BH-04377-016 **Rev B**

House Types

2 Bed S Semi House Type Plan - BH-04377-A-03
3 Bed Semi House Type Plan - BH-04377-A-04
2 Bed Terrace House Type Plans -BH-04377-A-08
2 Bed Terrace House Type Elevations -BH-04377-A-09
Garage Plans - BH-GAR-001 Rev A
Buckingham House Type Plan - F220-01
Fairhaven House Type Plan - F212-01
Hampton House Type Plan - F223-01
Kempton House Type Plan - F32-01
Mere House Type Plan - F31-01

Thornton House Type Plan - F30-01
Tudor House Type Plan – F231-01R_Rev C
Tudor House Type Plan – F231-01B_Rev B

The development shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

Condition 7 (Parking and Turning Provision)

No dwelling hereby approved shall be first occupied until the parking / turning area shown on the approved Proposed Site layout Plan - **BH-04377-005 Rev H**, as relating to that dwelling has been laid out, surfaced and drained. The parking / turning areas shall thereafter be retained and maintained and not used for any purpose other than for the parking and manoeuvring of vehicles without express planning consent from the local planning authority first being obtained.

Reason: To ensure that adequate off road parking is provided and retained to serve the development in the interests of highway safety and in accordance with the provisions of Policy CDMP6 of the Wyre Local Plan (2011-31).

Condition 11 (Boundary Treatments)

The approved boundary treatments (as shown on Proposed Boundary Treatment Plan - BH-04377-007 **Rev F**) shall be completed prior to first occupation of the respective dwelling(s). The approved details shall thereafter be maintained and retained in accordance with the approved details.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants / neighbours in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

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- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 - Promoting sustainable transport
- Chapter 12 - Achieving well-designed and **beautiful** places
- Chapter 15 - Conserving and enhancing the natural environment

Paragraph 9.6 is to be amended to read:

9.6 Whilst it is noted that the proposals do not accord with the provisions of the Local Plan given its countryside location, **Para. 88** of the NPPF states that decisions should, amongst other things, enable the sustainable growth and expansion of all types of rural business in rural areas, both through conversion of existing buildings and well-designed new buildings. **Para. 89** of the NPPF states that decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent

to or beyond existing settlements. However, as detailed above, it is not considered that the proposal results in an expansion or growth of an existing business and simply relocates an existing business from one area to another which would fail to enhance the rural economy.

Officer Response:

Officers consider that amendments highlighted above do not have any material consequences for the assessment of the proposal