



Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 6 January 2021 at the Council Chamber - Civic Centre and via WebEx.

Planning Committee members present:

Councillors Moon, Ballard, I Amos, R Amos, Lady D Atkins, George, Catterall, Le Marinel, Orme, Raynor, Stirzaker and D Walmsley

Apologies for absence:

Councillor(s) Holden and Ingham

Other councillors present:

Councillors Kay, McKay, A Vincent and Henderson

Officers present:

Emma Keany, Democratic Services Officer
Marianne Unwin, Assistant Democratic Services Officer
David Thow, Head of Planning Services
Lyndsey Hayes, Planning Development Manager
Carmel White, Solicitor

Members of the public were able to view the meeting via YouTube live stream.

PA.24 Declarations of interest

None.

PA.25 Confirmation of minutes

The minutes of the Planning Committee meeting held on Wednesday 2 December 2020 were confirmed as a correct record.

PA.26 Tree Preservation Order No10 of 2020

The Corporate Director Environment, Mark Billington, submitted a report to the Committee, to consider the objections and determine whether to confirm the making of Wyre Borough Council Tree Preservation Order No 10 of 2020, at land at 8 Rivers View Fold, Lower Dolphinholme, LA2 9SH.

Members considered the matter with the use of photos taken by the Tree and

Woodland Officer, Ryan Arrell.

It was proposed by Councillor Orme, seconded by Councillor Ballard and a decision was taken the Wyre Council Tree Preservation Order No 10 of 2020 be **confirmed**, as per the recommendation.

PA.27 Tree Preservation Order No11 of 2020

The Corporate Director Environment, Mark Billington, submitted a report to the Committee, to consider the objections and determine whether to confirm the making of Wyre Borough Council Tree Preservation Order No 11 of 2020, at 4 Victoria Road, Poulton-le-Fylde, FY6 7JA.

Members considered the matter with the use of photos taken by the Tree and Woodland Officer, Ryan Arrell.

Following a series of questions from Members, answered by the Tree and Woodland Officer, it was proposed by Councillor Orme, seconded by Councillor R Amos and a decision was made that the Wyre Council Tree Preservation Order No 11 of 2020 be **confirmed**, as per the recommendation.

PA.28 Appeals

The Committee noted the Schedule of Appeals lodged and decided between 14 November 2020 – 14 December 2020 as set out on pages 33 – 42 of the agenda. Any Member requiring any further details or clarification on any appeal should contact the relevant Case Officer.

PA.29 Planning applications

The Head of Planning Services submitted five reports to be considered, which the Committee agreed to hear.

PA.30 Application A- Land South Of Blackpool Road, Poulton-Le-Fylde (19/00615/OULMAJ)

The application was brought before the Planning Committee for determination having been deferred by the Committee on 2 December 2020 for more information on traffic and transport issues and so that more consideration by the applicant and Lancashire County Highways can be given about what highway mitigation is actually being proposed including the Blackpool Road/Blackpool Old Road junction and how this would feed into the wider highway improvements planned for the allocated (Poulton) sites.

The application was brought back before committee with the additional information presented in the report.

As the Committee had visited the site previously and due to the current COVID-19 Government restrictions a site visit did not take place on this

occasion. However, site photos and plans were displayed by the Development Manager to familiarise Members of the site and its surroundings.

An update sheet with additional information was published on the council's website, this information only having become available after the original agenda was published. The Committee considered the update sheet, which included a clarification of Paragraph 1.3 and an update from Lancashire County Council Education department. The update sheet also included additional information on a Call-in request to the Secretary of State.

Alf Clempson, the Lancashire County Councillor for Poulton-Le-Fylde spoke in objection to the application.

Ben Wallace, MP for Wyre and Preston North, submitted a letter of objection to the application to the Committee. This was read out by the Chairman to the Members.

Councillor McKay, Wyre Borough Councillor for Tithebarn, spoke in opposition to the application and expressed a desire for a further deferral.

The County Councillor for Cleveleys South and Carleton, Alan Vincent, spoke in opposition to the application and expressed that the application should be deferred again or refused.

The agent, Alexis De Pol, addressed the meeting speaking in support of the application.

A representative of the applicant, Aaron Tilley, spoke in support of the application and responded to questions, specifically surrounding highways, posed by Members.

A discussion took place where Members considered the information on traffic and highways issues, however some members indicated that they had not received enough information on this matter.

Following further deliberation, on being put to vote the motion to approve the application, as per the Officer's recommendation, was **lost**.

It was proposed by Councillor Orme, seconded by Councillor Le Marinel, and a decision was taken that the application be **deferred** and brought back to Planning Committee, under the provisions of Town and County Planning Act 1990, following receipt of confirmation by the Secretary of State as to whether or not he wished to call-in the application for his determination.

Items 7B and 7C were debated together as they were applications relating to one development on two adjoining sites, however, voted on separately.

The application was brought before the Planning Committee for consideration having been deferred by the Committee on 2 December 2020 due to concerns over the two storey properties on the western boundary adjacent to St. Peter's C of E School and for clarifications.

The application was brought back before the Committee following the receipt of amended plans.

As the Committee had visited the site previously and due to the current COVID-19 Government restrictions a site visit did not take place on this occasion. However, site photos and plans were displayed by the Development Manager to familiarise Members of the site and its surroundings.

An update sheet with additional information was published on the council's website, this information only having become available after the original agenda was published. The Committee considered the update sheet, which included additional representations of objection to the application.

It was explained to the Committee that since the publication of the update sheet, there had been a further three additional representations received from residents of Inskip. A summary of these objections were: the visual impact of the development, safeguarding issues in relation with the adjacent school, the impact of pollution from the development, the over-development of Inskip and highway concerns around access points. The Planning Development Manager confirmed to Members that these issues had been raised earlier by other objectors, therefore, they had already been covered in the report. Concerning pollution and the over-development of Inskip, she explained that they were matters that would have been considered in the outline application and when the site was being considered for allocation through the Local Plan process.

Additionally, the Planning Development Manager summarised a further update from the agent, which included a response to concerns over the visual impact and the layout of the development affecting the safeguarding of the school. She explained that the agent had submitted aerial photographs of other dwellings that overlook schools in Wyre. This update also addressed challenges including viability issues regarding revising the layout plans further to address the concerns; and explained that the agent had provided a summary of the dialogue between him and a representative of the Parish Council.

Mr Jonathan Palmer, a member of the public, spoke in objection to the application.

Phil James, Parish Councillor for Inskip, spoke against the application.

Matthew Salter, County Councillor for Wyre Rural Central, spoke against the

application.

The agent, Alexis De Pol, spoke in support of the application.

Councillor R Amos left the meeting during this item.

Following debate, it was proposed by Councillor Moon, seconded by Councillor Ballard, and a decision was taken that the application be **approved**, as per the recommendation, under the provisions of the Town and Planning Act 1990, subject to the conditions below:

Conditions

1. (i) No dwelling hereby approved shall be occupied unless and until the area of land the subject of planning permission ref: 20/00381/FUL has been enclosed on the eastern, southern and western boundaries in order to be separated from the wider agricultural land and left with an open northern boundary so that it is encompassed within the residential development site hereby approved;

(ii) No more than 19 dwellings hereby approved shall be occupied unless and until, all of the green infrastructure and associated operational development / works approved under planning permission ref: 20/00381/FUL have been completed in full and made available for use.

Reason: To ensure that the necessary green infrastructure required to support this development is provided in a timely manner in accordance with Policy HP9 of the Adopted Wyre Local Plan 2011-2031.

2. 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 05.05.2020 including the following plans/documents:

- Drawing No. 100 Rev D (Location Plan)
- Drawing No. 104 Rev M (Site Plan proposed 1_500) received 08.12.2020
- Drawing No. 105 Rev M (Site Plan Proposed) received 08.12.2020
- Drawing No. 116 (Single Garage Plan and Elevations)
- Drawing No. 117 (Double Garage Plan and Elevations)
- Drawing No. 116 Rev A - 3B6P House Plans and Elevations (Bradshaw Type 2)
- Drawing No. 125 - 2B4P House Plans and Elevations (Artle Type 1)
- Drawing No 127 Rev A - 3-Bed House Plans and Elevations (Eagley Type 2 - BR+r - Mid-Terrace)
- Drawing No. 128 Rev A 3-Bed House Plans and Elevations (Eagley Type 2 - BR+r)
- Drawing No. 130 Rev 1 - 2B4P Bungalow Plans and Elevations (Mearley Type 1 -BR+r) received 6.11.2020
- Drawing No. 135 Rev A - 4B7P House Plans and Elevations (Pendle Type 1)

- Drawing No. 146 Rev A - 3B5P Bungalow Plans and Elevations (Grizedale Type 3)
- Drawing No. 150 Rev A - 4B6P House Plans and Elevations (Sabden Type 2)
- Drawing No. 154 Rev A - 3B5P House Plans and Elevations (Irwell Type 2)
- Drawing No. 162 Rev A - Lostock Type 1 - BR 4-Bed House and Elevations received 17.12.2020
- Drawing No. 177 Rev A - 4B7P House Plans and Elevations (Pendle Type 2)
- Drawing No. 192 Rev A - 5-Bed House Plans and Elevations (Whitewell Type 1-BR) received 17.12.2020

- Drawing No. 001704 JPL ZZ XX DR D 2001 Rev P12 Proposed Access Road and General Arrangement received 17.12.2020
- Drawing No. 001704 JPL ZZ XX DR D 4801 Rev C02 Swept Path Analysis received 17.12.2020
- Drawing No. 115 Rev D Site Levels Drawing received 17.12.2020

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.

3. The development shall be carried out strictly using those materials specified on the approved document titled 'Materials Tracker by btp Architects, Project Name Preston Road Inskip, Job No. 3548 Dated 17.12.2020 Revision D', received 17.12.2020, unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

For the avoidance of doubt all walls and roofing to garages, and boundary walls, shall be constructed of materials to match those used on the associated host dwelling to which the garages and boundary treatments serve.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

4. The boundary treatments shown on plan No. 109 Rev H (Boundary Plan and Details) received 17.12.2020 shall be installed before the associated dwelling(s) hereby approved are first occupied and shall thereafter be retained and maintained.

Reason: For the avoidance of doubt and in the interests of residential amenity to secure private curtilage and in the interests of the appearance of the site and locality in accordance with Policy CDMP3 of the Adopted Wyre Borough Local Plan 2011-2031 (WLP31).

5. Prior to first occupation of any dwelling hereby approved the off-site works of highway improvement [namely, new site access] shall be provided, unless an alternative timetable for implementation is submitted to and

approved in writing by the Local Planning Authority, in which case the site access shall be provided in accordance with any alternative approved timetable for implementation.

Reason: In order to ensure the timely delivery of the necessary highway works in the interests of highway safety in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

6. a) Prior to the first occupation of any dwelling, the proposed arrangements for future management and maintenance of the roads/ footways/ cycleways within the development shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include a plan showing areas of highway proposed for adoption by the Local Highway Authority and any areas proposed for private management.

(b) Should the plan required by (a) show that any highway within the estate would be privately managed, details of a Road Management Plan to detail how those sections of highway would be maintained in perpetuity, such as a private management and maintenance company to be established if applicable, shall be submitted to and approved in writing by the Local Planning Authority. The highway shall thereafter be maintained in accordance with the approved management and maintenance details or until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

(c) Should the plan required by (a) show that any highway within the estate would be proposed for adoption by the Local Highway Authority, those roads/ footways/ cycleways shall be made up to, and retained thereafter to, the Local Highway Authority's Adoptable Standards.

Reason: To ensure that all highways, footways and cycleways will be maintained to a sufficient standard by either the Local Highway Authority or by a site management company in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

7. (a) The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any other development takes place within the site, and shall be further extended before any other development commences fronting the new access road.

(b) No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to those dwelling(s) has been constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level.

(c) In the event that the new estate road is not proposed for adoption by the Local Highway Authority then details of their road construction (surface materials and depth) and highway infrastructure (footways, street lighting, drainage) shall be submitted to, and approved in writing by, the Local

Planning Authority. No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to that dwelling has been constructed in accordance with the approved details.

Reason: To ensure that satisfactory access is provided to the development site, that the road surfaces are visually acceptable, that the private roads are of sufficiently adequate construction to support any loading applied to them to enable effective waste management and emergency services access, and that the necessary infrastructure is provided in the interests of highway safety in accordance with Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

8. Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 (as amended) and the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification);

(i) no works shall take place that would preclude the use of the driveways hereby approved for the parking of cars; and

(ii) no hard boundary treatments (fences, walls, pillars, gates, or railings) shall be erected forward of a property elevation facing a road other than those shown on submitted plan No. 109 Rev H (Boundary Plan and Details) received 17.12.2020; and

(iii) no areas of soft landscaping to the front of properties shall be removed to make provision for additional car-parking, without planning permission being granted by the local planning authority.

Reason: To ensure that the Local Planning Authority has control over any future development in order to ensure the estate retains its open plan character in the interests of residential and visual amenity in accordance with the provisions of Section 12 of the NPPF and Policy CDMP3 of the Wyre Borough Local Plan 2011-2031 (WLP31).

9. The development hereby approved shall not be first occupied or brought into use until the parking / turning area(s) shown on the approved plan Drawing No. 105 Rev M received 17.12.2020 has been laid out, surfaced and drained. The parking / turning area(s) shall not thereafter be used for any purpose other than for the parking and manoeuvring of vehicles.

Reason: To ensure that adequate off road parking is provided 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).

10. The proposed hard and soft landscaping works shall be carried out in accordance with the approved details as shown on drawing No.s 101 Rev K (Landscape Layout), and 201 Rev J (Planting Plan) received 18.12.2020, and the document titled 'Materials Tracker by btp Architects, Project Name Preston Road Inskip, Job No. 3548 Dated 17.12.2020 Revision D' received

17.12.2020, prior to first occupation or first use of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 7 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

11. The waste storage and waste collection points as details on drawing No. 112 Rev E received 17.12.2020 shall be installed for each associated dwelling to which they serve prior to first occupation of that dwelling. The waste storage and waste collection points shall thereafter be retained for the lifetime of the development.

Reason: In order to ensure that waste is properly provided and managed for each property within the site in the interests of visual and residential amenity in accordance with the provisions of Section 12 of the NPPF and Policy CDMP3 of the Adopted Wyre Borough Local Plan 2011-2031 (WLP31).

12. Notwithstanding the provisions of Schedule 2 Part 1 Classes A-D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), the dwellings on plots 8-10 hereby approved shall not be altered or extended, without planning permission.

Reason: To ensure that the Local Planning Authority have control over any future development of the dwellings in the interests of preserving the character and amenity of the area and the residential amenity of occupants / neighbours of these particular plots in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

**PA.32 Application C- Land South Of B5269 Preston Road, Inskip
(20/00381/FUL)**

As mentioned in item 7B, applications 7B and 7C were discussed together, but voted on separately.

The application was brought before the Planning Committee for consideration having been deferred by the Committee on 2 December 2020 due to

concerns over the two storey properties on the western boundary adjacent to St. Peter's C of E School proposed in application 7B and also due to concerns over the boundary treatment proposed in this application.

The application was brought back before the Committee following the receipt of amended plans.

As the Committee had visited the site previously and due to the current COVID-19 Government restrictions a site visit did not take place on this occasion. However, site photos and plans were displayed by the Development Manager to familiarise Members with the site and its surroundings.

A joint update sheet for items 7B and 7C with additional information was published on the council's website, this information only having become available after the original agenda was published. The Committee considered the update sheet, which included additional representations in objection to the application. As mentioned in item 7B the Development Manager also outlined additional information received since the publication of the update sheet namely a further three representations from residents of Inskip and information from the agent addressing the concerns of objectors.

Mr Jonathan Palmer, a member of the public, spoke in objection to the application.

Phil James, Parish Councillor for Inskip, spoke against the application.

Matthew Salter, County Councillor for Wyre Rural Central, spoke against the application.

The agent, Alexis De Pol, spoke in support of the application.

Councillor R Amos left the meeting during this item.

Following debate, it was proposed by Councillor Moon, seconded by Councillor Ballard, and a decision was taken that the application be **approved**, as per the recommendation, under the provisions of the Town and Planning Act 1990, subject to the conditions below:

Conditions

1. The development must be begun before the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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 05.05.2020 including the

following plans/documents:

- Drawing No. 102 Rev A Location Plan
- Drawing No. P105 Rev A Proposed Site Plan POS
- Drawing No. 109 Rev H Boundary Plan and Details

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.

3. The landscaping works shall be carried out in accordance with the approved details [Drawing No. 102 Rev E - Landscaping Layout POS and Drainage Tract Land Boundary, and Drawing No. 202 Rev D - Planting Plan POS and Drainage Tract Land Boundary].

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 7 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

4. Prior to the commencement of development, a management and maintenance plan for the green infrastructure and all communal areas within the site shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall cover features such as ponds, detention basins, hedgerows, grassland and planting areas. The plan shall also detail how long-term management of the green infrastructure will be resourced. The management and maintenance plan shall be implemented in accordance with the agreed details.

Reason: In order to ensure that communal areas of planting are managed in such a way as to safeguard their ecological benefits in the interests of biodiversity and the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policies CDMP3, CDMP4 and HP9 of the Wyre Local Plan 2011-2031. The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

5. The use of the land hereby permitted shall be for green infrastructure and drainage and all area(s) of open space designed to be publicly accessible shall thereafter be retained and maintained for use by the public.

Reason: In order to ensure that the use remains appropriate to this

countryside location and remains available for public access in order to perform a functional green infrastructure role in accordance with Policies SP4, SP8 and HP9 of the Wyre Local Plan 2011-2031.

Notes: -

1. The applicant is reminded that, under the Wild Mammal (Protection) Act 1996 it is an offence to inflict unnecessary suffering to wild mammals. Planning consent does not provide a defence against prosecution under this act.
2. The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s)

**PA.33 Application D- Land At Bourne Road, Thornton Cleveleys, FY5 4QA
(20/00405/LMAJ)**

The application was brought before the Planning Committee for consideration at the request of Councillor Emma Ellison.

Due to the current COVID-19 Government restrictions, a site visit did not take place on this occasion. Nonetheless, site photos and plans were displayed by the Development Manager to provide sufficient information to Members of the site and its surroundings to enable them to make an informed decision.

An update sheet with additional information was published on the council's website, this information only having become available after the original agenda was published. The Committee considered the update sheet, which included additional neighbour representations.

Andrea Kay, County Councillor for Cleveleys East, spoke against the application.

The agent, Philip Rothwell, addressed the Committee in support of the application.

After discussion it was proposed by Councillor Moon, seconded by Councillor Ballard, and a decision was taken that the application be **approved**, as per the recommendation, under the provisions of the Town and County Planning Act 1990, subject to the application not being called in for consideration by the Secretary of State and subject to conditions (set out below) and a S106 legal agreement to secure on-site affordable housing (10%) and green infrastructure and financial contributions towards off-site green infrastructure, travel plan support, health care and contamination monitoring. That the Head of Planning Services be authorised to issue the decision following confirmation from the HSE or Secretary of State that the application is not to

be called in for his determination and on the satisfactory completion of the S106 agreement.

Conditions

1. The development must be begun before the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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 15.05.2020 including the following plans/documents:

- P01 - Bourne Road - Proposed Site Layout - Rev G
- P02 - Bourne Road - Boundary Treatments Plan - Rev E
- P03 - Bourne Road - Boundary Treatments Rev A
- P04 - Bourne Road - Materials Distribution Plan - Rev C
- P05 - Bourne Road - Car Charging Plan - Rev D
- P08 - Bourne Road - Site Location Plan
- P10 - 2b4p House type 68
- P11 - 2b4p 68 Terr 3
- P12 - 2b4p 68 Terr 4
- P13 - 3b5p 82
- P14 - 3b4p 82 2b4p 68
- P15 - 3b5p 82 3b4p Asp 80
- P16 - 3b4&5p 80-82 Terr 3
- P17 - 4b6p 95
- P18 - 1b2p Bungalow 50
- P19 - 2b3p Bungalow 60
- P20 - 1b2p Apartments
- P21 - Bourne Road - Street Scenes - Rev A
- P22 - Bin & Cycle Stores
- P24 - Bourne Road - 3b4p 80 Aspect House Type
- P25 - Bourne Road - 3b5p 82 Detached House Type
- P27 - Bourne Road - Tree Retention Plan
- P28 - Bourne Road - 10% Affordable Housing Plan
- P29 - Bourne Road - Site Section
- P31 - Bourne Road - GI Layout - Rev A
- P32 - Bourne Road - Tree Retention Plan
- BOURNERD-CULVERTPLAN
- 30431_200A_Autotrack Analysis Refuse Vehicle
- BOURNE ROAD - P36 - Proposed Substation plan

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.

3. The development shall be carried out strictly using those materials specified on the approved plan(s) (Materials Distribution Plan ref Bourne Road - PO4 Rev C) unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-3

4. The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details (as shown on plan drawings Proposed Development and Drainage Layout ref 30431/100 Rev B and Bourne Road Site Section Plan ref Bourne Road - P29 Rev A) unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

Reason: To ensure that the development has a satisfactory visual impact on the street scene, a satisfactory impact on neighbouring residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31).

5. The approved boundary treatments (approved plans "Boundary Treatment Plan ref Bourne Road - PO2 REV E" and "Bourne Road P03 Rev A") that relate to the relevant dwellings shall be completed before those dwelling(s) are first occupied. 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).

6. The landscaping works and ecological enhancements shall be carried out in accordance with the approved details [ref: Landscape Structure Plan Drawing Number 6293.03] prior to first occupation of any dwelling or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 7 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

7. (a) The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any other development takes place within the site.

(b) No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to those dwelling(s) has been constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level.

(c) In the event that the new estate road is not proposed for adoption by the Local Highway Authority then details of their road construction (surface materials and depth) and highway infrastructure (footways, street lighting, and drainage) shall be submitted to, and approved in writing by, the Local Planning Authority. No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to that dwelling has been constructed in accordance with the approved details.

Reason: To ensure that satisfactory access is provided to the development site, that the road surfaces are visually acceptable, that the private roads are of sufficiently adequate construction to support any loading applied to them to enable effective waste management and emergency services access, and that the necessary infrastructure is provided in the interests of highway safety in accordance with Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

8. No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any clearance, has been submitted to and approved in writing by the Local Planning Authority, demonstrating that nesting / breeding birds have been shown to be absent.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

9. Prior to first occupation, a scheme for the provision of home-owner information packs (as outlined in the Habitats Regulations Assessment completed for this application) highlighting the sensitivity of Morecambe Bay (a European protected nature conservation site) to recreational disturbance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall include the content of the home-owner information packs which must explain the conservation value of Morecambe Bay, the potential impacts that can arise from residential development and explain the responsible behaviours in the vicinity of the housing development along with what would be required from residents to avoid undue ecological impact, as well as a methodology for the distribution of the home-owner packs to future home owners including upon resale of the dwellings as far as is reasonably practicable. The approved information packs shall subsequently be made available to future home owners in line with the approved methodology.

Reason: In order to safeguard biodiversity from the recreational disturbance effects of residential development in close proximity to Morecambe Bay, in accordance with the provisions of Policy CDMP4 of the Wyre Local Plan 2011-31.

10. The development hereby approved shall be implemented in full accordance with section 4.3 of the EUS Reptile Presence/Absence Survey July 2020 submitted with the planning application including the strategy put forwards for mitigating for potential harm to lizards and compensating for habitat losses.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

11. Prior to the installation of any external lighting within the development a scheme for the provision of external lighting together with an Artificial Lighting Assessment shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate that artificial lighting will be designed so that it is not intrusive to visual amenity or illuminate potential habitat for bats (e.g. hedgerow, trees) and or/ bird breeding places. The assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 and the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009 (or any subsequent replacement guidance).

The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

Reason: In order to safeguard visual amenity and biodiversity and residential amenity and in the interests of public safety in accordance with Policies CDMP1, CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

12. No development above ground level shall be commenced until full details of the construction (to include elevation details, cross-sections and landscape scheme) of the acoustic/wildlife enhancement bund along the eastern boundary of the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include how the adjacent Biological Heritage Site will be protected during its construction and how any protective measures that are required shall be fully installed and retained / maintained at all times thereafter. The bund shall then be provided in accordance with the approved details prior to first occupation of any dwelling unless an alternative timeframe is first submitted to and approved in writing by the Local Planning Authority, in which case the bund shall then be provided in accordance with the agreed timeframe.

Reason: To ensure the bund is satisfactorily constructed and landscaped in a

timely manner in the interests of visual amenity and ecology and residential amenity (noise mitigation) in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31)

13. The measures contained within the approved Arboricultural Impact Assessment, Method Statement and Tree Protection Plan (P32 - Bourne Road - Tree Retention Plan and P27 - Bourne Road - Tree Retention Plan) with respect to those trees shown as being retained shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: In order to protect trees from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981.

14. Prior to the commencement of development, including any demolition works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include and specify the provision to be made for the following:

- (a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays
- (d) contractors' compounds and other storage arrangements
- (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period
- (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)

- (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
- (h) external lighting of the site during the demolition / construction period
- (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) recycling / disposing of waste resulting from demolition / construction work
- (k) measures to protect watercourses and the adjacent Biological heritage Site (BHS) against spillage incidents, pollution and sediments during the construction phase.

The construction of the development including any demolition works shall be carried out in accordance with the approved CEMP.

Reason: Such details were not submitted with the application and need to be in place throughout the demolition / construction period in the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

15. The visibility splays shown along Bourne Road on approved plan reference Bourne Road- P01 Rev G shall be provided prior to first occupation of any dwelling hereby approved and shall not at any time thereafter be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

Reason: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

16. a) Prior to the first occupation of any dwelling, the proposed arrangements for future management and maintenance of the roads/ footways/ cycleways within the development shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include a plan showing areas of highway proposed for adoption by the Local Highway Authority and any areas proposed for private management.

(b) Should the plan required by (a) show that any highway within the estate would be privately managed, details of a Road Management Plan to detail how those sections of highway would be maintained in perpetuity, such as a private management and maintenance company to be established if applicable, shall be submitted to and approved in writing by the Local Planning Authority. The highway shall thereafter be maintained in accordance with the approved management and maintenance details or until such time as an agreement has been entered into under section 38 of the Highways Act

1980.

(c) Should the plan required by (a) show that any highway within the estate would be proposed for adoption by the Local Highway Authority, those roads/ footways/ cycleways shall be made up to, and retained thereafter to, the Local Highway Authority's Adoptable Standards.

Reason: To ensure that all highways, footways and cycleways will be maintained to a sufficient standard by either the Local Highway Authority or by a site management company in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

17. No dwelling hereby approved shall be first occupied unless and until the site access and off-site works of highway improvement [namely, provision of a 2m wide footpath on the northern side of Bourne Road along the entire site frontage and provision of two new bus shelters on Fleetwood Road North at the existing bus stops near "The Iron Horse" public house] have been carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority. The off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation.

Reason: In order to ensure the timely delivery of the necessary off-site highway works in the interests of highway safety / to encourage sustainable travel in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

18. Prior to the commencement of development save site soil strip and site preparation, a drainage scheme which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan.

The scheme details shall include, as a minimum:

a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change as set out within the Environment Agency's advice on Flood risk assessments: climate change allowances' or any subsequent replacement EA advice note), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;

b) Demonstration that the surface water run-off would not exceed the pre-

development greenfield runoff rate;

- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

For the avoidance of doubt, surface water must drain separate from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

No part of the development shall be first occupied or brought into first use until the drainage works and levels have been completed in accordance with the approved scheme. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework. The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application, to ensure a suitable form of drainage is provided in that specific area taking into consideration land conditions and proximity to existing services and to ensure that any proposed raising of levels can be assessed and that a coherent approach is taken with regard to the design of drainage and housing layout.

19. Prior to the commencement of development save site soil strip and site preparation details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, this shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Residents' Management Company
- b) Arrangements concerning appropriate funding mechanisms for the on-

going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

- i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

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

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance; and to identify the responsible organisation/ body/ company/ undertaker for the sustainable drainage system in accordance with policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

20. The scheme of noise insulation measures set out in the supporting Noise Assessment submitted with the application [report by Echo Acoustics dated 21st October 2020] shall be implemented for those plots identified on Figures 9 and 10 as requiring solid fencing or up rated glazing prior to first occupation of the respective dwellings. The approved noise insulation measures shall thereafter be retained.

Reason: To ensure there is no adverse effect on the health and quality of life of future occupants and to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

21. No dwelling shall be occupied until the electric vehicle recharging points (as set out on approved plan P05 - Bourne Road - Car Charging Plan - Rev D) has been provided for the dwelling to which it relates, and such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

Reason: To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

22. Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 (as amended) and the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-

enacting that Order with or without modification);

(a) no fences, gates, walls or other means of enclosure shall be erected along the front or side boundaries of the curtilage of any dwelling house forward of the main front elevation or side elevation, or along the side or rear boundaries of the curtilage of any dwelling beyond the rear elevation where that elevation directly faces a highway; and

(b) no areas of soft landscaping to the front of properties shall be removed to make provision for additional car-parking, without express planning permission from the local planning authority.

Reason: To safeguard the appearance of open plan development and junction highway visibility in accordance with Policies CDMP3 and CDMP6 of the Adopted Wyre Borough Local Plan.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the dwelling(s) shall not be altered or extended, nor shall any building, structure or enclosure be erected within the curtilage of the dwelling(s) without planning permission.

Reason: To ensure that the Local Planning Authority have control over any future development of the dwelling(s) in the interests of preserving the character and amenity of the area, the residential amenity of occupants / neighbours and to ensure that appropriate remediation is incorporated as required in light of the historical use of the site in accordance with Policies CDMP1 and CDMP3 of the Wyre Local Plan (2011-31).

24. The development hereby approved shall be carried out in full accordance with the supporting adaptable dwellings statement (dated 7/12/20) and the 51 house types 2B4P(68) shall be retained and maintained at all times thereafter as adaptable for older people and people with restricted mobility.

Reason: To meet the needs of the ageing population and people with restricted mobility in the borough in accordance with Policy HP2 of the Wyre Local Plan (2011-31) and the provisions of section 5 of the NPPF.

25. a) Prior to the commencement of development, further investigation and risk assessment of the development site shall be undertaken in accordance with the proposals detailed in the submitted Remediation Strategy - Reference 345.05.20.RS (dated 21st April 2020), and the subsequent RPS Consultation Response - Reference JER8741 (dated 3rd July 2020), allowing for a revised Remediation Scheme to be submitted by the applicant, and approved in writing by the Local Planning Authority. The Remediation Scheme shall include all works to be undertaken; proposed remediation objectives and remediation criteria; a timetable of works; site management procedures; and, detail of any necessary long term maintenance and monitoring programme. The Scheme must ensure that the site will not qualify

as 'contaminated land' under Part2A of the Environmental Protection Act 1990, or any subsequent version, in relation to the intended use of the land after remediation. Any changes to the agreed Scheme shall require the express consent of the Local Planning Authority.

b) Prior to the first occupation of any dwelling, all work as identified in a) above, shall be undertaken and completed in strict accordance with the approved Remediation Scheme, and a Validation Report submitted by the applicant, and approved in writing by the Local Planning Authority, confirming strict compliance with all aspects of the agreed remediation scheme. Where relevant the Validation Report shall also include a long term monitoring and maintenance plan, which shall be implemented as approved, with all monitoring reported to the Local Planning Authority at agreed intervals. Any changes to the agreed plan shall require the express consent of the Local Planning Authority.

Should any significant unexpected contamination not previously identified, be discovered during the works detailed above in a) and b), all works should cease, and the Local Planning Authority should be immediately informed in writing. If unacceptable risks are identified, a remedial options appraisal and revised Remediation Scheme shall be submitted by the applicant and agreed in writing by the Local Planning Authority.

Reason: The development is for a sensitive end use and insufficient information has been submitted with the application as to the potential contamination risks of the site. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

26. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated April 2020 (ref. 30431/SRG and addendum letter (ref: 30431/SRG; dated 1 December 2020), prepared by Ironside Farrar Limited and the following mitigation measures detailed within the FRA:

- Finished floor levels shall be set no lower than 6.6 metres above Ordnance Datum (mAOD), as stated in the addendum letter (ref:30431/SRG; dated 1 December 2020).
- Implementation of all flood resilience measures, as stated on page 13 of the FRA and in the addendum letter.

The mitigation measures shall be fully implemented prior to first occupation of the development or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

27. No development above ground level shall be commenced until a

phasing programme for the whole of the application site to include the approved dwellings, green infrastructure, emergency access / pedestrian link to Bourne Road and pedestrian link on the northern site boundary (as shown on Plan Bourne Road P01 Rev G) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing programme unless an alternative programme has otherwise been submitted to and approved in writing by the Local Planning Authority. The pedestrian links shall be constructed up to the site boundary and shall thereafter be maintained and remain open and unobstructed at all times.

Reason: To define the permission and in the interests of the proper development of the site, to ensure the timely delivery of supporting infrastructure and to ensure the development provides appropriate connections and sustainable linkages to neighbouring development and the wider highway network in accordance with policies SP7, CDMP3, EP1 and SA3/4 of the Wyre Local Plan (2011-31)

28. Prior to the first occupation of any of the dwellings hereby approved, a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan (and an associated Travel Plan Co-ordinator as specified in the approved Travel Plan) shall be implemented and operational from the point of the first occupation of any of the dwellings hereby approved for a period of not less than five years from the date of full occupancy of the development.

Reason: To promote sustainable development by encouraging sustainable travel modes and reducing dependence on private motor vehicles in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

29. Prior to the first occupation of any of the apartments the cycle and bin stores (as shown on Plan Drawing Number Bourne Road - P01 Rev G and P22 - Bin & Cycle Stores) shall be fully constructed for the apartments to which they relate and shall thereafter be retained and maintained at all times.

Reason: In the interests of the appearance of the site and locality, in accordance with policy CDMP3 of the Wyre Local Plan (2011-31). The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

30. No dwelling hereby approved shall be first occupied until the parking / turning area(s) shown on the approved plan (Bourne Road P01 - Rev G) as relating to that dwelling has been laid out, surfaced and drained. The parking / turning area(s) 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).

Notes: -

1. The applicant should be aware that the decision is subject to a separate legal agreement.
2. Prior to the commencement of development, a risk assessment and method statement (RAMS) in respect of all works to be undertaken within 10m of the adjacent railway shall be submitted to and agreed in writing with Network Rail to ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway. Network Rail Asset Protection should be contacted by email at AssetProtectionLNWNorth@networkrail.co.uk to discuss the RAMS requirements in more detail.

A Party Wall notification (under the Party Wall Act of 1996) should be submitted to Network Rail's Asset Protection team for any works 3 metres or less from the Network Rail boundary (not the railway tracks) and structures. Embankments and cuttings are considered structures by Network Rail. Plans and sections showing the location and depth of the proposed excavations and foundations and the location of the proposed third party building or structure should be included with the notice.

3. This grant of planning permission will require an appropriate legal agreement to be entered into with Lancashire County Council as the Local Highway Authority. The Highway Authority 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. Before any works begin Lancashire County Council should be contacted to ascertain the details of such an agreement and the information to be provided by telephoning 0300 123 6780 or writing to Lancashire Highways Services, Cuerden Way, Bamber Bridge, Preston, PR5 6BS quoting the planning application number.

4. Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to Email: plantprotection@cadentgas.com Tel: 0800 688 588

PA.34 Application E- Prospect Farm Skippool Road, Thornton Cleveleys, Lancashire, FY5 5LD (20/00882/FUL)

The application was brought before Members for determination at the request of Councillor David Henderson.

Due to the current COVID-19 Government restrictions, a site visit did not take place on this occasion. Nonetheless, site photos and plans were displayed by the Development Manager to provide sufficient information to Members of the site and its surroundings to enable them to make an informed decision.

Councillor Henderson was invited by the Chairman to say a few words on the application and the reason for the call-in.

The agent, Harry Carter, addressed Members of the Committee in support of the application.

Mrs Avneet Deol, a representative speaking on behalf of the applicant, spoke in support of the application.

As per Wyre Council's Constitution, during this item a vote to allow the meeting to proceed over 4 hours was **approved**.

Following a discussion, on being put to the vote the motion to refuse the application (in line with the Officer's recommendation) was lost.

It was then proposed by Councillor Stirzaker, seconded by Councillor Le Marinel, and a decision was taken that the application be **approved**, contrary to the Officer's recommendation, under the provisions of Town and County Planning Act 1990, on the grounds that Members considered the proposal demonstrated very special circumstances to justify allowing this inappropriate development in the Green Belt citing that the existing farmhouse and buildings on site were derelict and rundown such that the site was a visual eyesore in a prime location next to the A585, and the proposed development was of an innovative and high quality design which would enhance the area and which would result in a significant improvement to the site appearance and the dwellings would provide high level sustainability credentials.

The Head of Planning Services was authorised to issue the approval subject to standard conditions to the satisfaction of the Head of Planning Services and also reflecting any specific requirements of consultees who have

responded to the application.

The meeting started at 2.00 pm and finished at 6.11 pm.

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