

## Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 6 June 2018 at the Thornton Little Theatre, corner of Victoria Road and Fleetwood Road, Thornton, FY5 3SZ.

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**Planning Committee members present:**

Councillors Rita Amos, Ian Amos, Lady Dulcie M Atkins, Howard Ballard, Emma Ellison, Ron Greenhough, Graham Holden, Tom Ingham, Terry Lees, Paul Moon, Phil Orme, Cheryl Raynor, Ron Shewan and Evelyn Stephenson

**Apologies:**

None.

**Other councillors present:**

Councillor B Birch and Preesall Town Councillor G McCann

**Officers present:**

D Thow, L Hayes, C White and C Leary

Nine members of the public attended the meeting.

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**PA.1 Election of Chairman**

Resolved that Councillor Moon be appointed Chairman of the Planning Committee for the municipal year 2018/19.

**PA.2 Apologies for Absence**

None.

**PA.3 Election of Vice Chairman**

Resolved that Councillor Howard Ballard be appointed Vice-Chairman of the Planning Committee for the municipal year 2018/19.

**PA.4 Declarations of Interest**

Councillor Ballard declared an Other Significant Interest in Planning Application 8 (d) – 18/00158/ADV – Cooperative Retail, 34-37 High Street, Garstang – as he is currently a member pioneer for the Cooperative and he

felt his participation may give rise to the perception of a conflict of interest. Therefore he spoke on the item and then left the room before the item was discussed and had no involvement in the decision making.

Councillor Holden declared an Other Significant Interest in Planning Application 8 (b) – 17/00267/OUTMAJ – Selbys Pig Farm, Little Tongues Lane, Preesall – because he had had past association with the applicant and he felt that his participation may give rise to a perception of a conflict of interest. Therefore he left the room whilst the item was being discussed and had no involvement in the decision making.

Councillor Orme declared an Other Significant Interest in Planning Application 8 (b) – 17/00267/OUTMAJ – Selbys Pig Farm, Little Tongues Lane, Preesall – in that he is a Ward Councillor and a Parish Councillor for Preesall Ward. He was satisfied that this would not prejudice his judgement, nor give rise to a perception of a conflict of interest and therefore he stayed in the meeting and spoke and voted upon the item.

#### **PA.5 Confirmation of Minutes**

The minutes of the Planning Committee meeting held on Wednesday 2 May, 2018 were confirmed as a correct record.

#### **PA.6 Appeals**

The Head of Planning Services submitted a report on appeals lodged and decided between 15 April 2018 and 15 May 2018.

##### **Resolved**

That the position regarding the appeals, as set out on pages 1 – 16 of the report be read and noted and that any Member requiring any further details or clarification on any Appeal, should contact the relevant Case Officer.

#### **PA.7 Planning Applications**

The Head of Planning Services submitted applications and reports to be considered:-

16/00241/OULMAJ – Land to the West of the A6 (Preston/Lancaster New Road) bounded by Nateby Crossing Lane & Croston Barn Lane, Nateby, Garstang, Lancashire, PR3 1DY

17/00267/OUTMAJ – Selbys Pig Farm, Little Tongues Lane, Preesall, Poulton-le-Fylde, Lancashire, FY6 0PD

18/00145/FUL – 15 Newton Drive East, Normoss, Blackpool, Lancashire, FY3 8QJ

18/00158/ADV – Cooperative Retail, 34 – 37 High Street, Garstang, Preston, Lancashire, PR3 1EA

17/01077/FUL – 71A Victoria Road West, Thornton Cleveleys, Lancashire, FY5 1AJ

**PA.8 Reports of the Head of Planning Services on planning applications to be determined at this meeting**

**a) Applications Approved**

**RESOLVED** that the undermentioned applications be **APPROVED** under the provisions of the Town and Country Planning Act 1990, as set out below:

**PA.9 Item 8 (a) – Land to the West of the A6 (Preston/Lancaster New Road) Bounded by Nateby Crossing Lane & Croston Barn Lane, Nateby, Garstang, Lancashire**

**16/00241/OUTMAJ**

J Chippendale Ltd. Outline planning permission for the erection of up to 269 dwellings, up to 5,532sqm of Class B1a offices, up to 3,957sqm of Class B1c light industrial floor space, up to 495sqm (gross) Class A1 convenience store, up to 300sqm (gross) Class A3 Coffee shop with associated landscaped open spaces and pedestrian/cycle link to Garstang with access taken from the A6 and Nateby Crossing Lane including the construction of a new roundabout and reconfiguration of the A6 (resubmission 14/00458/OULMAJ) - Land To The West Of The A6 (Preston/Lancaster New Road) Bounded By Nateby Crossing Lane & Croston Barn Lane Nateby Garstang, PR3 1DY.

This application was brought back to the Committee for consideration with a proposed recommended amendment to the wording of the affordable housing condition. The Committee was informed that there has been no material change in the relevant planning considerations since the application was previously considered.

The application was approved as per the recommendation in the report of the Head of Planning Services; that outline planning permission be granted subject to the following conditions, reasons and notes and a S106 legal agreement to secure appropriate financial contributions towards local education, sustainable travel and highway improvement works:

**Conditions and Reasons:-**

1. a) In the case of any reserved matter, namely appearance, landscaping, layout and scale of the buildings, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission;

(b) the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved

matters or, in the case of approval on different dates, the final approval of the last matter to be approved.

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. Development shall not begin until a phasing programme for the whole of the application site and a delivery mechanism for all highways and access works (including the decommissioning of and works to that part of the application site currently occupied by the A6 and the connection link between the development and the public open space on the eastern side of the A6), have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved phasing programme(s) and delivery mechanism(s) unless an alternative programme has otherwise been submitted to and approved in writing by the Local Planning Authority.

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

3. (a) The total number of residential units to be provided on the site shall not exceed 269.

(b) the total amount of employment floor space to be provided on the site shall not exceed 9,489sq m (gross). No more than 5,532sqm of the employment floor space hereby approved shall be for use within class B1(a) of the Town and Country (Use Classes) Order 1987 (as amended). No less than 2.6ha of employment land shall be provided within the site for use within class B1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

(c) the total amount of floor space for use within classes A1 and A3 of the Town and Country (Use Classes) Order 1987 (as amended) shall not exceed 795sq m (gross) with the total floor space for use within class A1 not exceeding 495sq m (gross).

Reason: In the interests of highway safety and capacity and to safeguard the vitality and viability of Garstang Town Centre in accordance with Policy SP14 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no change Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no change of use of the class A3 floor space hereby approved to retail floor space within Use Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) shall take place without the express permission of the Local Planning Authority.

Reason: In order to maintain a mix of uses on the site and to safeguard the

vitality and viability of Garstang Town centre in accordance with the provisions of the NPPF.

5. Prior to commencement of any phase of the development incorporating dwellings, a scheme for the provision of affordable housing for that phase of the development shall be submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of the total number of dwellings permitted unless it is demonstrated that the development would not be viable other than with a reduced level of affordable housing provision. Such demonstration must include the submission of an 'open book' financial appraisal of the proposed development, indicating the full range of costs to be incurred by the development including the initial purchase of the land, the financial return expected to be realised, and the expected profit level to be assessed and agreed by the Local Planning Authority prior to the agreement of the layout as a reserved matter
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider, or alternative arrangements for the future management of the affordable housing
- iv. arrangements to ensure that the affordable housing is affordable not only for the first occupiers but also for subsequent occupiers; and
- iv. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria will be enforced.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of the NPPF.

6. The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (ref. L29212/01/DS/CJS Issue 2A dated May 2014) and the mitigation measures detailed therein. The mitigation measures capable of being implemented prior to first occupation shall be fully implemented prior to occupation and any other mitigation measures implemented subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may be agreed in writing by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

7. (a) Prior to the commencement of each phase of the development, the design of a scheme for the drainage of foul and surface water from that phase, based on sustainable drainage principles so far as is possible subject

to ground conditions, the results of the investigation required under part (d) and an assessment of the hydrological and hydrogeological context of the development shall be submitted to and approved in writing by the Local Planning Authority.

(b) This scheme shall include;

- i. information about the design storm period and density (1 in 30 and 1 in 100 year + 30% allowance for climate change)
- ii. discharge rates and volumes (both pre and post development and including any discharge through culvert no. 37 under the Lancaster Canal)
- iii. temporary storage facilities
- iv. means of access for maintenance
- v. the methods employed to delay and control surface water discharged from the site
- vi. the measures taken to prevent flooding and pollution of receiving surface waters, including watercourses and surface water sewers
- vii. details of floor levels in AOD
- viii. a quantitative and qualitative risk assessment and mitigation strategy with respect to groundwater protection to manage the risk of pollution to public water supply and the water environment. The risk assessment should be based on the source-pathway-receptor methodology. It shall identify all possible contaminant sources and pathways for the life of the development and provide details of measures required to mitigate any risks to groundwater and public water supply during all phases of the development. The mitigation measures shall include the highest specification design for the new foul and surface water sewerage system (pipework, trenches, manholes, pumping stations and attenuation features);
- ix. details of any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts where relevant);
- x. floodwater exceedance routes both on and off site;
- xi. a timetable for implementation;
- xii. a management and maintenance plan for the lifetime of the development which, as a minimum, shall include arrangements for adoption by an appropriate public body or statutory undertaker; management and maintenance by a Residents Management Company; arrangements of appropriate funding mechanisms for on-going maintenance of the scheme; and details of an inspection programme to assess performance, asset condition, operation costs, and any necessary maintenance and/or remedial works.

(c) The scheme shall demonstrate that surface water run off for the entire site once developed would not exceed run-off from the undeveloped site for the corresponding rainfall event.

(d) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates;

(e) Details of water quality controls and appropriate mitigation measures to prevent pollution of ground or surface waters including the Lancaster Canal;

(f) No surface water, highway drainage or land drainage shall discharge to the public combined sewerage system or via an infiltration system unless agreed by United Utilities.

(g) The approved drainage scheme for each phase shall then be implemented in full accordance with the approved details, including the agreed timetable for implementation.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water and to protect drinking water supplies in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

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

- i. how biodiversity would be protected throughout the construction period
- ii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
- iii. the parking of vehicles of site operatives and visitors;
- iv. loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development;
- vi. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vii. wheel washing facilities to be retained throughout the construction period by which means the wheels of vehicles may be cleaned before leaving the site;
- viii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- ix. a Management Plan to identify potential ground and water contaminants;
- x. details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction;
- xi. a scheme to control noise during the construction phase,
- xii. a Construction Phase Dust Action Plan that has regard to current best practice provides detail of both the dust mitigation measures to be employed to minimise fugitive dust impacts on localised receptors, and the procedures to be adopted in response to complaints of fugitive dust emissions.
- xiii. the routing of construction vehicles and deliveries to site including the direction of construction traffic away from Cathouse Bridge (bridge no. 64) over the Lancaster Canal in order to minimise risk of damage to this bridge during construction.

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

Reason: In order to safeguard the biodiversity of the site, protect the water environment and public drinking water supplies, and to maintain the operation and safety of the local highway network, during site preparation and construction, in accordance with Policy ENV17 of the Wyre Borough Local Plan and the provisions of the NPPF.

9. (a) No trees shall be felled or vegetation cleared during the bird breeding season (March to July inclusive) unless a report, undertaken by a suitably qualified person, has been submitted in writing to the local planning authority, demonstrating that nesting / breeding birds have been shown to be absent.

(b) No trees shall be felled or vegetation cleared during the main bat activity season (May to August inclusive) unless a report, undertaken by a suitably qualified person, has been submitted in writing to the local planning authority, demonstrating that roosting bats have been shown to be absent.

(c) Any trees to be felled shall be soft-felled whereby tree limbs are cut and left grounded over-night to allow any bats to make their way out.

Reason: In order to safeguard the biodiversity of the site in accordance with the provisions of the NPPF.

10. (a) Prior to the commencement of development, a method statement shall be submitted to and approved in writing by the Local Authority giving full details of how any possible harm to great crested newts would be avoided during the course of development. This approved method statement should be implemented in full.

(b) No groundworks, vegetation clearance, levelling or drainage of the site, or trapping, exclusion or translocation of amphibians should commence until the Local Authority has acknowledged in writing receipt of either:

(i) a licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 authorising the specified activity to go ahead; or

(ii) a statement from the relevant licensing body to the effect that it does not consider that the specified activity would require a licence.

Reason: In order to safeguard biodiversity in accordance with the requirements of paragraph 17 and section 11 of the NPPF.

11. Prior to the commencement of each phase of the development, a Landscape and Habitat Creation and Management Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority and this approved plan shall be delivered in accordance with a timetable to be included therein and shall thereafter be retained and managed in accordance with the details of the approved scheme. The plan shall include species rich hedgerow planting; bolstering of existing hedgerows; the creation of ponds; and the provision of bat bricks or tubes, bat and bird boxes, and native tree and shrub planting. The scheme shall also include details of planting along the existing railway line that would support foraging bats.



Reason: In order to safeguard and enhance the biodiversity of the site in accordance with the provisions of section 11 of the NPPF.

12. Prior to the commencement of development, a method statement for the protection of trees and hedgerows during construction shall be submitted to and approved in writing by the Local Planning Authority. Development shall then proceed in full accordance with this approved statement. The method statement shall identify the trees and hedgerows to be retained and shall be in accordance with the guidelines set out under BS 5837:2012 'Trees in relation to design, demolition and construction'.

Reason: In order to safeguard existing trees and hedgerows on site in the interests of maintaining and enhancing biodiversity in accordance with section 11 of the NPPF.

13. No development shall be commenced until:

(a) A revised conceptual site model and risk assessment in respect of potential land contamination has been submitted to and approved in writing by the Local Planning Authority, including (where necessary), detailed proposals for further site investigation work.

(b) Any necessary site investigation works in relation to potential land contamination have been undertaken in full, strictly in accordance with the approved methodology, and a risk assessment of the findings submitted for approval by the Local Planning Authority, together (where appropriate) with a detailed remediation scheme

(c) Remediation of any potential land contamination of the site has been undertaken strictly in accordance with the remediation strategy and a validation report has been submitted to the Local Planning Authority for approval in writing, confirming full implementation of the approved remediation scheme.

Any changes to the approved elements require the express consent of the Local Planning Authority.

Reason: In order to prevent harm to human health or the environment from land contamination.

14. The development shall incorporate suitable gas protection measures, details of which for each phase of the development shall be submitted to and be subject to the written approval of the Local Planning Authority prior to the commencement of that phase of development, unless shown not to be required as detailed below. The measures shall include, as a minimum: ventilation of confined spaces within the building, a well-constructed ground slab, a low permeability gas membrane, minimum penetration (ideally none) of the ground slab by services, and passive ventilation to the underside of the building.

Alternatively, prior to the commencement of each phase of the development, a gas monitoring programme and risk assessment of the results shall be

undertaken to demonstrate that the above protection measures for that phase are not required. Any gas monitoring must be carried out over a period of at least three months and include at least three readings where the atmospheric pressure is below 1000mb. Gas flow rates must also be provided. Results shall be submitted for approval in writing by the Local Planning Authority.

Reason: In order to ensure that the development would be suitably protected against potential gas ingress in order to safeguard the environment and human health.

15.

(A) The residential development hereby permitted shall be designed so that cumulative noise (from industrial, commercial and transportation sources) does not exceed:

- o LAeq 50-55 dB 16 hours - gardens and outside living areas, daytime (07.00-23.00)
- o LAeq 35 dB 16 hours - indoors, daytime (07.00-23.00)
- o LAeq 30 dB 8 hours - indoors, night-time (23.00-07.00)
- o LAFmax 45 dB( 8 hours - indoors night-time (23.00-07.00)
- o LAFmax 45 dB 4 hours - indoors evening (19.00-23.00)\*

(B) The Noise Rating Levels for cumulative noise from all plant, machinery and vehicles used in connection with the industrial and commercial uses of the development shall not exceed the background noise level (LA90) at the external façade of each of the proposed dwellings, as assessed in accordance with British Standard 4142 (2014). Alternative levels and monitoring locations may be used subject to the prior agreement of the Local Planning Authority.

(C) The Maximum Instantaneous Noise Levels (LAFmax) from all plant, machinery and vehicles used in connection with the industrial and commercial uses of the development shall not exceed 60 dB(A) evening (19.00-23.00hrs)\* and night-time (23.00-07.00hrs) at the external façade of each of the proposed dwellings.

Alternative levels and monitoring locations may be used subject to the prior approval of the Local Planning Authority.

- o The evening standard LAFmax will only apply where the evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

(D) Where noise mitigation measures are required to ensure compliance with the agreed noise levels e.g. acoustic glazing, noise barrier fencing and ventilation, such mitigation details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development demonstrating how they would mitigate noise to the approved levels together with a timetable for implementation. The approved noise mitigation measures shall be implemented in accordance with the approved timescale and shall thereafter be maintained and retained.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings from cumulative noise from the existing and proposed industrial, commercial and traffic sources, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

16. Prior to the occupation of each commercial unit, an Odour and Noise Management Plan for any extraction or air conditioning system in that unit shall be submitted to and approved in writing by the Local Planning Authority. The height of each kitchen extraction flue should be a minimum of 1m above the eaves, and the fixings used to attach the extraction flue to the wall of the building shall be designed so as to prevent vibration. The kitchen extraction system shall be designed in accordance with the Department for Environment, Food and Rural Affairs (DEFRA) document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. All extraction systems shall be installed and thereafter maintained in full accordance with these approved plans.

Reason: In order to protect the residential amenities of nearby neighbours in accordance with Policy SP14 of the Wyre Borough Local Plan (1999) and the provisions of paragraph 17 of the NPPF.

17. No industrial or commercial unit shall be occupied until a Delivery Strategy for that unit has been submitted to and approved in writing by the Local Planning Authority. No deliveries (to include waste and recycling collections) shall take place outside of the hours specified by the approved Delivery Strategy.

Reason: In order to avoid an unacceptable impact on residential amenity by virtue of noise and to ensure that highway safety is maintained at all times in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

18. Before any of the commercial elements of the scheme hereby approved are first brought into use, the operating hours of those commercial elements shall first be submitted to and approved in writing by the Local Planning Authority and the commercial use shall thereafter operate within those approved hours and at no other times.

Reason: In the interests of the amenity of nearby residents in accordance with Policy SP14 of the Wyre Borough Local Plan (1999) and the provisions of paragraphs 17 and 123 of the NPPF.

19. No amplified recorded or live music shall be played in the outside areas of the commercial and industrial uses at any time.

Reason: In order to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

20. Prior to the commencement of each phase of the development, an external lighting scheme and Artificial Lighting Assessment for that phase shall be submitted to and approved in writing by the Authority. The assessment shall demonstrate that any external artificial lighting to be provided would be installed in accordance with the Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011 and would not be intrusive to residential premises. Light intrusion into the windows of any residential premises shall not exceed 10 lux between 0700 and 2300 hours and 2 lux between 2300 and 0700 hours. The assessment shall also demonstrate that the orientation and luminosity of the lighting would not be detrimental to biodiversity.

Reason: In order to avoid an unacceptable impact on residential amenity and biodiversity by virtue of light pollution in accordance with Policy SP14 of the Local Plan and the provisions paragraph 17 and section 11 of the NPPF.

21. No part of the development hereby approved shall commence until a scheme for the construction of all site access and the off-site works of highway improvement have been submitted to, and approved by the Local Planning Authority in consultation with the Highway Authority together with a timetable for implementation. The site accesses and off-site highway works shall be constructed in accordance with the approved scheme and implementation programme. The following schemes to be covered by this condition include:

(i) The Main Site access junction on re-aligned A6 - roundabout (serving both the employment and residential elements) as per agreed layout drawing ref: 1600402b

(ii) 2 No. Site access junctions onto Nateby Crossing Lane as per agreed layout drawing 1600404

(iii) Interim improvement scheme for A6 Preston Lancaster New Road / Croston Barn Road / Green Lane West / B5272 Cockerham Road / Croston Road Signalised Junction to include upgrade to MOVA and a toucan crossing over A6 south approach as per agreed layout drawing 1600401b

(iv) Interim improvement scheme for A6 Preston Lancaster New Road / Moss Lane / Longmoor lane Priority junction in-line with wider scheme to include pedestrian footway and dropped kerbs as per agreed layout drawing 1600403b

(v) Pedestrian Green Link, underpass of A6 (re-aligned), providing high quality connection for sustainable modes (pedestrian/cycle) to Garstang. Scheme details shall include the standard of the link, width and surfacing together with technical information and analysis that includes structural stability of the embankment, construction / structural detail of the proposals including any retaining structure, longevity of the structure, drainage, future maintenance, access for maintenance purposes, liability of the structure, responsibility, ownership and safety of workers has been submitted to, and

approval has been granted by LCC as the Highway Authority, with all necessary legal agreements in place to deliver and maintain the proposal. This is required in order to satisfy the Local Planning Authority and the Highway Authority that the final details of the proposed pedestrian/cycle underpass do not affect the future maintenance of the local highway network and are acceptable. Pedestrian and cycle access via the proposed underpass (old rail line) is to be maintained at all times post opening of the development.

(vi) Pedestrian footway improvements on A6 (east and west side to Longmoor Lane in the south and Croston Barn Lane in the north) as agreed in layout drawings 1600401b 1600402b and 16000403b.

(vii) Pedestrian footway improvements and traffic calming and Gateway measures on Nateby Crossing Lane as agreed in layout drawings 1600404 and 1600405a.

(viii) Public Transport facilities to quality bus standard on Croston Road and on the new link between A6 and Nateby Crossing Lane with details of the stops to Quality Bus Standard to be agreed.

(ix) Renewal of the carriageway markings at the Nateby Crossing Lane / Croston Barn Lane junction as agreed in layout drawing 1600405a.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site; to enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users and to provide safe access to the site for all users (motorised and non-motorised).

22. The Framework Travel Plan prepared by Hy Consulting and referenced 16004 / March 2016 shall be implemented in full in accordance with the timetable within it unless otherwise approved in writing by the Local Planning Authority. All elements of the Framework Travel Plan shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used for a minimum of at least five years.

Reason: In order to ensure appropriate provision exists for safe and convenient access by sustainable transport modes.

23. The visibility splay identified as that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Nateby Crossing Lane to points measured 120m (for the northerly access) and 90m (for the southerly access) in each direction along the nearer edge of the carriageway of Nateby Crossing Lane, from the centre line of the access, shall be constructed and maintained at footway / verge level in accordance with a scheme to be agreed in writing by the Local Planning Authority in conjunction with the Highway Authority prior to commencement of development. Notwithstanding the provisions of the Town and Country Planning (General

Permitted Development) Order 2015 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined 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 adequate visibility splays are maintained at all time.

24. Prior to the commencement of any of the commercial development hereby approved, a fully detailed Parking Management Strategy for that commercial development shall be submitted to and approved in writing by the Local Planning Authority. The management of the car parking and cycle parking at the site shall be fully implemented in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority. The Parking Management Strategy will include an assessment and strategy to ensure adequate parking provision is delivered for all proposed site uses for both car parking and cycle parking.

Reason: To ensure that a satisfactory Parking Management Strategy is implemented for the development. This in turn will ensure adequate parking is provided for all uses so that the access to the site is not restricted, resulting in safety and capacity issues.

25. The car parking provision for each commercial unit as identified in the Parking Management Strategy for that unit shall be surfaced, demarcated and made available for use prior to the that unit being first occupied unless otherwise agreed in writing with the Local Planning Authority. The car parking shall then be available at all times whilst that part of the development is occupied.

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

26. No commercial unit shall be occupied until space and facilities for bicycle parking have been provided in accordance with the Parking Management Strategy for that unit. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason: To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport.

27. No phase of the development hereby approved shall commence until a pedestrian and cycle signing strategy for that phase has first been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The scheme shall satisfy the needs of all elements of the site and be constructed in accordance with the approved details in a timescale agreed in line with the phasing set out in condition 3, and thereafter retained.

Reason: In order to satisfy the Local Planning Authority and the Highway

Authority that the final details of the pedestrian and cycle network are acceptable before work commences on site. Also, in order to provide users of the development with appropriate access to sustainable transport options.

28. As part of any reserved matters application where layout is applied for, public open space shall be provided on site in accordance with the requirements of saved Policy H13 of the adopted Wyre Borough Local Plan (1999), or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: In order to ensure adequate provision and delivery of public open space in accordance with the provisions of the NPPF and Policy H13 of the Wyre Borough Local Plan (1999).

29. No part of the development hereby approved shall commence until a scheme for the construction of the internal link road between A6 Preston New Road and Nateby Crossing Lane and other internal access roads, cycleway and footway networks has been first submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The scheme shall satisfy the needs of all elements of the site and be constructed in accordance with the approved details before the development is occupied or in accordance with a phased delivery programme to be agreed in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and in order to provide a safe access to the site and ensure that users of the development have appropriate access to sustainable transport options.

**Notes: -**

1. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.
2. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the County Council at County Hall, Preston PR1 0LD, in the first instance, to ascertain the details of such an agreement and the information to be provided.
3. Traffic Regulation Orders, diversions of Public Rights of Way, Stopping Up

of existing highway, changes to public transport scheduling/routing and other activities require separate statutory consultation processes beyond the planning application process. The applicant will be obliged to meet all the costs associated with these of works and ensure that any works which rely upon them do not commence until all legal processes have been satisfactorily completed.

**PA.10      Item 8 (b) – Selbys Pig Farm, Little Tongues Lane, Preesall, Poulton-le-Fylde, Lancashire, FY6 0PD**

**17/00267/OUTMAJ**

Messrs Gornall & Dewhurst. Outline application for the erection of 10 dwellings with access from Little Tongues Lane / Bourbles Lane and layout applied for (all other matters reserved). Selbys Pig Farm, Little Tongues Lane, Preesall, Poulton-le-Fylde, Lancashire, FY6 0PD.

This application was before Members at the request of Councillor Orme. Committee Members had the benefit of a site visit before the public meeting to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

*Councillor Graham Holden left the room for this one item.*

A Parish Councillor for Preesall spoke to the Committee, objecting to the application.

The Committee considered that an additional condition regarding drainage would be required on any approval. The Committee considered that the amenity provided by a group of trees should be maintained.

The application was approved as per the recommendation in the report of the Head of Planning Services subject to (i) a revised plan amending the point of access onto Little Tongues Lane and handing the dwelling on that plot along this frontage (if required, following confirmation of the exact location of the group of tree(s) ), to avoid the need to remove those trees at that site access to the satisfaction of the Head of Planning Services and (ii) to the conditions and reasons set out in the report and to the additional condition and reason which are together set out below:

**Condition and Reasons: -**

1. In the case of any reserved matter, namely, appearance, landscaping, and scale of the buildings, application for approval must be made before the expiration of three years beginning with the date of this permission; and that the development hereby permitted shall be begun not later than:

the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.



Reason: This condition is required to be imposed pursuant to 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 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 30/03/2017 including the following plans/documents:

Revised Site Layout Plan (Showing Levels) (streetscene elevation) Drawing Number LF/SG/3301

Revised Site Layout Plan Drawing Number LF/SG/3201 Rev A

Site Location Plan

In respect to Layout Floor Plans (Elevations and scale remain illustrative):

Garage Layout Drawing Number LF/SG/3203

Dwelling Floor Plans Drawing number LF/SG/3202

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. Prior to the commencement of development, 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 the National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national guidance / standards, with evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates to be submitted. 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 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 and to prevent an undue increase in surface water run-off to reduce the risk of flooding in accordance with Policy ENV15 of the Adopted Wyre Borough Local Plan (July 1999) 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.

4. No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to July 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 11 of the National Planning Policy Framework (March 2012).

5. No development shall take place until full details of biodiversity enhancements within the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include, but not be exclusive to, areas of soft landscaping (including any retained trees, hedgerows and other planting and any replanted or transplanted hedgerows), and schedules of any new trees and landscape planting (including plant size, species and number/ densities and mitigation for nesting bird habitat).

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 5 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 the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 11 of the National Planning Policy Framework.

6. Prior to the commencement of development a desk study to investigate and produce an assessment of the risk of the potential for on-site contamination shall be undertaken and submitted to and approved in writing by the Local Planning Authority. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to the development of the site. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive end use. The potential for contamination must therefore be addressed in order to safeguard the

development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

7. a) No development approved by this permission shall be commenced until details of the existing and proposed ground, slab and finished floor levels have been submitted to and approved in writing by the Local Planning Authority.

b) The scheme shall be constructed and completed in accordance with the approved details.

Reason: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding in accordance with Policies SP14 and ENV15 of the Adopted Wyre Borough Local Plan (July 1999).

8. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (Ref: 2016-C-154 Preesall; received by Wyre Borough Council on 8 March 2018) prepared by CTC Infrastructure and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 6.44 metres above Ordnance Datum (mAOD)

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

Reason: To reduce the risk of flooding to the proposed development and future occupants.

9. 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 development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

10. The visibility splays shown on plan reference LF/SG/3201/A identified as that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed access from the continuation of the nearer edge of the carriageway of Little Tongues Lane and Bourbles Lane to a point measured 25m along the nearer edge of the carriageway of Little Tongues Lane and Bourbles Lane from the centre line of the proposed access shall be provided prior to first occupation of the development 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 SP14 of the Adopted Wyre Borough Local Plan (July 1999).

11. Prior to the commencement of development a scheme for the construction of the site access and the off-site works of highway improvement [namely, the new 2m wide pedestrian foot path on the western side of Little Tongues Lane from the northern boundary of No. 9 Little Tongues Lane to the southern boundary of Ivy Dean], including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The site access and off-site works of highway improvement shall be constructed and completed in accordance with the approved scheme details.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). 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.

12. 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 development takes place within the site and shall be further extended before any development commences fronting the new access road. The road with all supporting infrastructure (drainage, footways, lighting and traffic calming measures) shall be completed prior to that phase of development being substantially constructed.

Reason: To ensure that satisfactory access is provided to support each phase of site construction hereby permitted in the interests of highway safety in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

13. Prior to the commencement of development a Traffic Management Plan (TMA) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The TMA shall include and specify the provisions to be made for the following:-

- o The parking of vehicles of site operatives and visitors;
- o Loading and unloading of plant and materials used in the construction of the development;
- o Storage of such plant and materials;
- o Wheel washing facilities;
- o 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)
- o Routes to be used by vehicles carrying plant and materials to and from the site;
- o Measures to ensure that construction and delivery vehicles do not

impede access to adjoining properties.

The development shall be carried out in accordance with the approved TMA

Reason: to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.

14. The development hereby approved shall not be first occupied or brought into use until the parking / turning area(s) shown on the approved plan LF/SG/32011A 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 SP14 of the Adopted Wyre Borough Local Plan (July 1999).

15. Prior to the commencement of the development, a plan indicating the design and appearance of the drainage structure required to facilitate a road crossing over the drain(s) running across the site shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage structure shall be completed before the new site access at the corner of Little Tongues Lane and Baubles Lane is first used and shall be retained thereafter.

Reason: To safeguard the existing drainage systems to ensure a safe form of development that poses no unacceptable risk of flooding in accordance with Policy ENV15 of the Adopted Wyre Borough Local Plan (1999).

**Notes: -**

1. The applicant should be aware that the decision is subject to a separate legal agreement.
2. 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.
3. The grant of planning permission does not authorise any closure, obstruction or diversion of a public right of way. Any proposed stopping-up or diversion of a public right of way should be the subject of an Order under the appropriate Act and Lancashire County Council should be

contacted for advice in the first instance.

**PA.11      Item 8 (c) – 15 Newton Drive East, Normoss, Blackpool, Lancashire, FY3 8QJ**

**18/00145/FUL**

Mr M Atherton. Erection of 8 apartments following demolition of existing residential dwelling. 15 Newton Drive East, Normoss, Blackpool, Lancashire, FY3 8QJ.

This application was presented to Planning Committee at the request of Councillor Barry Birch. Committee Members had the benefit of a site visit before the public meeting to enable Members to understand the proposal beyond the plans submitted.

A member of the public and a Ward Councillor spoke to the Committee, objecting to the application.

The Agent spoke to the Committee, in support of his application.

The application was approved as per the recommendation in the report of the Head of Planning Services, subject to the following conditions and reasons:-

**Conditions and Reasons:-**

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 6th February 2018 including the following plans/documents:

- Location Plan
- Proposed Elevations (plan ref: GA3088-PL02C)
- Proposed Floor Plans and Block Plan (plan ref: GA3088-PL02B)

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. Building work shall not commence on any building until details of the materials to be used in the construction of the external surfaces of that building (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The

development shall be carried out using the approved materials.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). The details are required prior to the commencement of the development because they were not submitted with the application.

4. Prior to the commencement of development details of the appearance, including materials to be used, of the bin and cycle storage area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, prior to first occupation of any part of the approved development and thereafter maintained and retained.

Reason: In the interests of the appearance of the site and locality, in accordance with SP14 of the Adopted Wyre Borough Local Plan (July 1999). 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. Prior to the commencement of the development, a plan indicating the positions, design, materials and type of boundary treatment to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed before the use hereby permitted is first commenced, or before the dwelling(s) is first occupied. The approved details shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants / neighbours in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). The details are required prior to the commencement of the development because they were not submitted with the application.

6. Prior to the commencement of development, a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, 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 the National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national guidance / standards, with evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates to be submitted. 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 occupied or brought into first use until the drainage works 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 and to prevent an undue increase in surface water run-off to reduce the risk of flooding in accordance with Policy ENV15 of the Adopted Wyre Borough Local Plan (July 1999) 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.

7. Prior to the commencement of development a desk study to investigate and produce an assessment of the risk of the potential for on-site contamination shall be undertaken and submitted to and approved in writing by the Local Planning Authority. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to the development of the site. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive end use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

8. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, areas of soft landscaping (including any retained trees, hedgerows and other planting and any replanted or transplanted hedgerows), hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

The landscaping works shall be carried out in accordance with the approved details 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 5 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 in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development in the interests of the visual amenity of the area in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

9. The existing access into the development site shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Specification for Construction of Estate Roads prior to the first occupation of any part of the development hereby approved.

Reason: To limit the number of access points and to maintain the proper construction of the highway in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

10. The development hereby approved shall not be first occupied or brought into use until the parking area(s) shown on the approved plan have been laid out, surfaced and drained. The parking 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 SP14 of the Adopted Wyre Borough Local Plan (July 1999).

11. The level of the new driveway shall be constructed 0.150m above the carriageway channel line of Normoss Road.

Reason: To safeguard the future reconstruction of the highway in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

12. Prior to the commencement of development a scheme for the construction of the site access and other works to be carried out within the adopted highway, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The site access shall be constructed and completed in accordance with the approved scheme details.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). 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.

13. Prior to the first occupation or use of the development hereby approved, obscured glazing shall be installed in the south-west elevation at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured) and maintained and

retained thereafter. Any subsequent repaired or replacement glazing shall be fitted with obscure glass to the same level of obscurity.

Reason: To safeguard the privacy of adjoining residents and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

**Note(s): -**

1. The new vehicular access to the car parking bays, the relocation of the street light and the closure of the existing access onto Newton Drive East 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. Further information and advice can be found at [www.lancashire.gov.uk](http://www.lancashire.gov.uk) and search for 278 agreement.

**PA.12      Item 8 (d) – Cooperative Retail, 34 – 37 High Street, Garstang, Preston, Lancashire, PR3 1EA**

**18/00158/ADV**

One Stop Stores. Part retrospective application for the erection of 5 x 'One Stop' (3 x illuminated ) (2x non-illuminated) signs, 1 x 'Post Office' illuminated fascia sign, 4 x non-illuminated direct print panels, and 4 x non-illuminated poster frames. Cooperative Retail 34 - 37 High Street Garstang Preston Lancashire PR3 1EA.

*Councillor Ballard spoke upon this item and then left the room for this item only.*

The majority of advertisements that were the subject of this application had already been installed. The application was reported to Planning Committee because the advertisements had generated significant public interest from residents whom contacted the press directly with concerns about the appearance and illumination of the advertisements. Committee Members had the benefit of a site visit before the public meeting, to enable Members to understand the proposal and their setting on the store and the photos taken by the Case Officer.

The Committee considered that an additional condition regarding the switching off of the illumination at the close of business would be required on any consent in the interests of visual amenity and neighbouring occupiers' amenity.

The application was approved as per the recommendation in the report of the Head of Planning Services, subject to the conditions and reasons set out in

his report and an additional condition and reasons as follow:-

**Conditions and Reasons:-**

1. The advertisement(s) shall be displayed, except where modified by the conditions to this consent, in accordance with the Application for Advertisement Consent received by the Local Planning Authority on 13/02/2018 including the following plans/documents:

Location Plan/Block Plan DWG No. B Rev B

Proposed Site Signage DWG No. B Rev B

Fascia Sign Specification DWG NO. B Rev B (One-stop shop and Post Office fascia)

The email from Innovate Signs dated 25th April 2018 (08:23) and attached Dimmer Installation Report

The email from Innovate Signs dated 30th April 2018 (11:13) and attached report from Portland Lighting detailing the illumination levels, and attached specification of the PDMINI Touch Key Dimming Controller.

The advertisement(s) 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.

2. Notwithstanding the detail of illumination provided on the submitted application form or plans, the limits of the illuminance on those advertisements approved as illuminated shall not exceed 150 candela per square metre.

Reason: In the interests of amenity and the visual characteristics of the locality as part of Garstang Conservation Area.

3. The means of illumination for all the signs hereby consented to be illuminated shall be switched off at the close of business each day and shall only be switched on during business hours.

Reason: In the interests of visual amenity and the amenity of occupiers of neighbouring properties in accordance with Policy SP14 of the adopted Wyre Borough Local Plan (July 1999).

**Standard conditions:**

1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

2) No advertisement shall be sited or displayed so as to:-

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

3) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

4) Any structure of hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

5) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: Imposed by Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) Unless otherwise stated below in section (B), the express consent hereby granted shall expire at the end of a period of five years.

Reason: Imposed by article 14 (7) (b) of Part 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

**PA.13      Item 8 (e) – 71A Victoria Road West, Thornton Cleveleys, Lancashire, FY5 1AJ**

**17/01077/FUL**

RCA Interiors. Erection of a free standing ice cream kiosk on forecourt. 71A Victoria Road West, Thornton Cleveleys, Lancashire, FY5 1AJ.

This application was before the Planning Committee because it was considered to be a distinctive and unusual development and the Local Planning Authority had not previously dealt with anything of this nature before. It could also have had the potential to set a precedent for similar proposals, which could generate a high level of public interest. Committee Members therefore had the benefit of a site visit before the public meeting, to enable Members to understand the proposal and its setting upon the main road, as well as the photos taken by the case officer.

The Committee considered that the development should not be permitted as permanent development having regard to policy SP14 of the Wyre Borough Local Plan and that an additional condition requiring removal after four years would be required if permission were to be granted.

The application was approved as per the recommendation in the report of the Head of Planning Services, subject to the conditions and for the reasons set out in his report and to an additional condition with reasons as follows:

**Conditions and Reasons**

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 20th November 2017 including the following plans/documents:

Ground Floor Plan (Revised) Drwg No 1 1404  
Kiosk Plans and Elevations Drwg No 2 1404  
Shutter Plans Drwg No 3 1404  
Revised Location 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 using those materials specified on the approved plan, namely

Steel box framing RAL 7026 granite grey  
Oak timber panel inserts (sample of this material also provided)

Reason: To safeguard the visual amenities of the locality and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

4. Notwithstanding the details submitted for the shutter, building work shall not commence until details of the style, design and colour of the shutter are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). The details are required prior to the commencement of the development because they were not submitted with the application.

5. No amplified recorded or live music shall be played at any time in the kiosk hereby approved.

Reason: To avoid an unacceptable impact on residential amenity by virtue of

noise in accordance with Policy SP14 of the adopted Wyre Borough Local Plan (July 1999) and the National Planning Policy Framework.

6. The use of the kiosk hereby permitted shall not operate outside the hours of 08.00 to 20.00.

Reason: In the interests of the amenity of occupiers of neighbouring and nearby residential properties in accordance with Policy SP14 of the adopted Wyre Borough Local Plan (July 1999).

7. Noise and vibration from all plant, machinery and equipment connected with the use of the kiosk hereby permitted shall be inaudible inside noise sensitive premises (with their windows open or closed) and within their outside amenity areas (to include balconies).

Reason: To minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings, in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and the National Planning Policy Framework.

8. The use of the kiosk hereby approved shall not involve the cooking or sale of hot food.

Reason: To minimise the risk of odours that may cause nuisance and harm the amenity of occupiers of nearby buildings, in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999),

9. When in place the kiosk shall be securely anchored to the ground at all times.

Reason: The site is located in Flood Zone 3 and so to prevent it from becoming mobile during a flood event to ensure an appropriate development in accordance with the National Planning Policy Framework.

10. The kiosk authorised by this permission shall be removed not later than 1st October of each calendar year and immediately following each such removal there shall be carried out such works as may be required for the reinstatement of the land to its condition before the development took place. The kiosk shall not subsequently be placed again on the site before 1st March of each calendar year.

Reason : To enable the Local Planning Authority to retain a measure of control over the development in a prominent location thereby safeguarding the amenities of the area in accordance with policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

11. The use of the kiosk shall be restricted to purposes which are ancillary to the main use of 71A Victoria Road West and shall not be used as a separate unit.

Reason: To prevent the over-development of the site in accordance with

Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

12. The kiosk authorised by this permission shall be removed and the land restored to its former condition on or before 6th June 2022.

Reason: The development is such that it would not be permitted as permanent development having regard to Policy SP14 of the adopted Wyre Borough Local Plan.

**PA.14      Tree Preservation Order No 5 of 2018 - Land to the East of Tithebarn Park and to the North East side of Tithebarn Street, Poulton-le-Fylde, FY6 7BY**

**Wyre Borough Council Tree Preservation Order No 5 of 2018 – Land to the east of Tithebarn Park and to the north east side of Tithebarn Street, Poulton-le-Fylde, Lancashire, FY6 7BY**

The Service Director People and Places submitted a report to the Committee, asking to consider the objection and determine whether to confirm the making of Wyre Borough Council Tree Preservation Order no 5 of 2018: Land to the east of Tithebarn Park and to the north east side of Tithebarn Street, Poulton-le-Fylde, Lancashire, FY6 7BY. Members considered the matter having had the benefit of viewing the site and its setting before the public meeting to understand the site and its setting beyond the plans submitted and the photos taken by the Case Officer.

**RESOLVED**

That the Wyre Borough Council Tree Preservation Order No 5 of 2018 - Land to the east of Tithebarn Park and to the north east side of Tithebarn Street, Poulton-le-Fylde, Lancashire, FY6 7BY be confirmed as per the recommendation in the report of The Service Director People and Places.

The meeting started at 2.00pm and finished at 3.45pm.

**Date of Publication: Thursday 14 June, 2018**