



Planning Committee Agenda

Wyre Borough Council
Date of Publication: 24 July 2018
Please ask for : Carole Leary
Democratic Services Officer
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**Planning Committee meeting on Wednesday, 1 August 2018 at 2.00 pm
in the Council Chamber, Civic Centre, Poulton-le-Fylde**

1. Apologies for Absence

2. Declarations of Interest

Members will disclose any pecuniary and any other significant interests they may have in relation to the matters under consideration.

3. Confirmation of Minutes

To confirm as a correct record the minutes of the previous meeting of Planning Committee held on Wednesday, 6 June 2018 (already circulated by email).

4. Appeals

(Pages 1 - 18)

Schedule of Appeals lodged and decided between 15 May 2018 – 15 July 2018.

5. Planning Applications

Background Papers:

In preparing the following reports on this agenda the following documents have been used:

1. The Wyre Borough Local Plan (1999)
2. Wyre Borough Core Strategy Preferred Options document (March 2012)
3. Wyre Local Plan Issues and Options (June 2015)
4. Submission draft – emerging Wyre Borough Local Plan 2011-2031
5. Joint Lancashire Minerals and Waste Local Plan
6. Statements of Government Policy/advice (NPPF, NPPG, Circulars etc.)
7. Supplementary Planning Documents and evidence base documents specifically referred to in the reports

8. The application file (as per the number at the head of each report)
9. The forms, plans, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports
10. Any additional information specifically referred to in each report.

These Background Documents are available either on line, or for inspection by request at Planning Services, Civic Centre, Breck Road, Poulton-le-Fylde, FY6 7PU

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

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| Item 1 | Application No: 18/00424/FUL - Middle Holly Field, Middle Holly, Forton, Lancashire, PR3 1AH
Change of use of an existing agricultural building to storage & distribution (B8) including the creation of associated parking/turning area. | (Pages 19 - 30) |
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PLEASE NOTE:

Transport for the members will leave the Civic Centre for the one Site Visit at 11am.

APPEALS LODGED AND DECIDED

Appeals Lodged between – 15 May – 15 July 2018

Application Number	Location	Proposal	Com/Del decision	Appeal Type	Date Lodged
17/00933/OUTMAJ	Springfield Cottage Farm Cart Gate Preesall Poulton- le-Fylde Lancashire FY6 0NP	Outline application for up to 11 new residential dwellings with access applied for off Cart Gate (all other matters reserved)	Committee	Written Representations	6 June 2018
17/01022/FUL	Bimsons Cottage Wheel Lane Pilling Preston Lancashire PR3 6HL	Erection of a replacement dwelling (including demolition of existing dwelling)	Delegated	Written Representations	10 July 2018

Appeals Decided between – 15 May – 15 July 2018

Application Number	Location	Proposal	Com/Del decision	Decision	Date Decided
17/00069/FUL	Rear Of Former Saracens Head Hotel 200 Park Lane Preesall Poulton-Le-Fylde Lancashire FY6 0NW	Part retrospective application for the erection of a detached dwelling (Resubmission of 16/00356/FUL)	Committee	Dismissed	12 June 2018
17/00091/FUL	St Thomas Church Hall Church Street Garstang Lancashire PR3 1PA	Erection of one additional dwelling following demolition of existing outbuilding to former church hall and proposed alterations to car parking layout	Delegated	Allowed	23 May 2018

17/00396/OUT	Land Rear Of Chequers And Wyresdale Smallwood Hey Road Pilling Preston Lancashire PR3 6HJ	Outline application for the erection of one detached dwelling (all matters reserved)	Delegated	Allowed	29 May 2018
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Appeal Decisions

Site visit made on 20 March 2018

by **A A Phillips BA (Hons) DipTP MTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 July 2018

Appeal A: APP/U2370/C/17/3183886

Land lying to the north and west of 200 Park Lane, Preesall, Poulton-Le-Fylde FY6 0NW (also known as Edgey's View, The Old Car Park, Saracen's Head, Park Lane, Preesall, Poulton-Le-Fylde)

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Stewart Edge against an enforcement notice issued by Wyre Borough Council.
- The enforcement notice was issued on 24 August 2017.
- The breach of planning control as alleged in the notice is:
 - (i) Construction of a detached dwelling on the Land not in compliance with approved plans. Planning permission (part retrospective) under reference number 17/00472/FUL was granted on 6 July 2017 for the erection of a detached dwelling on the Land in accordance with the approved plans to that application namely Plan Number 4530-4-02D which is attached hereto and marked A ("Plan A") and Plan Number 4530-4-01E which is attached hereto and marked B ("Plan B"). The aforesaid detached dwelling is operational development constructed not in compliance with the said approved plans constituting a material breach of planning control.
 - (ii) Installation of windows otherwise than in accordance with condition 4 of the planning permission 17/00472/FUL in the locations marked with a blue cross on Plan B.
- The requirements of the notice are:
 - (i) Alter the detached dwelling on the Land so that it complies with Plan A and Plan B including (for the avoidance of doubt) demolishing/removing in its entirety from the said attached dwelling all construction at first floor level highlighted pink on Plan C (aforementioned Gym and Cinema Room); and
 - (ii) Remove the three first floor windows in the north and south elevations marked with a blue cross on Plan B and install three non-opening obscure glazed units equivalent to Grade 5 level (most obscure) in the said locations shown marked with a blue cross on Plan B.
- The period for compliance with the requirements is three months.
- The appeal was made on the grounds set out in section 174(2) (a) of the Town and Country Planning Act 1990 as amended.

Summary of decision: The appeal is dismissed and the enforcement notice is upheld with variations.

Appeal B: APP/U2370/W/17/3180202

Land lying to the west and north of 200 Park Lane, Preesall, Poulton-Le-Fylde FY6 0NW (also known as Edgey's View, The Old Car Park, Saracen's Head, Park Lane, Preesall, Poulton-Le-Fylde)

- The appeal is made under section 78 of the Town and Country Planning Act 1990

against a refusal to grant planning permission.

- The appeal is made by Mr S Edge against the decision of Wyre Borough Council.
- The application Ref 17/00069/FUL, dated 20 January 2017, was refused by notice dated 5 April 2017.
- The development proposed is alterations to previously approved detached dwelling ref no 16/00356/FUL.

Summary of decision: The appeal is dismissed.

This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 12 June 2017

Preliminary Matters

1. The enforcement notice alleges: at 3(i) the construction of a detached dwelling on the Land not in compliance with the approved plans" (i.e. plans approved in connection with planning permission ref 17/00472/FUL); and 3(ii) Installation of windows otherwise than in accordance with condition 4 of planning permission 17/00472/FUL...". The notice also indicates that the breaches of planning control fall within paragraphs (a) and (b) of s171A (1) of the 1990 Act, paragraph (a) relating to carrying out development without planning permission and (b) concerning the failure to comply with conditions.
2. Allegation 3(i) therefore appears to state that the dwelling does not have planning permission and, in relation to windows and 3(ii) indicates that the development was carried out in breach of condition 4. This is reinforced by the reference to the breaches having occurred within the last 4 years and 10 years respectively.
3. It also appears that there are two parts of the planning permission which are relevant to this appeal. Firstly, that the application is part-retrospective and secondly, that condition 1 requires that the development is carried out in accordance with the approved plans. In summary, the application is therefore partly retrospective and part prospective for the erection of a detached dwelling and under such terms planning permission may be granted including for development carried out before the date of the planning application. Therefore, in this case not all of the building is unlawful – parts approved by planning permission 17/00472/FUL are lawful and those not authorised by the permission are unlawful.
4. Under the current enforcement notice it is clear to me that the alleged breach relates to the issue of the difference between what was authorised and what has actually been built on site – and specifically operational development constructed not in compliance with the approved plans constitutes a material breach of planning control. However, if the appellant complied with the notice as originally drafted, he would obtain an unconditional planning permission for the resulting works by virtue of s173(1). Therefore, without causing injustice to the appellant and in order to ensure that the wording of the enforcement notice is clear that the breach is the difference between what was permitted and what was built on site paragraph 3(i) should be varied as follows:

3(i) The carrying out of building operations on the Land not in compliance with approved plans.

The construction at first floor level of elements identified as the "Gym" and "Cinema Room" and highlighted in pink on Plan Number 4530-04-01D which is attached hereto and marked C ("Plan C"), which first floor elements were not permitted by planning permission (part retrospective) granted under reference number 17/00472/FUL on 6 July 2017 for the erection of a detached dwelling on the Land in accordance with the approved plans to that application namely plan number 4530-4-02D which is attached hereto and marked A ("Plan A") and plan number 4530-4-01E which is attached hereto and marked B ("Plan B").

Appeal A on ground (a) and Appeal B

Main Issue

5. The main issue is the effect on the living conditions of the occupants of neighbouring properties with particular reference to outlook, privacy and overlooking.

Reasons

6. The appeal site comprises an area of land which formerly formed the car park of the Saracens Head Public House which has now been converted to a single dwellinghouse. A modern flat roof contemporary design two storey dwelling is being constructed on the site. At the time of my site visit the property was partially constructed, but apparently in accordance with plans previously refused by the Council under reference 17/00069/FUL rather than those approved under reference 17/00472 FUL (part retrospective). In particular, first floor elements identified as a gym and cinema room have been constructed and some windows have been installed otherwise than in accordance with condition 4 of 17/00472/FUL which requires all first floor windows on the south facing elevation and first floor windows on the north facing elevation adjacent to the northern boundary to be installed as non-opening and fitted with obscure glazing.
7. The separation between the dwelling and adjacent residential properties Nos 1 and 2 Back Lane (England's Cottages) is approximately 12 metres which is less than the requirement for such separation to be 13 metres where a rear elevation faces the side elevation of a two storey development according to Supplementary Guidance 4 Spacing Guidelines for New Housing Layouts (SPG4). The development is close to the shared boundary with No 2 and as a consequence of the additional overall height, scale, massing and design resulting from the unauthorised part of the development close to the boundary would have an overbearing effect. The development constitutes an over dominant and visually intrusive built form which is visually harmful and would result in significant material harm to the outlook from the closest property, No 2 Back Lane.
8. However, No 1 England's Cottage has a more angled relationship to the unauthorised development and consequently the effect on the property would not be as dominating or visually intrusive as the effect on No 2. Therefore, on balance I do not consider the development to be harmful in terms of the effect on outlook in relation to No 1. As a consequence of the separation distance and

change in levels in the locality I do not consider the unauthorised development would be harmful to the outlook from 200 Park Lane.

9. With respect to privacy and overlooking there are two first floor windows on the north elevation which are situated close to the appeal site's boundary with Village Farm, 194-198 Park Lane. Furthermore, there is a first floor window on the north side elevation which looks directly over the private amenity space of No 2 Back Lane. These openings to which the enforcement notice relate were installed as opening windows, but since have been screwed to the frame as a way of fixing them and have also been coated in order to prevent overlooking into neighbouring properties. Without a permanent method of fixing and properly fitted obscure glazed windows it is clear to me that the openings the subject of the enforcement notice could potentially cause unacceptable levels of overlooking and loss of privacy to the detriment of the living conditions of adjoining occupants.
10. Therefore, in order to provide a permanent solution to ensure that the living conditions of neighbouring properties are protected, with particular reference to privacy and overlooking, requirement 2 of the notice to install three non-opening obscure glazed units equivalent to Grade 5 level should be implemented.
11. Consequently, I conclude that the development is harmful to the living conditions of the occupants of neighbouring properties with particular reference to outlook, privacy and overlooking. As such it conflicts with Policy SP14 of the Wyre Borough Local Plan 1999 and advice in SPG4. Among other objectives these seek to ensure that proposals are compatible with adjacent existing land uses, residential amenity should be safeguarded and physical dominance avoided.

Formal Decision

12. I direct that the enforcement notice is varied by deleting from paragraph 3(i) the words

"Construction of a detached dwelling on the Land not in compliance with approved plans.

Planning permission (part retrospective) under reference number 17/00472/FUL was granted on 6 July 2017 for the erection of a detached dwelling on the Land in accordance with the approved plans to that application namely Plan Number 4530-4-02D which is attached hereto and marked A ("Plan A") and Plan Number 4530-4-01W which is attached hereto and marked B ("Plan B"). The aforesaid detached dwelling is operational development constructed not in compliance with the said approved plans constituting a material breach of planning control."

and the substitution therefor of the words

"The carrying out of building operations on the Land not in compliance with approved plans.

The construction at first floor level of elements identified as the "Gym" and "Cinema Room" and highlighted in pink on Plan Number 4530-04-01D which is attached hereto and marked C ("Plan C"), which first floor elements were not permitted by planning permission (part retrospective) granted under reference number 17/00472/FUL on 6 July 2017 for the erection of a detached dwelling on the Land in accordance with the approved plans to that application namely plan number 4530-4-02D which is attached hereto and marked A ("Plan A") and plan number 4530-4-01E which is attached hereto and marked B ("Plan B")."

13. Subject to this variation the appeal is dismissed and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Alastair Phillips

INSPECTOR

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Appeal Decision

Site visit made on 8 May 2018

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd May 2018

Appeal Ref: APP/U2370/W/18/3195781

St Thomas Church Hall, Church Street, Garstang, Preston PR3 1PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Robin Smith against the decision of Wyre Borough Council.
 - The application Ref 17/00091/FUL, dated 5 January 2017, was refused by notice dated 24 January 2018.
 - The development proposed is the erection of one additional dwelling following demolition of existing outbuilding to former church hall and proposed alterations to car parking layout.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of one additional dwelling following demolition of existing outbuilding to former church hall and alterations to car parking layout at St Thomas Church Hall, Church Street, Garstang, Preston PR3 1PA in accordance with the terms of the application, Ref 17/00091/FUL, dated 5 January 2017, subject to the conditions set out in Annex A.

Procedural Matters

2. On the application form the address for the development was given as The Vicarage, but on the appeal form and decision notice it is given as St Thomas Church Hall. It is clear from the plans, and my site visit, that the development relates to the former church hall and not the Vicarage and so I have used that as the address in both the banner heading and my formal decision. In addition, I have used the description of development as given on the decision notice and appeal form as this was more succinct than that given on the application form.

Main Issue

3. The main issue in the appeal is the effect of the proposed development on the living conditions of future occupiers of the building with particular regard to outlook, light and sunlight for Unit 1 and the courtyard garden area.

Reasons

4. The appeal relates to a brick built extension on the rear of a former church hall. The majority of the building is an attractive L-shaped stone building and permission has previously been granted for the conversion of this to 4 dwellings. It is proposed to demolish this current extension and replace it with

- a two storey extension whose design and materials would be much more sympathetic to the host property.
5. The height, mass and projection of this proposed dwelling would be greater than the existing extension on the site, and would be similar to the existing southerly projecting part of the hall that will form Plot 1. This dwelling has two windows on the western elevation that would face the blank elevation of the proposed dwelling and would be approximately 7m from it. One of these windows serves the kitchen area, and the other the living area, of the open plan kitchen/dining and living area for this dwelling.
 6. The Council have indicated that *SPG4: Spacing Guidance for new housing layouts (adopted September 1998)* would normally require a minimum separation distance of 13m between these windows and a blank elevation. As such the proposal would fall short of this. However, the outlook of these windows would previously have been to the brick elevation of the existing extension at a similar distance. As such even though, the scale and mass of the proposed dwelling is greater than the existing building, the outlook from these windows, and the light received by them, would not be significantly different.
 7. The appellant has indicated that despite the increased size of the proposed dwelling, the window serving the lounge area would have no external obstruction above the 25 degree line which is generally considered acceptable for windows providing a main source of light and outlook. This has not been disputed by the Council. In addition, this open plan living area is also served by two other windows on the eastern elevation which have an open outlook and no restrictions on light.
 8. Given this, overall I am satisfied that Unit 1 would still have an adequate outlook from the living area and would be provided with satisfactory levels of light.
 9. The area between the proposed dwelling and Unit 1 would provide a courtyard garden for the use of residents. The proposed dwelling would be to the west. Whilst the increased scale and mass of the proposal would create some limited additional overshadowing of this area later in the day, as it is south facing, I am satisfied that it would still receive adequate amounts of light and sunlight during the day, and would be an attractive place for residents to use.
 10. All in all, I consider that the proposed development would not unacceptably harm the living conditions of future occupiers of the building with particular regard to outlook, light and sunlight for Unit 1 and the courtyard garden area. Accordingly it would not conflict with Policy Sp14 of the Wyre Borough Local Plan (adopted July 1999) which seeks to ensure that developments have a high standard of design and amenity.

Other Matters

11. The building is located within Garstang Conservation Area. I have therefore had regard to the special duty placed on decision makers in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I note that the Council have not raised any objections in this regard. The proposal would replace an unsympathetic extension to the existing building with an extension whose design and materials are much more in keeping with the host property.

As such, I consider that the proposal would improve the appearance of the host property, and would result in a minor enhancement to the character and appearance of the conservation area.

12. I note the concern of a local resident regarding existing parking problems outside nearby houses. However, this is not a matter that is before me at this appeal. Moreover, the proposed changes to the car parking layout would create an additional 4 parking spaces on the site, and I note that the Council consider the on-site parking to be satisfactory. Nothing I have seen or read leads me to come to a different conclusion in this regard.

Conclusion and Conditions

13. For the reasons set out above, I conclude the appeal should be allowed.
14. In addition to the standard implementation condition, I have imposed a condition specifying the relevant plans, as this provides certainty. In the interests of the character and appearance of the area a condition is required to control the external appearance of the dwellings. For highway safety reasons a condition is required to secure the provision of the parking before the dwelling is occupied.

Alison Partington

INSPECTOR

Annex A

Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan Drawing No. 1632/03 Rev B; Topographical Survey Drawing No. 1632/05 Rev A; Proposed Site Plan Drawing No. 1632/08; and Proposed Plans and Elevations Drawing No. 1632/06 Rev A.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) The dwelling shall not be occupied until the parking and turning space has been laid out within the site in accordance with Drawing No. 1632/08 and that space shall thereafter be kept available at all times for the parking of vehicles.



Appeal Decision

Site visit made on 8 May 2018

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th May 2018.

Appeal Ref: APP/U2370/W/18/3195063

Land rear of Chequers and Wyresdale, Smallwood Hey Road, Pilling PR3 6HJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Cookson against the decision of Wyre Borough Council.
 - The application Ref 17/00396/OUT, dated 27 April 2017, was refused by notice dated 22 November 2017.
 - The development proposed is a single dwelling.
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Decision

1. The appeal is allowed and outline planning permission is granted for a single dwelling at land rear of Chequers and Wyresdale, Smallwood Hey Road, Pilling PR3 6HJ in accordance with the terms of the application, Ref 17/00396/OUT, dated 27 April 2017, subject to the conditions set out in Annex A.

Procedural Matter

2. The application was submitted in outline with all matters reserved for future consideration. I have dealt with the appeal on this basis, treating the plan that shows a potential layout for a dwelling on the site as indicative.

Main Issues

3. The main issues in the appeal are:
 - Whether or not the proposal represents an acceptable form of development having regard to its flood zone location; and
 - The effect of the proposed development on the living conditions of nearby residents with particular regard to outlook, light and privacy.

Reasons

Flooding

4. The appeal site lies within Flood Zone 3 which has a high probability of flooding, and the scheme is classified as a 'more vulnerable' development. The *National Planning Policy Framework* (the Framework) and the *Planning Practice Guidance* (PPG) set out strict tests to protect people and property from flooding. The aim of these being to avoid inappropriate development in areas at risk of flooding by directing development away from areas of highest risk.

5. The Framework (paragraph 101) indicates that a sequential test should be carried out the aim of which is to steer new development to areas with the lowest probability of flooding, and that development should not be allowed if there are reasonably available sites, appropriate for the proposed development, in areas with a lower probability of flooding.
6. The appellants have produced a Sequential Test which was revised during the application process to take account of comments from the Council. Whilst I note the appellants' comments regarding changes in information that came out during the application and appeal process, I consider that it is appropriate that the case is determined on the most up to date data.
7. The sequential test has been produced on a borough wide basis which accords with the advice contained in the *Wyre Council Flood Risk Sequential Test: Advice for Applicants (May 2015)* (STAA) that this should normally be the area of search for applications. I am satisfied that this represents a reasonable approach as defined by local circumstances. Nevertheless, it is disputed between the parties whether the sequential test adequately demonstrates that there are no reasonably available, sequentially preferable sites.
8. The appellants have indicated that it was agreed with the Council that sites for one dwelling between 0.02 and 0.04 ha in size, and up to a maximum of 0.05 ha provide an appropriate basis to determine comparator sites. The sequential test analysed sites found in the most recent Housing Land Monitoring Reports as well as planning permissions granted in the period 30/04 /16 – 31/3/17. The sequential test list all the sites that are potentially sequentially preferable and sets out the reasons why they are either not appropriate as comparator site or not available. On this basis it concludes that there are no sequentially preferable sites.
9. The Council has not disputed the conclusions of the sequential test with regard to any of the sites listed, but based on the most up to date data the Council's appeal statement identifies 3 further sites in Flood Zone 1 that they consider to be sequentially preferable. The appellants have highlighted that on two of these sites applications for the discharge of conditions applications have been made. The other is stated to be too large to be a comparator site, and has also had an application made for the approval of reserved matters. On this basis, in accordance with advice in the STAA, I consider that these sites would appear to have valid planning permissions which are likely to be implemented, and so are not considered reasonably available.
10. Notwithstanding this, the STAA indicates that to ensure a comprehensive approach is taken to identifying comparable sites applicants should also provide evidence from a minimum of 3 professional property agents with demonstrable knowledge and understanding of the local land and property market to show that there are no suitable comparable sites. I note the Council's concerns in this regard, but appendix 2 to the appellants' sequential test shows that 4 local property agents were contacted for this purpose. Whilst only one of these responded, I consider it is reasonable to assume that if others had had sites available they would have provided details. It is stated that the three sites identified by the agent who responded are too large to be considered as comparator sites.
11. In the light of this, I am satisfied that sufficient evidence has been produced to conclude that currently there are no alternative, reasonably available sites,

- appropriate for the proposed residential development in areas with a lower probability of flooding.
12. The Framework indicates that if the Sequential Test demonstrates it is not possible for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate. For the Exceptions Test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh the flood risk. In addition, a site specific Flood Risk Assessment (FRA) must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flooding elsewhere, and, where possible, reducing flood risk overall.
 13. The site is an unused area of former garden land immediately adjacent to a residential area which also has a variety of shops and services. Smallwood Hey Road is also a bus route, thus providing an alternative form of transport to the private car. As such, the site is in an accessible location. The construction of the house would provide some work for local contractors, spending by the new residents would also be beneficial to the local economy, and the development would make a small contribution to housing supply in the area. Therefore, I consider that the proposal would result in some limited social and economic benefits to the local community.
 14. The application was accompanied by a site specific FRA, and the Environment Agency are satisfied that, provided the development proceeds in accordance with this, the development would be safe, and would not exacerbate flood risk elsewhere. I see no reason to come to a different conclusion in this regard.
 15. As a result, I consider that the proposal passes both parts of the Exceptions Test. Paragraph 103 of the Framework states that development should only be considered appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, a number of matters can be demonstrated. These include that the development is appropriately flood resilient and resistant, with safe access and egress routes, and that any residual risk can be safely managed.
 16. The FRA sets out how the development would incorporate flood resilient construction methods, and as the application is currently in outline with all matters reserved, further details in terms of the design and layout of the development will be determined as reserved matters.
 17. All in all, I consider that the proposed development accords with the requirements of the Sequential and Exceptions Test, as set out in the Framework. Therefore the proposal would be an acceptable form of development having regard to its flood zone location.

Living Conditions

18. The appeal site is located at the rear of two bungalows. The rear gardens of these dwellings are limited in length and so their rear elevations, which contain a number of windows, are relatively close to the boundary with the site.

19. In order to ensure adequate living conditions for both existing and future occupiers the Council's *Supplementary Planning Guidance 4 : Spacing Guidance for New Housing Layouts (adopted September 1998)* sets out suggested minimum separation distances. The Council have indicated this requires that a rear elevation facing a side elevation should be a minimum of 12m apart.
20. As the proposal is made in outline with all matters reserved, the scale, layout and appearance of the dwelling are not fixed at this stage. Nevertheless, due to the limited distance the adjacent houses are to the common boundary with the site, and the constraints of the site itself, the Council have indicated that, on the basis of the indicative plans, they do not consider a dwelling can be satisfactorily accommodated on the site.
21. However, I observed that Chequers is L-shaped and so part of the rear elevation is set back a greater distance from the site than the rest of the house and the rear elevation of Wyresdale. Given this, I consider that it may be possible to design the dwelling in such a way that the minimum separation distances are maintained. As such, the proposed development would not necessarily have an overbearing impact on the adjacent properties. Moreover, careful positioning of any windows above ground floor level would be able to prevent any overlooking of adjacent properties and their gardens.
22. Whilst these matters would need careful consideration at reserved matters, at this stage I consider that the proposed development would not necessarily unacceptably harm the living conditions of nearby residents with regard to outlook, light and privacy. Therefore, there would be no conflict with Policy Sp14 of the WBLP which seeks to ensure a good standard of amenity is maintained in new development.

Conclusion and Conditions

23. The Council have indicated that the site is located in an area designated as open countryside and would be contrary to Policy Sp13 of the *Wyre Borough Local Plan (adopted July 1999)* (WBLP). However, the Council have acknowledged that they cannot demonstrate a five year housing land supply. In such circumstances paragraph 49 of the Framework states that relevant policies for the supply of housing should not be considered up to date, and paragraph 14 indicates that permission should be granted, unless there are specific policies in the Framework (such as locations at risk of flooding), which indicate that development should be restricted. As I have concluded that the proposal would be acceptable in terms of its flood zone location, this provision does not apply, and overall, I consider that it accords with the development plan.
24. For the reasons given above I conclude that the appeal should be allowed.
25. In addition to the standard implementation and reserved matters conditions, to provide certainty it is necessary to define the plans with which the scheme should accord. To ensure the satisfactory drainage of the site it is necessary to control details of the drainage systems. Given the sensitive nature of the end use I consider it is appropriate to have a condition to assess the potential for contamination and to outline how any contamination should be dealt with.

26. A wheel washing facility is not necessary due to the small scale nature of the development and as landscaping is a reserved matter, I do not consider the condition suggested by the Council in this regard is necessary at this stage.

Alison Partington

INSPECTOR

Annex A

Conditions

- 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to, and approved in writing by, the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan.
- 5) No development shall take place until full details of surface and foul water drainage for the site have been submitted to, and approved in writing by, the local planning authority, including results from percolation tests to establish that ground conditions are suitable for the use of any soakaways. The approved scheme shall be implemented in full on site prior to the first occupation of the dwelling and maintained thereafter.
- 6) No development shall take place until a desk study to investigate and produce an assessment of the risk of the potential for on-site contamination has been undertaken, and approved in writing by, the local planning authority. If the 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 agreed 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 in writing by, the local planning authority. The scheme implemented in accordance with the approved scheme prior to the development of the site, and a verification report shall be submitted to, and approved in writing by, the local planning authority.

Committee Report

Date: 01.08.2018

Item Number 01

Application Number 18/00424/FUL

Proposal Change of use of an existing agricultural building to storage & distribution (B8) including the creation of associated parking/turning area

Location Middle Holly Field Middle Holly Forton Lancashire PR3 1AH

Applicant Mr Latham

Correspondence Address c/o Graham Anthony Associates
Mr Jake Salisbury 2 Croston Villa High Street Garstang PR3 1EA

Recommendation Permit

REPORT OF THE HEAD OF PLANNING SERVICES

CASE OFFICER - Miss Lucy Lowcock

1.0 INTRODUCTION

1.1 This application is brought to Committee at the request of Councillor Val Wilson. A site visit is proposed for Committee to look at the building and its setting.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is a detached agricultural building set on its own and an access to it off the western side of Middle Holly, Forton. The site falls in the countryside and is surrounded by fields. The site is in Flood Zone 1. The building is a simple pitched roof building constructed from timber and a profile sheeting roof. There is a 2m high timber fence/gate to the entrance and a hedgerow along the boundary of the field with the road.

3.0 THE PROPOSAL

3.1 Proposed is the change of use of the building from agricultural storage to a B8 use (storage and distribution), specifically for the storage of floral sundries related to the applicant's existing business in Leachfield Industrial Estate, Garstang. No external changes are proposed to the building. An area of parking/turning is proposed to the northern side of the building measuring approximately 11.5m by 11.5m. Also, to provide the required sightlines the existing hedgerow would be required to be set back further into the field.

4.0 RELEVANT PLANNING HISTORY

4.1 Application No: 08/01002/FUL - Erection of agricultural storage building and chicken shed with run

Approved

4.2 Application No: 06/00661/FUL - New field access for agricultural use -
Approved

5.0 PLANNING POLICY

5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.1.1 The NPPF was published by the Department of Communities and Local Government on the 27th March 2012. It sets out the Government's planning policies for England and how these are expected to be applied in the determination of planning applications and the preparation of development plans.

5.1.2 The Framework sets out a presumption in favour of sustainable development (paragraph 14). Sustainability comprises economic, social and environmental dimensions and the planning system should play an active role in the delivery of sustainable development. There is a presumption in favour of sustainable development and approving development proposals that accord with the development plan without delay. Decision takers at every level should seek to approve applications for sustainable development where possible.

5.1.3 The following sections are considered to be of relevance to the determination of this application:

- Section 1. Building a strong, competitive economy
- Section 3. Supporting a prosperous rural economy
- Section 4. Promoting sustainable transport
- Section 7. Requiring good design
- Section 11. Conserving and enhancing the natural environment

5.2 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

5.2.1 The NPPG provides additional guidance on Government policy. Of relevance to this application is the section on design and noise.

5.2.2 Design - this section provides advice on the key points to take account of when considering design.

5.2.3 Noise - this section states the NPPF does not expect noise to be considered in isolation, separately from the economic, social and other environmental dimensions of proposed development. It requires decisions to take account of the acoustic environment and in doing so consider whether or not a significant adverse effect is occurring or likely to occur and whether or not a good standard of amenity can be achieved. It states that decisions must take account of the economic and social benefits of the activity causing the noise but that it is undesirable for such exposure to be caused.

5.3 ADOPTED WYRE BOROUGH LOCAL PLAN (SAVED POLICIES)

5.3.1 The Wyre Borough Local Plan was adopted on the 5th July 1999. The saved Local Plan forms part of the development plan for the district. Due weight should be given to relevant policies according to their degree of consistency with the NPPF.

5.3.2 The following policies are considered to be of relevance to the determination of this application:-

- Policy SP13 - Development in the countryside
- Policy SP14 - standards of design and amenity
- Policy EMP12 - Diversification of the Rural Economy
- Policy EMP13 - Conversion of rural buildings in countryside areas

5.4 EMERGING LOCAL PLAN

5.4.1 The Council is in the process of preparing a new Wyre Local Plan. Following public consultation on the 'Publication' draft Wyre Local Plan (2011 -2031), the Council submitted the draft Local Plan with minor amendments to the Government for examination on the 23rd January 2018. The Inspector appointed to carry out the examination held a series of hearing sessions in May into the Local Plan, which included consideration of proposed modifications submitted by the Council prior to and during the hearing sessions. The Inspector issued a Post Hearing Advice note to the Council in July which provides advice on some key issues arising from the examination and views on further main modifications that are likely to be required to make the Wyre Local Plan sound in addition to those already submitted by the Council prior to and during the examination hearings. Although the draft Local Plan as proposed to be modified does not have the full weight of an adopted Local Plan, the 'Publication' draft Local Plan together with proposed modifications submitted prior to the hearing sessions have been approved as a material consideration in the determination of planning applications from the date of publication, replacing the Core Strategy Preferred Options document'. The draft Local Plan has now reached an advanced post hearing stage in the local plan process and is supported by a comprehensive and robust evidence base. The Local Plan as proposed to be amended and taking into account the Inspector's Post Hearing Advice should be given some to modest weight in the planning balance depending on the particular circumstances of the case and any unresolved issues.

5.4.2 The following policies contained within the draft Local Plan are of most relevance:

- SP4 Countryside areas
- CDMP3 Design
- SP4 Countryside Areas
- EP8 Rural economy

6.0 CONSULTATION RESPONSES

6.1 Cadent Gas - no comments received

6.2 Forton Parish Council - The proposed change of use to B8 would encourage or necessitate a further "agricultural building" to service the agricultural use of the field and should be discouraged. This proposal is contrary to policies SP10, SP13 and SP14 and is not supported, in terms of land use, by the current adopted Local Plan (July 1999) nor the draft Local Plan that is currently under review by the Inspector. Planning application 17/00966/OUT, located adjacent to the field was rejected for reasons of non-compliance to SP13 and SP14. Drainage issues. Traffic generating. Highway safety.

6.3 Health and Safety Executive (HSE) Standing Advice - do not advise against.

6.4 Greater Manchester Ecology Unit (GMEU) - The design and condition of the building make the likelihood of bats being present very low. The development is also a change of use rather than a demolition therefore any potential impacts are further reduced. As bats do however turn up in unexpected locations I recommend an informative along the following lines. "Whilst the building to be converted has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed." The proposed visibility display will result in the loss of potential bird nesting habitat. It is also possible the bird utilize the building to be converted. All British birds' nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. Recommends a bird breeding season condition. Recommend that a new hedgerow is planted along the new boundary created by the visibility display in keeping with the local landscape. The detail can be conditioned.

6.5 Lancashire County Council Highways - No objections. Requested sightlines. Conditions required about sightlines, highways consent and turning. The applicant has provided the sightlines and the turning area. The requested conditions are still required.

6.6 Wyre Council Head of Environmental Protection and Community Safety (Environmental Health Officer) - no objections but requested condition about delivery hours and outdoor storage.

7.0 REPRESENTATIONS

7.1 10 letters of objection received, points raised:

- Inappropriate use of agricultural land for industrial use
- Drainage issues
- Non-sustainability
- Traffic problems
- Noise by vehicles
- Disturbance from lighting
- No justification
- Increased surface-water from tarmaced area
- the whole of the field will no doubt become used for non-agricultural purposes much to the detriment of the local area
- would encourage or necessitate a further 'agricultural building', to service the use of the field

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Revised plans to show sightlines 25/5/18

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of development -
- Visual Impact -
- Impact on the residential amenity -

- Impact on Highway/Parking -
- Flood Risk/drainage -
- Ecology -

9.2 Principle of development - the site falls in the countryside. Under the current Adopted Local Plan, development in the countryside is allowed for a limited number of exceptions, one being the essential requirements of agriculture and another being the change of use of rural buildings in accordance with Policies EMP12 and EMP13 of the Adopted Local Plan. The original building was granted planning permission for agricultural storage purposes under planning application 08/01002/FUL. The proposal is to change the use of the building to general B8 Storage and distribution. The specific use would be for the storage of floral sundries in connection with the applicant's existing business on Leachfield Industrial Estate, Garstang. However, the applicant does not want this specific use to be tied down by a condition. Therefore the Committee should be aware that any B8 storage and distribution use could operate from the building if planning permission is granted in the absence of such a condition. The total floor area for the use would be 37sq.m. The NPPF supports sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings. The current Adopted Wyre Local Plan under Policies EMP12 and EMP13 allow for the diversification of the rural economy and the change of use of rural buildings in the countryside for employment generating uses subject to criteria. This criteria includes the structural soundness of the building being capable of conversion, that the proposal does not conflict with adjacent land uses nor adversely affect the economic viability of a farming or other unit, no detrimental visual impacts and acceptable traffic impacts. The Submission Draft Local Plan in Policy SP4 permits the conversion of buildings for employment (Use Class B) use.

9.3 The site is on a relatively narrow country road that is approximately 200m from the A6 and 350m from bus-stops with links to wider settlements. Although the site is in the countryside, it is in an accessible location, close to main transport links. The proposal is therefore considered to meet the sustainable transport aims of the NPPF. The NPPF also supports the growth of rural businesses, including through the conversion of existing buildings. Policies EMP12 and EMP13 of the Adopted Wyre Local Plan are in accordance with this, allowing for the sustainable diversification of the rural economy and change of use of rural buildings in the countryside for employment generating uses. The proposal would be an employment generating use falling within the B Use Class, so would comply with this. This would bring potential economic benefits to the rural area of employment generation. The adjacent field could still be used for agriculture and the use of the field for non-agricultural purposes would require planning permission. As the building was originally granted planning permission for storage and is relatively small-scale, it is not considered that its loss from agriculture would detrimentally impact on the economic viability of a farming unit. Concerns have been raised that proposals for another agricultural building would be generated because of this application, however, any future application would have to be considered on its own merits. The visual impacts of the proposal are discussed below. Environmentally, as the proposal would use an existing building, the impacts from the development would be kept to a minimum. Balancing the social, economic and environmental impacts of the proposal, the development is considered to be sustainable. Given supportive national and local policies, and the sustainability of the proposal, the principle of the proposal is considered acceptable to facilitate a diversification of the rural economy and there is no substantial building works involved. Therefore, it is considered that the proposed development complies with Adopted Wyre Borough Local Plan Policies and the NPPF. A condition could be

used to restrict the use to B8 only as other uses may not be appropriate in this countryside location.

9.4 Visual Impact / Design / Impact on the street scene - the building is in place and no external alterations are proposed to it. This would be visually acceptable not appearing any different to the current situation. Conditions could be used to prevent external storage and the erection of external lighting, so as to protect the visual appearance of the area. There would be the provision of an area of hardstanding to serve the development, which could have vehicles parked on it. This would present some visual encroachment on the openness of the countryside. However, with the hedgerow to the road boundary and the current gates to the access, it is not considered that this would create significant visual harm. No details have been provided on how the hardstanding would be separated off from the adjacent field and so a condition would be required for the details of fencing to be agreed. Approximately 27m of hedgerow to the road boundary would have to be removed and replanted to provide the required sightlines. Whilst this will result in some environmental harm in the short-term, a condition can be added that the details of this be agreed, to ensure the current natural looking boundary is retained in the long-term.

9.5 Impact on the Residential Amenity - there is an existing agricultural building in place, which would not be altered externally, therefore there are no concerns about impacts on neighbouring amenity in terms of light or overlooking. The proposed use would fall within the B8 use class (storage and distribution). Details have been provided that this would be for the storage of floral sundries although as proposed, any B8 use could operate from the building. The Council's environmental protection department have been consulted on this application and have no objections in terms of noise and disturbance. A condition has been recommended restricting the delivery hours and also that there be no outdoor storage (addressed above). With these conditions it is not considered that there would be an unacceptable impact on neighbouring amenity from the proposed use. It should be noted that the current building can already be used for agricultural activities.

9.6 Impact on Highway / Parking - the proposal would use the existing access, but would require alterations to the position of the hedgerow to provide the required sightlines. This has been shown on the plans. Lancashire County Council Highways have been consulted on this and have no objections, but require conditions about the sightlines, highways consent and turning. Based on this professional advice it is not considered that the proposal would have an unacceptable impact in terms of parking, traffic generation or highway safety. It should be noted that the access and building can already be used by agricultural vehicles.

9.7 Flood Risk - the site is in in Flood Zone 1, therefore the proposal would be sited in the lowest flood risk area. A Flood Risk Assessment nor sequential/exception test are not required because of this. Comments have been received from neighbours that the proposal would unacceptably impact on already inadequate drainage. The building is already in place, therefore the surface-run-off from this should be no different than at present. An area of parking/turning is proposed. To minimise the run-off from this a condition could be used that it be provided in a permeable material that would allow the any rainfall to infiltrate. For the storage use proposed foul drainage should not be necessary. On this basis it is not considered that the proposal would create unacceptable drainage issues.

9.8 Ecology - the proposal would involve the removal and replanting of around 27m length of hedgerow to the road boundary. GMEU have been consulted on this

and have no objections with regard to bats and birds. Conditions are recommended about avoiding works during the bird breeding season and replanting the hedgerow, as well as informatives about protected species. With these recommended conditions and informatives it is not considered that the proposal would have an unacceptable impact on biodiversity.

9.9 Other Issues - the site falls in a gas pipeline buffer zone. Cadent Gas have been consulted on the application but have not provided any comments. HSE Standing Advice does not advise against the proposal. An informative could be added about the pipeline.

9.10 A neighbour has commented with concerns about the future use of the agricultural field. This is not within the application site boundary (defined by the red edge on the location plan), so remains in agricultural use. Only the current proposal can be considered and not speculation about possible future proposals.

10.0 CONCLUSION

10.1 It is considered that the proposed use of the building raises no significant concerns, being in accordance with the aims of the NPPF and Policies SP13, SP14, EMP12 and EMP13 of the Adopted Wyre Local Plan. Based on advice from the Council's environmental protection department, it is considered that with the use of a condition restricting delivery times, unacceptable impacts upon residential amenity will be avoided. The visual impacts from the development would be minimal by reason of using a building that is already in place. Some new hardstanding would be provided, however, it is not considered that this would create unacceptable visual harm. Lancashire County Council Highways have not objected to the proposal in terms of highways safety or traffic generation, therefore the proposal is considered to be acceptable in this regard. Therefore the proposal, subject to conditions, is considered acceptable.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

11.2 ARTICLE 1 - of the First Protocol Protection of Property has been considered in coming to this recommendation.

12.0 RECOMMENDATION

12.1 Grant planning permission subject to conditions

Recommendation: Permit

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 26 April 2018 including the following plans/documents:

- Location plan (Drawing No. GA3155-LP-01-A)
- Proposed plan and elevations (Drawing No. GA3155-002)
- Proposed site plan (Drawing No. GA3155-PSP-01-B)

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

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

3. All areas of hardstanding (as shown on the approved site plan) shall be constructed using pervious materials, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of their construction. The development shall be carried out in full accordance with the approved details and thereafter retained and maintained.

Reason: To ensure a sustainable form of urban drainage in accordance with Policy ENV15 of the Adopted Wyre Borough Local Plan (July 1999).

4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development (England) Order 2015 (or any order revoking or re-enacting or amending that Order with or without modification), the building shall be used for B8 storage and distribution only and for no other purpose without the prior express planning consent of the local planning authority.

Reason: To ensure that inappropriate uses do not occur within the locality in accordance with saved Policies EMP12, EMP13, SP13 and SP14 of the Adopted Wyre Borough Local Plan.

5. No external lighting shall be erected within or around the application site or on the building without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenity of occupiers of neighbouring properties and the visual amenity of the area in accordance with Policies SP13 and SP14 of the adopted Wyre Borough Local Plan (July 1999).

6. 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 11 of the National Planning Policy Framework (March 2012).

7. There shall be no external storage or display for sale of any materials, products or waste within the site.

Reason: In order to prevent the potential for harm to the visual amenity of the area in accordance with Policy SP14 of the adopted Wyre Borough Local Plan (July 1999).

8. No development shall take place until full details of the replanted hedgerow have been submitted to and approved in writing by the Local Planning Authority. These details shall include, planting plans specifications and schedules (including plant size, species and number/ densities), and existing landscaping to be retained.

The landscaping works shall be carried out in accordance with the approved details prior to 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 protect visual amenity and biodiversity in accordance with NPPF and Policy SP14 of the Adopted Wyre Local Plan.

9. No deliveries to the site shall be taken at or despatched from the site outside the hours of 7.00am - 6.00pm Monday to Fridays, 8.00am-13.00pm Saturdays and not at any time on Sundays and Bank/Public Holidays.

Reason: To protect neighbouring amenity in accordance with NPPF and Policy SP14 of the Adopted Wyre Local Plan.

10. The visibility splays shown on plan reference drawing no. GA3155-PSP-01-B 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. The development hereby approved shall not be brought into use until the dropped crossing required to facilitate the site access (to be constructed in accordance with an agreed scheme with LCC as Local Highway Authority as part of a section 184 agreement under the Highways Act 1980) has been provided.

Reasons: To enable all end user traffic to enter and leave the site in a safe manner without causing a hazard to other road users or damage to the existing highway in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

12. 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. GA3155-PSP-01-B] 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).

13. Prior to the commencement of the development, a plan indicating the positions, design, materials and type of boundary treatment to be erected to the field boundaries, 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. The approved details shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the locality 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.

Notes: -

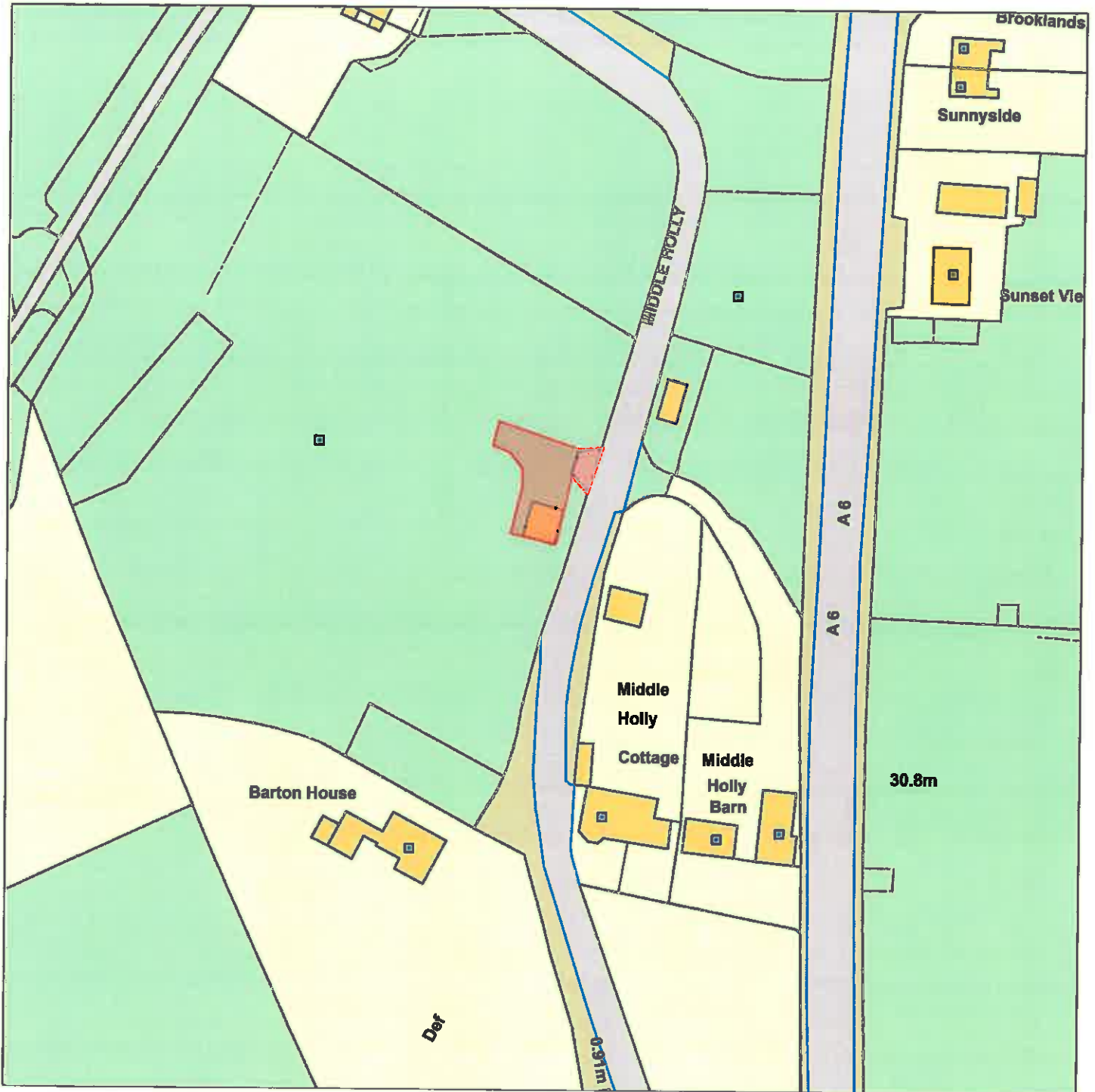
1. Whilst the building to be converted has been assessed as low risk for bats, the applicant is reminded that under the 'The Conservation of Habitats and Species Regulations 2017' it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

2. This permission does not relate to the display of any advertisements which may require consent under the Town and Country Planning (Control of Advertisements) Regulations 1989.

3. It is an offence to disturb, harm or kill any species specifically protected under the Wildlife and Countryside Act 1981. In the event of any such species being unexpectedly encountered before and during site clearance or development work, then work shall stop immediately until specialist advice has been sought from a suitably qualified Ecologist regarding the need for additional survey(s), a license from Natural England and/or the implementation of necessary mitigation measures.

4. Due to the proximity of the site to a Major Accident Hazard Pipeline, the pipeline operator should be contacted prior to any development commencing.

5. The vehicular access, within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (Vehicle crossings over footways and verges); 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 and search for vehicle crossings and then fill in the information at "Get a vehicle crossing quotation".



Scale : 1:1036

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 1
Date	19 July 2018
SLA Number	100018720

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