



Planning Committee Agenda

Wyre Borough Council
Date of Publication: 30 October 2018
Please ask for : Carole Leary
Democratic Services Officer
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**Planning Committee meeting on Wednesday, 7 November 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 meeting of the Planning Committee held on Wednesday 3 October 2018 (already circulated by email).

4. Appeals

(Pages 1 - 26)

Schedule of Appeals lodged and decided between 15 September 2018 – 15 October 2018, attached.

5. Planning Applications

(Pages 27 - 60)

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

Reports of the Head of Planning Services on planning applications to be determined at this meeting:-

**Item 1, Application No: 18/00488/FUL –
23 Market Place, Poulton-Le-Fylde, Lancashire, FY6 7BT**
Change of use from bank office to public house and restaurant with associated external alterations.

**Item 2, Application No: 18/00727/FUL
32 Rossall Promenade, Thornton Cleveleys, Lancashire, FY5 1LP**
Two storey front and rear extensions and widening of existing garage.

**Item 3, Application No: 18/00742/FUL
6 Ruskin Avenue, Thornton Cleveleys, Lancashire, FY5 2RS**
Erection of detached garage.

PLEASE NOTE:

Transport for the members will leave the Civic Centre, Poulton-Le-Fylde, for the Three Site Visits at 10.30am.

APPEALS LODGED AND DECIDED

Appeals Lodged between –15 September – 15 October 2018

Application Number	Location	Proposal	Com/Del decision	Appeal Type	Date Lodged
18/00316/FUL	16 Lonsdale Crescent Fleetwood Lancashire FY7 7DW	Retrospective application for the erection of a 2m high timber fence	Delegated	Fast Track Appeal	27 September 2018
18/00075/OUTMAJ	Land East Of Carr End Lane Stalmine Poulton-le-Fylde Lancashire	Outline application for the erection of up to 65 dwellings with link to adjacent land to east and new access applied for off Carr End Lane (all other matters reserved)	Delegated	Public Inquiry	3 October 2018
17/01170/OUT	Land West Of Barnfield Sower Carr Lane Hambleton Poulton-Le-Fylde Lancashire FY6 9DJ	Outline application for the erection of 4 detached dwellings with access (all other matters reserved)	Delegated	Written Representations	15 October 2018

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Appeals Decided between –15 September – 15 October 2018

Application Number	Location	Proposal	Com/Del decision	Decision	Date Decided
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	Dismissed	20 September 2018

Agenda Item 4

17/01022/FUL	Bimsons Cottage Wheel Lane Pilling Preston Lancashire PR3 6HL	Erection of a replacement dwelling (including demolition of existing dwelling)	Delegated	Allowed	28 September 2018
17/00638/FUL	Big Blindhurst Farm Bleasdale Lane Bleasdale Preston Lancashire PR3 1UT	Erection of new silage storage building to replace existing silage clamp (phase I of II)	Delegated	Dismissed	24 September 2018
17/00639/FUL	Big Blindhurst Farm Bleasdale Lane Bleasdale Preston Lancashire PR3 1UT	Erection of new silage storage building to replace existing silage clamp (phase II of II)	Delegated	Dismissed	24 September 2018
18/00044/FUL	Puddle Cottage Puddle House Lane Poulton-Le-Fylde Lancashire FY6 8LB	Erection of dwellinghouse with attached garages	Delegated	Allowed	5 October 2018
18/00244/FUL	31 Broadway Fleetwood Lancashire FY7 7DQ	Proposed single storey side extension	Delegated	Dismissed	9 October 2018



Appeal Decision

Site visit made on 13 August 2018

by **G J Fort BA PGDip LLM MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 September 2018

Appeal Ref: APP/U2370/W/18/3202666

Springfield Cottage Farm, Cart Gate, Preesall FY6 0NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs Halliwell against the decision of Wyre Borough Council.
 - The application Ref 17/00933/OUTMAJ, dated 2 October 2017, was refused by notice dated 4 April 2018.
 - The development proposed is up to 11 new residential dwellings with access applied for off Cart Gate.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application that led to this appeal was in outline with only access for detailed consideration at this stage. I have assessed the planning merits of the appeal on this basis, and have treated the plans as indicative insofar as they depict other reserved matters.
3. In the interests of clarity, in the banner heading above, I have included a revised version of the description of development as it appears on the Council's Decision Notice rather than the one from the application form¹. The outline status of the proposed development is clear from elsewhere in the banner- and amendments to the appeal scheme during the course of its determination reduced the number of dwellings proposed at the site.
4. The Council's appeal statement indicated that the proposed development could be liable for affordable housing contributions, and I noted the appellants' intentions to enter into a planning obligation to secure this aim. As no obligation accompanied either the application or appeal documents I allowed time for the appellants to submit one, and for the Council to make comments on the submission. Consequently, on this basis, I consider that no prejudice would occur to the parties as a result of me taking this additional material into account in my assessment of the planning merits of the appeal.
5. As the five year housing supply position is a relevant consideration in this case, and the examination into the emerging Local Plan² is ongoing, I accepted some

¹ Which was "outline application for 16 new dwellings on a brownfield site with improved existing access"

² Publication Draft Local Plan 2011-2031

late material related to these matters from the Council and allowed the appellants time to respond to its contents. Consequently, I consider that no prejudice would occur to the interests of the parties as a result of me taking this additional material into account in an assessment of the appeal scheme's planning merits.

6. The Ministry of Housing Communities and Local Government issued the new National Planning Policy Framework (the Framework) on 24 July 2018, which supplanted the version relevant at the date of the decision notice on the application that led to this appeal. The Framework establishes³ that it is a material consideration in planning decisions from the day of its publication. Comments were sought from the parties regarding the bearing of the new Framework on the appeal, and as a consequence I consider that no prejudice would occur as a result of me taking its contents into account in an assessment of the planning merits of the case.

Main Issues

7. I consider the main issues to be firstly, whether the proposed development would make an adequate contribution towards the provision of affordable housing having regard to national and local policy; and secondly, the effects of the proposed development on the character and appearance of the area.

Reasons

Site, surroundings and proposed development

8. Situated adjacent to Cart Gate a gently winding road, in surroundings of a rural character, the appeal site includes a more or less level area, with some hardstanding close to its access, with outbuildings, shipping containers and other bulky items present there at the time of my site visit. Also included in the appeal site is some open space to the rear, and rising embankment to the side of the level space. To one flank of the appeal site, there are dwellings of varying styles and setbacks from the highway, and across the road are school playing fields. Much more open fields of an agricultural character are situated to the rear of the appeal site, and to its side also, where a dramatic change in levels means that the adjoining land is elevated considerably above the appeal site. Whilst the area has a rural character the site is closely associated both visually and functionally with the residential and other development within its immediate surroundings. The appeal scheme would see the development of the site for residential use, utilising its existing access albeit with some alteration.

Policy Background

9. The appeal site is located outside of a settlement boundary for the purposes of Wyre's Local Plan (adopted July 1999) (the Local Plan), and as a result, the proposed development would conflict in principle with Policy Sp13, insofar as amongst other things, it seeks to restrict development in the countryside. Whilst I note the appellants' view regarding the age of the Local Plan, it nevertheless remains the development plan for the Borough.
10. Part of the appeal site is also outside of the settlement boundary set out within the emerging Local Plan and its residential development would thus conflict

³ At paragraphs 2 and 212

with its settlement strategy. As the examination of the emerging Local Plan is ongoing, and the appointed Inspector has issued post- hearings advice, I consider that it has therefore reached an advanced stage of preparation. Nevertheless, I have been supplied with no evidence regarding the amount of outstanding objections to the settlement boundary and related emerging policies. Consequently, the emerging settlement strategy is a consideration which attracts only moderate weight in the overall planning balance.

Planning Obligation

11. The Council accepts that no extant development plan policies trigger a requirement for affordable housing, but instead relies on Policy HP3 of the emerging Local Plan, which identifies a 10% affordable housing requirement for developments of 10 dwellings or more on sites such as the one subject to this appeal. I am mindful once again of the advanced stage of plan preparation, and whilst I have not been supplied with any details regarding the amount of outstanding unresolved objections to this policy, its development has been supported by a Viability Study and a Strategic Housing Market Assessment. Consequently, Policy HP3's approach attracts considerable support from the Framework⁴, which sets out that the size, type and tenure of housing needed for different groups should be assessed and reflected in planning policies. This emerging Local Plan policy is accordingly, a matter to which I attach considerable weight in this instance.
12. Moreover, due to this policy background, and the substantive material that supports the required contribution in Policy HP3, I consider that an obligation would be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to it. An obligation for affordable housing would thus meet the three criteria set out both within the Framework⁵, and the Community Infrastructure Levy Regulations 2010 (as amended)⁶ (the Regulations). In arriving at this view, I am also mindful that the appellants have not sought to question the necessity for an affordable housing contribution. Whilst the lack of a contribution did not form the basis of one of the Council's reasons for refusal on the application that led to this appeal, I consider nevertheless due to the compliance of such a contribution with the three tests set out in the Framework and the Regulations that it is a relevant consideration at this appeal stage.
13. In these regards, I note the contents of the letter⁷ (the letter of intent) signed by the appellants confirming their "intent to agree to the planning obligation". However, this does not equate to a planning obligation for the purposes of the Town and Country Planning Act 1990 (as amended) (the Act), as the letter of intent does not identify all those with interests in the land comprising the appeal site, and does not provide a mechanism to ensure that the agreement is enforceable against any successors in title. Moreover, the letter of intent is not a deed, and does not meet the formalities set out in Section 106(9) of the Act in that it does not state that it is a planning obligation and does not identify the land in which the persons entering the obligation are interested. These considerations, taken together, lead me to the view that the letter of intent does not therefore bind any subsequent owners of the site and is unenforceable

⁴ At paragraph 61

⁵ At paragraph 56

⁶ In Regulation 122(2)

⁷ From Vincents Solicitors Dated 22 August 2018

by the Council against the current owners. The letter of intent would therefore fail to secure an affordable housing contribution in relation to the proposed development.

14. For these reasons, the proposed development would conflict with Policy HP3 of the emerging Local Plan and the Framework insofar as taken together, and amongst other things, they seek to secure the provision of affordable housing to address the needs of groups with specific housing requirements. I therefore conclude, on this main issue, that the proposed development would fail to make an adequate contribution for affordable housing.

Character and Appearance

15. A considerable part of the appeal site, due to its current use and the presence of outbuildings, hardstanding and other bulky paraphernalia has a developed character. Moreover, the appeal site has a close relationship with the row of dwellings to its side, with the steeply rising land to its other side providing visual containment. Furthermore, due to the varied setbacks and depths of residential plots along Cart Gate, I consider on the basis of the indicative plans supplied to me that it would be possible to construct dwellings on the site which would not look out of kilter with the adjacent development pattern. Whilst the submitted section drawing⁸ shows some moderate cutting in to the embankment to the side to facilitate the gardens, it also shows that the bulk of this embankment could remain as it is at present, and this drawing is in any event indicative. Moreover, I am mindful that the landscaping, appearance, scale, and layout of the scheme are all reserved matters.
16. Consequently, taking these considerations together, I am satisfied that it would be possible at reserved matters stage to progress a scheme that would avoid harm to the character and appearance of the area. As a result, I can find no conflict with Policy Sp14 of the Local Plan insofar as it seeks development to be compatible with adjacent existing land uses, and to be acceptable in the local landscape.

Other Matters

17. In the Officer Report on the application that led to this appeal, the Council acknowledged that it could not demonstrate a deliverable five year supply of housing land at that date. In addition I have taken into account the appeal decisions⁹ supplied by the appellants, in which the Inspectors also found that the Council could not demonstrate a five-year supply.
18. Nevertheless the dates of those appeals are now some months in the past, and the Council has provided a more up-to-date position on the housing supply situation arising from the ongoing examination of the emerging Local Plan, and in particular drawing on the contents of the appointed Inspector's Post-Hearing Advice Note. On the basis of this material, the Council now estimates that the amount of deliverable housing land in the Borough equates to a supply of 5.19 years. Whilst this latest position has not been fully tested, the appellants have submitted no countervailing arguments that would call into question any of the assumptions on which it is based. On this basis, I consider that it has not been established that the Council cannot demonstrate a 5 year supply of deliverable housing land, or that the appeal should be considered under the terms of

⁸ As Proposed Site Section Dwg No. 051/200/11 A

⁹ APP/U2370/W/17/3174744; APP/U2370/W/17/3172417; APP/U2370/W/18/3195063

paragraph 11(d) of the Framework, relating to decision-taking where the policies that are most important for determining the appeal are out-of-date, including where authorities cannot demonstrate such a supply.

19. Nevertheless, I readily accept that the social benefits of the delivery of additional housing weigh in favour of the proposed development, as do the related economic benefits it could create both in terms of jobs and other activities during the construction phase, and through the potential of its occupants to support local services. The re-use of previously developed land also attracts support from the Framework. Due to the relatively limited number of dwellings proposed however, these are matters that carry only moderate weight in favour of the proposed development.
20. Redevelopment of the site could secure some environmental improvements- and I am mindful of the appellants' references to biodiversity gains that could be made and secured by condition. These could be environmental benefits of the scheme- nevertheless the outline nature of the appeal scheme and the lack of definitive landscaping and layout proposals at this stage mean that they carry only limited weight in its favour.
21. I note the appellants' submissions regarding the potential of the development to avoid harmful effects to residential amenity, and that details submitted at reserved matters stages could address other potential adverse effects, which were the foci of interested party comments. This could be the case; however, the potential absence of harm in these regards does not constitute a positive benefit of the scheme and accordingly, has only a neutral effect on the overall planning balance.

Planning Balance and Conclusion

22. I have found, on the basis of the submitted outline material, that the proposed development could avoid harm to the character and appearance of the area. However, this is a matter that has only a neutral effect on the overall planning balance. On the other hand, the proposed development's failure to secure an affordable housing contribution and its conflicts with national and emerging Local Plan policy in these regards are matters that attract considerable weight, which would tip the planning balance firmly against the moderate and limited weight of the matters advanced in the appeal scheme's favour.
23. Moreover, the matters advanced in favour of the appeal scheme are not of a sufficient weight to justify a decision other than in accordance with the development plan, with which, in terms of Policy Sp13 it would clearly conflict.
24. Accordingly, for the reasons set out above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

G J Fort

INSPECTOR

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Appeal Decision

Site visit made on 4 September 2018

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th September 2018

Appeal Ref: APP/U2370/W/18/3203884

Bimsons Cottage, Wheel Lane, Pilling, PR3 6HL

- 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 & Mrs J Crookes against the decision of Wyre Borough Council.
 - The application Ref 17/01022/FUL, dated 7 November 2017, was refused by notice dated 8 March 2018.
 - The development proposed is demolition of existing house and outbuilding and construction of a new detached house and garage.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a replacement dwelling (including demolition of existing dwelling) at Bimsons Cottage, Wheel Lane, Pilling, PR3 6HL, in accordance with the terms of the application reference 17/01022/FUL, dated 7 November 2017, subject to the conditions in the attached schedule.

Procedural Matters

2. Since the appeal was submitted the Government has published a new National Planning Policy Framework (the Framework). Both parties were invited to comment on whether they consider the revisions to have relevance to their case.
3. The description of development in the banner heading above is taken from the original planning application form. The appellant states on their appeal form that the description of development has changed from that stated on the application form. I have used this amended description, which appears on the Council's decision notice, for the purposes of my formal decision.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site is located in a relatively isolated open countryside location, with the nearest neighbouring house being about 200m away. The site is surrounded by mature trees and hedges with agricultural land beyond. Whilst it is relatively well screened, the site is viewed in glimpses, through spaces in the trees and hedging, from Wheel Lane.

6. The Council previously granted planning permission for the demolition of the existing dwelling and outbuildings and the erection of a replacement dwelling with detached garage and extension to the domestic curtilage (16/00019/FUL). Therefore the principle of a replacement dwelling has been accepted. There appears to be no disagreement between the parties that this permission is extant. The appellant has provided and I have had regard to the plans for the approved dwelling, which is a development of a similar character and appearance to the appeal scheme. Given the similarities of this scheme to the one before me, there is a reasonable chance of this scheme being implemented if the appeal were dismissed and on this basis represents a fallback position against which to assess the current proposal.
7. The Council acknowledge that the footprint of the proposed dwelling is similar to that of the previously approved dwelling and the design is relatively straightforward, incorporating features and materials which are similar to those of the previously approved dwelling. The principal differences are the increase in the overall height and volume.
8. The height to ridge is about 1.3m greater than the previously approved scheme, with a resulting increase in volume of about 198cu.m. Whilst the proposed dwelling would be visible in glimpses through the trees and hedging from Wheel Lane, because of the intervening field and established vegetation it would not be prominent in such views. Furthermore, when considered against the fallback position, the proposed dwelling would not have a materially greater impact in any such views as a result of the increase in height and volume. Consequently, in my judgement it would not cause material harm to the character and appearance of the area.
9. For the reasons set out above I conclude that the proposed dwelling would have an acceptable effect on the character and appearance of the area in accordance with saved policies H7 and SP14 of the Wyre Borough Council Local Plan (the Local Plan) which together seek development which is appropriate to the character of the area and high standards of design that are acceptable in the local landscape, in terms of scale, mass, style, siting and use of materials. It would also accord with the design aims of the Framework.
10. The Council have referred to policy SP13 of the Local Plan which sets out the exceptional circumstances under which planning permission for new development in the open countryside will be granted. However, the principle of replacement dwellings in the open countryside is set out in policy H7 of the Local Plan and is the relevant policy against which I have considered this proposal.

Conclusion

11. I have found no material harm to the character and appearance of the area. I therefore conclude, subject to the conditions in the attached schedule, the appeal is allowed.

Felicity Thompson

INSPECTOR

Conditions

12. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance (PPG). As a result I have undertaken some editing and rationalisation of the conditions proposed by the Council in the interests of precision and clarity and omitted others. I have also limited the number of pre-commencement clauses to those cases where this is essential for the condition to achieve its purpose.
13. I have imposed conditions limiting the life of the planning permission and specified the approved plans, for certainty. A condition was suggested by the Council in respect of materials being as specified in the application form and Design and Access statement. However, this is not necessary as the application form and Design and Access statement form part of the application that has been approved.
14. The Council have suggested a separate condition relating to compliance with the submitted Flood Risk Assessment. I have included this in the condition specifying the approved plans, for brevity.
15. I have imposed a condition in respect of the protection of retained trees on the site and another in respect of hard and soft landscaping. These conditions are necessary to protect the character and appearance of the area.
16. I have imposed conditions as suggested by the Council in respect of contamination and gas protection measures, pre-commencement due to the nature of the works. These conditions are necessary in the interests of public safety.
17. Three separate conditions have been put forward in respect of ecological matters, one which requires the submission of a further Landscape Ecological Management Scheme and another restricting timing of demolition, tree and hedgerow works. While I am satisfied that a condition is necessary, given the findings of the submitted Ecological Appraisal, that there is no conclusive evidence of any specifically protected species regularly occurring on the site or surrounding areas which would be negatively affected by the proposed development following the mitigation proposed, I have imposed a single condition which requires the development to be carried out in accordance with the mitigation measures outlined in section 7 of the submitted Ecological Appraisal by Envirotech, dated 13 October 2017, for precision and brevity.
18. I have imposed a condition in respect of foul and surface water drainage in the interests of ensuring a satisfactory means of drainage is provided.
19. I have imposed a condition requiring the removal of the existing dwelling and outbuildings as, in the absence of exceptional circumstances; this is not a location where the policies of the development plan would permit an additional dwelling.
20. The Council have recommended a condition removing permitted development rights in respect of alterations and extensions, structures and enclosures and curtilage buildings. However, PPG advises that conditions restricting permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances. The reason given by the Council is to ensure the Local Planning Authority have control over any future development of the dwelling and in the interests of the character and amenity of the area.

Having regard to the PPG and as no exceptional circumstances have been cited to justify the removal of such permitted development rights, I do not consider that such a restriction is reasonable and as such I have omitted this.

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: no.1687 rev.K, no.1690A revB, no. 1688 rev.J and the Flood Risk Assessment received by the local planning authority on 30 January 2018.
- 3) Any trees on the site which are to be retained or whose canopies overhang the site shall be protected by protective fencing in accordance with the mitigation measures set out in section 5 of the Tree survey/Arboricultural Impact Assessment. The fencing shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.
- 4) Notwithstanding the details shown on the approved plans, the dwelling hereby permitted shall not be occupied 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 the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, boundary treatments, external lighting, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and new tree / hedge planting.

The landscaping works shall be carried out in accordance with the approved scheme within the first planting season following first occupation of the dwelling hereby permitted, unless an alternative scheme for timing /phasing of implementation works is first approved in writing by the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting 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 consent in writing to any variation.

- 5) 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.
- 6) The development shall incorporate suitable gas protection measures, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The measures shall include as a minimum: ventilation of confined spaces within the building, a ground slab of suitable construction, a low permeability gas membrane, minimum (ideally none) penetration of the ground slab by services, and passive ventilation to the underside of the building. The development shall be carried out in accordance with the approved scheme and thereafter be maintained and retained. Alternatively, prior to the commencement of development, a gas monitoring programme and risk assessment of the results shall be undertaken to demonstrate that the above protection measures are not required. The results shall be submitted to and approved in writing by the Local Planning Authority. Any gas monitoring programme 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.
 - 7) The development hereby permitted shall be carried out in accordance with the mitigation measures outlined in section 7 of the submitted Ecological Appraisal by Envirotech dated 13 October 2017 (ref. 3061).
 - 8) The dwelling hereby permitted shall not be occupied until works for the disposal of foul and surface waters have been provided on the site to serve the development, in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
 - 9) Within three months of the first occupation of the replacement dwelling hereby permitted, the existing dwelling, garage and sheds, as shown on the Proposed Site Layout and Drainage Plan no.1688 rev.J shall be demolished in their entirety and any materials not required in connection with the development hereby permitted shall be removed from the site.

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Appeal Decisions

Site visit made on 18 September 2018

by **Andrew McGlone BSc MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 September 2018

Appeal A Ref: APP/U2370/W/18/3202697

Big Blindhurst Farm, Bleasdale Lane, Bleasdale PR3 1UT

- 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 Michael Kelsall against the decision of Wyre Borough Council.
 - The application Ref 17/00638/FUL, dated 29 June 2017, was refused by notice dated 14 December 2017.
 - The development proposed is building for storage of silage phase 1 of a 2 phase plan.
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Appeal B Ref: APP/U2370/W/18/3202699

Big Blindhurst Farm, Bleasdale Lane, Bleasdale PR3 1UT

- 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 Michael Kelsall against the decision of Wyre Borough Council.
 - The application Ref 17/00639/FUL, dated 29 June 2017, was refused by notice dated 14 December 2017.
 - The development proposed is building for storage of silage phase 2 of a 2 phase plan.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. Although the scale, design and the proposed use of materials are the same for each proposed building, the respective appeal sites are immediately next to each other.
4. A Landscape and Visual Impact Assessment (LVIA) has been submitted by the appellant as part of their appeal documentation. This was not before the Council when they refused planning permission for the applications that are subject of the appeals. While representations have been received, and the appeal process should not be used to evolve a scheme, given that no substantive changes are proposed to the appeal schemes, and the Council have submitted evidence in response to the LVIA, I have considered the appeals having regard to the LVIA.

Main Issues

5. The main issue in respect of Appeals A and B is the effect of the proposed development on the character and appearance of the Forest of Bowland Area of Outstanding Natural Beauty (AONB).

Reasons

6. Big Blindhurst Farm comprises of a cluster of gritstone farm buildings which are next to a separate cluster of farm buildings at Little Blindhurst Farm. Both farmsteads are accessed off a long access track from Bleasdale Lane. Due to the siting of the farm on the slopes of Parlick Hill which rises to the north, the access, which also serves as a public right of way (PROW), gradually rises from the lane towards the farm. The PROW passes through the farm and joins a wider PROW network which crosses the undulating landscape which the appeal site forms part of. The appeal site also forms part of the countryside.
7. The development proposed in Appeals A and B would be sited to the south of the farm buildings and where an earth banked silage store is. I understand this is the reason for the siting of the proposed buildings. The existing store is in-between the access (and PROW) and another access which extends from the cluster of farm buildings. Ground levels on the appeal sites are lower than those where the farm buildings are located.
8. Saved Policy SP13 of the Wyre Borough Local Plan 1991 – 2006 Written Statement (LP) states that development in an area designated as the countryside will not be permitted except for the essential requirements of agriculture. I understand that the farm has in recent years expanded with new livestock buildings, and that the proposals seek planning permission to erect a building to store silage to feed the dairy herd. By covering the silage clamp there is likely to be a reduction in dirty water runoff in this sensitive location, and improvements to the herd's health and performance by being able to store sufficient silage for the herd. I have no reason to dispute the parties' joint position that there is an essential need for the proposed buildings.
9. Nevertheless, the purpose of the AONB is to conserve and enhance the natural beauty of the area, whilst having regard to the social and economic needs of the landowners, farmers and communities. Paragraph 172 of the National Planning Policy Framework (the Framework) explains that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.
10. Saved LP Policy SP14 seeks high standards of design and amenity for all types of development. Where development proposals generally accord with the principles of the development strategy and with other relevant policies and proposals of the plan other criteria will also need to be satisfied: the development should be acceptable in the local landscape in terms of its scale, mass, style, siting and use of materials.
11. The Council consider that the appeal schemes jointly equate to 'major development'. This is, however, a question for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined (Footnote 55, the Framework). I shall return to this once I have considered the proposals effect on the AONB.

12. Over one third of the AONB is open moorland, making up the wild open spaces and remoteness that are characteristic of the Forest of Bowland; a truly unique quality of the area and core to the AONB's identity. The appeal sites are within an area of Moorland Fringe as characterised by the Forest of Bowland Area of Outstanding Natural Beauty Landscape Character Assessment (LCA). The transitional rolling enclosed landscape of the Moorland Fringe skirts the edges of the Moorland Hills, usually at an elevation of more than 200m, and links the upland to the lowland landscape. The Moorland Fringe is still largely gritstone and farmsteads are isolated, often strung along a track following a contour of the hill. There is an increasing impact of human activity here, with more dry stone walls, improved pastures, scattered farmsteads and stone out-barns. Consistent with the LCA, the appeal sites allow for dramatic open views from the flank of Parlick towards the villages and valleys of the lowlands. The appeal sites are also equally elevated and visible in the wider landscape. The AONB is still an important agricultural production area.
13. Buildings which make up the farmsteads of Big and Little Blindhurst are closely related to one another. The proposed buildings would be to the south of them, but their siting would be relatively close by, and thus within the broad confines of the farmstead. However, except for reasonably low-lying vegetation along field boundaries or isolated trees, the land on which the buildings would be sited is open. This is characteristic of much of the land around the farm.
14. Each building would have an eaves height of around 9 metres, a ridge height of about 11.4 metres, be some 36.5 metres in length and about 18.2 metres in depth. I note the proposed height of each building is to allow room for the silage to be tipped, stored, managed and compressed using machinery, with a view to the herd being fed according to their nutritional requirements.
15. Despite this, the proposed buildings would individually and collectively be of a considerable scale and far greater than any other building in Big or Little Blindhurst or the surrounding landscape. The buildings would be permanent additions to the landscape and replace the existing silage store.
16. The three positions assessed in the LVIA would enable long-ranging views from the south and south-west of the farm. From these positions, the proposed buildings would be viewed against the backdrop of Parlick and the farmsteads of Big and Little Blindhurst. There are, however, alternative viewpoints, which would result in the buildings being viewed in the context of the lowland landscape that extends towards Beacon Fell. Such viewpoints include, among others, PROW's to the east and south-east and from Parlick to the north. Users of the PROW's would be sensitive to the proposed changes given that the farm forms part of views to and from Parlick.
17. I recognise that the design is functional and reflective of modern farming practices, but the proposed designs do not contain traditional features which are characteristic to this part of the AONB. I note reference to the use of boarding on the side walls of the buildings, but this is not shown on the plans before me. The materials shown on the plans would not conserve and enhance the landscape and scenic beauty of the AONB, given that Big Blindhurst is characterised like others in the surrounding landscape of gritstone farm buildings. While there are some modern agricultural buildings nearby, none are of a scale as that proposed in Appeals A and B. Nor are they sited in an elevated landscape. Thus, they do not justify the use of the design or

materials proposed in either appeal scheme.

18. Farmsteads are part of the landscape, and therefore agricultural buildings would not in principle be out of sync with the landscape. However, due to the numerous public vantage points near to, and far away from the farm, and the scale, design and the proposed use of materials for Appeal schemes A and B, a detrimental visual impact would occur and a harm would be caused to visual amenity. As such, harm would be caused to the character and appearance of the area. I note that this view does not follow the opinion of the AONB officer, but landscaping would not mitigate this harm as it would take some time to reach maturity to screen the proposed buildings. The harm is also not mitigated by the siting of the proposed buildings, nor does the essential need for them, in accordance with saved LP Policy SP13, outweigh the harm that would be caused to what is a sensitive open landscape.
19. Regardless of whether or not the proposals are major development, I conclude that significant harm would be caused by the proposed development on the character and appearance of the Forest of Bowland AONB. The proposal would not accord with saved LP Policy SP14 or Framework paragraph 172 which jointly seek, among other things, high standards of design and use of materials for all types of development, so that the scale and extent of development within the AONB, where great weight should be given to conserving and enhancing the landscape and scenic beauty, is limited.

Conclusions

20. For the reasons set out above, I conclude that Appeals A and B should be dismissed.

Andrew McGlone

INSPECTOR



Appeal Decision

Site visit made on 25 September 2018

by **Andrew McGlone BSc MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5 October 2018

Appeal Ref: APP/U2370/W/18/3205296

Puddle Cottage, Puddle House Lane, Poulton-Le-Fylde FY6 8LB

- 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 Caulton against the decision of Wyre Borough Council.
 - The application Ref 18/00044/FUL, dated 9 January 2018, was refused by notice dated 10 April 2018.
 - The development proposed is the erection of dwellinghouse with attached garages.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of dwellinghouse with attached garages at Puddle Cottage, Puddle House Lane, Poulton-Le-Fylde FY6 8LB in accordance with the terms of the application, Ref 18/00044/FUL, dated 9 January 2018, subject to the conditions in the attached schedule.

Procedural Matters

2. As the Council's stance on their five-year housing supply position has changed since the planning application was determined, I accepted some late material related to this matter from the Council and provided the appellants with an opportunity to comment on its contents. Given this, no prejudice would occur to the interests of the parties if I take this additional material into account in my consideration of the appeal.
3. In the event that I was minded to allow the appeal, in accordance with Section 100ZA(5) of the Town and Country Planning Act 1990, I wrote to the appellant to seek their written agreement on the pre-commencement planning conditions that have been suggested by the Council. I shall turn to this matter later.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site is outside of a settlement boundary for the purposes of Wyre Borough Local Plan (adopted 1999) (LP), and is therefore in the countryside. Saved LP Policy SP13 explains that development in the countryside will not be permitted unless it falls within certain listed exceptions. The justification to the policy explains that it seeks to protect the inherent qualities and rural

- characteristics of the countryside by controlling development. While I note the appellants view about the age of the LP, it remains the development plan for the Borough and LP Policy SP13 is consistent with the objectives of the National Planning Policy Framework (the Framework) in recognising the intrinsic character and beauty of the countryside.
6. Saved LP Policy SP13, among other things, seeks to restrict development in the countryside, but it does allow for the development of a single infill plot within an established built up frontage of not less than five dwellings but only provided that it can be clearly demonstrated that such development would not have any detrimental effect on the character of that group or on the locality.
 7. The appeal site is to the rear of Puddle Cottage, while Fairfield House is to the south-west. A further residential dwelling, Puddle House is to the north-east. Even though these properties collectively form a built up frontage which addresses Puddle House Lane, they do not form the five dwellings required by saved LP Policy SP13. However, a reserved matters planning application has been granted for the erection of nine detached dwellings on land adjoining the site's southern boundary at Fairfield Nurseries¹. According to the plans provided, the detached dwellings would extend across the site from Fairfield House to a boundary lined by landscaping to the east. The line of the eastern boundary is consistent with that of the appeal site. Each of the appeal site's boundaries are lined by a mixture of trees and shrubs.
 8. Outline planning permission has been granted for a site referred to as The Old Boiler House², to the north of the appeal site next to Puddle House. There is no indication that a reserved matters scheme has been submitted or approved at this point. Hence, while the principal of residential development has been established, there is, at present, no dwelling here that would contribute to the formation of the five dwellings needed.
 9. The appeal scheme relates to a single plot. Although works on the Fairfield Nurseries site are not particularly advanced, the Council do not dispute the appellants view that work on this development has commenced. There is therefore a nucleus of residential development with a built up frontage and over the five dwellings required between Fairfield Road and the east/west alignment of Puddle House Lane. Notwithstanding The Boiler House scheme, the proposal would be a single infill plot with a vehicular access linking the proposed new dwelling to the lane between Puddle Cottage and Fairfield House. I am also mindful that the proposal would be within the confines of mature tree and shrub planting which would be kept. This would prevent development from spilling into the open field to east. On this basis, I consider that the appeal scheme accords with exception E of saved LP Policy SP13.
 10. The emerging Wyre Local Plan (eLP) is progressing, and it has been subject of hearing sessions which has resulted in the examining Inspector publishing a Post Hearing Advice note. Although this may provide direction on a number of issues, it is not a definitive view on whether the eLP is 'sound'. I do, however, recognise that it has reached an advanced stage. Nevertheless, I have not been supplied with any evidence about any unresolved objections to policies in the eLP. Even though the Council has cited a number of eLP policies that they consider to be most relevant, I only have a copy of eLP Policy CDMP3 before

¹ Council Ref: 17/00597/REMAJ

² Council Ref: 18/00210/OUT

me. While this policy attracts moderate weight in the overall planning balance, the others referred to carry little weight.

11. The site is used as a caravan site with five pitches. A considerable part of the site, due to its current use and the presence of an ancillary building, timber fencing and hardstanding, has a developed character, albeit this partly fluctuates according to the site's occupation by caravans. The rear gardens of Puddle House and Puddle Cottage border the site, which over time will be adjoined by plots 1, 2, 3, 7, 8 and 9 on the Fairfield Nurseries site. These properties will be closer to the proposed dwelling than the existing dwellings, and they would mask any view of the site from Fairfield House. As such, the proposed dwelling would not be closely related visually to Fairfield House. Furthermore, as mature landscaping would confine the development, the loss of this greenfield site would not be significant.
12. Locally, existing residential dwellings display a mixed style, scale and mass. This mix will be added to further by the large detached dwellings. There is, however, a general use of traditional pitched roofs, gabled projections and dormer windows in the front and rear roof planes. Dwellings are also either one or two storeys high. The height and angle of roof planes do vary.
13. The proposed dwelling would be larger than existing properties in the area, but the site is capable of accommodating a dwelling of the size proposed. Nor is there any reason why the dwelling's footprint alone would harm the character and appearance of the area, as it would be obscured or fairly well screened from public view points, even during winter months. The footprint does, however, influence the proposal's scale, mass and appearance. I have regard to the comparisons drawn to nearby dwellings and those in the Fairfield Nurseries scheme. The new dwelling would introduce a bespoke contemporary form of development, but I consider that it would be of an acceptable scale, mass and appearance, given the area's character and appearance. Moreover, the proposed garages would be subservient to the main part of the dwelling, and continue the dwelling's proposed design. While a mixture of roof styles and heights would be used, these would create interest, and, in my view, be of the standard of design that is sought by saved LP Policies SP13 and SP14.
14. I do not agree that the appeal scheme would be a prominent feature in the local landscape, as the dwelling would relate to, but not be on top of neighbouring residential properties. The retention of existing landscaping would also help assimilate it into its surroundings.
15. For these reasons, I conclude that the proposal would accord with saved LP Policies SP13 and SP14; which jointly permit the development of a single infill plot within an established built up frontage of not less than five dwellings when the development would not have any detrimental effect on the character of that group or the locality, in terms of its scale, mass, style, siting and design. I also conclude that the proposal would comply with eLP Policy CDMP3 as it would respect the character of the area, having regard to siting, height, scale, massing and landscaping.

Other matters

16. In refusing planning permission, the Council acknowledged that it could not demonstrate a five-year supply of deliverable housing land at that date. An up-to-date position on the housing land supply position has now been provided

by the Council. This draws from the ongoing examination of the eLP. It is the Council's position that they can now demonstrate 5.19 years of deliverable housing land. This has yet to be fully tested. However, the appellants do not challenge the Council's evidence, and there are no alternate arguments before me that question the assumptions which support the Council's stance. As such, it has not been established that the Council cannot demonstrate a 5 year supply of deliverable housing land, or that the appeal should be considered under the terms of Framework paragraph 11(d).

17. I note a higher housing supply figure of 11.2 years is advanced by the Council having regard to the standard method, but this has not been established in a recently adopted plan, and there is no indication that the position statement submitted has been produced through engagement with developers and others who have an impact on delivery, and it has been considered by the Secretary of State.
18. I consider that the proposal would be acceptable, in terms of its effect on neighbouring residents living conditions, highways, flood risk, drainage, ecology, trees and land contamination. Future occupants would not also be wholly reliant on the use of a private vehicle to support their day to day needs. I see that the Council share these views.

Conclusion and conditions

19. I have had regard to the conditions that have been suggested by the Council. The appellants have also confirmed their agreement in writing to two pre-commencement conditions relating to the submission of materials, and a risk assessment for ground contamination. The former is necessary in the interests of the character and appearance of the area. The latter is necessary due to the development's sensitive end use, and the site's use by caravans and other vehicles which may have potentially resulted in the contaminants entering the ground.
20. I have imposed a condition specifying the approved plans as this provides certainty, although I have changed the plan reference for the proposed floor plans and elevations to reflect the number and revision found on the plan. Conditions are necessary for landscape works and the provision of the garages, parking and turning areas in the interests of the character and appearance of the area and highway safety. I have imposed a condition to control when works to trees are undertaken, in the interests of minimising impacts on and providing net gains for biodiversity. Having regard to the recommendations and conclusion of the appellants ecology appraisal I have not imposed a condition for a reasonable avoidance measures method statement.
21. For the reasons set out above, I conclude that the appeal should be allowed.

Andrew McGlone

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos 401; 402; and 401 Rev C.

Pre-commencement

- 3) No building shall be erected on site above damp proof course level until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 14 days of the report being completed and approved in writing by the local planning authority.

Pre-occupancy

- 5) The development hereby permitted shall not be occupied until such time as the garages, parking and turning areas are provided in full in accordance with details shown on Drg No.401 and Drg No.301 Rev.D. The garages, parking and turning areas shall thereafter be kept available for use at all times.
- 6) The landscaping works shall be carried out in accordance with the Location Plan and Proposed Site Plan Drg No.401 prior to the first occupation of the development hereby permitted.

Monitoring and Management

- 7) Operations that involve the destruction and removal of vegetation shall not be undertaken during the months of March to August inclusive unless otherwise agreed in writing by the local planning authority where it has been demonstrated that breeding birds will not be adversely affected.

END OF SCHEDULE

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Appeal Decision

Site visit made on 18 September 2018

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th October 2018

Appeal Ref: APP/U2370/D/18/3204210

31 Broadway, Fleetwood, FY7 7DQ

- 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 Graham Birch against the decision of Wyre Borough Council.
 - The application Ref 18/00244/FUL, dated 8 March 2018, was refused by notice dated 30 May 2018.
 - The development proposed is described as 'To extend the existing small kitchen area to create much need additional living space and accommodation'.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the appeal was submitted the Government has published a new National Planning Policy Framework (the Framework). In relation to the main issue in this appeal there is no material difference between the policies of the old and the new Frameworks. As such, the cases for both main parties have not been prejudiced by the new Framework.

Main Issue

3. The main issue is the effect of the proposed extension on the character and appearance of the area.

Reasons

4. The appeal property is a semi-detached house located on a corner plot in a prominent roadside position in an attractive suburban area. The appeal property and those in the immediate vicinity and along Cambridge Road are constructed from red brick and incorporate large bay windows and follow discernible building lines set back from the road. The layout and appearance of the properties in the immediate area provides a rhythm and harmony to the streetscene, with views along Cambridge Road from Broadway being largely unobstructed.
5. The proposed extension would be constructed to the side of the house and would project from the side by about 3.3m with a height to ridge of about 4m. Whilst the materials used would match those of the existing house, because of its height and siting towards the public highway, the proposed extension would appear as a dominant addition in views from Cambridge Road. The projection

forward of the established building line would be emphasised in views towards the rear and further along Cambridge Road and as a result the extension would cause harm to the pattern of development and represent a discordant feature within the overall streetscene.

6. At my site visit I noted the fence panels had been removed. Even if they were to be replaced, whilst the lower walls of the extension would not be visible the upper part of the extension would and therefore the fence would not overcome the harm identified in respect of the dominant appearance and siting.
7. Consequently I conclude that the proposed extension would cause material harm to the character and appearance of the area contrary to saved policies H4 and SP14 of the Wyre Borough Local Plan which together require high standards of design which are sympathetic to the qualities and character of the local area. It would also conflict with the design aims of the Framework.
8. The appellant has referred to and provided details of a planning permission for a single storey side and rear extension at a house on Southwood Avenue, at the junction with Cambridge Road. I saw that this extension is larger than the proposal before me but is not viewed in the same streetscene as the appeal property. I do not know the circumstances of this development being permitted and in any event I have considered the appeal scheme on its own merits. The existence of this extension does not justify the erosion of the character and appearance of the streetscene that would arise from the appeal proposal.

Other matters

9. I note that the Council found that the proposal would not cause any harm to the living conditions of neighbouring residents. However, this is a neutral matter which cannot therefore outweigh my earlier findings.
10. The misgivings expressed by the appellant about the way the Council dealt with this application are separate from the planning merits of the proposed development and they have no bearing on the outcome of this appeal.

Conclusion

11. For the reasons set out above the appeal is dismissed.

Felicity Thompson

INSPECTOR

Planning Committee

7 November 2018

Item No	Site/ Video/ Photos	Application Number	Location	Proposal	Rec.	Decision
1	S	18/00488/FUL	23 Market Place Poulton-Le-Fylde Lancashire FY6 7BT	Change of use from bank office to public house and restaurant with associated external alterations.	PER	
2	S	18/00727/FUL	32 Rossall Promenade Thornton Cleveleys Lancashire FY5 1LP	Two storey front and rear extensions and widening of existing garage.	PER	
Page 27	S	18/00742/FUL	6 Ruskin Avenue Thornton Cleveleys Lancashire FY5 2RS	Erection of detached garage	PER	

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Committee Report**Date: 7 November 2018**

Item Number	01
Application Number	18/00488/FUL
Proposal	Change of use from bank office to public house and restaurant with associated external alterations.
Location	23 Market Place Poulton-Le-Fylde Lancashire FY6 7BT
Applicant	Inns And Leisure Limited
Correspondence Address	c/o Kuit Steinart Levy LLP 3 St Mary's Parsonage Manchester M3 2RD
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Mr Rob McKillop****1.0 INTRODUCTION**

1.1 This application is before Members at the request of Councillor McKay. A site visit is recommended to enable Members to understand the proposal and its setting beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is the former Nat West Bank building on the south side of Market Place in Poulton-le-Fylde town centre. The subject property is a 2 storey red brick terraced building within the Secondary Shopping Area of Poulton as defined in the adopted Wyre Local Plan Proposals Map. The site is also designated as having a Secondary Frontage on the Proposals Map to the emerging Wyre Local Plan. The front of the shop has 2 Georgian windows, a canopy with pillars to the entrance and a parapet to the top of the wall. The building is within the Poulton-le-Fylde Conservation Area and is currently vacant.

3.0 THE PROPOSAL

3.1 The proposal is for the change of use of the existing bank premises to a public house and restaurant with associated external alterations. The external changes include the provision of a rear staircase to the east facing elevation to allow access to the proposed rear outdoor seating area to be formed above the existing single storey rear extension. A balustrade would run around the edge of the proposed seating area. Two new obscure glazed first floor windows to the rear on the east elevation are proposed along with bricking up part of the side wall to replace an existing vent. The three existing ground floor windows to the rear would be bricked up and a new air conditioning unit is also proposed at ground level on the rear elevation with an extract duct proposed to the east facing side roof slope. Also to

the rear two new doors are proposed on the east elevation and a new 2m high timber fence is proposed to enclose a rear yard area.

In terms of internal works, a new mezzanine floor is proposed for additional seating and changes are also proposed to the ground floor layout. An ancillary "manager's flat" is proposed at the first floor level. It is proposed that 4 full time and 16 part time members of staff would be employed. Proposed opening hours are 10:00 - 00.00 Sundays to Thursdays and 10:00 - 01:00 Fridays, Saturdays, Bank and Public Holidays and the day immediately prior to a bank or public holiday.

4.0 RELEVANT PLANNING HISTORY

4.1 17/00316/FUL: Removal of existing Nat West brand signage, ATM and night safe, infill existing ATM and night safe apertures with brick to match the existing building. Permitted.

14/00964/ADV: Advertisement consent for one externally illuminated hanging sign, one rear halo illuminated fascia sign and new ATM signage. Permitted.

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN 1999 (SAVED POLICIES)

5.1.1 The Wyre Borough Local Plan was adopted on the 5th July 1999. The saved Local Plan forms part of the development plan for the borough. Due weight should be given to relevant policies according to their degree of consistency with the Emerging Local Plan and the National Planning Policy Framework (NPPF).

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

- Policy SP14 - Standards of design and amenity
- Policy ENV9 - Conservation Areas
- Policy S6 - Change of Use of Retail Premises
- Policy TC1 - Town Centre Boundary
- Policy TC7 - Secondary Shopping Area

5.2 EMERGING WYRE LOCAL PLAN

5.2.1 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 a clear direction on key issues arising from the examination and further main modifications that are required to make the Wyre Local Plan sound. The Council published its initial response to the Inspector's note on the 30th July 2018, which sets out how it will be making the necessary amendments required by the Inspector. The proposed Main Modifications (MM) to the 'Publication' draft Wyre Local Plan were considered by Full Council on 6th September and approved for public consultation for six weeks, commencing on the 12th September. Although the draft Local Plan as proposed to be modified does not have the full

weight of an adopted Local Plan, it has reached an advanced post hearing stage in the local plan process and is supported by a comprehensive and robust evidence base. Development plan policies contained within the draft Local Plan as proposed to be amended in response to the Inspector's Post Hearing Advice will therefore be given increased weight in determining planning applications depending on the particular circumstances of the case and the extent of any unresolved issues.

5.2.2 Where policies in the new Wyre Local Plan are consistent with the 2012 NPPF, then the (revised) NPPF published in 2018 allows for increased weight to be given to them. Those development plan policies with no unresolved issues will be given significant weight and will form the starting point in determining planning applications. Alongside these, the policies in the 2018 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

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

- SP1 - Development Strategy
- SP2 - Sustainable Development
- CDMP1 - Environmental Protection
- CDMP3 - Design
- CDMP5 - Historic Environment
- EP4 - Town, District, Local and Neighbourhood Centres
- EP5 - Main Town Centre Uses (Primary Shopping Area)
- EP6 - Secondary Frontages

5.3 NATIONAL PLANNING POLICY FRAMEWORK (2018)_

5.3.1 There is a presumption in favour of sustainable development and approving development proposals that accord with the development plan without delay. The following chapters of the NPPF are considered relevant to the determination of this application:

- Chapter 6 - Building a strong, competitive economy
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 - Promoting sustainable transport
- Chapter 12 - Achieving well-designed places
- Chapter 16 - Conserving and enhancing the historic environment

5.4 OTHER GUIDANCE

5.4.1 National Planning Practice Guidance (NPPG) - March 2014
Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990
Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

6.0 CONSULTATION RESPONSES

6.1 LANCASHIRE COUNTY COUNCIL (HIGHWAYS) has no objection following amendments to the proposed access/delivery arrangements, which are now to be taken from the rear parking area to avoid obstruction of Market Place.

6.2 POULTON HISTORICAL SOCIETY - expressed concerns on previous occasions about the proliferation of licensed drinking and eating establishments in

the town, and the imbalance this creates with fewer actual shops in what is supposed to be a market town. There are also concerns about the sustainability of these competing licensed businesses. That said this proposal has the merit of preserving this prominent building, and in particular the appearance of the façade which forms the backdrop for the listed structures within the Market Place. There would be little change to the exterior and only modest change to the interior, and the Society has no objections to this in principle. We wish however to register an objection to the proposal to re-instate the coal-hole for the purpose of beer delivery. This will create an obstruction to the pavement and the nearby pedestrian crossing and would pose a safety hazard. The building is also on a very busy road and the parking of a delivery vehicle at this point could potentially create gridlock in the town centre.

6.3 WYRE COUNCIL ENVIRONMENTAL HEALTH (AMENITY) - has no objections following the submission of a revised acoustic survey subject to conditions.

7.0 REPRESENTATIONS

7.1 One public letter of objection has been received with the points summarised as follows:

- The application could present a risk to public safety where people try to cross Market Place without using the designated pedestrian crossing;
- A railing is unlikely to be provided and the existing crossing is already dangerous.

7.2 An objection has also been received from Councillor Henderson raising concerns about the reinstatement of the coal chute for beer deliveries and impact on highway safety as well as the amenity impact on neighbours from the proposed mezzanine/outdoor area.

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Discussions have taken place between the applicant's agent and planning case officer. Following concerns about impacts on amenity and highway safety, the applicant's agent has submitted additional details and amendments to overcome the concerns.

9.0 ISSUES

9.1 The main planning issues are:

- Principle of development and Policy compliance
- Visual Impact / Design / Impact on heritage assets
- Impact on residential amenity
- Impact on highway / parking

Principle of development and Policy compliance

9.2 The site is located within the town centre / secondary shopping area boundary of Poulton-le-Fylde as defined on the proposals map to the adopted Wyre Local Plan. Policy TC7 of the adopted Wyre Local Plan supports A1 (retail), A2

(financial and professional services) and A3 (food and drink) uses subject to acceptable impacts.

9.3 The premises has a secondary frontage as defined in the emerging Wyre Local Plan which should be given significant weight in decision making. Policy EP4 of the draft Wyre Local Plan directs retail, leisure and other main town centre uses to the existing centres and encourages a diversity of uses to maximise vitality and viability of the centre. Policy EP5 of the emerging Wyre Local Plan supports changes of use that are appropriate in scale, role and function to the centre. Policy EP6 of the emerging Local Plan directs a minimum of 50% of the defined length of secondary frontage in the block to remain retail units (unless appropriate marketing is undertaken demonstrating lack of demand for a retail use); for any other uses to complement the secondary shopping function of the frontage and contribute to vitality and viability; and an active pedestrian level shopfront to be retained.

9.4 In terms of national policy, the NPPF gives support to business and sets out that planning should operate to encourage, and not act as an impediment to, sustainable growth. Significant weight should be placed on the need to support economic growth through the planning system with a proactive approach to meet the development needs of business.

9.5 The area surrounding this premises has a variety of uses including retail and various other non-retail uses catering for both the daytime and night time town centre economy. It is noted that the extant use as a bank does not contribute to the retail provision in the town centre area and therefore the first part of the emerging policy requiring 50% of the block to remain in retail use doesn't apply. It is also acknowledged that some permitted development rights are available for existing A2 uses which, subject to certain criteria and conditions, allow for changes to other non-retail uses. The proposed use would still contribute to the daytime economy and would not alter the frontage to reduce its vibrancy at ground floor level, given the mix of units in the vicinity, extant use and position in the secondary shopping area, the proposal would not have any significant impact on the viability or vitality of the town centre area. The use would complement the retail uses within the town centre and it is also noted that the application would bring back into use a currently vacant unit with some visual benefit.

9.5 Overall, the application would accord with the relevant national and local planning policies and is considered to be acceptable in principle subject to other matters which will be considered elsewhere in this report.

Visual Impact / Design / Impact on heritage assets

9.6 It is noted that the building lies within the Poulton-le-Fylde Conservation Area and the adjoining building, No.25-29 Market Place, is a Grade II Listed Building.

9.7 Poulton Historical Society acknowledge that the proposal has the merit of preserving this prominent building including the façade, which is a backdrop for neighbouring listed buildings; and given the limited changes internally and externally, the Society has no objections to this in principle. Objection is raised by the Society to the reinstatement of the coal chute for deliveries which would block the pavement and result in highway safety issues/congestion;

9.8 The principle of the proposed use has been covered earlier in this report. Following amendments to the scheme to overcome highway concerns, the coal chute to the front of the building would not be reinstated for delivery purposes. As such, no

changes are proposed to the front elevation. The roof of the existing single storey rear element would be converted for outdoor seating, with balustrading around its edge. This area would be accessed by a new external staircase. The other changes proposed to the rear include bricking up of the ground floor windows, 2m high timber fencing, two new first floor windows, a new extraction duct and a new air conditioning unit. Given the rear position adjacent to the car park, these alterations would not feature prominently in views from the public realm, and given the nature of the proposed works, they would have a minor impact on the appearance of the building. Furthermore, the removal of the existing large air conditioning units and replacement with a smaller unit set lower is considered to represent a positive alteration and overall, these works are considered to have an acceptable impact on the appearance of the building and not affect the character or setting of the Poulton Le Fylde Conservation Area. The rear element of the subject property is set further back than the rear wall of No.25-29 Market Place and the proposals, given the intervening distance and minor scale, are considered not to affect the setting of this adjacent listed building.

9.9 The proposed materials would have an acceptable appearance and in view of the aforementioned considerations, the proposed development is considered to preserve the appearance of the Poulton-le-Fylde Conservation Area in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance in the NPPF. The application would also accord with policies ENV9 of the adopted Wyre Local Plan and CDMP5 of the emerging Wyre Local Plan.

Impact on residential amenity

9.10 Saved Policy TC7 and Policy CDMP1 of the emerging Wyre Local Plan, which has significant weight, require that proposals are compatible with adjacent uses and do not have significant adverse effects on amenity. The main impact from the proposed use is likely to be noise and disturbance to any surrounding neighbours. No objections have been received from neighbours and it is noted that there are only a small number of flats and dwellings within the wider area likely to be affected. The premises is in close proximity to other established pubs/bars/restaurants within the town centre and in view of the location adjacent to a busy road, it is considered that there is a reasonable level of noise generating from existing sources in this area. It is also noted that although there are some residential properties in the immediate vicinity, including next door on the upper floors of 25-29 Market Place and to the south and south-east approx. 25-30 metres away, these are often above businesses and in a commercial area where an existing level of noise is experienced.

9.11 The Council's Environmental Health (Amenity) Team has commented on the application and, following submission of a revised noise impact assessment, no objections are raised subject to conditions. The conditions relate to the hours of use of the roof terrace area (until 22:00 hours), deliveries (between 07:00 - 22:00 hours only), installation of a noise limiter, installation of new close boarded timber fencing to fence off the external yard area, external plant specification, siting and fixing to the building, and no tipping of glass after 22:00 hours. Other conditions relating to no amplified or live music being played on the roof terrace area, obscure glazing of the two new first floor windows and a restriction on occupancy of the first floor flat to be used in association with the proposed public house / restaurant i.e. by a manager or staff member are also considered necessary. As such, subject to suitably worded conditions, it is deemed that there would be no significant detrimental impact on amenity through noise or disturbance. The roof terrace, given its position would not allow for any overlooking of residential properties and overall, the application would

accord with Policy SP14 and TC7 of the adopted Wyre Local Plan and Policy CDMP1 of the emerging Wyre Local Plan.

Impact on highway / parking

9.12 Lancashire County Council Highways provided an initial response raising concerns about the reinstatement of the coal chute for deliveries. This arrangement has been removed from the proposals with deliveries to be made at the rear of the building. A letter has been submitted from the director of the company who have the freehold of the car park confirming the company has reached an in-principle agreement with the applicant to enable servicing to take place at the rear of the property and subject to gaining planning permission would enter into a suitable arrangement to secure this. Whilst right of access across private land is a private matter there is no indication at this stage that restricting deliveries to the rear, to be controlled by a condition, could not be achieved. There is a public car park close to the site and the premises are readily accessible via walking and public transport given the town centre position. The proposed use is unlikely to generate any significant increase in vehicle movements compared to the former use. It is noted that Lancashire County Council has confirmed that there is no objection to this proposal on the basis that it would not have any significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. In view of the above, the application is considered to have an acceptable impact on highway safety.

10.0 CONCLUSION

10.1 The principle of development is considered acceptable given the town centre location. The application would not have any detrimental impacts on the appearance of the existing property, would not affect the setting of the adjacent listed building and would have an acceptable impact on the character of the Poulton-le-Fylde Conservation Area. Subject to a number of conditions there would be no detrimental impacts on residential amenity or highway safety and there are no other relevant material planning considerations that indicate planning permission should not be granted. The proposal is deemed to comply with the relevant policies in the adopted and emerging Wyre Local Plans and guidance contained in the NPPF. It is therefore recommended that the application be permitted subject to conditions.

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 full 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 15th May 2018 including the following plans/documents:

- Location Plan (received 23rd October 2018)
- Existing and Proposed Elevations Rev C
- Proposed Floor Plans Rev F
- Block Plan Rev B

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

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

3. The development shall be carried out using those materials specified on the approved plans and application form.

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. The premises shall be used for food and drink and for no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)

Reason: The use of the premises for any other purpose would require further consideration by the Local Planning Authority in accordance with Policy SP14 of the adopted Wyre Borough Local Plan (July 1999).

5. All deliveries to the premises shall be to the rear entrance only using the servicing arrangements as shown on the approved layout plan. No deliveries shall be received via the front of the premises.

Reason: In the interests of highways and pedestrian safety and in accordance with saved policy SP14 of the Adopted Wyre Local Plan.

6. Prior to first use of the development hereby approved, the noise mitigation measures and recommendations set out in Chapter 5 of the Acoustic Survey by Braiden Acoustics Ltd (Report No.10624 Rev C) shall be implemented. The development shall be carried out in accordance with these measures and recommendations in perpetuity.

Reason: To ensure there is no adverse effect on the health and quality of life of future occupants and to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and the National Planning Policy Framework.

7. The use of the external roof terrace area as shown on the approved floor plan shall only operate between the hours of 09:00 to 22:00 Monday to Sunday including bank and public holidays.

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.

8. Music (whether live / amplified), shall not be played at any time within the external areas of the premises including the first floor roof terrace area.

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.

9. There shall not be any emptying of bins (including bottle bins) or deliveries to the premises between the hours of 22.00 and 09:00 on any given day.

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.

10. Prior to a sound system being installed at the premises, a sound limiter device capable of controlling the level of sound emitted shall be installed so amplified music does not exceed a level of 89 dB (A) as set out within the Acoustic Survey ref: 10624 Rev C Dated 15 Aug 2018 submitted with the planning application. Any live or amplified sound played through the sound system shall be routed through the limiter at all times in accordance with the approved specifications / noise levels.

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.

11. The flat accommodation at first floor level in the development hereby approved shall be occupied solely by a staff member only and shall remain ancillary to the use of the building as a public house and shall not be used as a separate and unconnected dwelling.

Reason: Use or conversion to a separate dwelling would result in noise and amenity impacts and may impact on highway safety.

12. Prior to first use of the development hereby approved, the 2m high timber fence shall be installed in the position as shown on the approved floor plan. The boundary treatment shall thereafter be retained in accordance with the approved details.

Reason: In the interests of the appearance of the locality in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

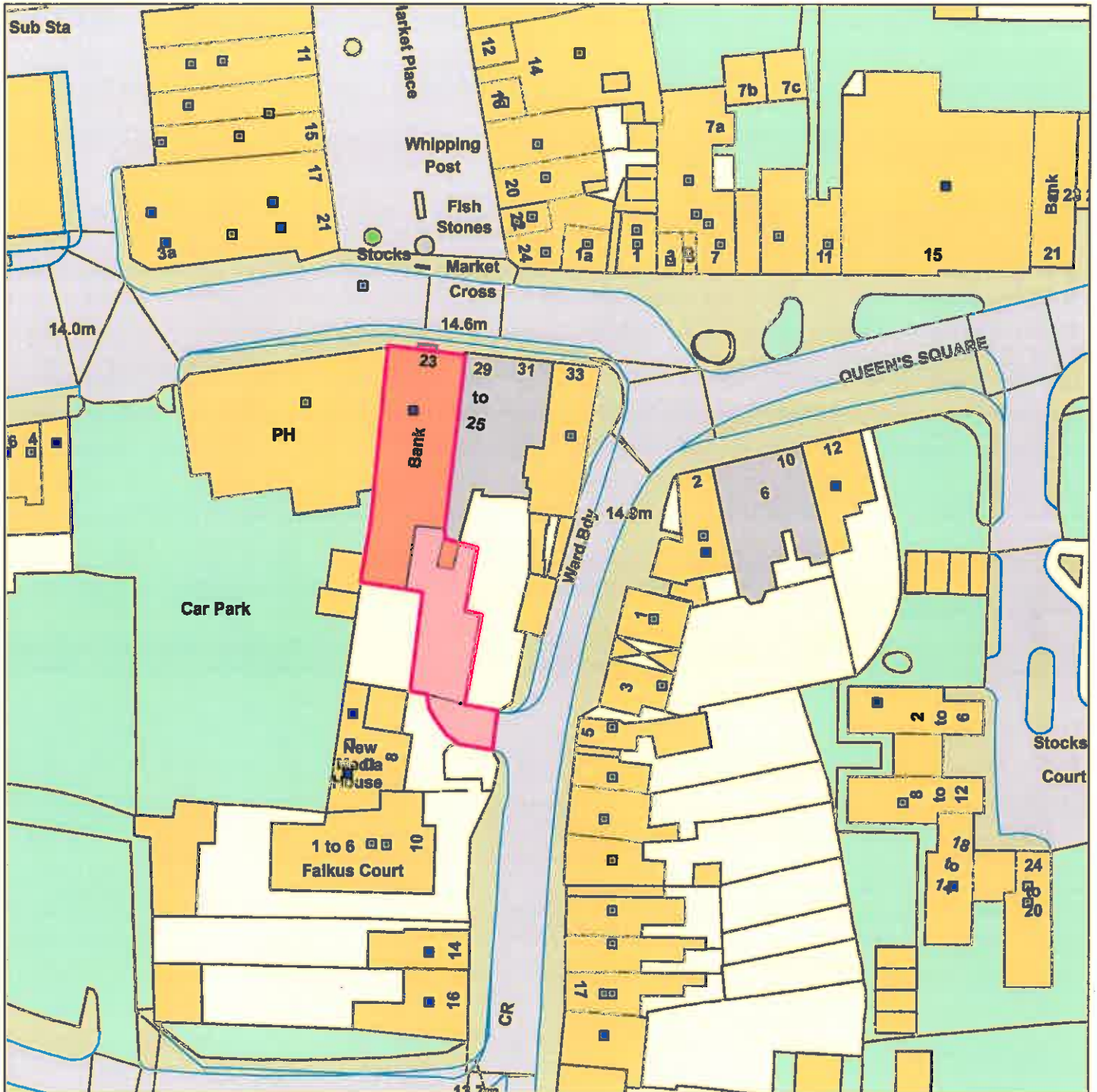
13. Prior to the first use of the development hereby approved, obscured glazing shall be installed in the 2no windows at first floor level in the east facing side elevation serving the bathroom and lounge at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured) and maintained and retained 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).

14. The premises shall not be open to the public between the hours of:

- 01:00 to 10:00 on Fridays, Saturdays, Bank and Public Holidays, and the day immediately prior to a Bank or Public Holiday
- 00:00 to 10.00 on Sundays to Thursdays

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).



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Organisation	Wyre Council
Department	Planning Department
Comments	Item 1
Date	24 October 2018
SLA Number	100018720

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Item Number 02

Application Number 18/00727/FUL

Proposal Two storey front and rear extensions and widening of existing garage.

Location 32 Rossall Promenade Thornton Cleveleys Lancashire FY5 1LP

Applicant Mrs King

Correspondence Address c/o Homeplan Designs
FAO Mr Chris Sinkinson 49 East Beach Lytham St Annes
Lancashire FY8 5EY

Recommendation Permit

REPORT OF THE HEAD OF PLANNING SERVICES

CASE OFFICER - Mrs Charlotte Parkinson

1.0 INTRODUCTION

1.1 The application is before Members at the request of Councillor Fail.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is a two storey mid terraced, sea front property with a flat roof design located on the east side of Rossall Promenade in Cleveleys and is constructed of red brick and render. The surrounding area to the north and south is characterised by properties of the same design with staggered front and rear elevations with balconies to the front and rear.

2.2 To the front of the property is an area of hardstanding currently serving as front garden and there is a low 1m high brick wall to the southern boundary. The majority of the properties within the row have a brick wall (approximately 1.6m high) along the western boundary adjacent the highway. There is a pedestrian footpath beyond the highway wall which is also a designated Public Right of Way (PROW FP10) providing access to the front of the properties. To the rear of the dwelling is an access road providing vehicular access to the property where there is a single parking space and detached flat roof garage.

2.3 The site is unallocated land within the Adopted Local Plan and the Emerging Local Plan and is located within Flood Zone 2. There are no other designations or constraints which affect the site.

3.0 THE PROPOSAL

3.1 The application seeks consent for 3 separate elements. A two storey front extension with balcony and rear two storey extension with balcony along with the widening of the existing garage.

3.2 The front extension is part ground floor part first floor. The ground floor part will project 2.14m from the original front elevation, the first floor part will extend 1.24m. The remaining 900mm will provide a balcony with 1m high balustrade.

3.3 The two storey rear extension is part ground and part first floor. The ground floor extension is shown to project 3m from the original rear wall with a 1.24m first floor projection above. The remaining 1.76m will provide a balcony with 1m high balustrade.

4.0 RELEVANT PLANNING HISTORY

4.1 No planning history found.

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN 1999 (SAVED POLICIES)

5.1.1 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 Emerging Local Plan and the National Planning Policy Framework (NPPF).

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

- SP14 Standards of Design and Amenity
- H4 Alterations and Extensions to residential properties.
- ENV13 Development and Flood Risk

5.2 EMERGING WYRE LOCAL PLAN

5.2.1 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 a clear direction on key issues arising from the examination and further main modifications that are required to make the Wyre Local Plan sound. The Council published its initial response to the Inspector's note on the 30th July 2018, which sets out how it will be making the necessary amendments required by the Inspector. The proposed Main Modifications (MM) to the 'Publication' draft Wyre Local Plan were considered by Full Council on 6th September and approved for public consultation for six weeks, commencing on the 12th September. Although the draft Local Plan as proposed to be modified does not have the full weight of an adopted Local Plan, it has reached an advanced post hearing stage in the local plan process and is supported by a comprehensive and robust evidence base. Development plan policies contained within the draft Local Plan as proposed to be amended in response to the Inspector's Post Hearing Advice will therefore be given increased weight in determining planning applications

depending on the particular circumstances of the case and the extent of any unresolved issues.

5.2.2 Where policies in the new Wyre Local Plan are consistent with the 2012 NPPF, then the (revised) NPPF published in 2018 allows for increased weight to be given to them. Those development plan policies with no unresolved issues will be given significant weight. Alongside these, the policies in the 2018 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

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

- CDMP 2 Flood Risk and Surface Water Flooding
- CDMP 3 Design.
- CDMP 4 Environmental Assets
- CDMP 6 Accessibility and Assets

5.3 NATIONAL PLANNING POLICY FRAMEWORK

5.3.1 The National Planning Policy Framework (NPPF) was published by the Government on the 24th July 2018. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). For decision-taking, this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless : i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposal; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.3.2 The following sections / policies set out within the NPPF are relevant to the determination of this application:

Section 12 Achieving Well Designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change.

5.4 WYRE SUPPLEMENTARY PLANNING GUIDANCE

5.4.1 Supplementary Planning Document - Extending Your Home

- Design Note 1 General Principles.
- Design Note 4 Single Storey Rear Extensions
- Design Note 5 First Floor Rear Extensions.
- Design Note 8 Front Extensions.

6.0 CONSULTATION RESPONSES

6.1 LCC (HIGHWAYS): No objections - the widening of the garage will enable the garage to count as a parking space.

7.0 REPRESENTATIONS

7.1 At the time of compiling this report 2 letters of support for the proposal have been received (with no details or reasons provided) and 2 letters of objection have been received. The primary reasons for objection are:

- Enclosing impact of first floor and ground floor extension
- Rear ground floor extension would restrict light
- Remaining parking space after proposed widening of garage not large enough to park a car

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Revised plans were requested to address the concerns of officers in relation to overlooking and loss of privacy. An extension of time has been agreed until the 8th November 2018.

9.0 ISSUES

9.1 The key issues to consider in this application are:

- Principle of Development
- Visual impact, design and impact upon the streetscene
- Impact upon residential amenity
- Highway impacts
- Flood Risk.

Principle of development

9.2 The houses along this section of Rossall Promenade were designed in a particular style with a flat roof design and an "upside down" internal layout, bedrooms are at ground floor and living and kitchen space at first floor to enable view of the sea to the west. There are a number of properties along this section of Rossall Promenade which have been extended with ground floor and first floor extensions, the majority of which have front and rear balconies. The principle of extending to the front and rear of the building is considered to be generally in keeping with the character and context of the existing building and that of the surrounding area.

Visual Impact / Design / Impact on the street scene

9.3 The application property is sited in a terraced block of 8 houses with staggered frontages and rear elevations. The proposed front extension would maintain the irregular frontage and would have a forwards projection of 2.14m with balcony above. This is considered to be sympathetically proportioned and would not be overly dominant in the street scene where front extensions and balconies are a common feature.

9.4 The ground levels drop substantially at the rear to the rear access road which provides vehicular access to the property. The proposed rear extension will have a rearwards projection of 3m with 1.76m afforded to the balcony area and will be visible from the rear gardens of the properties on Green Drive. As the rear elevations are staggered the proposed rear extension would not be considered to be overly dominant and would respect the general scale, character and proportions of the property and those in the same block, most of which have rear extensions with balconies.

9.5 The widening of the existing garage by 1m would retain the existing flat roof design and would have no detrimental impact on the character of the area. The materials proposed for the front and rear extensions are to be rendered along with the rest of the property which is considered acceptable. Each element of the proposed development is considered to be of an acceptable design and would not result in any adverse impacts upon the character of the street scene and would comply with the provisions of Saved Policy SP14, policy CDMP3 of the Emerging Local Plan and the Council's Supplementary Planning Document for front extensions.

Impact on residential Amenity

9.6 The proposed front extension will extend 2.14m from the original front elevation. Due to the staggered frontages the neighbour at No.33 has a front elevation approximately 1.2m forward of the application site therefore the first floor part of the front extension will be level with their front elevation and only the balcony part will extend 900mm forward. No 33 has a lounge window at first floor approximately 800mm from the boundary and the balcony could therefore allow direct overlooking into the neighbours lounge. A 1.8m high privacy screen with obscure glazing is proposed as a revision on this north facing boundary which would address this issue and prevent direct overlooking. This is to be conditioned accordingly.

9.7 The neighbour at no 31 has a first floor porch with balcony above which extends across part of the front elevation. This porch and first floor balcony is level with the existing front elevation of the application property. The proposed front extension will increase the forwards projection taking the ground floor extension with balcony above to 2.14m, with the lounge window of no 31 being set back 3.4m. Overlooking would be less of an issue due to the oblique angle and presence of the first floor balcony at No.31. However, the proposed 1.8m privacy screen as a revision on the south facing (side) elevation of the proposed balcony would prevent this.

9.8 It is acknowledged that the front elevation of No.31 is enclosed to the south by the first floor front extensions of No.30 which reduces sunlight in the afternoon. Concerns have been raised that the proposed front extension would enclose No.31 further and reduce light. The proposed extension would extend 1.24m further forward at first floor level which would have a greater impact in terms of outlook from the lounge window and balcony of No.31, however, the outlook from the lounge would be partly obscured by their own balcony. The proposal would not reduce sunlight to the lounge window due its position north. Furthermore, the proposed glass balcony would allow light through therefore overshadowing would be reduced. Whilst it is acknowledged that there will be some impact on outlook to No.31 it would not be so sufficiently detrimental to their residential amenity to warrant refusal of planning consent.

9.9 The proposed rear extension would not project beyond the existing ground floor extension with balcony above at No.31. The bulk and mass of the proposal would not therefore have an overbearing impact or reduce light to an unacceptable level. No. 33 has not been extended at the rear and their rear elevation is set back from the rear elevation of the application property by approximately 1.2m. The proposed rear extension will have a first floor projection on the boundary with No.33 of 1.24m making a total first floor projection of 2.44m. The overall ground floor projection on the boundary would be 4.2m. The Council's Extending Your Home SPD states that first floor extensions on the boundary shall not project by more than 1.5 metres from the first floor rear wall of the adjoining neighbouring property. For ground floor extensions this distance is 3 metres. In this case the recommended distances would be exceeded by 1m at first floor and 1.2m at ground floor, however given the traditional staggered pattern of rear elevations, the outlook afforded at the back assisted by higher ground levels and the fact that No. 33 is located north of the application property

therefore there would not be an unacceptable reduction in sunlight or overshadowing, this additional increase is not considered to result in an unacceptable impact sufficient to refuse the application.

9.10 The balcony would provide direct overlooking into the rear garden area of No.33 as such revised plans have been provided showing a 1.8m high obscure glazed privacy screen along the north and south boundaries, which can be conditioned accordingly.

9.11 The dwellings to the east/rear are at a lower land level than the application site. There is a separation distance of 16.5m from the balcony to the rear boundary of these properties with an access road between. This distance is considered sufficient to not cause overlooking and therefore would not have a detrimental impact on the occupiers' residential amenity.

Impact on Highway / Parking

9.12 There is presently space for parking one car at the rear in addition to the existing garage. The widening of the garage would result in internal dimensions of the garage being increased to 3.2m x 5.5m Lancashire County Council have confirmed that this would enable the garage to count as one parking space. The existing parking space on the drive would remain albeit narrower. There would be no material change in overall parking provision on the site as a result of the development.

Flood Risk

9.13 The application site is located in Flood Zone 2. A Flood Risk Assessment has been provided which states that the proposed extensions will be no lower than the existing premises and that flood proofing measures will be incorporated as appropriate. This is in line with the Environment Agency's Standing Advice for householder developments. The development is not considered to be at high risk of flooding or result in the increase of flood risk elsewhere within the vicinity.

10.0 CONCLUSION

10.1 Extensions and balconies are common features within this row of art deco style properties which make up Rossall Promenade. The extensions and alterations proposed in this application are considered to be in keeping with the character of the property and that of the row of dwellings. The concerns raised by neighbouring residents have been considered and fully assessed, however, subject to a condition requiring the 1.8m high obscure glazed privacy screens to be installed prior to the first use or occupation of the extensions, the proposal is considered to comply with Saved Policies H4 and SP14 of the Adopted Wyre Local Plan and Policy CDMP 3 of the Emerging Local Plan. All other issues have been assessed as being 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 full 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 25.7.18 including the following plans/documents:

- Proposed Elevations and Flood Plans Dwg No HP/2544B PL/18/05.1 Rev C

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.

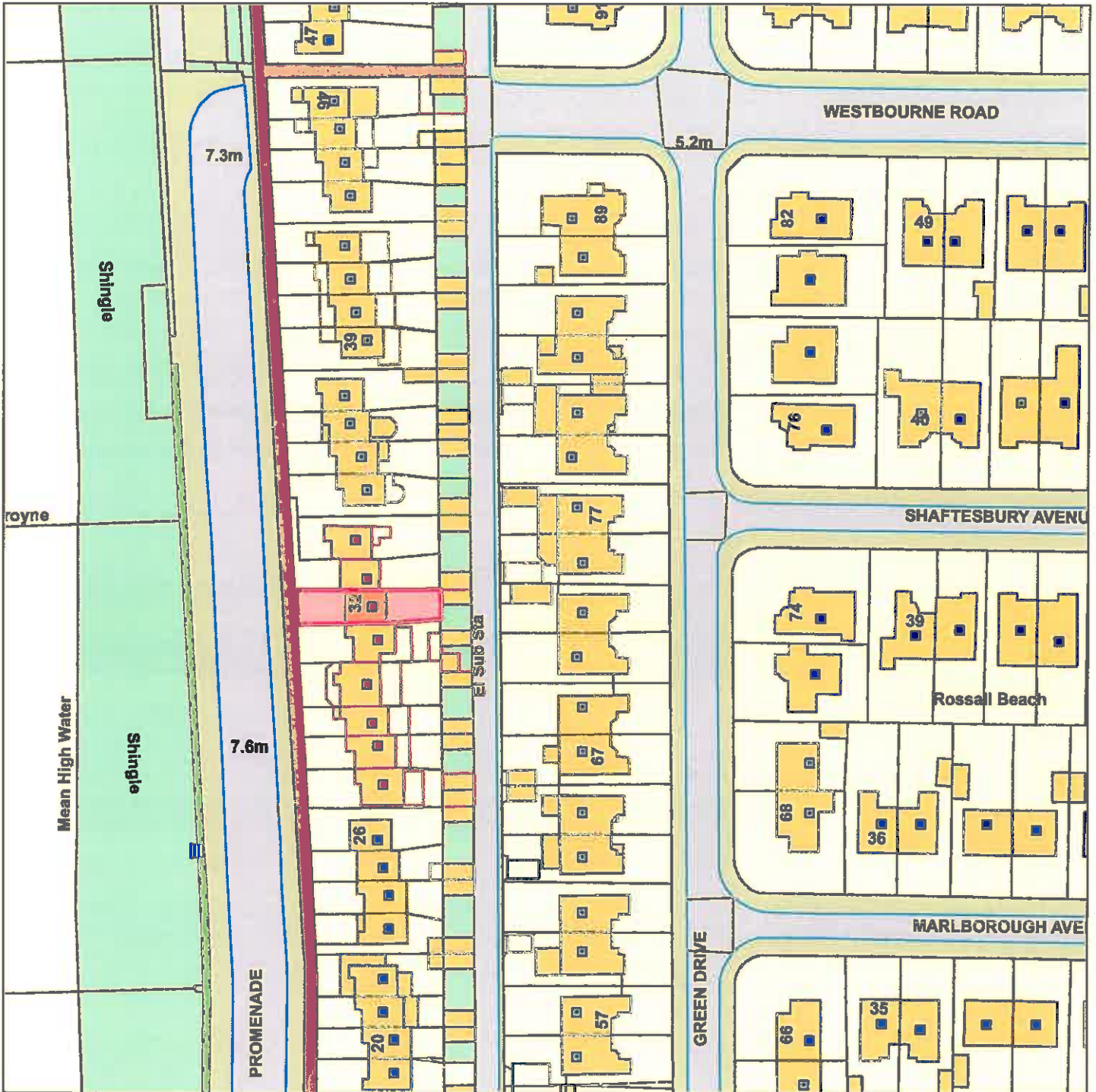
3. The development shall be carried out using those materials specified on the approved plan

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. Prior to the first occupation or use of the extensions hereby approved, obscured glazing shall be installed in the north and south side elevations of the front and rear balconies 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).

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 2
Date	24 October 2018
SLA Number	100018720

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Committee Report**Date: 7 November 2018****Item Number 03****Application Number 18/00742/FUL****Proposal Erection of detached garage****Location 6 Ruskin Avenue Thornton Cleveleys Lancashire FY5 2RS****Applicant Mr Gary Linacre****Correspondence Address c/o Geoff Attwater Architectural Design Service
40 Stanah Gardens Thornton-Cleveleys Lancs FY5 5JH****Recommendation Permit****REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Mrs Charlotte Parkinson****1.0 INTRODUCTION**

1.1 This application is before Members at the request of Councillor Walmsley. A site visit is recommended to enable Members to understand the proposal and its setting beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is a detached bungalow located on the eastern side of Ruskin Avenue which is a cul de sac. The property has a pitched roof and is constructed from red brick and rosemary roof tiles. There is a large flat roof single storey extension across the rear elevation which has an external feature brick chimney and a detached flat roof garage in the rear garden. The property is set in a generous garden curtilage enclosed by a low 1m high timber picket style fence on the northern boundary, established conifer trees and 2m high concrete post and timber panel fencing to the eastern and southern boundary, and a low 1m high concrete post and timber panel to the western boundary. The surrounding area comprises residential bungalows of varying styles.

3.0 THE PROPOSAL

3.1 The proposal seeks planning permission for a detached pitched roof garage in the north east corner of the rear garden. The garage will have a dual pitched roof which will be 2.4 m to the eaves and 4.4m to the ridge. It would be set in from the boundary with no 5 Ruskin Avenue by 900 mm. The garage is an irregular shape and will be 13.7m long on the northern elevation and 8.6m on the southern elevation. The front elevation will be angled at 8.4m wide and will have a 4.5m wide roller shutter door. Two windows and a door are proposed in the south facing elevation. Materials to be used are multi rustic brick to match the existing house and red concrete roof tiles.

4.0 RELEVANT PLANNING HISTORY

4.1 NONE

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN 1999 (SAVED POLICIES)

5.1.1 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 Emerging Local Plan and the National Planning Policy Framework (NPPF).

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

SP14 Standards of Design and Amenity
ENV13 Development and Flood Risk

5.2 EMERGING WYRE LOCAL PLAN

5.2.1 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 a clear direction on key issues arising from the examination and further main modifications that are required to make the Wyre Local Plan sound. The Council published its initial response to the Inspector's note on the 30th July 2018, which sets out how it will be making the necessary amendments required by the Inspector. The proposed Main Modifications (MM) to the 'Publication' draft Wyre Local Plan were considered by Full Council on 6th September and approved for public consultation for six weeks, commencing on the 12th September. Although the draft Local Plan as proposed to be modified does not have the full weight of an adopted Local Plan, it has reached an advanced post hearing stage in the local plan process and is supported by a comprehensive and robust evidence base. Development plan policies contained within the draft Local Plan as proposed to be amended in response to the Inspector's Post Hearing Advice will therefore be given increased weight in determining planning applications depending on the particular circumstances of the case and the extent of any unresolved issues.

5.2.2 Where policies in the new Wyre Local Plan are consistent with the 2012 NPPF, then the (revised) NPPF published in 2018 allows for increased weight to be given to them. Those development plan policies with no unresolved issues will be given significant weight. Alongside these, the policies in the 2018 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

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

- CDMP1 Environmental Protection
- CDMP3 Design
- CDMP2 Flood Risk and Surface Water Management.

5.3 NATIONAL PLANNING POLICY FRAMEWORK

5.3.1 The National Planning Policy Framework (NPPF) was published by the Government on the 24th July 2018. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). For decision-taking, this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless : i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposal; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.3.2 The following sections / policies set out within the NPPF are relevant to the determination of this application:

Section 12 Achieving well designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change.

5.4 WYRE SUPPLEMENTARY PLANNING GUIDANCE

5.4.1 Supplementary Planning Document - Extending Your Home - Design Note 1
General Principles.

6.0 CONSULTATION RESPONSES

6.1 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.1.1 No objections regarding the proposed erection of detached garage and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

6.2 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - LAND CONTAMINATION)

6.2.1 No objections however details of gas protection measures are required to be provided prior to the commencement of development by condition

7.0 REPRESENTATIONS

7.1 3 letters of support and 4 letters of objection have been received. The objections raised relate to the following matters:

- concern re possibility of garage being used for business purposes
- too large, not in keeping with the area
- flood risk
- increased traffic and parking issues
- excessive vehicle movements
- reduction in value of the properties
- noise
- not required, already a garage on site
- not in line with other garages on the street

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Extension of time agreed until 9th November 2018.

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of development
- Visual Impact / Design / Impact on the street scene
- Impact on residential amenity
- Impact on Highway / Parking
- Flood Risk

Principle of development

9.2 The erection of domestic buildings within a residential curtilage are acceptable in principle.

Visual Impact / Design / Impact on the street scene

9.3 The application site is located in the south east corner of a cul de sac and the proposed garage would be located in the north east corner of the garden curtilage, in a position that would be off set from the main street view.

9.4 The proposed garage would be an irregular shape with a large floor area, however it is set in a large garden curtilage contained behind existing building lines and is not therefore considered to be an overly dominant feature in the street scene which comprises of properties of varying styles.

9.5 The pitched roof design and proposed materials of rustic multi brick and roof tiles to match the existing house would respect the character of the existing dwelling and that of the surrounding area.

Impact on residential amenity

9.6 The side elevation facing No.5 Ruskin Avenue is the longest side at 13.7m. The height to the eaves would be 2.4m and to the ridge 4.4m. It would be set in from the boundary with No.5 by 900mm. No.5 has a side entrance door with single obscure glazed window on the facing elevation and an intervening 2.8m wide driveway between the property and the boundary. Part of the proposed garage would be adjacent to an existing flat roof garage at No.5 which would partially screen it. The garage would be set back from No.5 and adjacent to a side elevation which has no clear glazed windows facing. It is therefore considered that the overall bulk and mass of the proposed garage will not have an overbearing or oppressive impact on the residential amenity of No.5 or reduce light to an unacceptable level.

9.7 The rear elevation of the proposed garage is close to the rear boundary of no 8 and 6 Mildred Close to the east, however this rear boundary is well screened with trees and 2m high timber fencing therefore there will not be a detrimental impact to the residential amenity of these two properties.

9.8 There are two windows on the south facing elevation of the proposed garage which would face into the garden area of the application site. The north and east elevations are blank. Therefore there are no overlooking issues to consider.

9.9 A supporting statement has been submitted confirming that the use of the garage is for domestic storage purposes. The owner has stated that he has several classic cars and the garage will be used to store these cars. Some of the concerns raised in the objection letters relate to the garage being used for commercial purposes including repair of cars. A condition will be required restricting the garage to uses incidental to the purposes of the dwellinghouse. It is noted that the design of the doors are to be metal roller shutter; whilst there would be some noise from their use, this is not considered to result in an unacceptable impact.

Impact on Highway / Parking

9.10 Lancashire County Highways have raised no objections to the proposal and have advised that the proposed garage does allow for 6m manoeuvring space to prevent collisions with property and vehicles which would ensure highway safety and maintenance is not significantly affected by the movements. It is noted that the angled front elevation of the garage and the narrow drive in front of the dwelling will make manoeuvring into / out of the garage difficult, however this would not impact on the safety of the highway and is rather a matter for the applicant to overcome. There is already a dropped kerb to the full property frontage. There would be no loss of existing parking space at the site which currently has provision for 2 off street parking spaces along the western boundary. The proposed garage would provide further off street parking provision and the existing access would be unaffected. Therefore would be no impact on highway safety and the proposal would not have a detrimental effect on parking at the site. A condition restricting the garage to incidental uses only will mean that vehicle movements are associated with the use of the dwelling only.

Flood Risk

9.11 The application site is located in Flood Zone 3. A Flood Risk Assessment has been provided which states that the proposed garage will be solid ground floor construction approximately 200mm above existing outside ground level at the same level as the existing garage. Low level pervious bricks will improve resistance to ingress of water. Surface water from the roof is said to connect to the existing surface water drain. This mitigation is considered acceptable and in line with the Environment Agency Standing Advice for householder developments. A condition can be added to require adherence to the flood risk mitigation. No increase in flood risk to neighbouring properties is anticipated.

10.0 CONCLUSION

10.1 Although the garage is large, its offset position in the street scene and behind existing building lines means it is not considered to be visually detrimental. The concerns raised by neighbouring residents have been considered and fully assessed, however, subject to a condition requiring the use of the garage to be restricted for those purposes incidental to the enjoyment of the dwelling the proposal is considered to comply with Saved Policy SP14 of the Adopted Wyre Local Plan and Policy CDMP 3 of the Emerging Local Plan. Other issues have been assessed and are considered acceptable subject to conditions.

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 full 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 31.8.18 including the following plans/documents:

- Proposed Elevations and Floor Plans Drawing Number A18.02/2 Rev A
- Proposed Site Plan
- Flood Risk Assessment

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 ref: Proposed Elevations and Floor Plans Drawing Number A18.02/2 Rev A.

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. The development hereby permitted shall be used for purposes incidental or ancillary to the residential use of the dwelling and for no other purpose.

Reason: The use of the building as a separate use would require further consideration in accordance with Policy SP14 and of the Adopted Wyre Borough Local Plan (July 1999).

5. The development shall incorporate suitable gas protection measures, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The measures shall include as a minimum: ventilation of confined spaces within the building, a ground slab of suitable construction, a low permeability gas membrane, minimum (ideally none) penetration of the ground slab by services, and passive ventilation to the underside of the building. The development shall be carried out in accordance with the approved scheme and thereafter be maintained and retained. Alternatively, prior to the commencement of development, a gas monitoring programme and risk assessment of the results shall be undertaken to demonstrate that the above protection measures are not required. The results shall be submitted to and approved

in writing by the Local Planning Authority. Any gas monitoring programme 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.

Reason: The footprint of the proposed development is within the immediate vicinity of an area of infilled ground. The nature of the fill is unknown. Works are therefore required in the interests of public safety and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999)

Notes: -

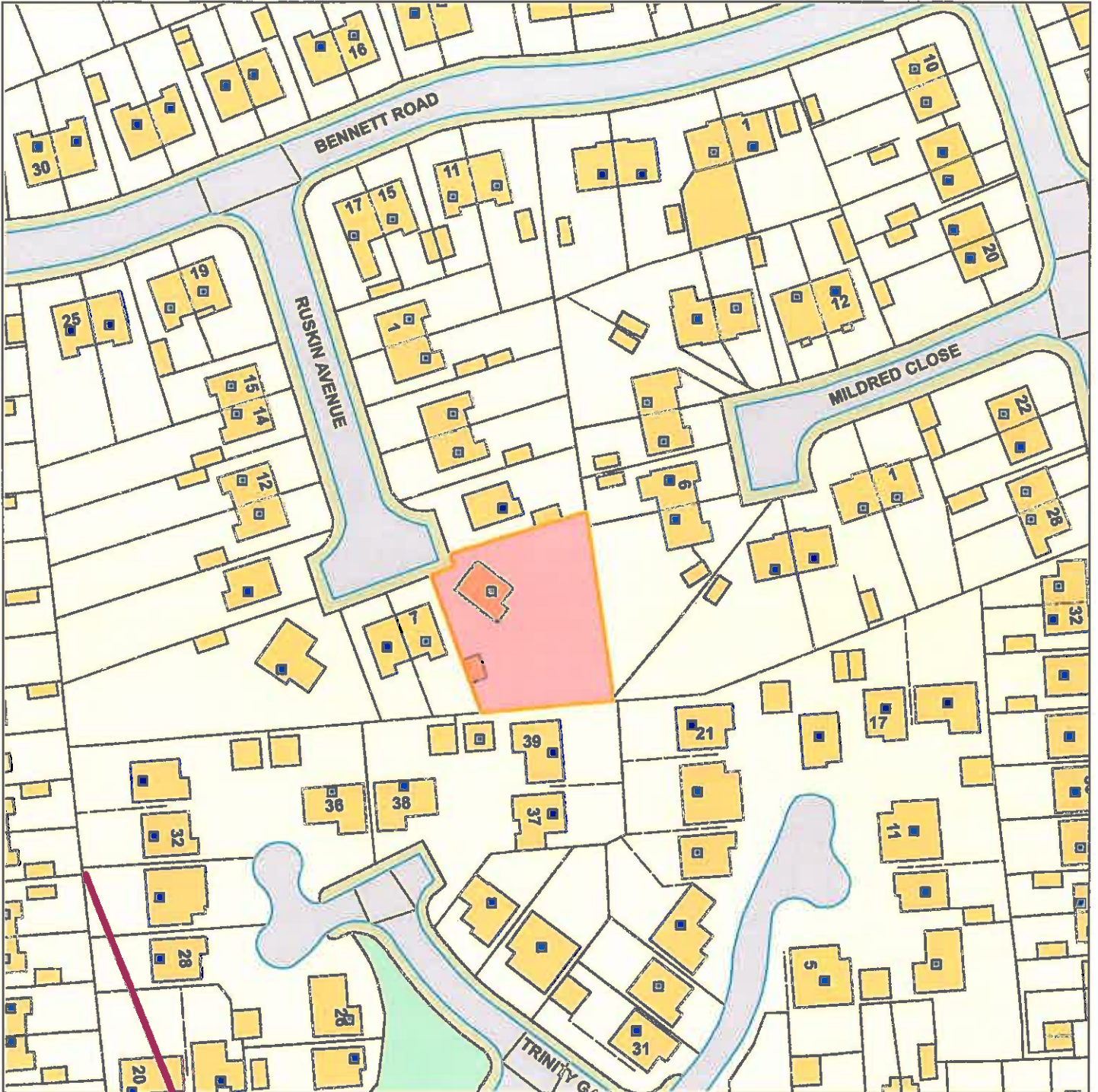
1. The site falls in Flood Zone 3. It is therefore recommended that flood proofing measures are considered by the applicant and incorporated into the development where appropriate.

Further details are available on the GOV.UK website:-

- Improving the flood performance of new buildings: flood resilient construction (<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>)
- Prepare your property for flooding (<https://www.gov.uk/government/publications/prepare-your-property-for-flooding>)

Further Preparing for Floods guidance is also available on the Planning Portal website at: <http://www.planningportal.gov.uk/buildingregulations/goodpractice/preparingforfloods>

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 3
Date	24 October 2018
SLA Number	100018720

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