



Planning Committee Agenda

Wyre Borough Council
Date of Publication: 27 November 2018
Please ask for : Carole Leary
Democratic Services Officer
Tel: 01253 887444

**Planning Committee meeting on Wednesday, 5 December 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** (Pages 1 - 10)

To confirm as a correct record the minutes of the meeting of the Planning Committee held on Wednesday 7 November 2018 (already circulated by email).

- 4. Appeals** (Pages 11 - 14)

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

- 5. Planning Applications** (Pages 15 - 34)

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: 18/00643/OUTMAJ –
29 – 31 Coronation Road, Thornton Cleveleys, Lancashire, FY5
1DQ**

Outline application for the erection of a 48 bedroom nursing home (Use Class C2) (following the demolition of existing dwellings) with access, layout and scale applied for (all other matters reserved).

PLEASE NOTE:

Transport for the members will leave the Civic Centre, Poulton-Le-Fylde, for the One Site Visit at 11.30am.



Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 7 November 2018 at the Council Chamber, Civic Centre, Poulton-le-Fylde.

Planning Committee members present:

Councillors R Amos, I Amos, Catterall, Ballard, Ellison, Ingham, Lees, Moon and Orme

Apologies for absence:

Councillor(s) Atkins, Greenhough, Holden, Raynor and Shewan

Other councillors present:

Councillor Fail

Officers present:

David Thow, Head of Planning Services
Lyndsey Hayes, Planning Development Manager
Carmel White, Solicitor
Carole Leary, Democratic Services Officer

17 members of the public attended the meeting.

No press were present at the meeting.

PA.32 Declarations of Interest

Councillor Ingham declared an Other Significant Interest in Item 03 – 18/00742/FUL – Erection of detached garage – 6 Ruskin Avenue, Thornton Cleveleys, Lancashire, FY5 2RS as he had initially spoken with the applicant over the phone, about the application, before the application came before Planning Committee. He had then passed the Applicants information onto a Ward Councillor for the Marsh Mill area. However, he felt such that this may give rise to a perception of a conflict of interest and left the room before the item was being discussed and had no involvement in the decision making.

PA.33 Confirmation of Minutes

The minutes of the Planning Committee meeting held on Wednesday 3 October, 2018 were confirmed as a correct record.

PA.34 Appeals

The Head of Planning Services submitted a report on appeals lodged and decided between 15 September 2018 – 15 October 2018.

Resolved

That the position regarding the appeals, as set out on pages 1 – 26 of the report be read and noted, and that any Member requiring any further details of clarification on any appeal, should contact the relevant Case Officer.

PA.35 Planning Applications

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

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.

An Update sheet with additional information was issued over the internet and also handed out at the planning meeting. This information came forth, since the Agenda was published, for this application.

18/00727/FUL – 32 Rossall Promenade, Thornton Cleveleys, Lancashire, FY5 1LP. Two storey front and rear extensions and widening of existing garage.

18/00742/FUL – 6 Ruskin Avenue, Thornton Cleveleys, Lancashire, FY5 2RS. Erection of detached garage.

An Update sheet with additional information was issued over the internet and also handed out at the planning meeting. This information came forth, since the Agenda was published, for this application.

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

a) Applications Approved

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

Item 1 – 23 Market Place, Poulton-Le-Fylde, Lancashire, FY6 7BT

Application Number 18/00488/FUL

Inns and Leisure Limited. Change of use from bank office to public house and restaurant with associated external alterations. 23 Market Place, Poulton-Le-Fylde, Lancashire, FY6 7BT.

The application was before Members at the request of Councillor McKay. A site visit took place, so Committee Members had the benefit of seeing and understanding the

proposal and its setting beyond the plans submitted, and the photographs taken by the case officer.

The Committee gave consideration to the Update Sheet with additional information on. This had an additional representation on, with amendments and additional conditions.

A Member of the Public (a Wyre Councillor, but not that Ward's Councillor) spoke to the Committee, as an objector to the application, as he lives in and is familiar with the general area.

Both the Applicant's Solicitor and the Applicant's Managing Director (the Applicant's father) spoke to the Committee, in support of the application. Both were asked questions of clarification by the Members.

The Committee members debated the application generally, including the possible impact that the proposed roof terrace would have on residential amenity within the area, the extent of delivery hours and the site access.

The application was approved as per the recommendation in the report of the Head of Planning Services, subject to the conditions and reasons set out within the report as updated, and as added by the Planning Committee, including the **amendments to conditions 2, 7, 9, 10, 11, 12 and 14 as follows (from the update sheet and the Committee meeting)**, which are all set out below:

Conditions and Reasons:

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 15th May 2018 including the following plans/documents:

- Location Plan CFM_LP_Rev B, received 24th October 2018;
- Existing and Proposed Elevations Rev D, received 25th October 2018;
- Proposed Floor Plans TS_4416_04 Rev G, received 5th November 2018;
- Proposed Site Layout TS_4416_05 Rev B, received 5th November 2018.

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. Prior to first use of the development hereby approved a scheme for the construction of the site access, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The site access shall be constructed and completed in accordance with the approved scheme details.

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

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 10:00 to 20:00 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 20.00 and 08:00 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 as set out within the Acoustic Survey ref: 10624 Rev C Dated 15 Aug 2018 submitted with the planning application. The device shall be set to a level to be agreed in writing by the local planning authority prior to first use of the development hereby approved and thereafter retained at that level. 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 member of staff and their personal household, dependants or guests 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 TS_4416_04 Rev F and 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 trade between the hours of:

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

- 00:00 to 10.00 on Mondays to Fridays

All customers and members of the public shall vacate the premises no later than 30 minutes following the last trading hour stipulated above.

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).

15. The use hereby approved shall not commence until a scheme for the control of odours has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first use and thereafter maintained in good working order at all times.

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).

16. Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment and time schedule of when the lights will be in use shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 (or any subsequent replacement guidance).

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

Reason: To safeguard residential amenity and in the interests of public safety in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (1999) and paragraphs 17 and 125 of the National Planning Policy Framework.

17. Prior to first use of the development hereby approved, details of a management plan including any gates / chains / barriers etc to restrict access to the roof terrace area for patrons outside of its permitted hours of use shall be submitted to and approved in writing by the local planning authority. The approved management plan shall be implemented prior to first use and retained thereafter.

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).

Item 2 – 32 Rossall Promenade, Thornton Cleveleys, Lancashire, FY5 1LP

Application No: 18/00727/FUL

Mrs King. Two storey front and rear extensions and widening of existing garage. 32 Rossall Promenade, Thornton Cleveleys, Lancashire, FY5 1LP.

The application was before Members at the request of Councillor Fail. Committee Members had the benefit of a site visit before the public meeting, to help Members understand how the application would sit within its surroundings, including the relationship to neighbouring properties.

Councillor Fail, Councillor for Jubilee ward spoke to the Committee raising objections to the application.

The application was approved as per the recommendation in the report of the Head of Planning Services that full planning permission be granted subject to the conditions for the reasons set out within the report, which are all set out below:

Conditions and Reasons:-

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 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).

Item 3 – 6 Ruskin Avenue, Thornton Cleveleys, Lancashire, FY5 2RS

Application Number 18/00742/FUL

Mr Gary Linacre. Erection of detached garage. 6 Ruskin Avenue, Thornton Cleveleys, Lancashire, FY5 2RS.

This application was before members at the request of Councillor Walmsley. A site

visit was undertaken so Committee Members had the benefit of seeing and understanding the proposal in its setting beyond the plans submitted, and the photographs taken by the case officer.

Three Members of the Public spoke to the Committee, objecting to the Application.

The Applicant spoke to the Committee, supporting his Application. The Committee asked questions of clarification from the applicant.

The Committee also gave consideration to the Update Sheet with an additional consultation response.

The application was approved as per the recommendation in the report of the Head of Planning Services that planning permission be granted subject to the conditions for the reasons set out within the report.

Conditions and Reasons:-

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 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>

The meeting started at 2.00 pm and finished at 3.15 pm.

Date of Publication: Monday 12 November, 2018

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APPEALS LODGED AND DECIDED

Appeals Lodged between – 15 October – 15 November 2018

Application Number	Location	Proposal	Com/Del decision	Appeal Type	Date Lodged
18/00220/OUT	Land adjacent to the Ridge Bilsborrow Lane Bilsborrow Lancashire PR3 0RN	Outline application for erection of 8 self-build dwellings with associated works with access from Bilsborrow Lane (all other matters reserved)	Delegated	Written Representations	23 October 2018
18/00337/FULMAJ	Land Off Garstang Road/New Link Road Claughton-on-Brock Lancashire	Residential development for the erection of 40 dwellings with associated access and landscaping	Non determination	Informal Hearing	31 October 2018

Appeals Decided between – 15 October – 15 November 2018

Application Number	Location	Proposal	Com/Del decision	Decision	Date Decided
18/00316/FUL	16 Lonsdale Crescent Fleetwood Lancashire FY7 7DW	Retrospective application for the erection of a 2m high timber fence.	Delegated	Dismissed	23 October 2018

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Appeal Decision

Site visit made on 23 October 2018

by **Katie McDonald MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29th October 2018

Appeal Ref: APP/U2370/D/18/3206570 16 Lonsdale Crescent, Fleetwood FY7 7DW

- 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 Mrs Ruby Wareing against the decision of Wyre Borough Council.
 - The application Ref 18/00316/FUL, dated 19 March 2018, was refused by notice dated 26 June 2018.
 - The development proposed is a close timber fence.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the description of development given on the application form, although I have removed the words '*retrospective application for erection*' as this is not an act of development.
3. Save for the cut out at the corner, the fence has been substantially completed and therefore I am considering this appeal retrospectively.
4. The National Planning Policy Framework was revised in July 2018. Both parties were given the opportunity to provide comments. As the policy in the Framework is relevant from the day of its publication, I have taken account of it in my decision.

Main Issues

5. These are the effect of the development upon the:
 - i) Character and appearance of the area; and
 - ii) The safety of pedestrians using Lonsdale Avenue.

Reasons

Character and appearance

6. The site is a 2 storey end terrace house, constructed in red brick with a hipped tiled roof. It is located on the east side of Lonsdale Crescent, south of Lonsdale Avenue and occupies a corner plot. The area is suburban in character, with predominantly 2 storey residential terraced and semi-detached dwellings. With the exception of some taller boundary treatments to the west of the site, boundary treatments to the fronts and sides of properties on both Lonsdale Crescent and Lonsdale Avenue generally consist of traditional, low height, detailed brick walls.

7. The development is for around a 2m high close boarded timber boundary fence to the side, enclosing the side garden. It projects northwards in line with the front elevation, runs along the original and existing red brick boundary wall and returns parallel with the car parking space to the north eastern corner of the dwelling's curtilage. It is proposed that the fence would taper down in height to around 1m at the north eastern corner for around 3.5m in both directions.
8. The side elevation of the dwelling is in line with the front elevations of dwellings to the east on Lonsdale Avenue, which have low height boundary walls enclosing their front gardens. Given the position of No 16 in relation to those adjacent dwellings on Lonsdale Avenue, the development breaks the established building line, and appears tall, adversely conspicuous and dominant in the street scene. The use of close boarding also makes the fence appear solid and imposing.
9. Given its positioning, height and design, the fence appears inconsistent with the prevailing and existing high quality boundary walls. It harmfully affects the street scene and introduces an incongruous form of development. Consequently the development has an unacceptable effect upon the character and appearance of the area and is in conflict with Policy SP14 of the Wyre Borough Local Plan 1991-2006 (July 1999) (LP), which seeks to achieve consistent principles and high standards of design and amenity.

Safety of pedestrians

10. Adjacent to the parking area, the fence is proposed to be reduced in height. However, the proposed reduction would only achieve a height of around 1m at its lowest point, steadily rising in height to about 2m on each side. Owing to this, the height of the fence would be more than 1m for most of the cut out, and this would fail to provide adequate sight lines to enable forward visibility of pedestrians walking along Lonsdale Avenue.
11. As a result, this would prejudice the safety of pedestrians, contrary to Policy SP14 of the LP, which seeks to ensure satisfactory access, parking and servicing facilities. I also find conflict with the Framework, which sets out that development should create places that are safe, secure and attractive, minimising the scope for conflicts between pedestrians, cyclists and vehicles.

Other Matters

12. I saw the other taller boundary treatments at the dwellings to the west. The Council advise that there is no record of planning permission for either, and whilst the positioning, height and style is similar to this development, they do not positively contribute to the character and appearance of the area. Thus, they do not set an acceptable precedent for the development before me.
13. Use of the side garden without the fence would be less private, however, the property has a private rear garden and I find this matter adds little weight in favour. Letters of support for the proposal would not outweigh my findings above.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.

Katie McDonald

INSPECTOR

Committee Report

Date: 05.12.2018

Item Number	01
Application Number	18/00643/OUTMAJ
Proposal	Outline application for the erection of a 48 bedroom nursing home (Use Class C2) (following the demolition of existing dwellings) with access, layout and scale applied for (all other matters reserved)
Location	29-31 Coronation Road Thornton Cleveleys Lancashire FY5 1DQ
Applicant	Movern Care Centre
Correspondence Address	c/o Keystone Design Associates Ltd Development House 261 Church Street Blackpool FY1 3PB
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES

CASE OFFICER - Mr Karl Glover

1.0 INTRODUCTION

1.1 This application is before Members at the request of Councillor Fail citing concerns regarding the overall scale of the development and the proximity to neighbouring properties. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 29 and 31a Coronation Road comprise of 2 existing detached residential properties located on the southern side of Coronation Road approximately 50m east of the junction with South Promenade in Cleveleys. Number 29 is a detached pitched roof bungalow made up of a mixture of red brick and white render with mock Tudor boarding above the front bay, contained under a red rosemary tile pitch roof. To the rear is a flat roof garage with off street parking to the side and front. Number 31a has been internally converted in to 6 residential flats and is made up of red brick with a hipped concrete tiled roof which forms into a dual pitch towards the west and has a white upvc clad box dormer within the southern roof pitch. This property has 2 separate points of access and is bound to the east, south and west by a high level close boarded timber panel fences.

2.2 The surrounding area is mixed in character, to the north is a terrace block of 6 2 storey residential dwellings to the north of which are 3 storey pitched roof apartments. Immediately to the east of the application site (adjacent to number 29) is a pair of 2 storey semi-detached dwellings. To the west of the site (approximately 17m from number 29) is the existing 4/5 storey Movern Care home which occupies a

corner position at the junction of Coronation Road and South Promenade and comprises of a 60 bed nursing home with parking provision provided to the east and south of the building. To the south west is Grosvenor Court which is an L-shape building comprising of 17 apartments and is accessed from a side street off Ellerbreck Road. To the west and continuing to the rear of the application site is an (adopted) alley which provides access to the garages and rear gardens of the dwellings which back on from both Coronation Road and Ellerbeck Road.

2.3 In term of the topography the application site is relatively flat however the levels increase modestly to the west of the site rising in gradient towards South Promenade. Coronation Road is a restricted 20mph speed limit with designated 1 hour on street parking immediately to the north of the site and double yellow lines are in situ on both sides of the highway including the side street to the west of number 31a. Approximately 300m to the north is Cleveleys Town Centre where there is an array of shops, carparks and public transport provisions. The site is located within Flood Zone 2 as identified on the Environment Agency Mapping System but is not affected by any other constraints or designations.

3.0 THE PROPOSAL

3.1 The application seeks outline planning consent for the erection of a 48 bedroom nursing home (Use Class C2) with access, layout and scale applied for (landscaping and appearance are matters reserved) following the demolition of two existing bungalows. The proposed building is to be constructed over 3 and 4 storeys with a stepped flat roof design. At 3 storey the building would measure 8.9m in height rising to 11.5m at 4 storey and at the highest point measures 12.9m. The footprint of building measures approximately 19.5m in depth x 29.5m in length. The total internal floor area would equate to 1574sqm. To the rear (south) an external seating/landscaped area and a servicing yard for deliveries is proposed along with a cycle store and enclosed bin store. To the west of the building 6 off street parking spaces are proposed including 1 disabled parking space. Although appearance has not been applied for at this stage the plans indicate that the external materials would comprise of natural grey slate to the roof and a mixture of buff/red brick, white K-rend, dark sandstone and timber cladding.

3.2 Internally 48 rooms are proposed including 1 room for overnight staff accommodation. At ground floor the indicative plans show dining and lounge areas, staff room and staff accommodation, reception, treatment room, office and 4 bedrooms. At first floor 17 bedrooms are proposed along with 2 assisted bathrooms, internal stair case and lift. This is mirrored at second floor. At third floor 9 bedrooms and an assisted bathroom are proposed.

4.0 RELEVANT PLANNING HISTORY

4.1 00/00063/FUL - Conversion of 4 flats into 6 flats - Permitted

4.2 99/00024/FUL - Conversion of building to 4 self-contained flats, extension and dormer window to southern elevation - 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 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:

- SP2 Strategic Location for Development
- SP14 - Standards of Design and Amenity
- ENV13 - Development and Flood Risk
- ENV15 - Surface Water run off

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:

- SP1 - Development Strategy
- SP2 - Sustainable Development
- CDMP1 - Environmental Protection
- CDMP2 - Flood risk and Surface water
- CDMP3 - Design
- CDMP6 - Accessibility and Transport

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 2 - Achieving sustainable development
- Section 4 - Promoting sustainable transport
- Section 5 - Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 11 - Making efficient use of land
- Section 12 - Achieving well - designed places
- Section 15 - Conserving and enhancing the natural environment

5.4 WYRE SUPPLEMENTARY PLANNING GUIDANCE

5.4.1 Supplementary Planning Guidance 4 - Spacing Guidelines for New Housing Layouts

6.0 CONSULTATION RESPONSES

6.1 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.1.1 No objections and consider that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. Given the sites proximity to town centre and bus station and tram services the parking provisions identified within the site plan is sufficient for the type of accommodation proposed.

6.2 LANCASHIRE COUNTY COUNCIL (LOCAL FLOOD AUTHORITY)

6.2.1 No observations received at the time of compiling this report

6.3 LANCASHIRE FIRE AND RESCUE SERVICE

6.3.1 No objections, advice has been provided in relation to the requirements for the proposed development to comply with building regulations

6.4 UNITED UTILITIES

6.4.1 No objections subject to conditions

6.5 NATURAL ENGLAND

6.5.1 No observations to make

6.6 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.6.1 No objections

6.7 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE & AIR QUALITY)

6.7.1 No objections subject to conditions to protect the amenity of the area from impacts arising from dust, noise odour and light

6.8 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (CONTAMINATION)

6.8.1 No objections subject to a Phase 1 Desk Study contamination report being submitted

7.0 REPRESENTATIONS

7.1 At the time of compiling this report there has been 3 letters of support to the proposal and 7 letters of objection received. The primary reasons for objection are:

- Too big and out of proportion with the street scene
- Loss of privacy, loss of light and inadequate parking
- Over shadowing
- Loss of residential accommodation
- Insufficient Parking
- Insufficient drainage
- Not a commercial area
- Development out of character with the area
- Streets are not wide enough

7.2 The main reasons for support for the proposal are:

- The development will tidy up that part of Coronation Road
- Height is similar to the surrounding buildings
- Asset to elderly residents in Cleveleys
- There is much need for this type of accommodation in the area
- Will provide employment opportunities

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Contact has been made with the agent to clarify what matters are being applied for as part of the submission. Additional information has been requested in relation to the flood risk sequential and exceptions test. A meeting was undertaken to advise of concerns regarding the overall height, scale and massing of the building following which amended plans were provided removing one storey and reducing the width of the building, bringing the northern elevation in away from Coronation Road. An extension of time has been agreed on the application until the 6th December 2018.

9.0 ISSUES

9.1 The key considerations as part of this application are:

- Principle of development
- Scale, design and impacts upon the character of the area
- Impact on amenity of neighbouring properties
- Flood risk and drainage
- Highway safety and parking
- Ecology and trees

Principle of development

9.2 The proposed development is for a 48 bed nursing home which is classified as residential accommodation and care for people in need of care and falls within Use Class C2 within the Town and Country Planning (Use Classes Order) 1987 (as amended). Both the National Planning Policy Framework (NPPF) and the policies contained within the Adopted and Emerging Local Plans are silent in relation to the delivery of nursing and care homes. As the development is specialised C2 residential accommodation it is not subject to the usual policy requirements for C3 dwelling houses (e.g. Affordable Housing, Public Open Space and Housing Mix). The additional 48 bed nursing home would provide specialist accommodation for the ageing population not just in Cleveleys but to the wider areas within Wyre. The Fylde Coast Strategic Housing Market Assessment (SHMA) indicates that the population of over 65+ residents is expected to grow across the Fylde Coast authorities with a projected increase of 33.8% in Wyre. This evidence clearly provides an indication that there is a need for such accommodation to meet the demands of an ageing population. The site is located approximately 100m from the defined Cleveleys Town Centre boundary and is in very close proximity to an array of community and retail facilities with a good level of connectivity to public transport links, in particular Cleveleys bus station and Fleetwood to Blackpool tram network. The site is therefore considered to be sustainably located for residents, visitors and staff to access these and to support the vitality of the community and encourage sustainable travel.

9.3 Section 2 Paragraph 8 of the NPPF sets out that there are three objectives to achieving sustainable development, an economic role, a social role and an environmental role. In this instance the proposal would support the economy by providing employment opportunities (5 full time and 4 part time posts) and contribute to the social role by providing specialist care housing that would meet the needs for future generations. The development would assist the expansion and growth of the existing business (Movern Care Home) which is situated to the west of the site and would provide a valuable contribution to meeting the needs of the aging population whilst making use of a brownfield site.

9.4 Whilst in principle the development is accepted, consideration must be given to all material considerations in the overall planning balance. The weight given to the need for the proposal in a sustainable location has to be balanced against the impacts upon neighbouring amenity, visual impacts within the street scene and any impacts from flood risk in order to determine whether or not this would be acceptable.

Scale, design and impacts upon the character of the area

9.5 The application site comprises of two existing buildings which at present do not positively or negatively contribute to the character of the street scene (neutral impact). In this location house types significantly vary in terms of both design style

and scale. Re-development of this brownfield site with a contemporary and well-designed building could positively enhance this area of Coronation Road. Saved Policy SP14 of the Adopted Local Plan seeks to secure high standards of design and amenity for all types of development. Criteria B of Policy SP14 states that development should be acceptable in the local landscape in terms of its scale, mass, style, siting and use of materials. These requirements are similar to Policy CDMP3 of the Emerging Local Plan which requires all development to be designed to respect or enhance the character of the area. The original scheme submitted proposed a 3 storey rising to 5 storey building seeking accommodation for 56 bedrooms which at its highest point measured 15.5m, the same height as that of the existing building to the west. This was considered to be excessive in scale and the overall bulk and massing would have resulted in an incongruous and overbearing building, as well as resulting in an adverse impact upon the amenity of neighbouring properties (as set out in paragraphs 9.3.3 -9.3.8). These concerns were reflected within the comments received by neighbouring residents and were relayed back to agent. Following the submission of revised plans the development has been reduced by one storey (approximately 2.6m in height) and the northern elevation has been brought in from Coronation Road by 2m to provide an improved building line and reduce the overall bulk and massing and the impacts upon the residential properties to the north. These amendments are considered to have significantly improved the proposal, both in terms of visual and residential amenity. Within the context of the immediate setting, the overall height of the 3 storey element would be similar in scale to the terraced row opposite and the 4 storey element would remain marginally lower in height than the existing care home to the west. The 3 storey element would be no higher than the ridge of the adjacent residential properties to the east (number 27 Coronation Road). The revised building scale would sit against the back drop of the existing apartments of Grosvenor Court as well as the existing nursing home which are relatively large and prominent structures nearby. It is considered that revised plans now demonstrate a scheme which in terms of bulk and massing would not have any detrimental adverse impacts upon the character of the area.

9.6 At this stage appearance is not being applied for. However, the plans submitted provide an illustrative representation along with a list of suggested materials which can be attributed some weight in assisting the assessment of the development. Visually the design provides a stepped roof pattern which rises to the west where the land levels increase closer to South Promenade. Each elevation is visually broken up by a projecting and staggered building line and a variation in materials including timber cladding, render and stone. Featured balconies are proposed to the corners of the northern and western elevation which provide some visual interest. Whilst indicative, the appearance of the building and varied material palette as demonstrated on plan is considered to be acceptable in this location.

9.7 Internally the proposed development provides onsite 24 hour care with 48 bedrooms (includes 1 carer's overnight accommodation) which comprise of a room and internal toilet facilities. Within the Development Plan and the NPPF there are no internal standards for this type of extra care accommodation. There was concern initially the internal room layouts provided for little in the way of circulation space particularly in the bed rooms and access into and around the bathroom. Whilst not a supplementary planning guidance to the Local Plan or the NPPF the Department of Health has produced a document titled "Care Homes for Older People" National Minimum Standards. Within the document it sets out internal bedroom standards which require as a minimum 4.1sqm for each service user. In this instance all of the rooms would comply with this standard along with all of the other minimum standards set out within, including dining/lounge areas, external seating provision and assisted bathrooms. Having taken into consideration the observation from neighbouring

residents and having assessed the revised plans the scale and layout of the development is seen to be acceptable and would not result in an unacceptable impact upon the character of the area. The proposal would comply with the provisions set out within Saved policy SP14 of the Adopted Local Plan and Policy CDMP3 of the Emerging Local Plan and the NPPF in respect of design.

Impact on Amenity of neighbouring properties

9.8 Concerns have been raised by neighbouring residents that the proposed development would result in an overbearing impact on neighbouring properties and would result in a loss of privacy and loss of light. Based on the initial submission due to the excessive height of the building and proximity to the dwellings located on the opposite side of Coronation Road these concerns were shared by officers. Whilst the building has been reduced in height by 2.6m it has also been set back from the highway and reduced in depth by approximately 2m. An assessment of the immediate surrounding neighbouring properties is listed below:

24 - 36 Coronation Road

9.9 The front elevation of this row of terraced properties (at the closest point) is approximately 20m from the northern/front elevation of the proposed nursing home. As guidance, Supplementary Planning Guidance note 4 (SPG4) requires an interface distance of 21m where a front elevation would face a front elevation. The guidance does state that in cases of special design or awkwardly shaped sites, especially where overlooking is avoided, some reduction may be acceptable. In this instance it is acknowledged that there would be a shortfall of approximately 1m, however given the nature of the development and that it is sited in a higher density area and would respect the existing building line, this minor shortfall of 1 metre is not considered to result in an unacceptable overlooking impact. The existing dwellings in the row are approximately 8.9m in height which would be similar to the 3 storey section of the proposed building. Whilst the height would increase at 4 storey the overall bulk and massing is not considered to result in a significant overbearing adverse impact upon these properties.

27 Coronation Road

9.10 Planning records show that number 27 Coronation Road has been converted to form 3 flats (planning application number 14/00525/FUL). Having assessed the impacts upon the side facing windows in number 27 the new development is not considered to significantly increase overbearing impacts or loss of light above and beyond that which already exist from the current building of number 29. There are side facing windows at first floor of number 27 but these serve a bath room and a stair well. At ground floor there are 2 existing side facing windows, one of which is for a bed room and the other is a bathroom. As the proposed building will be no closer than the existing building impacts remain unchanged upon these rooms. The windows on the east facing elevation of the building as shown on the indicative plans are to serve hallways and service rooms. At this stage appearance is not a matter which is being applied for and as such at reserved matters stage, should Members be mindful to approve this application, any windows in this side elevation could be conditioned to be obscure glazed and non opening if required.

Grosvenor Court & 34 - 30 Ellerbreck Road

9.11 From the rear elevations of number 34 Ellerbreck Road and Grosvenor Court apartments there is in excess of 21m from the southern elevation of the

proposed building. This meets the required interface distances set out within SPG4 to prevent any overlooking issues. The proposal will not result in the loss of light or have any overbearing impacts upon the amenity of these dwellings. To the south of the site is where the proposed deliveries and service yard area is to be sited. The Council's Environmental Health Officer has raised no objections to the proposal subject to conditions relating to the control of odour from kitchen extraction flues and potential noise from deliveries, these are matters which can be reasonably conditioned for full details to be submitted prior to the commencement of development. Subject to conditions it is not anticipated that these properties would be adversely impacted upon by the proposed development.

Movern Care Home

9.12 To the west is the existing Movern Care home. The applicant has confirmed that the proposed building will be run and managed in conjunction with the existing care home. There would be 10m from the side facing elevation of the proposed building and the rear of the existing building. This distance is considered sufficient to not result in any adverse overlooking, overbearing or loss of light impacts. The only windows shown on the indicative plans on the western elevation serve staircases/hallways. At this stage appearance is not a matter which is being applied for and as such at reserved matters stage, should Members be mindful to approve this application, any windows in this side elevation could be conditioned to be obscure glazed and non opening if required. In terms of compliance with SPG4 this requires a distance of 13m between side and rear elevations. In this case there would be a shortfall of approximately 3m however as the proposed development is not a typical residential housing scheme and given that it is being operated and managed in association with the existing Movern care home, the proposed separation of 10m is considered to be acceptable.

9.13 The overall bulk and massing of the revised scheme has been fully assessed in relation to the surrounding properties taking into consideration the concerns raised by neighbouring residents. Subject to conditions requiring full details of flue extractions and control of deliveries the proposed development is not seen to result in any unacceptable detrimental adverse impacts upon neighbouring amenity and as such would comply with the provisions of Saved Policy SP14 of the Adopted Local Plan, Policy CDMP3 of the Emerging Local Plan and the NPPF.

Impacts arising from flood risk and drainage

9.14 The application site is located within Flood Zone 2 as identified on the Environment Agency Mapping system. Flood Zone 2 is defined as having a medium probability of flooding. The proposed development is classified as a more vulnerable use. The application has been accompanied by a site specific Flood Risk Assessment. The Environment Agency are not required to be formally consulted on this type of development in Flood Zone 2 (their standing advice is to be applied) and whilst they were consulted given the concerns raised by local residents they have chosen not to respond. Within the Flood Risk Assessment it sets out that the Finished Floor Levels will be maintained at 5.75m AOD and a list of precautionary mitigation measures have been set out in the event of flooding. The Council's Drainage Engineer has confirmed that the submitted FRA is acceptable as submitted. Subject to a condition requiring the flood risk mitigation measures to be implemented, it is therefore considered that flood risk will not be increased from this development.

9.15 Given the location of the proposed scheme, a Sequential Test is required to assess whether more appropriate locations for the proposed development exist

which are in areas which are at lower risk of flooding. The need and importance of the Sequential Test is set out in NPPF Paragraph 157, which states that "The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development with a lower probability of flooding". The NPPG is clear in Paragraph 33 that for individual planning applications where there has been no previous sequential testing via the local development plan that a Sequential Test will be required. If it is not possible for the development to be located in zones with a lower probability of flooding, the Exception Test should then be applied. For this to be passed, it must be demonstrated that: the development provides wider sustainability benefits to the community that outweigh flood risk; and that it will be safe for its lifetime taking account of the vulnerability of its users, without increasing use elsewhere, and, where possible, will reduce flood risk overall.

9.16 As part of this application the initial submitted Sequential Test was not considered to be adequate as it failed to set out and comply with the Council's Flood Risk Sequential Test Guidance. Following the revised submission the information contained within the assessment is considered to be adequate. It was agreed with the applicant prior to the submission of the application that as the building is to be run, managed and operated as an expansion to the existing Movern Care home and services (including car parking) and staff facilities would be shared (it is to be conditioned that the proposed development would be linked to the existing care home) then the geographical search area for the purpose of the Sequential Test is reduced to the Cleveleys area as opposed to a Borough wide area of search (notwithstanding this the Sequential Test submitted covers sites within the whole of the borough). In this instance alternative sites to be considered include those within +/- 10% of the site area (0.08ha to 0.12ha) as well as other sites deemed able to accommodate a 48 bedroom nursing home. The sources investigated include sites allocated in the current Local Plan and Fleetwood-Thornton AAP, and those identified in the latest Housing and Employment Land Monitoring Reports and Strategic Housing Land Availability Assessment (SHLAA), as well as approaching local agents and undertaking online land/property searches. A number of potentially alternative sites are discounted because they do not fall in a lower flood risk area, or because they are not considered "reasonably available" using the criteria outlined in the Council's guidance. This is considered to be a robust assessment which demonstrates there are no reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding and therefore the application is considered to pass the Sequential Test.

9.17 The Exception Test submitted outlines the sustainability benefits to the community including the emphasis placed by the NPPF on the need to meet the increase in demand for care for the elderly. It also expands on the economic benefits of expanding the existing business and how the site lies within a highly sustainable location close to the Town Centre of Cleveleys as well as providing employment opportunities by creating 9 jobs for local people. These benefits are considered to outweigh any flood risk harm. The second part of the exceptions test requires a satisfactory site-specific Flood Risk Assessment (FRA) to be provided. The Council's Drainage Engineer has advised that based on the submitted FRA the applicant has demonstrated that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce the flood risk overall.

9.18 In terms of drainage the agent has confirmed that the foul and surface water drainage will be discharged to the existing combined sewer. The Council's Drainage Engineer has raised no objections to this subject to full details being submitted and

conditioned accordingly. The Lead Local Flood Authority has been consulted on the application but has not responded to date. To comply with the requirements of the NPPF and the guidance of the NPPG along with the response from United Utilities full drainage details would need to be submitted in the event this application was approved which satisfies the hierarchy for sustainable drainage systems. This could be dealt with by condition.

Highway safety and parking

9.19 The proposed site plan identifies that the existing point of access to the site frontage will be changed to pedestrian access to the main reception of the building and the existing access off Coronation Road to the North West will be the main vehicular access with 6 allocated parking spaces marked out including 1 disabled bay. One of the 6 allocated spaces falls short of the required dimensions for a parking space and as such this could be used by motor cycles. Observations have been received by residents that the development would require more parking provision. Lancashire County Highways have been consulted and have advised that the proposed development will not have a significant impact upon highway safety, capacity or amenity in the immediate vicinity of the site. Clarification has been sought with LCC Highways as to the parking provision provided. Policy CDMP6 of the Emerging Local Plan requires development an effective and efficient transport system for the movement of people and goods from one place to another and that development is capable of being accessed and serviced safely without compromising safety elsewhere on the network. Appendix B of the Emerging Local Plan sets out the maximum car parking standards for various use classes, this requires a C2 (Nursing Home) to provide 1 space per 5 residents. This would mean that in accordance with Appendix B there would be a shortfall of 5 parking spaces, however as set out above these are the maximum spaces required.

9.20 LCC Highways have advised that in this location it is expected that due to the sustainable location of the site being within close vicinity to bus routes on South Promenade and Victoria Road West and with the bus station being under 200m from the site, staff and visitors to the site will be encouraged to come by bus. The tram line is also within close vicinity. Staff sharing on shifts is also a common practice. For these reasons it would reduce the car parking provision as the location is within a sustainable location and serves the local community. There is also sufficient on street parking in the area and a number of carparks within a reasonable walking distance to the site. The proposed cycle store to the rear of the site is welcomed and will assist in encouraging sustainable travel by employees and visitors. LCC Highways has also verbally advised that there is no concerns in relation to the location of the delivery area to the rear of the site as this could be accessed via either Ellerbreck Road or the unnamed adopted rear alley. It is considered that the development will not have any significant or severe highway safety impacts. A number of conditions are required to be attached.

Ecology and trees

9.21 The application site is free from any trees and vegetation and provides little by way of landscaping which contributes to the street scene. At this stage landscaping has not been applied for however the site plan indicates that soft landscaping is to be provided in-between the building and the proposed boundary walls. This will provide some landscaping and introduce a softer visual appearance within Coronation Road. The site is not within a sensitive biological designation however due to the proximity to the coast Natural England have been consulted and have not raised any objections or observations on the proposal. It is not anticipated

that the proposed development would have any adverse ecological impacts and on this basis it is considered that the proposal accords with the aims of Paragraph 170 of the National Planning policy Framework.

Other Matters

Loss of Residential Accommodation

9.22 One neighbour concern that has been raised is that the proposal will result in the loss of existing residential accommodation, however there is no policy requirement preventing the loss of existing dwellings. On this basis the economic, social and environmental benefits that the proposal would deliver is seen to outweigh the loss of 7 residential units (6 flats and 1 residential dwelling).

10.0 CONCLUSION

10.1 Following the revised plans received during the course of the application which reduces the scale and massing of the building and bedroom number from 56 to 48 it is considered that the proposed nursing home as amended would not result in any unacceptable adverse impacts upon the character of the street scene or upon the amenity of the neighbouring residents. The proposal will enable the existing nursing home to expand, provide much needed accommodation for the aging population and also provide employment opportunities to the locality. The observations received from neighbouring residents have been considered however any visual change within the street scene would not outweigh the benefits associated with the development. Flood risk and parking issues are considered to be acceptable. Members are advised that the proposal would comply with the policies contained within the Adopted Local Plan, the Emerging Local Plan and also the National Planning Policy Framework.

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 outline planning permission subject to conditions.

Recommendation: Permit

Conditions: -

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

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

Reason: This condition is required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 20/07/2018 including the following plans/documents:

- Site Plan and Details Drawing number AO18/074/P/01 Revision B
- Proposed Floor Plans (Revised) Drawing number AO18/074/P/04 Revision A
- Basic Street Scene and Section (Scale and Layout Only) Drawing Number AO18/074/P/03 Revision A
- Proposed Elevations (Revised) Drawing Number AO18/074/P/02 Revision A

For the avoidance of doubt the approved plan details are in relation to matters of access, layout and scale only.

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

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

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

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

4. No part of the development hereby approved shall be first occupied until an electric vehicle recharging point has been provided for the development, and such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

Reason: To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area in accordance with Saved Policy SP14 of the Wyre Borough Local Plan, Policy CDMP6 of the Emerging Wyre Local Plan, and the National Planning Policy Framework.

5. Prior to the commencement of development a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to

achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in the National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national guidance / standards.

The scheme details shall include, as a minimum:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change as set out within the Environment Agency's advice on Flood risk assessments: climate change allowances' or any subsequent replacement EA advice note), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) Demonstration that the surface water run-off would not exceed the pre-development greenfield runoff rate;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

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

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health and to prevent an undue increase in surface water run-off to reduce the risk of flooding in accordance with Policy ENV15 of the Adopted Wyre Borough Local Plan (July 1999) and the National Planning Policy Framework. The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application, to ensure a suitable form of drainage is provided in that specific area taking into consideration land conditions and proximity to existing services and to ensure that any proposed raising of levels can be assessed and that a coherent approach is taken with regard to the design of drainage and housing layout

6. The premises shall be used solely as a Nursing Home (Use Class C2) and for no other purpose (including any other purpose in Class C2 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).

7. There shall be no changes to the existing ground level on site as shown on the existing levels plan ref A018/074/S/02 unless proposed ground level changes are submitted and approved in writing by the Local Planning Authority prior to such change taking place. The ground levels shall be constructed and completed in accordance with the approved details.

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

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

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

9. The car park shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

Reasons: To allow for the effective use of the parking areas.

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

(a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team

(b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team

(c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays

- (d) contractors' compounds and other storage arrangements
- (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period
- (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)
- (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
- (h) external lighting of the site during the demolition / construction period
- (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) recycling / disposing of waste resulting from demolition / construction work
- (k) measures to protect watercourses against spillage incidents and pollution

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

Reason: The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application, and a CEMP needs to be in place throughout the demolition / construction period in the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

11. Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that light intrusion into the windows of any sensitive premises will not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3). The assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 (or any subsequent replacement guidance).

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

Reason: To safeguard residential amenity and in the interests of public safety in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (1999) and paragraphs 17 and 125 of the National Planning Policy Framework.

12. The use hereby approved shall not commence until a scheme for the control of odours has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first use and thereafter maintained in good working order at all times.

Reason: Such details were not submitted with the application and are necessary to minimise the risk of pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings, in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999)

13. The development hereby permitted shall be designed so that the rating levels for cumulative noise from all noise sources associated with the development shall not exceed the existing background noise level (LA90) [when measured as an LAeq, 15 min in any one third octave band at the external façade of nearby noise sensitive premises as assessed in accordance with British Standard 4142 (2014) or any subsequent replacement national standards.

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

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

14. As part of the submission of any Reserved Matters application relating to appearance, details of the appearance, technical specification and siting of any external ventilation ducting and/or plant shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details and the ducting/plant shall be in place and in full working order prior to first use of the premises hereby approved and shall thereafter be maintained and retained in accordance with the approved details.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

15. There shall be no deliveries or collections of goods (including waste) to or from the use hereby permitted outside the hours of 22:00hrs and 07:00hrs on Monday to Saturday, or at any time on Sundays, Bank Holidays and Public Holidays.

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

16. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) June 2018 and the mitigation measures detailed within Section 9 of the FRA

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

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with saved policy ENV15 of the Wyre Borough Local Plan (1999) and the National Planning Policy Framework.

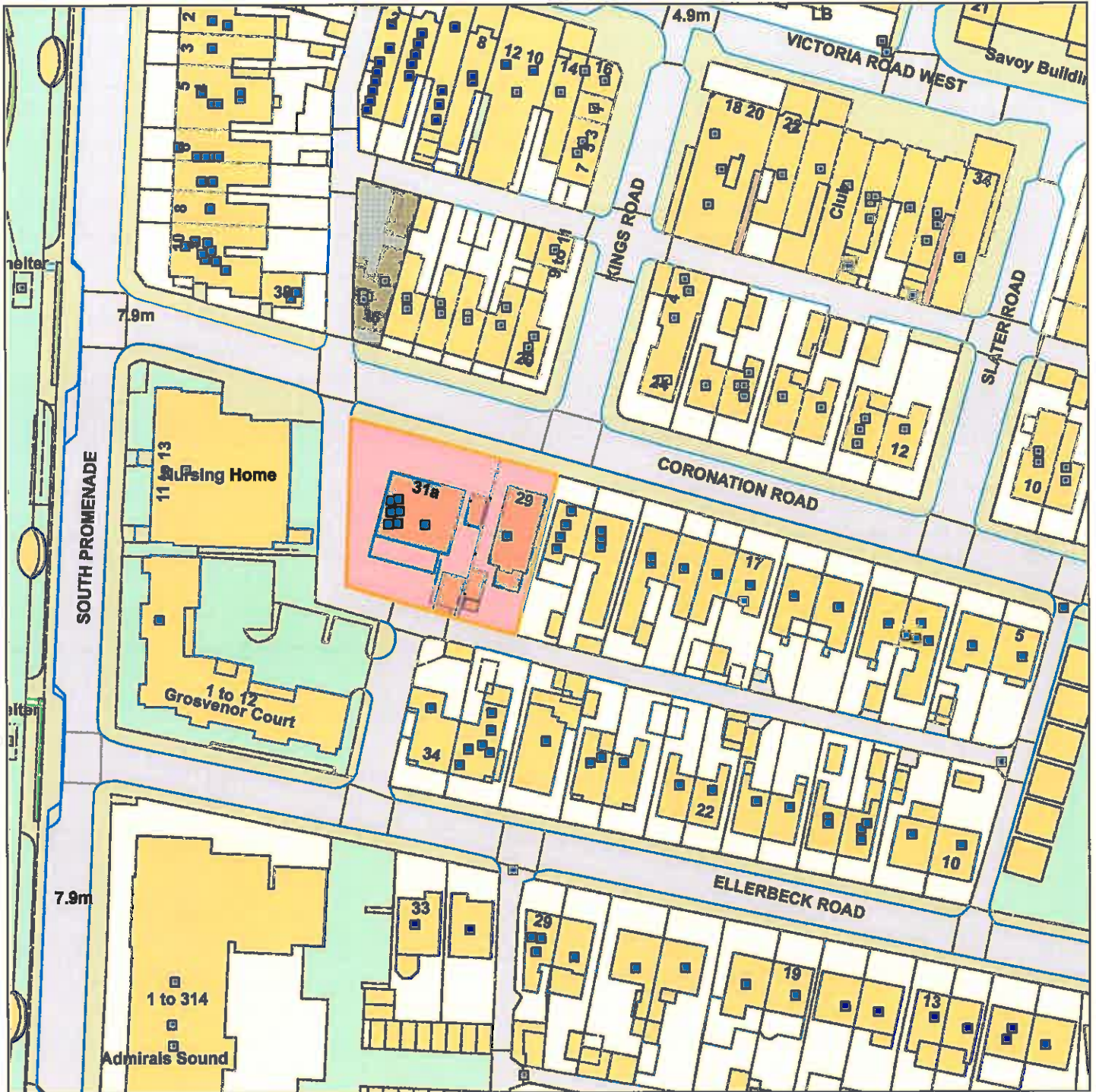
17. The use of the premises shall be restricted and used in association with the existing Movern Care Centre (11-13 South Promenade) and shall not be used as a separate enterprise.

Reason: To prevent over-development of the site in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

Notes: -

1. The reinstatement of vehicular access and other highway works within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (Vehicle crossings over footways and verges), The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Community Services before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for vehicle crossings and then fill in the information at "Get a vehicle crossing quotation".

2. The applicant shall be aware of the observations and consultation response received by Lancashire Fire and Rescue Service and note the contents



Scale : 1:1036

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 1
Date	20 November 2018
SLA Number	100018720

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