



## Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 5 April 2017 at the Council Chamber, Civic Centre, Poulton-le-Fylde.

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### Planning Committee members present:

Councillor I Amos	Councillor Ingham
Councillor Lady Atkins	Councillor Jones
Councillor Ballard	Councillor Orme
Councillor Catterall	Councillor S Turner
Councillor Greenhough	Councillor Walmsley

Councillor Turner was absent from the meeting during the consideration of:  
Item 6 – Wyre Borough Council Tree Preservation Order No 3 of 2017 – Land adjacent to Berry’s Lane, Poulton-Le-Fylde, Lancashire

**Apologies:** Councillor Shewan

### Officers present:

D Thow – Head of Planning Services  
L Hayes – Interim Development Manager  
W Clarke – Assistant Solicitor  
C Leary - Democratic Services Officer

**Non-Committee Members and Officers present:** Councillors Berry, V Taylor, Moon, Murphy, County Councillor Clempson and Honorary Alderman Bannister.

28 Members of the Public were present at the start of the meeting.

No members of the press were present.

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### PA.61      A Minutes Silence

A minutes silence was observed for Councillor Ted Taylor before the Planning meeting commenced.

## **PA.62      Declarations of Interest**

- Councillor Walmsley declared an “Other Significant Interest” on Item 01 – Outline application for the erection of up to 130 dwellings with means of access off Holts Lane (layout, landscaping, scale and appearance reserved), following demolition of existing buildings (re-submission of 16/00233/OULMAJ) – Land Off Holts Lane, Poulton-Le-Fylde, Lancashire – 16/01043/OULMAJ in that she owns a property in the area of but not close to the proposed development site. She did not consider that this gave rise to a perception of a conflict of interest and/or was likely to prejudice her judgement, nor did it amount to an issue of pre-determination and bias and therefore she stayed in the meeting and spoke and voted upon the item.
  
- Councillor Orme declared an “Other Significant Interest” on Item 02 – Part retrospective application for the erection of a detached dwelling (Resubmission of 16/00356/FUL – Rear of Former Saracens Head Hotel, 200 Park Lane, Preesall, Poulton-Le-Fylde, Lancashire, FY6 0NW- 17/00069/FUL in that he is a Councillor of Preesall Town Council. He did not consider that this gave rise to a perception of a conflict of interest and/or was likely to prejudice his judgement, nor did it amount to an issue of pre-determination and bias and therefore he stayed in the meeting and spoke and voted upon the item.

## **PA.63      Confirmation of Minutes**

The minutes of the Extra Planning Committee meeting held on Wednesday 22 March, 2017 were deferred to the next Planning Committee meeting taking place on 3 May 2017, as the Members of the Planning Committee had not had time to read and confirm them as a correct record. (They were published on the day of this meeting).

## **PA.64      Appeals**

The Head of Planning Services submitted a report on appeals lodged and decided between 15 February 2017 and 15 March 2017.

### **Resolved**

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

## **PA.65      Planning Applications**

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

The Head of Planning Services also submitted ‘update sheets’ on Items 01 & 02 of the agenda, referring to additional information to the reports since the agenda had been published.

- 16/01043/OULMAJ – Land off Holts Lane, Poulton-Le-Fylde, Lancashire
- 17/00069/FUL – Rear of former Saracens Head Hotel, 200 Park Lane, Preesall, Poulton-Le-Fylde, Lancashire, FY6 0NW

**PA.66 a) Applications Approved**

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

**16/01043/OULMAJ**

Hollins Strategic Land LLP & Tim Claxton Property Ltd. Outline application for the erection of up to 130 dwellings with means of access off Holts Lane (layout, landscaping, scale and appearance reserved), following demolition of existing buildings (re-submission of 16/00233/OULMAJ). Land off Holts Lane, Poulton-Le-Fylde, Lancashire.

The application was before members for determination as the request of Councillors Berry, B Birch and Bridge. This application was a resubmission of application 16/00233/OUTMAJ which is currently the subject of an appeal against non-determination. Application 16/00233/OUTMAJ was brought to the 1 February 2017 Planning Committee for Members to determine the decision they would have reached had the applicant chosen not to appeal.

A site visit had been carried out by Members immediately before February's Committee meeting. Photographs were displayed though at the meeting, to remind Members of the site context and its surroundings.

One member of the public, a Ward Councillor and the County Councillor for Poulton-Le-Fylde, spoke to the committee, objecting to the application.

The Agent and a Highways Consultant spoke to the committee supporting the application.

The application was approved as per the recommendation of the Head of Planning Services that the outline application be approved subject to the application not being called in for consideration by the Secretary of State and subject to conditions and a S106 legal agreement to secure appropriate financial contributions towards local education, sustainable travel and highway improvement works. The Head of Planning Services was authorised to issue the decision following confirmation from the Secretary of State that the application is not to be called in for his determination and on the satisfactory completion of the S106 agreement.

## Conditions

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

(b) the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last matter to be approved.

2. The development hereby permitted shall be carried out in accordance with the following approved plan: - 1409/01B Proposed site access arrangements.

3. Prior to commencement of development hereby approved, a scheme for the provision and retention of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided and thereafter retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- a) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;
- b) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing];
- d) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing;
- e) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

4. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) February 2016, Ref: HYD055\_HOLTS.LANE\_FRA&SDA by Betts Hydro Consulting Engineers and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the development to greenfield runoff rate so that it will not increase the risk of flooding off-site.
2. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
3. Finished floor levels are set no lower than 150mm following any re-grade above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to first occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently

be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

5. Prior to the commencement of any development, full details of a surface water drainage scheme shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the drainage scheme shall include;

a) information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), 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 flood levels in AOD;

b) any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of any existing culverts and headwalls or removal of unused culverts where relevant);

c) flood water exceedance routes, both on and off site;

d) a timetable for implementation, including phasing where applicable;

e) site investigation and test results to confirm infiltrations rates;

f) details of water quality controls, where applicable.

The scheme shall be fully implemented and subsequently maintained in accordance with the approved details and the details to be agreed by condition 6 and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

6. (i) Prior to the commencement of development, a management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, this plan shall include:

a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company

b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components and designed biodiversity features) and will include elements such as on-going inspections relating to performance and asset condition assessments, operation costs for regular maintenance, remedial

works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable;

d) The maintenance and management of any designed biodiversity features.

(ii) The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

7. No development hereby permitted shall be first occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan approved under condition 6.

8. Prior to the commencement of development a scheme for the disposal of foul waters within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

9. Vegetation shall only be removed / cleared outside of the optimum period for bird nesting (March to July inclusive) unless, before the removal / clearance commences, a report has been submitted to and approved in writing by the Local Planning Authority demonstrating that the nesting / breeding birds have been shown to be absent.

10. Prior to the commencement of development hereby approved, including any vegetation clearance or ground works, and notwithstanding any information submitted with the application, a Comprehensive Great Crested Newt Reasonable Avoidance Measures Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall give full details of how any possible harm to great crested newts is to be avoided during the course of the development. The development shall be carried out in accordance with the approved Method Statement.

11. Prior to the commencement of development hereby approved, including any vegetation clearance or ground works, a Barn Owl Mitigation Method Statement, in line with section 5.5 of the submitted Ecological Survey And Assessment reference (ERAP Ltd ref: 2015\_069 and amended April 2016) shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall give full details of the type, location, management and maintenance of the barn owl tower. The development shall be carried out in accordance with the approved Method Statement.

12. Prior to the commencement of development hereby approved, including any vegetation clearance or ground works, a Landscape and Ecology Management Plan (LECoMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall identify the opportunities for biodiversity enhancement on site including (but not limited to):

- a) Species rich hedgerow planting
- b) Bolstering of hedgerows
- c) Creation of ponds
- d) Bat bricks and/or tubes within the new development
- e) Bat boxes
- f) Bird boxes
- g) Native tree and shrub planting

The approved scheme shall be implemented in accordance with the approved scheme details.

13. Prior to commencement of development hereby approved, a scheme which provides for the assessment, retention and protection of trees, shrubs and hedges within (or overhanging) the site, which may be affected by the construction process (apart from those whose removal is approved through the reserved matters application(s)), shall be submitted to and approved in writing by the Local Planning Authority in the form of a Tree Protection Plan and Arboricultural Impact Assessment. The agreed tree protection measures shall remain until all development is completed and no work, including any form of drainage or storage of materials, earth or topsoil shall take place within the perimeter of such protective fencing.

14. Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority to include details of the measures proposed during construction to manage and mitigate the main environmental effects. The following matters shall be addressed:

- a) the times of construction activities on site
- b) the parking of vehicles of site operatives and visitors
- c) loading and unloading of plant and materials
- d) storage of plant and materials used in constructing the development
- e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- f) wheel washing facilities
- g) measures to control the emission of dust and dirt during construction
- h) a scheme for recycling/disposing of waste resulting from demolition and construction works
- i) measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
- j) measures to prevent the pollution of watercourses

- k) measures to avoid light pollution
- l) routes to be used by vehicles carrying plant and materials to and from the site and measures to be taken to ensure that drivers use these routes as far as is practicable
- m) management of silt and run-off during the build out of the development

The development hereby approved shall be carried out in accordance with the approved CEMP.

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

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

- 50dB LAeq 16 hours (07.00 to 23.00) in gardens and outside living areas, daytime
  - 35dB LAeq 16 hours (07.00 to 23.00) - indoors, daytime
  - 30dB LAeq 8 hours (23.00-07.00) - indoors, night-time
  - 45dB LAFmax (23.00-07.00) - indoors, night-time
  - 60 dB LAFmax 8 hours-(23.00-07.00) façade level night time
  - 60 dB LAFmax 4 hours-(19.00-23.00) façade level night time

(b) Any mechanical ventilation system shall meet or exceed the specifications set out in clause 6, schedule 1 of the Noise Insulation Regulations 1975 with regard to acoustic performance and airflow rates.

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

17. Prior to the commencement of the development hereby approve, an assessment and a scheme for the mitigation of intrusive lighting effects from the railway shall be submitted to and approved in writing by the Local



Planning Authority. The assessment and the mitigation measures shall demonstrate that the lighting will be in accordance with the institution of Lighting Professionals.' "Guidance Notes for the Reduction of Obtrusive Light GN01:2011" and shall be oriented and screened to mitigate light spillage from the railway onto the development.

The light intrusion into the windows of any residential premises shall not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3).

The mitigation measures shall be installed prior to the first occupation of any of the dwellings or the completion of the development whichever is the earliest and shall be maintained thereafter.

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

19. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (which shall include the timetable for the investigation) which has been submitted by the applicant and approved in writing by the Local Planning Authority.

20. The land indicated on drawing SAF(001) submitted with the planning application shall be safeguarded for use in connection with the construction of a railway footbridge and ramped access required by Network Rail in connection with the electrification of the Blackpool-Preston-Manchester line, unless written confirmation is provided by Network Rail to the Local Planning Authority that this safeguarded land is no longer required for such purpose. Prior to construction work on the railway footbridge and ramped access, the land shall be used in connection with no other development hereby approved other than in accordance with landscaping details to be approved at the reserved matters stage.

21. No part of the development hereby approved shall commence until a timescale for the construction of the site accesses and the agreed scheme of off-site works of highway improvement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The highway improvements shall thereafter be constructed in accordance with the agreed timescale. The agreed scheme of highway improvements/works are as shown on drawings 1409/01/ B, 1409/05/B, 1409/07, 1409/08/A and 1409/09/A and include:

- Resurfacing of footway on both sides of Site Access 1 including dropped kerbs and tactile paving.
  - Resurfacing of footway on both sides of Site Access 2 including dropped kerbs and tactile paving.
  - Resurfacing of footway the south side of Holts Lane between Site Access 1 and Brockholes Crescent.
  - Repatch and repair existing footway on east side of Holts Lane between Brockholes Crescent and proposed pedestrian refuge on Garstang Road East.
  - Introduce tactile paving at the junction of Holts Lane with Brockholes Crescent.
  - Introduce tactile paving at the junction of Edenfield Avenue with Holts Lane.
  - Introduce dropped kerbs and tactile paving at the junction of Broadfield Avenue with Holts Lane.
  - Revise layout of Main Drive/Brockholes Crescent junction to reduce bell mouth and introduce dropped kerbs and tactile paving to provide a safer environment for pedestrians.
  - Introduce tactile paving and junction treatment at the junction of Holts Lane with Garstang Road East.
  - Introduce tactile paving and junction treatment at the junction of Argyle Road with Garstang Road East.
  - Introduce pedestrian/cycle refuge on Garstang Road East in the vicinity of the junction with Holts Lane. Pedestrian/cycle refuge to be sited on the desire line of residents of the proposed development undertaking trips to Tesco, Hodgson Academy and Poulton town centre.
  - Widen footway on the north side of Garstang Road East between Lower Green to a point beyond Argyle Road. With surface treatment at the Tesco access and egress.
  - Introduce tactile paving and junction treatment at the junction of Carr Head Lane with Garstang Road East.
  - Revise existing pelican crossing facilities at Garstang Road East/Lower Green junction to 'Toucan' type.
  - Revise existing pelican crossing facilities at Garstang Road East/Garstang Road West/Hardhorn Road junction to 'Puffin' type.
  - Introduce 3.0m wide shared footway/cycleway along the north side of Garstang Road East between Lower Green and Argyle Road (distance of circa 200m), with pedestrian/cycle refuge on Garstang Road East in the vicinity of the junction with Holts Lane.
  - Introduce 'Toucan' format crossing facilities at Lower Green/Garstang Road East junction.
  - Upgrade 2no bus stops (with shelters) on Garstang Road East. These are located at
    - (iii) Westbound services: 90m east of Holts Lane;
    - (iv) Eastbound services: 120m west of Holts Lane.
  - Introduce a new stop on Carr Head Lane. Details to be agreed.
- Garstang Road East / Holts Lane junction - introduce right turn lane waiting areas on Garstang Road East to cater for movements into Holts Lane and Argyle Road (Drg No 1409/09/A).
- Garstang Road East / Carr Head Lane junction - increase width of right turn lane on Garstang Road East to assist right turn movements out of Carr Head Lane (Drg No 1409/07).

- Hardhorn Road / Highcross Road / Beech Drive junction - introduce 'KEEP CLEAR' markings on Hardhorn Road at the Beech Drive and Highcross Road junctions with supporting surface treatment (Drg No 1409/08/A).

22. The approved Travel Plan (Ashley Helme, November 2016, Report Reference 1409/3/C) must be implemented in full in accordance with the timetable contained within it unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum period of at least 5 years.

23. As part of any reserved matters application where layout is applied for, a footpath link / links shall be provided on site between the application site and the land to the west. The approved footpath link(s) is only to be provided in the event that development on the land to the west is permitted. In which case, the footpath link shall be constructed in accordance with the approved details prior to development on land to the west being first occupied.

24. No dwellings shall be first occupied until the provision of electric vehicle charging points are provided for the dwelling to which they relate, and such provision shall be permanently retained for that purpose thereafter.

**Reasons for the above Conditions:**

1. Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. For the avoidance of doubt and in the interests of proper planning.

3. To ensure the adequate provision and delivery of affordable housing in accordance with the National Planning Policy Framework (March 2012)

4. In accordance with saved Local Plan policy EN13 and the National Planning Policy Framework (March 2012) and to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided; to ensure safe access and egress from and to the site, and to reduce the risk of flooding to the proposed development and future occupants.

5. The condition is required to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to reduce the risk of flooding to the proposed development, elsewhere and to future users, and to ensure that water quality and bathing water quality is not detrimentally impacted by the development proposal. The information is required to be agreed and the approved system implemented prior to commencement to ensure that adequate drainage is in place throughout the lifetime of the development in order to minimise flood risk.

6. In order to ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance, and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system. It is necessary for this information to be agreed prior to commencement so that the management plan for the drainage system is in place for the lifetime of the development and associated drainage scheme.
7. In order to ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.
8. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding with saved Local Plan policy CIS7 and the National Planning Policy Framework (March 2012)
9. To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and the National Planning Policy Framework (March 2012).
10. In order to ensure that legally protected species are not unacceptably affected in accordance with the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 (as amended)
11. In order to ensure that legally protected species are not unacceptably affected in accordance with the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 (as amended)
12. To secure opportunities for the enhancement of the nature conservation value of the site in accordance with the National Planning Policy Framework (March 2012)
13. To safeguard the amenity, appearance and character of the area in accordance with saved Local Plan policies ENV7 and SP14 and the Trees and Development Supplementary Planning Guidance (1998).
14. To safeguard the amenity of the area in accordance with saved policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
15. The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with saved Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
16. Such details were not submitted with the application and will not be apparent until layout is being considered at Reserved Matters stage. They are necessary to minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of future occupiers of the proposed dwellings,

in accordance with policy SP14 of the Adopted Wyre Borough Local Plan (July 1999)

17. In order to protect the amenity of neighbouring residential properties in accordance with the provisions of saved policy SP14 of the Wyre Borough Local Plan

18. To ensure that public open space areas are adequately provided and effectively managed and maintained in accordance with the provisions of saved policy H13 of the Wyre Borough Local Plan (1999) and the NPPF.

19. To ensure that any archaeological remains at the site are recorded to ensure an understanding of the significance of the heritage asset before it is lost, in accordance with the National Planning Policy Framework.

20. In the interests of maintaining and improving accessibility to encourage travel by sustainable modes in accordance with the objectives of the NPPF and to safeguard the planned infrastructure improvements of the railway line in accordance with saved Policy TR6 of the Adopted Wyre Borough Local Plan (July 1999).

21. In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

22. To ensure that the development provides sustainable transport options.

23. To ensure a proper planned approach is adhered to maximising site access/connectivity to the existing and future network to encourage travel by sustainable modes in accordance with the objectives of the NPPF and the provisions of Policy SP14 of the Wyre Borough Local Plan (1999).

24. 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 and the NPPF.

**Attention is drawn to the following Notes:**

1. LANCASHIRE COUNTY COUNCIL - LEAD LOCAL FLOOD AUTHORITY

Sustainable Drainage Systems: Flow Balancing

Flow balancing SuDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at a scale where uncontrolled surface water flows would otherwise exceed the pre-development greenfield runoff rate. Flow balancing should seek to achieve water quality treatment as part of a treatment train and amenity benefits as well as managing flood risk.

## Sustainable Drainage Systems: Advice & Further Information

Further information and advice on SuDS can be found in:

- o CIRIA C687 - Planning for SuDS - Making it Happen
- o CIRIA C753 - The SuDS manual
- o CIRIA C635 - Designing for exceedance in urban drainage: good practice
- o CIRIA C698 - Site handbook for the construction of SUDS
- o HR Wallingford SR 666 - Use of SuDS in high density developments
- o National Planning Policy Framework and Planning Practice Guidance

### Multi-Functional SuDS

The multifunctional potential of sustainable drainage systems (SuDS) should be exploited to maximise their cost effectiveness, regardless of the size of development site. Early design consideration is advised to build SuDS into multi-functional spaces and build up a network of SuDS that manage runoff close to its source to avoid the need for large storage areas.

Designing green space and public realm with SuDS that work well when both wet and dry can provide valuable community recreational space as well as important blue and green infrastructure. Sports pitches, squares, courtyards, playgrounds, landscapes around buildings, urban parks, green corridors and woodlands are all popular types of open space which can be integrated with SuDS. SuDS can also contribute to development targets for open space where they are designed to be multi-functional.

On smaller development sites, space efficient SuDS can still be incorporated and include, for example, green roofs, bio retention gardens, permeable paving, rills, rainwater harvesting, hardscape storage, micro-wetlands, and bio retention tree pits.

### Water Quality: Water Framework Directive

Under the Water Framework Directive (WFD), all water bodies should reach 'good ecological status' by 2015. No activities or works, including the proposed development, should deteriorate the status of any nearby watercourse as the main objectives for the WFD is to prevent deterioration in 'status' for all waterbodies. The ecological health of any receiving watercourse can be protected by the implementation of a SuDS scheme with an appropriate number of treatment stages that are appropriately maintained. Current WFD ecological status of all assessed water bodies is available on the EA website.

Local government has a major role in delivering and achieving the objectives set out in the WFD and to help the natural and modified environment adapt to the impacts of climate change. One mechanism of doing so is through the planning and development process to ensure that new developments do not

pose a threat to water quality. It is recommended that the developer has regard for the WFD in developing a detailed drainage strategy and that the local planning authority considers appropriate conditions to secure this, where applicable.

#### Presence/potential presence of protected species in a watercourse

The Lead Local Flood Authority recommends that where there is any potential for the existing habitat of protected species (for example great crested newt, native white clawed crayfish, water vole, bats or other species) on the proposed development site, the applicant should undertake an appropriate ecological assessment by a competent ecologist prior to starting works on site.

It is an offence to undertake works which adversely affect any legally protected species or habitat without appropriate mitigation measures in place.

Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected as development that encroaches on to it has a potentially severe impact on their ecological value. Retaining and enhancing coherent ecological networks adjacent to watercourses will help to ensure the biological and chemical quality of watercourses is not reduced as a result of development, which is a requirement of the Water Framework Directive.

#### Permeable Paving Advice

##### a) Driveways

Any permeable paving used on driveways must not be included as part of the hydrological calculations. Occupants may change driveways to non-permeable materials in future which has the potential to increase surface water runoff which was previously unallocated for in the design of the sustainable drainage system.

##### b) Highway

It should be noted that permeable paving on the highway must be agreed with the Highway Authority (LCC Highways Developer Support Team) if the applicant intends to have the highway adopted following construction. Please contact the Highway Authority on: [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk)

For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given.

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found here:

<http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>

This response does not grant the applicant permission to connect to the highway drainage network.

## 2. UNITED UTILITIES

### Water Comments

Our water mains will need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991.

According to our records there are no formal easements that affect the proposed development.

The level of cover to the water mains and sewers must not be compromised either during or after construction.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains or public sewers.

### General comments

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offers a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 03707 510101 to obtain maps of the site.

Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

### Supporting information

United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region.

### Site drainage

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface



water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The comments made in this letter regarding site drainage reflect this approach.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Further information regarding Developer Services and Planning, can be found on our website at <http://www.unitedutilities.com/builders-developers.aspx>.

### 3. ENVIRONMENT AGENCY

Advice to applicant

The applicant should be aware that as of 6 April 2016 the Flood Defence Consent regime has moved into the Environmental Permitting Regulations.

Oldfield Carr Lane watercourse adjacent to the site is designated a Main River and the developer may need an Environmental Permit. They should check at <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> and contact Flood Risk Officer, Pippa Hodgkins, on 020 302 51397 to discuss our requirements if a permit or advice is required.

In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without the prior written consent of the Environment Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for

consideration.

The Environment Agency has a right of entry to Oldfield Carr Lane watercourse by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act. It should be noted that the grant of planning approval does not guarantee that any necessary permissions or consents that are required under separate legislation will be forthcoming.

#### Foul Drainage

The application forms states that the method of foul sewage disposal is "unknown". Our records indicate that there are public foul and combined sewers in the vicinity of the site to the north.

The development should comply with Paragraph 20 of the "Water supply, wastewater and water quality" category of the national Planning Practice Guidance (PPG) and the first presumption must always be to provide a system of foul drainage discharging into a public sewer. Should the applicant wish to install an alternative method of disposal they will have to demonstrate why it is not feasible to connect to the existing public sewer

#### 4. NETWORK RAIL

##### Asset Protection Appendix

Network Rail has the following comments on asset protection issues as the proposal is adjacent to the operational railway line.

(1) The developer has stated in their documents that, "To the east, the application site is bound by a railway line, which is set on higher ground. The line carries passenger and freight trains but is not particularly busy." From 5.32am to 23.21 pm, for example, there are 36 trains on this line from Poulton-Le-Fylde Railway Station to Kirkham and Wesham Railway Station alone, which pass by the site and over the level crossing. Therefore, the railway line is a busy line. As pointed out above the traffic will increase on this line significantly following electrification.

(2) The developer is proposing a change of use of the land from agricultural/fields to residential with public open spaces proposed adjacent to the railway boundary. The developer will provide, at their own expense, a minimum 1.8m high trespass proof fence to prevent any unauthorized access to the existing operational railway, as a result of the change of use of the land, including increased numbers of people (and minors) utilizing the public open space. Any unauthorized access to the operational railway is a criminal offence. The trespass proof fence will need to be erected wholly within the applicant's land ownership footprint including any foundations.

Network Rail's existing boundary treatments must not be impacted, altered or removed by the proposed works on site.

(3) Given the site bounds an existing watercourse to the south, Network Rail would want all surface water to be directed either into this or to the United Utilities surface water sewer network. No drainage outfalls from this development are to be directed onto the railway.

(4) The development proposes an attenuation basin for sustainable surface water drainage (presupposing that one of the attenuation ponds is removed from the proposal to make way for the ramped bridge). The applicant will need to supply:

- o Details of the amount of water contained in the pond
- o Details of the construction methodology of the basin
- o Details of who will maintain the pond and how maintenance will take place.
- o Network Rail will require details of what mitigation measures are in place to ensure that surface water from the attenuation basin drains away for the railway. Network Rail will not accept liability for water from the proposal area draining towards the railway.
- o Agreement from Network Rail to the works

(5) The planting of trees might have an effect on adhesion issues in the vicinity of the signalling system on the approach to Poulton - Le - Fylde Railway Station. Any trees to be planted on the open space near the railway boundary are to be of an evergreen variety. Any vegetation in close proximity to the railway boundary should be planted at a distance from the railway boundary that is equivalent to their expected height at maturity. Network Rail can provide a matrix of acceptable trees to the developer.

(6) Network Rail would require details of all excavation and earthworks within 10m of the railway boundary to ensure that our support zones are not impacted. Said works are to be agreed with Network Rail Asset Protection.

(7) Should the proposal go forward, then the developer would need to enter into a BAPA (Basic Asset Protection Agreement) with Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any site security, possession costs, asset protection costs, and site visits and any review and agreement of proposal documents.

(8) For works within 10m of the railway boundary the developer would need to submit a risk assessment and method statement (RAMS) for the proposal to the Network Rail Asset Protection Engineer once the proposal has entered the development and construction phase. The RAMS should consider all works to be undertaken within 10m of the operational railway (including any demolition works, which should be undertaken by an approved contractor). We require reviewing the RAMS to ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway. The developer should contact Network Rail Asset Protection prior to works commencing at [AssetProtectionLNWNorth@networkrail.co.uk](mailto:AssetProtectionLNWNorth@networkrail.co.uk) to discuss the proposal and RAMS requirements in more detail.

(9) All works on site would need to be undertaken wholly within the applicant's land ownership footprint without encroaching onto Network Rail's land or over-sailing our air-space.

## 5. NATIONAL GRID

National Grid has a MAJOR ACCIDENT HAZARD PIPELINE in the vicinity, Peel Hill-Thornton. This was laid to the appropriate standards and in accordance with the relevant codes of practice. It is essential that access to the pipeline is not restricted, particularly in the event of an emergency.

Therefore, there must be no obstructions within the pipelines maintenance easement strip, which would limit or inhibit essential maintenance works on the pipeline. The BPD (Building Proximity Distance) for the Peel Hill-Thornton Pipeline is 14.5 metres. The BPD is taken from The Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5 which is the standard applicable to steel pipelines and associated installations for high pressure gas transmission. This is the standard adopted by National Grid and endorsed by the Health and Safety Executive (HSE).

There are other restraints imposed on high pressure gas pipelines, these are land use planning distances. These are distances defined by the HSE to allow them to advise on the acceptability of new developments next to the pipeline and are controlled through the HSE's Planning Advice for Developments near Hazardous Installations (PADHI) process. Further guidance on how these are applied can be found on the HSE's website <http://www.hse.gov.uk/landuseplanning/padhi.pdf>. Under Land Use Planning the HSE may wish to apply more stringent criteria for Building Proximity.

When working in the vicinity of ANY National Grid pipelines, the standards set out in the National Grid specification SSW22 must be strictly adhered to.

PLEASE ENSURE THAT THIS IS HANDED TO THE RESPONSIBLE PERSON ON SITE, TOGETHER WITH COPIES OF THE PLANS (both documents and plans were included with National Grid's consultation response and are available to view / download from the electronic planning file on the Council's website). It is the responsibility of the applicant to contact National Grid prior to any works commencing on site. As you will appreciate we are unable to provide specific guidance based on the information provided. It is therefore essential that the applicant should contact National Grid at the earliest convenience providing detailed site plans, method statements and risk assessments. Correspondence should be forwarded to: Plant Protection Team, 3rd Party Enquiries, National Grid Block 1 floor 2 Brick Kiln Street Hinckley, Leicestershire LE10 ONA and marked for the attention of The Plant Protection Team. This will enable us to provide the relevant documentation for safe working in the vicinity of our pipeline, and to arrange appropriate site supervision. Please note that a minimum 7 days' notice, or shorter if agreed with National Grid, is required before any work may commence within the easement. Early Contact at the planning stage is very important to allow full discussion of proposals and to ensure the safety of plant and operators.

**PA.67      b) Applications Refused**

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

**17/00069/FUL**

Mr S Edge. Part retrospective application for the erection of a detached dwelling (resubmission of 16/00356/FUL). Rear of Former Saracens Head Hotel, 200 Park Lane, Preesall, Poulton-Le-Fylde, Lancashire, FY6 0NW.

The application was before Members at the request of Councillor V Taylor and Councillor Moon. A site visit was undertaken by Members to understand the development and how it sat within the context of the surrounding built form, including its proximity to neighbouring properties.

Three members of the public, a Parish Councillor, two Ward Councillors and the County Councillor for Wyreside spoke to the planning committee, objecting to the application.

The application was **refused contrary to the officer's recommendation.**

**Reason for refusal as follows:**

1. The proposed development, by reason of its height, scale, mass and design would appear as an overbearing and overly intrusive form of development as seen from neighbouring properties, particularly nos. 1 and 2 Back Lane, resulting in an unacceptable adverse impact on residential amenity contrary to Policy SP14 of the adopted Wyre Borough Local Plan (1999) and Supplementary Planning Guidance 4: Spacing Guidelines for New Housing Layouts.

**PA.68      Wyre Borough Council Tree Preservation Order No 3 of 2017- Land adjacent to Berry's Lane, Poulton-le-Fylde, Lancashire**

The Service Director People and Places submitted a report to the Committee, asking to consider the objection and determine whether to confirm the making of Wyre Borough Council Tree Preservation Order no 3 of 2017: Land adjacent to Berry's Lane, Poulton-Le-Fylde, Lancashire.

**RESOLVED** that the Tree Preservation Order ("TPO") be confirmed as per the recommendation in the report of The Service Director People and Places:-

- That the Wyre Borough Council Tree Preservation Order No 3 of 2017- Land adjacent to the Berry's Lane, Poulton le Fylde, Lancashire(" the TPO") is confirmed subject to the following modifications:
- The inclusion in the TPO of a modified plan to show the overall length of Area A1 at 77.1 metres and without any cross hatching of Area A1.

- The entry of the word 'None' against those categories in the Schedule to the TPO which are not used within the TPO.

The meeting started at 2.00 pm and finished at 4.10 pm.

**Date of Publication:** Tuesday 11 April 2017