

Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 2 October 2019 at the Council Chamber, Civic Centre, Poulton-le-Fylde.

Planning Committee members present:

Councillors Moon, Ballard, I Amos, R Amos, Lady D Atkins, Catterall, Ingham, Le Marinel, Orme, Raynor, Stirzaker, D Walmsley and Williams.

Apologies for absence:

Councillor Holden.

Other Councillors present:

Councillors Berry, Collinson and Robinson, County Councillors John Shedwick and Alf Clempson and Stalmine Parish Councillor Andrew Haydock.

Officers present:

David Thow, Head of Planning Services
Lyndsey Hayes, Planning Development Manager
Mary Grimshaw, Legal Services Manager
Emma Keany, Democratic Services Officer
Peter Foulsham, Scrutiny Officer

32 members of the public attended the meeting.

PA.19 Declarations of Interest

None.

PA.20 Confirmation of Minutes

The minutes of the Planning Committee meeting held on Wednesday 4 September 2019 were confirmed as a correct record.

PA.21 Appeals

The Head of Planning Services submitted a report on appeals lodged and decided between 15 August 2019 and 15 September 2019.

Resolved

That the position regarding the appeals, as set out on pages 1 – 30 of the

agenda, be noted and that any Member requiring any further details or clarification on any appeal, should contact the relevant Case Officer.

PA.22 Planning Applications

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

- A. Application Number: 18/00899/OUTMAJ
Land East Of Carr End Lane, Stalmine, Poulton-le-Fylde, Lancashire
Outline application for the erection of up to 65 dwellings with new access applied for off Carr End Lane (all other matters reserved)
(resubmission of 18/00075/OUTMAJ)
- B. Application Number: 18/00660/FULMAJ (Site Visit).
Land East Of Hollins Lane, Forton, Preston, Lancashire.
Residential development comprising of 60 dwellings with access from Hollins Lane, open space and associated infrastructure.

An update sheet with additional information was published on the council's website and made available at the meeting, this information only having become available after the original agenda was published.

- C. Application Number: 18/00680/OULMAJ (Site Visit).
Land Off Holts Lane, Poulton-Le-Fylde, Lancashire.
Variation of condition 03 (affordable housing) on application 16/01043/OULMAJ

An update sheet with additional information was published on the council's website and made available at the meeting, this information only having become available after the original agenda was published.

- D. Application Number: 19/00367/FUL (Site Visit).
Land At Kepple Lane, Garstang, Lancashire.
Amendment to a single unit plot 16 (reserved matters approval ref: 15/00672/RELMAJ) (part retrospective).

An update sheet with additional information was published on the council's website and made available at the meeting, this information only having become available after the original agenda was published.

Item A) Application Approved

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

Application Number: 18/00899/OUTMAJ

Land East Of Carr End Lane, Stalmine, Poulton-le-Fylde, Lancashire
Outline application for the erection of up to 65 dwellings with new access applied for off Carr End Lane (all other matters reserved) (resubmission of

18/00075/OUTMAJ)

The application was brought before Members of the Planning Committee on 4 September 2019. A site visit was carried out to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

The application was deferred by the Planning Committee due to the request for clarity on drainage and ownership of the watercourse along the site frontage.

The application was brought back before committee with the additional information presented.

Site photos were displayed to remind Members of the site.

Andrew Haydock (Stalmine Parish Councillor) commented and asked for a further deferment of the application.

Julie Robinson (Wyre Councillor for Hambleton and Stalmine Ward) asked for clarification in regards to maintenance of the ditch.

John Shedwick (Lancashire County Councillor for Thornton and Hambleton Division) spoke in support of the comments made by the previous speakers.

Chris Betteridge, Agent of the applicant (Wainhomes North West), spoke in favour of the application.

The application was **APPROVED** as per the recommendation.

Conditions:

- 1) In the case of any reserved matter, namely appearance, landscaping, layout and scale of the buildings, application for approval must be made before the expiration of three years beginning with the date of this permission; and that the development hereby permitted shall be begun not later than:
 - the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

- 2) The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 12.09.2018 including the following plans/documents:
 - OS-001 Rev B - Location Plan
 - A105751-P001 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) As part of any reserved matters application where layout is applied for, the mix of residential units shall be provided on site in accordance with the requirements of Policy HP2 of the Wyre Local Plan 2011-2031 and the Fylde Coast Strategic Housing Market Assessment - Wyre Addendum 3 Supplementary Note (May 2018) or any subsequent replacement Local Plan policy or evidence base document concerned with size and type of housing needed in Wyre.

Reason: In order to ensure that an appropriate mix of house types is provided to meet identified local needs in accordance with Policy HP2 of the Wyre Local Plan (2011-31) and the provisions of section 5 of the NPPF.

- 4) Prior to the commencement of above ground development a scheme to demonstrate how at least 20% of the dwellings shall be of a design suitable or adaptable for older people and people with restricted mobility shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, retained and maintained thereafter in accordance with the approved details.

Reason: To meet the needs of the ageing population and people with restricted mobility in the borough in accordance with Policy HP2 of the Wyre Local Plan (2011-31) and the provisions of section 5 of the NPPF.

- 5) Prior to the submission of the first reserved matters application(s) relating to layout, or simultaneously with that first reserved matters application, 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 scheme shall be in accordance with the hierarchy of drainage options outlined in the National Planning Practice Guidance, the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national guidance/standards and the drainage principles outlined in the Flood Risk Assessment submitted with the application (ref: HYD287_CARR.END.LANE_FRA&DMS Rev 1.0 Dated 16/01/2018 prepared by Betts Hydro).

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.

Each reserved matter relating to layout should demonstrate compliance with the agreed drainage scheme.

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, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) 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) Prior to the commencement of development details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority.

As a minimum, this shall include:

- a) The arrangements for adoption by an appropriate public body or

statutory undertaker, or, management and maintenance by a Residents' Management Company

- b) Arrangements concerning appropriate funding mechanisms for the on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. 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. The development shall subsequently be completed, maintained and managed in accordance with the approved sustainable drainage management and maintenance plan.

Reason: 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 in accordance with Policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

7) No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any clearance, has been submitted to and approved in writing by the Local Planning Authority, demonstrating that nesting / breeding birds have been shown to be absent.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

8) Prior to the commencement of development, a scheme of ecological enhancement shall be submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation and the development shall then proceed in full accordance with these agreed details. For the purpose of this condition, the scheme shall include details of the retention of hedgerows on site and the provision of compensatory features where their retention is not practicable, and details of provision of Native tree and shrub planting, bird boxes and bat boxes.

Reason: In order to safeguard and enhance biodiversity and in the interests of the appearance of the site in accordance with section 15 of the NPPF and Policies CDMP3 and CDMP4 of the Wyre Local Plan 2011-2031. The condition is required prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

9) No part of the development shall be commenced until visibility splays measuring 2.4 metres by 49 metres in both directions, measured along the centre line of the proposed new access from the continuation of the nearer edge of the existing carriageway of Carr End Lane are provided. The land within these splays shall be adopted as part of the adopted highway and constructed as footway prior to first occupation of the development.

Reason: To ensure adequate visibility at the street junction or site access in the interest of highway safety in accordance with the provisions of paragraph 102 of the NPPF and Policies SP7, CDMP3 and CDMP6 of the Wyre Local Plan 2011-2031.

10) No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement including a timetable for implementation has been submitted to, and approved in writing by the Local Planning Authority. The off-site highway works should include:-

- a) A new street lighting system from lighting column F2 near the access to Ash Lea House and to continue to the change in speed limit at the southern boundary of the site
- b) The carriageway widening of Carr End Lane as shown on drawing A105751-P001 rev C Proposed Site Access and Highway Improvements
- c) The 2m footpath from the proposed site access to the path leading to Lynwood Drive, with isolated road narrowing.
- d) Upgrading of the existing bus stop on the A588 at Seven Stars (north-bound, on the island opposite the Seven Stars) to bus stop quality standard with provision of raised boarding area and tactile paving at the dropped kerbs
- e) Provision of a pedestrian crossing on the A588 in the vicinity of the Seven Stars, along with repositioned bus stop outside the Seven Stars (south-bound on the A588) provided to quality bus stop standards in the event the current bus stop is affected by the crossing.

The site access and off-site highway improvement shall be constructed and completed in accordance with the approved scheme details.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users in accordance with Policies SP7, CDMP3 and CDMP6 of the Wyre Local Plan (2011-31). 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.

11) Prior to the commencement of development, a management and maintenance plan for the green infrastructure and all communal areas within the site shall be submitted to and agreed in writing by the Local Planning

Authority. This plan shall cover features such as ponds, detention basins, hedgerows and grassland. The plan shall also detail how long-term management of the green Infrastructure will be resourced. The management and maintenance plan shall be implemented in accordance with the agreed details.

Reason: In order to ensure that communal areas of planting are managed in such a way as to safeguard their ecological benefits in the interests of biodiversity and the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policies CDMP3, CDMP4 and HP9 of the Wyre Local Plan 2011-2031.

The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

12) Prior to the commencement of development 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 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 construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- c) hours and days of 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 construction period
- f) arrangements during the 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 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 construction work
- k) measures to protect watercourses against spillage incidents and pollution

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

Reason: This information is required prior to commencement of development to safeguard residential amenity in accordance with and Policies CDMP1 and

CDMP4 of the Wyre Local Plan 2011-2031 and the National Planning Policy Framework.

13) All the dwellings shall be provided with an electric vehicle recharging point and no dwelling shall be occupied until the electric vehicle recharging point has been provided for the dwelling to which it relates, 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 Policies CDMP3 and CDMP6 of the Wyre Local Plan 2011-2031 and the National Planning Policy Framework.

14) Prior to the commencement of development a Tree Protection Plan for TPO/179 (oak tree on Land East of Carr End Lane) and the extent of hedgerow to remain adjacent to the tree, shall be submitted to and approved in writing by the Local Planning Authority. This shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing and details of any specialist demolition or construction methods if appropriate.

The measures contained within the Tree Protection Plan shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

Reason: In order to protect the Tree Preservation Order and adjacent hedgerow from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981. The details are required to be approved prior to commencement of development to ensure timely tree protection measures are in place.

15) 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 Policy HP9 of the Wyre Local Plan, or any subsequent replacement Local Plan policy for the provision of public open space, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: To ensure adequate provision and delivery of public open space in accordance with Policies SP8 and HP9 of the Wyre Local Plan (2011-31) and

the National Planning Policy Framework.

Item B) Application Approved

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

Application Number: 18/00660/FULMAJ

Land East Of Hollins Lane, Forton, Preston, Lancashire.

Residential development comprising of 60 dwellings with access from Hollins Lane, open space and associated infrastructure.

The application was before the Planning Committee for consideration as the application site forms an allocated site in the Wyre Local Plan and was of strategic importance.

A site visit took place to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

The committee considered the update sheet, which contained additional information and a revision to condition 17.

Bill Fulster, Applicant and Agent for Ms H J Williams, spoke in favour of the application.

The application was **APPROVED** as per the recommendation.

Conditions:

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

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

2) The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 11/7/2018 including the following plans/documents:

- Proposed site Layout Rev U
- Street Scene Elevations Rev D
- Boundary Treatments Plan Rev F
- Boundary Treatments Rev B
- Site Location Plan
- 2b3p Bungalow 61
- 2b4p House Type 70 Rev A
- 2b4p Aspect House Type 77 Rev A
- 3b4p Aspect House Type 84

- 3b5p Aspect House Type 85 Rev A
- 3b5p Dormer Bungalow 100
- 4b6p Aspect House Type 102
- 4b6p Type E 121 Rev B
- 4b6p Type F 119 Rev D
- Materials Distribution Plan Rev E
- Slab Levels A2 Rev A
- Section Through POS Area Rev A
- MCI.TS.95 Hollins Lane Forton Topo Survey
- Landscaping Proposal 1 of 3 Drawing Number 5896.01 Rev A
- Landscaping Proposal 2 of 3 Drawing Number 5896.02 Rev A
- Landscaping Proposal 3 of 3 Drawing Number 5896.03 Rev A

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 details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, this shall include:
- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Residents' Management Company
 - b) Arrangements concerning appropriate funding mechanisms for the on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. 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.

The development shall subsequently be completed, maintained and managed in accordance with the approved sustainable drainage management and maintenance plan.

Reason: 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 in accordance with policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

- 4) 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 outlined in Policy CDMP2 of the Wyre Local Plan 2011-31.

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 predevelopment 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, to prevent an undue increase in surface water runoff to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) 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.

5) Prior to the commencement of development a scheme for the construction of the site access and the off-site works of highway improvement [namely, upgrading two bus stops on the northbound and southbound side of the A6 near to the New Holly Hotel to quality bus stop standards and providing a 2m wide footpath fronting Hollins Lane along the site frontage], including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The site access and off-site works of highway improvement shall be constructed and completed in accordance with the approved scheme details.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31). 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.

6) The visibility splays identified as that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed access from the continuation of the nearer edge of the carriageway of Hollins Lane to a point measured 51m in both directions shall be provided prior to first occupation of any dwelling and shall not at any time thereafter be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

Reason: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

7) No development shall be commenced until an estate street phasing and completion plan has been submitted to and approved in writing by the Local Planning Authority. The estate street phasing and completion plan shall set out the development phases and the standards to which estate streets serving each phase of the development will be completed.

Reason: - To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

8) No dwelling hereby approved shall be first occupied or brought into use until the parking / turning area(s) which serves that particular dwelling as shown on the approved plan (Proposed site Plan Drawing Number Rev U) have been laid out, surfaced to at least base level and drained. The parking / turning area(s) shall not thereafter be used for any purpose other than for the

parking and manoeuvring of vehicles.

Reason: To ensure that adequate off road parking is provided to serve the development in the interests of highway safety and in accordance with the provisions of Policy CDMP6 of the Wyre Local Plan (2011-31).

9) The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

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: Such details were not submitted with the application and need 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 CDMP1 of the Wyre Local Plan (2011-31).

11) Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the garage(s) hereby approved shall be retained solely for the housing of a private motor vehicle, and at no time shall any works be undertaken that would prevent it from being used for that purpose.

Reason: To ensure that the on-site vehicle parking provision is maintained to avoid the standing of traffic on the adjoining highway to the detriment of the safety and free flow of traffic thereon and in the interest of the amenity of the street scene and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and the National Planning Policy Framework.

12) No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets and other non-highway related combined footways/ cycleway within the development, including details of a private management and Maintenance Company to be established if applicable, have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

Reason: To ensure that all highways will be delivered to adoptable standards, to ensure that highways safety is not compromised and to ensure that all highways footways and cycleway will be maintained by either LCC as Local Highway Authority or by a site management company in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

13) A watching brief shall be undertaken during the course of the development works. The watching brief shall be undertaken by a suitably qualified person, who shall be responsible to notify the Local Planning Authority immediately if any significant contamination is discovered. The findings of the watching brief shall be reported in writing and submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

Reason: In order to safeguard human health and the environment against potential contamination and in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

14) The Soft landscaping works shall be carried out in accordance with the approved details [Drawing Numbers 5896.01 Rev A, 5896.02 Rev A, 5896.03 Rev A) prior to first occupation or first use of any part of the development or otherwise in accordance with a programme agreed in writing by the Local

Planning Authority and shall thereafter be retained and maintained.
Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 5 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

The landscaping works shall be carried out in accordance with the approved details prior to first occupation or first use of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

15) No development shall take place until full details of hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, areas of hard surfaced areas and materials (i.e. driveways, paths, structures, furniture, play equipment, benches lighting etc.).

The landscaping works shall be carried out in accordance with the approved details prior to first occupation or first use of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Reason: The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development and for the purpose of safety and effective use of public areas.

16) The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details (as shown on plan drawing number Slab Levels A2 Rev A & Hollins Lane Street Scene Elevations Rev D)

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 CDMP2 and CDMP3 of the Wyre Local Plan (2011-31).

17) Prior to first occupation of the development hereby approved, the noise mitigation measures set out in the supporting Noise Assessment submitted with the application (by Sound Advice, dated 13/01/17 (ref GAA Hollins Lane) as supplemented by the Echo Acoustics Technical Memorandum dated 20th September 2019 shall be implemented (namely the 1.8m high acoustic boundary fence along the eastern boundary and acoustic window glazing for

those plots identified in Figure 6 of the Echo Acoustic Technical Memorandum). The approved noise mitigation measures shall thereafter be retained and maintained.

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 CDMP1 of the Wyre Local Plan (2011-31).

18) Prior to the commencement of development, including any demolition or tree works, an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan for the retained tree(s) shall be submitted to and approved in writing by the Local Planning Authority. This shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing and details of any specialist demolition or construction methods if appropriate.

The tree protection shall be carried out in accordance with the approved details prior to any development commencing and shall remain in place during construction

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: In order to protect trees from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981. The details are required to be approved prior to commencement of development to ensure timely tree protection measures are in place.

19) No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any clearance, has been submitted to and approved in writing by the Local Planning Authority, demonstrating that nesting / breeding birds have been shown to be absent.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework .

20) Notwithstanding the Charging Plan submitted with the application, an electric vehicle recharging (EVCP) scheme shall be submitted for all dwellings with parking provision unless it is demonstrated that such provision of EVCP is not practical in communal parking areas or due to other identified site constraints. No dwelling shall be occupied until the electric vehicle recharging point has been provided for the dwelling to which it relates, 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 Policy CDMP6 of the Wyre Local Plan (2011-31). The Car Charging Plan submitted with the application fails to provide a EVCP for each dwelling or demonstrate why it is not practical to provide one for those dwellings shown as not having one.

21) The approved boundary treatment (Boundary Treatments Rev B & Materials Layout Drawing Number 18028_02 Revision B and Boundary Treatment details Rev F) that relate to the relevant dwellings shall be completed before those dwelling(s) are first occupied. The approved details shall thereafter be maintained and retained in accordance with the approved details.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants / neighbours and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

22) The development shall be carried out strictly using those materials specified on the approved plan (Materials Distribution Plan Rev E) unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

23) Prior to the commencement of above ground development a scheme to demonstrate how at least 20% of the dwellings shall be of a design suitable or adaptable for older people and people with restricted mobility shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, retained and maintained thereafter in accordance with the approved details.

Reason: To meet the needs of the ageing population and people with restricted mobility in the borough in accordance with Policy HP2 of the Wyre Local Plan (2011- 31) and the provisions of section 5 of the NPPF.

24) Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 (as amended) and the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification);

- a) no fences, gates, walls or other means of enclosure shall be erected along the front or side boundaries of the curtilage of any dwellinghouse forward of the main front elevation or side elevation of that dwellinghouse; and
- b) no areas of soft landscaping to the front of properties shall be removed to make provision for additional car-parking, without planning permission.

Reason: To safeguard the appearance of open plan development and in accordance with Policy CDMP3 of the Adopted Wyre Borough Local Plan.

Item C) Application Refused

Application Number: 18/00680/OULMAJ

Land Off Holts Lane, Poulton-Le-Fylde, Lancashire.
Variation of condition 03 (affordable housing) on application
16/01043/OULMAJ.

The application was before the Planning Committee for determination at the request of Councillor Roger Berry.

A site visit took place to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

The committee considered the update sheet, which contained additional information and a revision to condition 3.

Objections to the application were given by Mr K Hardisty, Mr B Woods, Mr N Alderson, Mr R Hall and Alf Clempson (Lancashire County Councillor for Poulton-Le-Fylde).

Alf Clempson also spoke on behalf of, Ben Wallace (MP for Wyre and Preston North) who gave objections to the application.

Roger Berry (Wyre Councillor for Hardhorn with Highcross Ward) expressed concerns in regards to the application.

Matthew Symons, Applicant and Agent for Tim Claxton Property Ltd, spoke in favour of the application.

The committee gave full consideration to the report and to the verbal submissions made at the meeting.

RESOLVED that the undermentioned application be **REFUSED** (contrary to the recommendation in the report) under the provisions of the Town and Country Planning Act 1990, as set out below:

- Policy HP3 of the Wyre Local Plan requires developments of 10 or more dwellings on sites within Poulton-le-Fylde to provide 30% affordable housing in order to contribute towards the Borough's affordable housing needs. The proposed development in only providing 9 affordable units out of a total of 102 units does not meet this policy requirement and so would be contrary to policy HP3 of the Wyre Local Plan (2011-31).

Councillor Ballard left the meeting after the item.

Item D) Application Refused

Application Number: 19/00367/FUL

Land At Kepple Lane, Garstang, Lancashire.

Amendment to a single unit plot 16 (reserved matters approval ref: 15/00672/RELMAJ) (part retrospective).

The application was before the Planning Committee for determination at the request of Councillor Alice Collinson.

A site visit took place to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

The committee considered the update sheet, which contained additional information and revisions to conditions 1 and 6.

Objections to the application were given by Mr K Hamblett and Councillor Collinson (Wyre Councillor for Garstang Ward).

Simon Artiss, Applicant, spoke in favour of the application.

The committee gave full consideration to the report and to the verbal submissions made at the meeting.

RESOLVED that the undermentioned application be **REFUSED** (contrary to the recommendation in the report) under the provisions of the Town and Country Planning Act 1990, as set out below:

- The proposed development involving a projecting gable which does not follow the natural curve of the estate road or existing building lines, would be visually intrusive to the area and to the neighbouring property to the north-west (plot 15). It would result in unacceptable visual harm and an unacceptable impact on residential amenity by reason of overbearing and loss of light, contrary to policy CDMP3 of the Wyre Local Plan (2011-31).

PA.23 Tree Protection Order

The Service Director People and Places submitted a report to the Committee, to consider the objections and determine whether to confirm the making of Wyre Borough Council Tree Preservation Order No 2 of 2019, at the land to the south of Blackpool Road, Carleton, Poulton-Le-Fylde, Lancashire.

Members considered the matter having had the benefit of viewing the site and its setting, before the public meeting, to understand the site beyond the photos taken by the Tree Protection Officer.

RESOLVED that the Tree Preservation Order (“TPO”) be confirmed subject to

modification of the TPO schedule to contain the description of the tree species occurring within Woodland One as per the recommendation in the report of The Service Director People and Places.

The meeting started at 2 pm and finished at 4.08 pm

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