



## **Planning Committee Agenda**

**Wyre Borough Council**  
**Date of Publication: 25/02/2020**  
**Please ask for : Emma Keany**  
**Democratic Services Officer**  
**Tel: 01253 887476**

**Planning Committee meeting on Wednesday, 4 March 2020 at 2.00 pm in the Council Chamber - Civic Centre, Poulton-le-Fylde.**

**1. Apologies for absence**

**2. Declarations of interest**

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

**3. Confirmation of minutes**

(Pages 3 - 18)

To confirm as a correct record the minutes of the Planning Committee meeting held on 05 February 2020.

**4. Appeals**

(Pages 19 - 20)

The Schedule of Appeals lodged and decided between 15 January 2019 – 15 February 2020, is attached.

**5. Planning applications**

Background Papers:

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

1. The Wyre Borough Local Plan (2011-2031)
2. Draft Revised Joint Lancashire Minerals and Waste Local Plan
3. Joint Lancashire Minerals and Waste Local Plan
4. Statements of Government Policy/guidance (NPPF, NPPG, Ministerial Statements etc.)
5. Supplementary Planning Guidance and evidence base documents specifically referred to in the reports
6. The application file (as per the number at the head of each report)
7. The forms, plans, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports

8. Any additional information specifically referred to in each report.

These background documents are available on line, or for inspection by a written request to Planning Services, Civic Centre, Breck Road, Poulton-le-Fylde, FY6 7PU.

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

- (a) Application A- Former Police Station, Market Place, Poulton-Le-Fylde, Lancashire, FY6 7AS (19/01306/FUL) (Pages 21 - 38)  
Change of use of former Police Station to create a mixed use retail and leisure development comprising a food/retail hall, the erection of a part single and part 2 storey rear extension (following demolition of existing garages to the rear) and inclusion of external seating area to the front.

**PLEASE NOTE:**

**Members of the committee need to be ready to leave the Civic Centre, for the site visit, at 11:30am.**



## Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 5 February 2020 in the Council Chamber - Civic Centre, Poulton-le-Fylde.

---

**Planning Committee members present:**

Councillors Moon, Ballard, I Amos, R Amos, Lady D Atkins, Catterall, Holden, Ingham, Le Marinel, Orme and D Walmsley

**Apologies for absence:**

Councillors Raynor, Stirzaker and Williams

**Other councillors present:**

Councillors Armstrong, Beavers and Robinson

**Officers present:**

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

8 members of the public attended the meeting.

---

**PA.39      Declarations of interest**

Councillors Ballard and Holden declared an other significant non-pecuniary interest for item 5A as they both knew the applicant of the planning application in a personal capacity. Both considered that the interest may give rise to a perception of a conflict of interest and/or was likely to prejudice their judgement and accordingly left the meeting during that item and took no part in the decision.

**PA.40      Confirmation of minutes**

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

**PA.41      Appeals**

That the position regarding the appeals, as set out on pages 13 - 28 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.42 Planning applications

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

It was agreed that the committee would consider Item 5A (Ormerod Street, Thornton Cleveleys, FY5 4HU- 19/00607/FULMAJ) after the three other applications had been decided.

## PA.43 Application B- Torbant Lodge, Brick House Lane, Hambleton, Poulton-Le-Fylde, FY6 9BG (19/01228/FUL)

The application was brought before Members of the Planning Committee for determination at the request of Councillor Julie Robinson.

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

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. The committee considered the update sheet, which contained additional information.

Clare Bamber (Applicant) spoke in favour of the application.

Julie Robinson (Wyre Borough Councillor for Hambleton and Stalmine) spoke in favour of the application.

It was proposed by Councillor Moon, seconded by Councillor Catterall and a decision was taken that the application be **refused** (as per the recommendation) under the provisions of the Town and Country Planning Act 1990, as set out below:

1. The proposed development by reason of the location of the application site outside a defined settlement boundary and not within an adopted housing allocation would introduce residential development into an undeveloped area of countryside, and this would represent an unacceptable and unnecessary encroachment/projection into the countryside area where no justification for such development exists. As a consequence, the proposal would be contrary to Policies SP1 and SP4 of the Wyre Local Plan 2011-31 and to the provisions of the NPPF. There are no material considerations to out-weigh the conflict of the proposal with the development plan and the NPPF with respect to restricting development in the countryside.

2. The application site is located within the countryside and the development would involve the creation of a residential development in a poorly accessible location detached from the nearest settlement. The site would be accessed via unlit, winding rural roads, subject to national speed limits, with no pedestrian footpaths. Future users of the proposal would be heavily reliant on the use of a private motor vehicle to access the site with no opportunity to access the site via alternative sustainable travel modes. The

proposed development is considered to be sited in an unsustainable and socially inaccessible location which would increase the need to travel by car and fail to contribute towards creating a sustainable community. The proposal is therefore contrary to locational guidance contained within the NPPF, in particular Paragraphs 8 and 102 and contrary to Policy SP1, SP2 and CDMP6 of the Wyre Local Plan 2011-31.

3. The proposed residential development, by reason of the proposal's scale, siting and provision of a domestic curtilage, would result in a reduction in the open character of the countryside which would be visually detrimental to the appearance of this area of countryside. This would be contrary to Policy SP4 and CDMP3 of the Wyre Local Plan 2011-31 and the NPPF.

4. The proposed development would constitute inappropriate development in an area at risk of flooding as the proposed application site falls within Flood Zone 3 and inadequate evidence has been submitted to show that there are no reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. This would not steer development to areas with the lowest probability of flooding, thereby increasing the number of people and properties at risk from flooding and fail the Sequential Test, which is contrary to Section 14 of the NPPF and the National Planning Policy Guidance 'Flood Risk and Coastal Change, and Policy CDMP2 of the Wyre Local Plan 2011-31.

**PA.44 Application C- Fair View, Knitting Row Lane, Out Rawcliffe, Preston, PR3 6SX (19/01074/FUL)**

The application was brought before Members of the Planning Committee for determination at the request of Councillor Peter Cartridge.

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

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. The committee considered the update sheet, which contained additional information and explained why reason for refusal 3. as set out in the recommendation was no longer considered appropriate.

Mr Gardner (member of the public) made objections to the application.

Alison Metcalf (Parish Councillor for Out Rawcliffe) spoke against the application.

Peter Cartridge (Wyre Borough Councillor for Great Eccleston) made objections to the application through a letter sent to the Chairman, which was read out by Councillor Ballard.

It was proposed by Councillor Ballard, seconded by Councillor I Amos and a decision was taken that the application be **refused** (as per the

recommendation) under the provisions of the Town and Country Planning Act 1990, as set out below:

1. The proposed use would result in the creation of a stand-alone business in an area of countryside as designated in the adopted Wyre Local Plan (2011-2031). The proposed does not constitute either an expansion of an existing business or diversification of an agricultural business and is located in an unsustainable location and not well-related to the nearest settlement of Hambleton. As such it is therefore considered contrary to Policies SP2, SP4 and EP8 of the adopted Wyre Local Plan (2011-2031).

2. The proposal by virtue of its form and siting in this countryside area would introduce development into an undeveloped area of countryside and lead to an urbanising effect, and represent an unacceptable and unnecessary encroachment/projection into the countryside area which would diminish the open and rural character of the countryside. Therefore the proposal is contrary to the provisions of Policy SP4 and CDMP3 of the adopted Wyre Local Plan (2011-2031).

**PA.45 Application D- 230 Poulton Road, Fleetwood, FY7 7BT (19/00817/FUL)**

The application was brought before Members of the Planning Committee for determination at the request of Councillor Craig Armstrong.

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

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. The committee considered the update sheet, which contained a correction to Section 7.

Craig Armstrong (Wyre Borough Councillor for Warren) made objections to the application.

Lorraine Beavers (Lancashire County Councillor for Fleetwood East) spoke against the application.

It was proposed by Councillor R Amos, seconded by Councillor I Amos and a decision was taken that the application be **approved** (as per the recommendation) under the provisions of the Town and Country Planning Act 1990, subject to the conditions set out below.

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 7 August 2019 including the following plans/documents:

- DRG No. W/19/41/01 REV A
- site location plan 1:1250

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. No amplified recorded or live music or sounds shall be played at any time in the outside area(s) of the application site as defined by the red edge on the approved site location plan.

Reason: To avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

4. No washing or valeting of vehicles shall take place outside of the building in the external areas of the site as defined by the red edge on the approved site location plan.

Reason: To avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

5. Prior to first use of the development hereby approved, a scheme of noise insulation measures for enclosures around the generators, set out in the supporting Noise Assessment submitted with the application [November 2019] shall be submitted to and agreed in writing by the Local Planning Authority and implemented as agreed. The approved noise insulation measures shall thereafter be retained.

Reason: To avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

6. The use hereby permitted shall not operate outside the hours of 8am-7pm.

Reason: In the interests of the amenity of occupiers of neighbouring and nearby residential properties in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

7. No part of the development hereby approved shall commence until a scheme for the construction of the site access is submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first use of the development.

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 the NPPF and Policy CDMP6 of the Wyre Local Plan.

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

Reason: To limit the number of access points and to maintain the proper construction of the highway in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

9. The development hereby approved shall not be first brought into first use until a scheme for marking out of the manoeuvring areas and parking is submitted to and agreed in writing by the Local Planning Authority and the marking out shown on the approved scheme has been laid out. The marking out shall thereafter be retained throughout the operation of the use.

Reason: To enable vehicles to enter and exit the highway in a safe manner in the interests of highway safety and to ensure that safe manoeuvring and adequate parking areas are provided within the site in accordance with the provisions of Policy CDMP6 of the Wyre Local Plan (2011-31).

10. The premises and associated external area(s) included within the application site as defined by the red edge on the approved site location shall be used as a car wash only and for no other purpose.

Reason: The use of the premises for any other purpose would require further consideration by the Local Planning Authority in accordance with Policies SP2, CDMP1, CDMP3 and CDMP6 of the Adopted Wyre Local Plan (2011-31).

11. Prior to the commencement of development, a drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be based on the principle of recycling water where practical and appropriate to reduce discharges into the combined sewer.

No part of the development shall be brought into first use until the drainage works 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 in accordance with policy CDMP2 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.

12. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall detail the planting of trees, hedges, shrubs or grass, or, if demonstrated that such provision is not practical (e.g. due to identified site constraints), screening by fences, walls or other means of enclosure. Where soft landscaping is proposed then the scheme should include planting plans specifications and schedules (including plant size, species and number/ densities).

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

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

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and residential amenity by reducing the impact of queuing traffic on the site in accordance with Policies CDMP1 and CDMP3 of the Wyre Local Plan (2011-31).

Notes: -

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

2. The applicant is advised that the new and reinstatement of existing site access, will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact LCC Highways before works begin on site.

**PA.46      Application A- Ormerod Street, Thornton Cleveleys, FY5 4HU  
(19/00607/FULMAJ)**

The application was brought before Members of the Planning Committee for determination due to the fact that a previous scheme at this site had been considered by the committee in April 2018.

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

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

It was proposed by Councillor D Atkins, seconded by Councillor Ingham and a decision was taken that the application be **approved** (as per the recommendation) under the provisions of the Town and Country Planning Act 1990, subject to the final consultation response from Sport England being no objection, subject to no new material planning issues being raised by the landowner within the consultation period or by Sport England and, subject to the conditions set out below and subject to a section 106 legal agreement to secure the site as affordable housing and to secure an appropriate financial contribution towards green infrastructure, and that the Head of Planning Services be authorised to issue planning permission upon satisfactory completion of the S106 agreement.

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 08.07.2019 including the following plans/documents:

- Location Plan Drg No.GA/04627/001, received by the Local Planning Authority on 10.12.2019;

- Proposed Site Plan Drg No.BH/04307/005 Rev N, received by the Local Planning Authority on 04.02.2020;

- Proposed Site Layout Plan Drg No.BH/04307/006 Rev G, received by the Local Planning Authority on 04.02.2020;

- Elevations and Plans Plots 1 and 2 Drg No.BH/04307/025 Rev A, received by the Local Planning Authority on 10.12.2019;

- Elevations and Plans Plots 5 and 6 Drg No.BH/04307/026 Rev A, received by the Local Planning Authority on 10.12.2019;
- Elevations and Plans Plots 3,4,11,12,13 and 14 Drg No.BH/04307/027 Rev B, received by the Local Planning Authority on 04.02.2020;
- Elevations and Plans Plots 7,8,9 and 10 Drg No.BH/04307/028 Rev A, received by the Local Planning Authority on 10.12.2019;
  
- Tree Protection Plan Drg No.BH/04307/007 Rev H, received by the Local Planning Authority on 04.02.2020;
- Proposed Boundary Treatment Plan Drg No.BH/04307/008 Rev H, received by the Local Planning Authority on 04.02.2020;
- Proposed Landscaping Drg No.BH/04307/009 Rev D, received by the Local Planning Authority on 04.02.2020;
- Tree Removal Plan Drg No.BH/04307/010 Rev H, received by the Local Planning Authority on 04.02.2020.
- Proposed Levels Plan Drg No.BH/04307/011 Rev A, received by the Local Planning Authority on 04.02.2020.

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. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of that dwelling (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

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

4. The development hereby approved shall not be first occupied or brought into use until the parking / turning areas shown on the approved Proposed Site Plan (Drg No.BH/04307/005 Rev N) has been laid out, surfaced and drained. The parking / turning areas 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).

5. 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).

6. 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

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).

7. Prior to the first occupation of the dwellings hereby permitted the boundary treatment shall be completed fully in accordance with the details shown on the Proposed Boundary Treatment Plan Ref: BH/04307/008 Rev H.

The boundary treatments shall be retained in accordance with these approved details thereafter.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants / neighbours in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

8. Prior to first occupation of the development hereby approved, the noise mitigation measures set out in Chapter 5 (Conclusions - Paragraphs 5.2 and 5.3) of the supporting Acoustic Assessment [Doc No.1355-4 dated January 2020] shall be implemented in full. 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).

9. Prior to the commencement of development, a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan.

The scheme details shall include, as a minimum:

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

- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

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

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, 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.

10. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities
- b) Identification of "biodiversity protection zones"
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialist ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the development has an acceptable environmental and biodiversity impact in accordance with Policy CDMP4 of the Wyre Local Plan (2011-31).

11. 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 .

12. Prior to commencement of the development hereby approved, a scheme for Biodiversity Enhancement Measures shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall be agreed in writing by the local planning authority prior to first occupation) and shall be retained thereafter.

Reason: To ensure that appropriate biodiversity enhancement measures are incorporated into the proposed development in accordance with the NPPF and Policy CDMP4 of the Wyre Local Plan (2011-31).

13. The hard and soft landscaping works shall be carried out in accordance with the approved details [Proposed Landscaping Drg No.BH/04307/009 Rev D] prior to first occupation of the dwellings hereby approved or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

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

Reason: To 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 NPPF.

14. The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 6 of the approved Flood Risk Assessment (FRA) [REF P5868/16/01] received by the local planning authority on 08.01.2020.

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

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CDMP2 of the Wyre Local Plan (2011-31) and the NPPF.

15. No development shall take place until proposals for the recommended site investigation or pre-emptive remediation as set out in the 'Phase I Desk Study for Land at Ormerod Street, June 2017' have been submitted to and approved in writing by the local planning authority. Should any unacceptable risks be found, details of a remedial scheme and verification plan shall be submitted to and approved in writing by the local planning authority. The remedial scheme shall be implemented as approved before development begins. If, during the course of development, any contamination is found which has not previously been identified, additional measures to address it shall be submitted to and approved in writing by the local planning authority and the additional measures shall be carried out as approved.

Reason: The development is for a sensitive end use and insufficient information has been submitted with the application as to the potential contamination risks of the site. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

16. Prior to the commencement of development hereby approved, a scheme for the construction of the site access and the off-site works of highway improvement [namely tactile paving at the training ground access road / junction with Ormerod Street, tactile paving at Ormerod Street / Butts Road junction and tactile paving at Ormerod Street / Heys Street junction], 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.



17. a) The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details shown on Drg No. BH/04307/011 Rev A.

b) There shall be no changes to the existing ground level on site, as shown on Drg ref: Topographical Survey 100915/TOP/3D, unless minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and prior to such change taking place. The ground levels shall be constructed and completed in accordance with the approved details.

Reason: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31).

18. 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).

19. The measures contained within the approved Arboricultural Impact Assessment and Tree Protection Plan (BH/04307/007 Rev H) with respect to those trees/ hedgerow(s) shown as being retained 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.

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.

20. 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.

21. Prior to the commencement of development, a scheme for the provision of home-owner information packs highlighting the sensitivity of Morecambe Bay (a European protected nature conservation site) to recreational disturbance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall include the content of the home owner information packs, which shall describe Morecambe Bay and its features, explain the sensitivities of the features to recreational disturbance, and suggest how future residents can avoid damage to these areas e.g. by setting a code of conduct and suggesting alternative recreational sites; as well as a methodology for their distribution to future home owners. The approved information packs shall subsequently be made available to future home owners in line with the approved methodology.

Reason: In order to safeguard biodiversity from the recreational disturbance effects of residential development in close proximity to Morecambe Bay, in accordance with the provisions of Policy CDMP4 of the Wyre Local Plan 2011-31.

The meeting started at 2.00 pm and finished at 3.07 pm.

**Date of Publication:** 18 February 2020

**APPEALS LODGED AND DECIDED**

**Appeals Lodged between – 15<sup>TH</sup> January – 15<sup>th</sup> February 2020**

Application Number	Location	Proposal	Com/Del decision	Appeal Type	Date Lodged
18/00232/NOCOMP	99 Fleetwood Road Poulton-Le-Fylde Lancashire FY6 7NU	Non-compliance with approved plans of first floor extension.	N/A	Enforcement – Written representations	18 <sup>th</sup> January 2020
18/00902/FUL	Pointers Grove Yard Taylors Lane Pilling Lancashire PR3 6AP	Erection of three industrial units (use Class B1/B8) (resubmission of 17/00785/FUL)	Delegated	Written Representations	31 January 2020
19/00648/FUL	2 Newton Place Normoss Blackpool Lancashire FY3 7PT	Proposed single storey rear extension	Delegated	Fast Track Appeal	4 <sup>th</sup> February 2020
19/00565/FUL	Willow Trees Cart Gate Preesall Lancashire FY6 0NP	Change of use from agricultural land to caravan storage, provision of landscaping and installation of electronic security gate.	Delegated	Written Representations	10 <sup>th</sup> February 2020
19/00075/OUT	Land To The Rear Of Chatsworth House Garstang Road St Michaels Preston Lancashire PR3 0TD	Outline application for the erection of detached dwelling (all matters reserved)	Delegated	Written Representations	11 <sup>th</sup> February 2020

**Appeals Decided between – 15<sup>TH</sup> January – 15<sup>th</sup> February 2020**

Application Number	Location	Proposal	Com/Del decision	Decision	Date Decided
No appeal decided					

This page is intentionally left blank

## Committee Report

Date: 04.03.2020

Item Number 01

Application Number  
19/01306/FUL

Proposal Change of use of former Police Station to create a mixed use retail and leisure development comprising a food/retail hall, the erection of a part single and part 2 storey rear extension (following demolition of existing garages to the rear) and inclusion of external seating area to the front

Location Former Police Station Market Place Poulton-Le-Fylde Lancashire FY6 7AS

Applicant BY1 Limited

Correspondence Address c/o Smith And Love Planning Consultants  
FAO Miss Abigail Kos Rational House 32 Winckley Square Preston PR1 3JJ

Recommendation Permit

## REPORT OF THE HEAD OF PLANNING SERVICES

### CASE OFFICER - Mr Karl Glover

#### 1.0 INTRODUCTION

1.1 This application is before Members of the Planning Committee as it is considered to be of public interest. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

#### 2.0 SITE DESCRIPTION AND LOCATION

2.1 The site which forms the subject of this application relates to the former Poulton Police Station and is located in a prominent position on the eastern side of Market Place in the heart of the town centre of Poulton-le-Fylde. The police station was decommissioned in 2018 and has subsequently stood vacated since. The building comprises of a two storey structure built in two stages approximately circa 1900 and the early 1960s. The front elevation of the building is made up of contrasting design and materials, at ground floor materials comprise of red brick with natural stone window surrounds. There is a central iron gated underpass with large timber dressed windows either side. The first floor was a later addition and comprises of a dark brick with four large windows contained under a pitched slate roof. To the rear is an enclosed yard which was used as the former car park and is contained by a high level redbrick wall to the north and east and to the south by the gable rear elevations of adjacent properties. A single storey extension with adjoining ancillary garage is also located to the rear of the building.

2.2 The immediate surrounding area is mixed character. To the north of the site is the rear of the businesses located on Chapel Street Court including two first floor balconies which are used for business use and also two first floor residential apartments (numbers 3 and 4 a Chapel Street Court). A private carpark lies immediately to the east along with access to the residential flats which are located above a row of shops on Chapel Street. Adjoining the site to the south west and fronting Market Place is the Masonic Hall (number 12-16) and to the south east, the site is directly adjoined by three town houses (3-7a, b and c Queens Square). Market Place and the immediate surrounding area is made up and occupied by various businesses and uses including restaurants, banks, hair salon, convenience store, retail, offices and drinking establishments.

2.3 The application site is centrally located within Poulton-le-Fylde Conservation Area and is in close proximity to a number of listed buildings and structures including the Grade 2\* St Chads Church to the north, number 2 to 6 Market Place (Grade2), the structures to the south including the Market Cross, Fish Stones, Stocks and Whipping Post along with the recently listed Grade II war memorial opposite the subject building. The K6 - type telephone box which immediately adjoins the application property is also a Grade 2 listed structure.

2.4 The site is shown on the Wyre Local Plan Proposals Map as being within the Primary Shopping Area and is identified as being a defined Secondary Retail Frontage. Restricted vehicle movements and access apply to Market Place and an outdoor market occurs every Monday except on bank holidays.

### **3.0 THE PROPOSAL**

3.1 The application seeks consent for the change of use of the former Police Station to create a mixed use retail and leisure development comprising a food/retail hall, the erection of a part single and part 2 storey rear extension (following demolition of existing garages to the rear) and inclusion of external seating area to the front. The proposed hours of opening are 09:00hrs - 23:00 hrs Monday to Sunday with deliveries taking place between the hours of 07:00hrs - 10:00 hrs and 16:00 hrs - 21:00hrs.

3.2 The ground floor use of the building is to be converted with the existing toilets and offices located either side of the underpass to provide a small retail unit and coffee shop, accessible toilet and store room. The existing cell is to be retained in situ as a visitor attraction along with the existing steel gates to the main entrance of the archway. The existing archway will provide the main thorough route for the public and leads to the newly proposed extension where the covered food hall is proposed along with 5 stalls/kitchens and additional retail. Seating is proposed along with a designated pot wash area and a designated external bin store is to be located in the north eastern corner of the site. The rear extension is proposed to cover the whole of the existing rear car park and wraps around and abuts the existing boundary walls and neighbouring building which back on to the site. Externally the extension is to measure approximately 25m in length x 3.7m in height and 22m wide. The centrally located pitched roof lantern/roof light measures approximately 5m to the eaves and 8m to the ridge and is to be constructed using insulated metal panels and insulated metal sheeting to the roof with aluminium powder coated windows either side.

3.3 At first floor the proposal seeks to convert existing offices to provide male and female toilets a staff room and office. A first floor glazed sloping rear extension is proposed to provide a covered balcony/mezzanine. A fire escape is shown to be

provided on to the flat roof of the extension along with an area for required plant and extraction. To the front of the building above the existing windows either side of the main entrance retractable canopies are proposed to provide cover for an external seating area.

#### **4.0 RELEVANT PLANNING HISTORY**

4.1 98/00399 - Erection of (4.6m) radio arial to chimney stack - Approved

#### **5.0 PLANNING POLICY**

##### **5.1 ADOPTED WYRE BOROUGH LOCAL PLAN**

5.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

5.1.2 The following policies contained within the WLP 2031 are of most relevance:

- Policy SP1 - Development Strategy
- Policy SP2 - Sustainable Development
- Policy CDMP1 - Environmental Protection
- Policy CDMP2 - Flood Risk and Surface Water Management
- Policy CDMP3 - Design
- Policy CDMP4 - Environmental Assets
- Policy CDMP5 - Historic Environment
- Policy CDMP6 - Accessibility and Transport
- Policy EP4 - Town Centre, District, Local and Neighbourhood Centres
- Policy EP5 - Main Town Centre Uses
- Policy EP6 - Development in defined Primary and Secondary Frontages

##### **5.2 NATIONAL PLANNING POLICY FRAMEWORK 2019**

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 19th February 2019. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2019 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

5.2.2 The following sections / policies set out within the NPPF are of most relevance:

- Section 2 - Achieving Sustainable Development
- Section 6 - Building a Strong, competitive economy
- Section 7 - Ensuring the vitality of town centres
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well designed places
- Section 16 - Conserving and enhancing the historic environment

## **6.0 CONSULTATION RESPONSES**

### **6.1 POULTON-LE-FYLDE HISTORICAL & CIVIC SOCIETY**

6.1.1 Supports the proposal as it will see a redundant building brought back to productive use and the retention of the archway access and original cell will preserve the appearance of the frontage on to Market Place whilst allowing innovative development to the rear of the yard. Comments and recommended conditions suggested from the Conservation Officer and LCC Archaeology are supported.

### **6.2 GREATER MANCHESTER ECOLOGY UNIT**

6.2.1 No objections, advised that the Bat Roost Assessment submitted showed no evidence of bats in the building and given the urban nature of the location the buildings are considered as having negligible potential to support roosting bats. Advice note recommended in relation to protected species.

### **6.3 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)**

6.3.1 No objections subject to conditions relating to construction management and hours of deliveries.

### **6.4 LANCASHIRE COUNTY COUNCIL (ARCHEALOGY)**

6.5 No objections, advised that no further impact assessment is required to assess the potential for impacts upon buried remains however a condition for a programme of archaeological work in accordance with a written scheme of investigation should be attached.

### **6.6 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE)**

6.6.1 No objections, subject to the mitigations measures set out in the submitted Noise Impact Assessment in relation to noise from the development being conditioned accordingly. Based on the submitted assessment it is not considered that the plant associated with the development will have a negative impact on the surrounding residential properties.

### **6.7 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ODOUR)**

6.7.1 The Odour Assessment submitted has identified that odour from the proposed development will need a high level of odour control. The mitigation measures proposed in sections 8 and 9 of the report should be conditioned and implemented in full

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

6.8.1 No objections subject to a post Phase 1 contaminated land assessment and watching brief condition being attached.

### **6.9 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (LICENSING)**



6.9.1 No observations to make on the proposal. Should planning consent be forthcoming then an application for a premises licence to authorise activities on the site will be required.

#### 6.10 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (WASTE MANAGEMENT)

6.10.1 No objections however advised that due to storage and access the property is most likely to receive weekly sack collection as opposed to containerised alternate weekly collection

#### 6.11 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.11.1 No objections

#### 6.12 WYRE BC MARKET MANAGER

6.12.1 Verbally advised that there was no objections to the proposal

### 7.0 REPRESENTATIONS

7.1 At the time of compiling this report there has been no letters of observation or objections received

### 8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Contact has been made with the agent to discuss specific elements of the proposal including the outside seating area and confirmation regarding the hours of deliveries. Confirmation of the external colour to the rear extension has also been requested and pre commencement conditions have been agreed.

### 9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of the Development
- Design/Impact upon the Character of the Area
- Historic Environment
- Impact upon Residential and Neighbouring Amenity (Noise, Odour, Lighting and Air Quality)
- Highway and transport impacts
- Flood Risk and Drainage
- Ecology

Principle of the Development

9.2 The former Police Station has been vacant since it ceased being used by Lancashire Constabulary in 2018 and is located within the heart of the main town centre and within the historic core of Poulton-le-Fylde Conservation Area. The application site is defined on the Local Plan Proposals Map as being within a secondary retail frontage and a primary shopping area. Policy EP4 of the Wyre Local Plan identifies Poulton le Fylde as a main town centre at the top of the retail hierarchy and directs retail, leisure and other main town centre uses towards existing

centres and supports a diversity of uses to maximise the centres vitality and viability subject to satisfying policies EP5 and EP6. Policy EP5 sets out that new retail development and other main town centre uses (including extensions and change of use) which are appropriate in scale, role and function will be permitted within defined centres where they accord with this policy as a whole. Policy EP6 sets out that within defined secondary frontages any proposals not falling within the A1 (retail) use class at ground floor will be permitted subject to meeting criteria 2.a)-c), as set out below:

- a) A minimum of 50% of the defined length of frontage in the block would remain in A1 use taking into account unimplemented planning permissions for changes of use; or the premises have been marketed for a Class A1 use in accordance with Policy SP6 (Viability);
- b) The proposed use is complementary to the secondary shopping function of the frontage and will contribute to vitality and viability;
- c) An active pedestrian level shop front is retained/provided

9.3 All three criteria are relevant to apply. With regards to criteria a), having reviewed the uses occupying the units within the identified secondary frontage, there would still be 50% of the length of the block retained in A1 retail use, and so allowing this building for non-retail uses would satisfy this. Planning history checks confirm there are no unimplemented planning permissions for change of use in this frontage which would affect this position. In terms of complying with criteria b) by introducing a mixed use food and retail hall to the vacant building it would provide a valued contribution to the vitality and viability of the town centre by reason of attracting tourist and visitors to the town centre and increasing pedestrian footfall which in turn would benefit surrounding businesses and boost the town centre economy. Criteria c) sets out that an active pedestrian level shop front is retained/provided. In this instance minimal external alterations are proposed to retain the character and integrity of the former police station however at ground floor the existing obscure glazing is to be replaced by clear glass and a retail display will be provided to one side of the building. This, in conjunction with the proposed external seating and new retractable canopies, will see a visual enhancement to the existing front of the building.

9.4 In this instance the proposed use and re development of the former Poulton police station as a proposed retail and food hall is considered to comply with the provisions of Policies EP4, EP5 and EP6 as set out above. The proposed use would enhance and sustain the existing character of the building and would encourage and attract pedestrian footfall back in to Market Place which is considered to be the primary hub of the Town Centre where in recent years retail uses have unfortunately diminished. This would also provide an economic boost, benefiting existing businesses and the wider local economy and create and provide (approximately 20 full and part time) employment opportunities which is also a fundamental requirement of the NPPF as set out in Section 6 (paragraph 80).

Design/Impact upon the character of the area

9.5 The submitted Design and Access Statement and Planning Statement documents that the proposed change of use will retain the theme and previous use of the building as a Police Station by naming it Bobby's Yard. The proposals seek to retain the original steel gates at the underpass along with the existing police cell as a design feature/visitor attraction. Externally to the front minimal works are proposed with the exception of replacement windows and projecting seating canopies which

are to be housed in timber boxes above the large ground floor windows. A large majority of the rear extension is predominantly flat roofed with an overall height of approximately 3.7m which would project 1m higher than the existing red brick boundary wall. The central atrium will be set in and has an overall ridge height of approximately 8m and externally finished in an anthracite grey (colour to be confirmed) insulated wall panel system. Views of the extension will primarily be experienced from the east across the adjacent existing car park, however due to the overall height and the suggested external finishes of the extension it is not considered that the development would result in significant adverse or detrimental impacts upon the character of the existing building or the visual amenity of the surrounding area.

9.6 The plans submitted show the location of the associated plant (extraction units, mechanical ventilation, and air-conditioning units) to be sited towards the south of the rear extension within the flat roof and adjacent to the neighbouring buildings. A full assessment of the impacts arising from noise and odours is set out later in the report within paragraphs 9.9 - 9.12. From a visual amenity point of view the plant will be screened by the existing buildings and the proposed central atrium. The proposed design of the extension and minor works to the front elevation is seen to comply with the provisions of Policy CDMP3 of the Wyre Local Plan.

9.7 Policy SP2 (Criteria 6) requires development proposals to demonstrate how it would respond to the challenge of climate change through appropriate design and by making best use of resources and assets, including the incorporation of water and energy efficiency measures through construction phases and the reuse and recycling in construction both in the selection of materials and management of residual waste. The applicant has responded to this by submitting an Environmental Statement. Within the submitted statement it sets out the flexibility, lightweight and recyclability of the materials used in the construction of the building. The statement goes on to set out how through energy efficiency and by using modern technologies including LED lighting systems the development would represent a sustainable form of development. Existing materials that are not proposed to be re used are to be recycled and where possible existing fabric will be refurbished and re used. Members are advised that in this instance the applicant has demonstrated that the proposal would satisfy this criteria of Policy SP2 of the Local Plan.

#### Historic Environment

9.8 The application site is an undesignated building that sits within Poulton-le-Fylde Conservation Area and close to a number of listed buildings within the historic market square. In determining planning applications, local planning authorities have special duties with regard to preserving the setting of listed buildings and the character and appearance of conservation areas under s66 and s72 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 respectively. The NPPF emphasises that great weight should be given to the conservation of heritage assets and that the significance of an asset can be harmed by development within its setting (NPPF paragraph 193-4). Policy CDMP5 of the Local Plan seeks (amongst other criteria) to protect, conserve and where appropriate enhance the historic environment through high standards of design.

9.9 The Council's Conservation Officer notes that it is the front elevation of the building that provides the site with historic significance. With the exception of the addition of the two retractable canopy boxes above the existing front windows, the proposal would largely retain the existing front elevation in its entirety. There would be minimal visual impact on the appearance and character of the building which in

turn would sustain the buildings significance and setting within the Conservation Area. The main alterations and extensions proposed are predominantly to the rear of the building which is enclosed in each direction by built form along with a high level red brick boundary wall. Given the concealed location of the rear extension and having assessed the overall height of the proposal it is not anticipated that there would be a significant impact upon the historic integrity of the Conservation Area as views into and across the site from the rear are restricted. The Conservation Officer raises no concern subject to conditions being imposed regarding the treatment of the Market Place façade and advises that the proposed development would preserve the appearance of the adjacent listed buildings within the Conservation Area and also sustain the significance of the designated heritage assets which would comply with Policy CDMP5 and Section 16 of the NPPF. LCC Archaeology have requested that a pre commencement condition is attached to ensure that prior to any works commencing a phased programme of archaeological work in accordance with a written scheme of investigation is attached to safeguard the recording and inspection of matters of archaeological and historic importance associated with the site. The applicant has agreed to the imposition of this condition. Poulton Historic Society support the development and support the conditions requested by the Conservation Officer and LCC Archaeology.

#### Impact upon Residential and Neighbouring Amenity (Noise, Odour and Lighting)

9.10 Within the immediate surrounding area there are a number of buildings which back onto, surround and overlook the development site. The majority of the neighbouring properties are occupied on a commercial basis with the exception of numbers 4a and 3 Chapel Street Court which are first floor residential apartments and also there are some residential units which back onto and make up the southern boundary of the site, namely 7a, b and c Queens Square. To the north when viewed from the existing carpark the properties 6-8 Chapel Street Court immediately about the northern boundary with a large panelled balcony at first floor level dominating the rear elevations. All of these premises including the balcony are occupied commercially and operate during the day and night at various times. The proposed rear extension will not result in an overbearing impact or result in overlooking or overshadowing of these units. To the east is an existing open carpark. Within the site and making up the southern boundary is the rear elevation of the townhouses (7a, b and c Queens Square) which have blank elevations with no window openings. Whilst the extension will take up the entire rear car park and will wrap around and abut the existing buildings it is not considered there will be any adverse or detrimental impacts arising from overlooking, loss of privacy or overshadowing from the proposed structure.

9.11 The application stipulates that the hours of opening will be from 09:00hrs - 23:00hrs Monday to Sunday. In terms of the practice and activities associated with the change of use the main factors which have potential to result in harm on the surrounding properties relates to the environmental impacts arising from odour, noise and light pollution.

#### Noise Considerations

9.12 A detailed noise assessment has been submitted in support of the planning application. The report examines the existing environmental noise conditions at the site and advises on suitable internal noise limits to ensure protection of nearby noise sensitive dwellings in accordance with measured background noise levels. The report concludes that the predicted noise levels due to internal ambient noise from the food hall is below the measured background noise level taking account of the proposed

façade, glazing and ventilation strategy. Within Section 7 of the report it proposes a number of mitigation measures including (on page 15) the specifications for the glazing areas and that no ventilation shall be applied to these windows, and that the proposed insulated panels should be fully installed. The Noise Assessment has been considered by the Council's Environmental Health Officer who has advised that subject to the mitigation measures being conditioned to be implemented prior to first use/occupation, then the proposed development would not have a negative impact upon surrounding residential properties.

#### Odour Impacts

9.13 The submitted plans identify the location for required extraction units and ducting to accommodate the ventilation and plant required for the kitchen/food hall. The Council's Environmental Health Officer has assessed the potential impacts upon nearby properties arising from odour in conjunction with the submitted Odour Assessment. The Odour Assessment has been carried out on the assumption of a worst case scenario and as such has identified that odour from the proposed development will need a high level of odour control. The report sets out in Sections 8 and 9 the minimum performance requirements and the recommendations for any wall mounted kitchen canopy, ductwork, fans, odour control and maintenance. Like with the impacts arising from Noise the Environmental Health Officer has advised that there are no objections to either the siting or location of the plant or the details and information submitted subject to the mitigation measures identified being conditioned to be implemented.

#### Lighting

9.14 Within the submitted plans details as to the internal lighting system has been submitted. The proposal includes drum style fittings which prevent upward light at first floor. The roof of the rear extension has been designed as to prevent overspill of light by limiting the amount of glazing. The Environmental Health Officer has verbally advised that the proposal is unlikely to result in any adverse impacts as a result of light pollution.

#### Air Quality

9.15 The application site lies close to the boundary (Chapel Street) of the Poulton Air Quality Management Area (AQMA). The applicant has submitted documentation to demonstrate that an Air Quality Assessment is not required in this instance due to the minimal change in vehicular movements from that which existed when the site was an operational police station. The Council's Environmental Health Officer is satisfied with the justification submitted by the applicant.

9.16 Subject to conditions requiring the proposed development to comply with the mitigation measures set out in both the Noise and Odour Assessments along with the opening hours being restricted to that set out in the application it is not anticipated that the proposed development would have any significant adverse or detrimental impacts upon the amenity of neighbouring properties and as such would comply with the provisions of Policy CDMP1 of the Wyre Local Plan.

#### Highway and Transport Impacts

9.17 The application site lies in a highly sustainable location within a pedestrianised area of the town centre where there is readily available access to public transport including the bus stops outside the Teanlowe Centre on Blackpool

Old Road to the west and the train station on Breck Road towards the north. Furthermore within walking distance there are a number of public car parks including the Teanlowe Car Park (306 Spaces), Hardhorn Road Car Park (117 Spaces) and the Bull Public House Car Park (42 spaces). Market Place currently has prohibited access (Traffic Regulation Order) and driving in place from Monday to Saturday with the only exception being for goods vehicles loading/unloading between the hours of 16:00 - 10:00hrs and disabled badge holders with written permission. Lancashire County Highways have reviewed the application and the supporting Transport Statement and have advised that there is no objections regarding the proposed change of use and are of the opinion that the proposed development will not have a significant impact upon highway safety, capacity or amenity in the immediate vicinity of the site.

9.18 In terms of deliveries LCC Highways requested further information as to how this would be managed as there was a concern that a mixed use of retail and food of various cuisines could potentially result in a large number of deliveries to and from the site within the pedestrian area. The applicant has set out in the submitted Transport Statement that deliveries will be made between the hours of 07:00 - 10:00 and between 16:00 - 21:00hrs to avoid noise impact to the surrounding properties. Furthermore one large delivery of good will be provided to serve each of the stalls within the food hall which will see stall holders pre order goods from the management company and negate the need for individual stall holders being required to make unnecessary deliveries and reducing conflict with pedestrians within Market Place. Lancashire County Highways have also advised that there is no objections to the seating area within the adopted highway to the front of the building or the projecting canopies however an advice note is required to bring to the attention of the applicant the requirement to apply for the necessary licences under the Highways Act 1980 prior to first use. Following the submission of the additional information and subject to conditions to control the hours of deliveries and a construction management plan, officers are satisfied that the proposed change of use would not result in any adverse impacts upon highway or pedestrian safety and would comply with Policy CDMP6 of the Wyre Local Plan.

#### Flood Risk and Drainage

9.19 The site lies within Flood Zone 1 - the lowest possible risk of flooding from fluvial sources (rivers and sea). There is already existing buildings on site and the carpark comprises of hardstanding, as such the total roof and hardstanding areas will remain unchanged from that existing. The application has been submitted with a drainage strategy which sets out the SUDS Drainage Hierarchy. It has been assessed that due to the nature of the geology of the site infiltration back into the ground is not feasible and there are no local watercourses into which a discharge of surface water could be made. The proposal sets out that surface water runoff will remain unchanged and will discharge into the existing combined sewer within Market Place. The Council's Drainage Engineer has raised no objections to the proposed drainage strategy. It is not considered that the proposed change of use or the rear extension will result or increase flood risk elsewhere within the near vicinity.

#### Ecology

9.20 The application has been supported by a bat roost assessment, which was undertaken in September 2019. The buildings were subject to a visual daytime inspection in October 2019 to search for bats, evidence of bats and to assess the potential of the buildings to support bats. No bats or evidence of bats was found in the building during the daytime inspection and they were assessed as having

negligible potential to support roosting bats. The urban nature of the location which has extensive street lighting is also considered to reduce the likelihood of bats being present. GMEU have advised that an informative should be attached so that the developer is aware of legal protection that certain species receive and that if any are found during the development then works should cease and an ecologist should be contacted.

#### Other Matters

9.21 Within the Design and Access Statement (Section 5) there are a number of illustrative visions of how Market Place may appear on market day, with street stalls and the proposed development having its front canopies open along with the proposed street furniture. For clarification this application is not proposing any external street stalls. The applicant has confirmed that the purpose of this illustration is to demonstrate how Market Place may look on a market day and how the proposal could contribute to the character of the area.

### **10.0 CONCLUSION**

10.1 The application site is located within the heart of Poulton Town Centre and therefore a location which can be supported for a mixed use comprising of a food hall, retail and drinking establishment. The proposed use complies with the requirements of Policies EP4, EP5 and EP6 of the Local Plan which seek to steer new development and uses to the main town centres. Whilst the rear extension covers the whole carpark area it is not considered to result in any adverse or detrimental impact upon nearby premises or residential uses. The mitigation measures proposed for odour and noise can be reasonably secured by appropriately worded conditions. The development is located within Poulton-le-Fylde Conservation Area however for the reasons set out within this report the proposal will enhance and preserve the significance of this designated heritage asset and will not result in any adverse impacts upon the setting of the nearby Listed Buildings/structures. In turn the proposal would comply with Policy CDMP5 of the Wyre Local Plan. It is considered that the proposed re use of the building will provide a valuable contribution to the local economy whilst not resulting in any adverse environmental or historical impacts. In conclusion it is considered that the proposal can be recommended for approval subject to the conditions listed below.

### **11.0 HUMAN RIGHTS ACT IMPLICATIONS**

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

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

### **12.0 RECOMMENDATION**

12.1 Grant planning permission subject to conditions.

#### **Recommendation: Permit**

#### **Conditions: -**

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 08/01/2020 including the following plans/documents:

- Location Plan 1970/Ex00 Rev C
- Proposed Site Plan 1970/PL02 Rev C
- Proposed Floor Plans - Ground 1970/PL02 Rev B
- Proposed Floor Plans - First 1970/PL03/ Rev B
- Proposed Elevations / Sections 1 of 2 1970/PL04 Rev B
- Proposed Elevations / Sections 2 of 2 1970/PL05 Rev B
- Proposed Lighting - Ground floor 019.127.E1 Rev PL1
- Proposed Lighting - First Floor 019.127.E2 Rev PL1
- Proposed Mechanical Services - Ground Floor 019.127.M1 Rev P2
- Proposed Mechanical Services - First Floor 019.127.M2 Rev P2
- Proposed Mechanical Services - Roof 019.127.M3 Rev P2

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. No development above ground level shall be commenced until details of the materials and external finishes to be used in the construction of the external surfaces of the building (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

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

4. 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

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).

5. There shall be no deliveries or collections of goods to or from the use hereby permitted outside the hours of 07:00 - 10:00hrs and 16:00 - 21:00hrs on Monday to Sundays.

Reason: In the interests of the amenity of occupiers of neighbouring and nearby residential properties in accordance with the provisions of Policy CDMP1 of the Wyre Local Plan (2011-2031).

6. The premises shall not be open to customers or members of the public outside the hours of 09:00 - 23:00 hrs Monday to Sunday.

Reason: In the interests of the amenity of occupiers of neighbouring and nearby residential properties in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

7. No development, site clearance/preparation, or demolition shall commence until the applicant or their agent or successors in title has secured the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation, which shall be submitted to, and approved in writing by, the local planning authority. These works shall be undertaken by an appropriately qualified and experienced professional archaeological contractor and comply with the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA). The development shall be carried out in accordance with the agreed details.

The programme of work should include:

- a) An archaeological building recording of the former police station buildings

b) An archaeological watching brief on any engineering evaluation test pits excavated on the site

c) An appropriate archaeological response to the site based on the results of b) and the overall significance of the site in terms of its location within the medieval core of Poulton-le-Fylde

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site in accordance with Policy CDMP5 of the Wyre Local Plan (2011-31) and section 16 of the NPPF.

8. Prior to first use / first occupation of the development hereby approved, the noise mitigation measures set out in the supporting Noise Assessment (Red Acoustics R1189-REP01-JR - Section 7) submitted with the application shall be implemented. 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).

9. Prior to first use / first occupation of the development hereby approved, the odour mitigation measures set out in the supporting Odour Assessment (Miller Goodall report number 102234 - Section 8 and 9) submitted with the application shall be implemented. The approved odour 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 odour in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

10. A watching brief shall be undertaken during the course of the development works. The watching brief shall be undertaken by a suitably qualified person, with any significant contamination discovered reported immediately to the Local Planning Authority. 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).

11. No development shall take place until proposals for the recommended site investigation or pre-emptive remediation as set out in the 'Desk Study with Walkover Survey at Former Police Station, Market Place, Poulton-Le-Fylde November 2019' have been submitted to and approved in writing by the local planning authority. Should any unacceptable risks be found, details of a remedial scheme and verification plan shall be submitted to and approved in writing by the local planning authority. The remedial scheme shall be implemented as approved before development begins. If, during the course of development, any contamination is found which has not previously been identified, additional measures to address it shall be submitted to and approved in writing by the local planning authority and the additional measures shall be carried out as approved.

Reason: The development is for a sensitive end use and insufficient information has been submitted with the application as to the potential contamination risks of the site. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

12. Notwithstanding the details indicated on the approved plans and supporting documents, the following details shall be submitted to, and approved in writing by, the Local Planning Authority prior to their installation / presentation to the highway:

- Full details including external finishes of the proposed canopies/awnings and housing boxes (including details of fixtures and fittings); and
- Full details including external finishes of street furniture including tables, chairs and any partition screens

The development shall be carried out in accordance with the approved details. Only the approved details shall be subsequently used in the event of any repair or replacement.

Reason: In the interest of visual amenity of the area, and the appearance and character of the building in accordance with Policies CDMP3 and CDMP5 of the Wyre Local Plan (2011-31).

13. The premises shall be used for the purposes identified on the approved floor plans (Drawing Numbers 1970/PL02 Rev B & 1970/PL03 Rev B), namely for A3 café and restaurant use as well as A1 retail use in the ground floor retail unit indicated at the front of the food hall and D1 leisure and assembly use in the ground floor police cell being retained as a leisure attraction, and for no other purpose.

Reason: To ensure that the mix of uses makes a positive contribution to the vitality and viability of the Primary Shopping Area of Poulton-le-Fylde town centre and in the interests of neighbouring residential amenity in accordance with Policies EP6 and CDMP1 of the Wyre Local Plan (2011-2031)

**Notes: -**

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

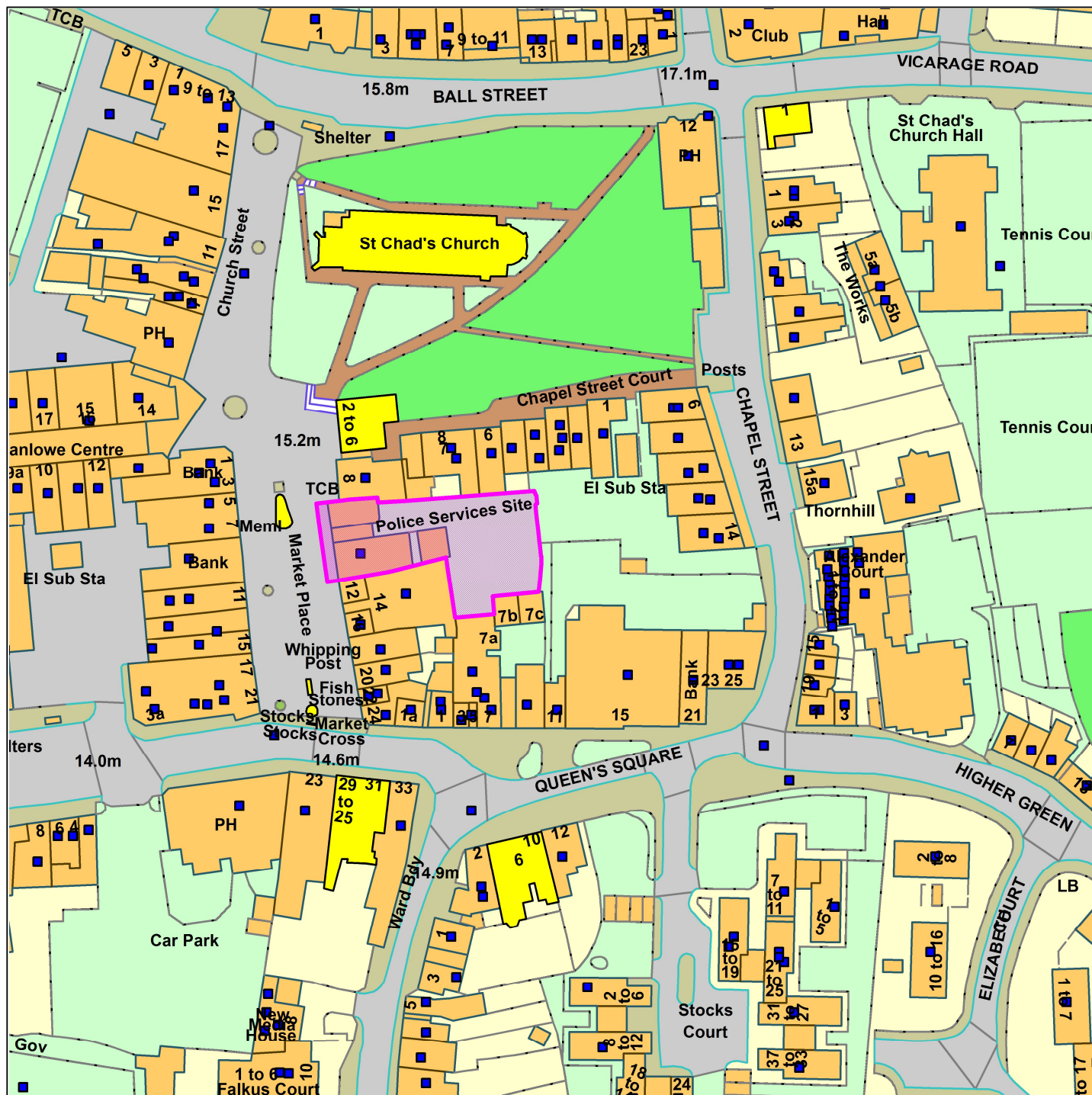
2. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the expressed approval of the County Highway Authority. The applicant is requested to apply for a s178 licence, and any other license which may be deemed necessary by the local highway authority, before the seating area and awning is fitted and first used. The applicant is requested to email [highways@lancashire.gov.uk](mailto:highways@lancashire.gov.uk).

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



# Planning Committee

19/01306/FUL - Former Police Station Market Place Poulton



Scale : 1:1144

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

<b>Organisation</b>	Wyre Council
<b>Department</b>	Planning Department
<b>Comments</b>	Item 1
<b>Date</b>	19 February 2020
<b>SLA Number</b>	100018720

This page is intentionally left blank