

Agenda

DEVELOPMENT MANAGEMENT COMMITTEE

Date:	Wednesday, 11 January 2017 at 10:00am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Christine Akeroyd, Jan Barker, Michael Cornah, Neil Harvey, Kiran Mulholland, Barbara Nash, Linda Nulty, Liz Oades, Albert Pounder, Heather Speak.</p>

Public Speaking at the Development Management Committee

Members of the public may register to speak on individual planning applications, listed on the schedule at item 4, at [Public Speaking at Council Meetings](#).

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meetings held on 30 th November, 1 st December and 7 th December 2016 as correct records.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 25.	1
	DECISION ITEMS:	
4	Development Management Matters	3-229
	INFORMATION ITEMS:	
5	List of Appeals Decided	230-245

Item Number: 10

Committee Date: 11 January 2017

Application Reference:	16/0903	Type of Application:	Outline Planning Permission
Applicant:	Rushcliffe Properties Ltd (in liquidation)	Agent :	Emery Planning Partnership Ltd
Location:	VALENTINES KENNELS, WILDINGS LANE, LYTHAM ST ANNES, FY8 3RJ		
Proposal:	RESUBMISSION OF APPLICATION 14/0580 FOR OUTLINE APPLICATION FOR ERECTION OF UP TO 53 NO. DWELLINGS (ACCESS APPLIED FOR WITH OTHER MATTERS RESERVED)		
Parish:	HEYHOUSES	Area Team:	Area Team 2
Weeks on Hand:	9	Case Officer:	Kieran Birch
Reason for Delay:	Not applicable		

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7608575,-3.0026249,505m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Delegated to Approve

Summary of Officer Recommendation

This application is for outline planning permission for the erection of 53 residential units on a 1.7 hectare site located on the east sides of Wildings Lane, St Annes on land allocated as Countryside in the Fylde Borough Local Plan. The site is directly adjacent to and would be surrounded by development to the north, south and west approved by the Queensway outline application 08/0058 for which the Reserved Matters application 15/0400 is currently being considered by the Council. The application is a re-submission of application 14/0580 which has been previously considered members and was refused and is now subject to an appeal albeit the council has resolved to revise its position on the appeal in the light of legal advice.

The residential development of Countryside land in contrary to Policy SP2 of the Fylde Borough Local Plan. However, a key material consideration in the determination of residential planning applications is the need for the council to deliver a supply of housing land equivalent to 5 years of its agreed annual target. The council's latest published information is that it is unable to deliver the necessary housing supply and so, in accordance with the National Planning Policy Framework (NPPF), a proposal that delivers sustainable development must be supported unless it will cause significant and demonstrable harm. The site is also proposed to be included as part of an extended St Annes settlement boundary in the neighbourhood plan by the Planning Inspectorate.

Having assessed the relevant considerations that are raised by this proposal it is officer opinion that the development is of acceptable scale and is in an acceptable location to form sustainable development. The visual impact is also considered to be acceptable and the development would not have a detrimental impact on the amenities of the area to an extent that would justify refusal of planning permission. The status of the site as a Biological

Heritage site has been considered and the evidence submitted shows the development would not impact upon the reasons why the site was allocated as such. The highways impact of the development and the closing up of Wildings Lane in the future could be controlled by condition and legal agreement, and the scheme will make a necessary contribution to the M55 Heyhouses Link Road. There are no objections from LCC Highways with regard to traffic generation or safety. As such it is considered that the proposal delivers a sustainable form of development and it is recommended that the application be supported by Committee and so assist in delivering the housing supply requirements of para 17 of NPPF..

Reason for Reporting to Committee

The application site is a 1.7 hectare site located on the eastern side of Wildings Lane in St Anne's. The site is located in the open countryside in the adopted Local Plan but is located within 160m of the settlement boundary. The land to the north, south and west of the application site has outline planning permission for 1150 dwellings through outline planning permission 08/0058, this is also currently subject to a reserved matters application 15/0400 for the erection of 927 dwellings on the majority of the site covered by the outline planning permission. The application site as existing is a designated Biological Heritage site and has previously been part developed and used as commercial kennels. The application states it is categorised as previously developed land because of the kennels however this would only apply to part of the site. The landscape surrounding the site is typical of the area and comprises low lying, poorly drained, level, grazing land, with ditches and wind sculpted woodland. The site itself is flat and has an average level of 4.5 – 5.0m AOD. Residential properties along Wildings Lane are located to the south and west of the application site.

Site Description and Location

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Details of Proposal

The application as submitted is an outline application for up to 53 dwellings on land to the east of Wildings Lane in St Anne's. The application has been accompanied with an indicative site plan, Environmental Statement (ES) and Transport Assessment all (TA) of which are important documents when considering this application with regard to its location as described in the preceding section. The dwellings on the indicative plan are shown spaced around the site with an area of Public Open Space (POS) shown on the southern edge of the site. The proposal indicates that 30% of the 53 dwellings would be provided as affordable housing units.

Access is a detailed matter for this application. There are two basic access scenarios:

wintering birds. Natural England in their initial response to the previous application confirmed that the species that may experience an adverse effect from the proposals are pink-footed geese, whooper swans and Bewicks swan, subsequently an updated study for these three birds was included in the HRA report which was submitted as a standalone document following correspondence from Natural England which included requests that further details was required in relation to the impacts associated with the SPA, specifically the effects of pink-footed geese, clarity about the three mitigation options, recreational pressures outside of the proposal both alone and in-combination and that the standalone HRA was produced. Subsequently the applicant submitted a shadow Habitats Regulation Assessment (HRA) with that information which finds that there is no likely significant impact on the European site and therefore an Appropriate Assessment is not required. The submitted Environmental Statement paragraph 7.143 outlines three options for mitigation associated with construction, which were clarified in the HRA document. Option 1 is to undertake works likely to cause high levels of noise and vibrations outside of the overwintering period (October to March). Option 2 is to check that no overwintering birds are present prior to undertaking works and Option 3 is to delay development of the site until the implementation of the Queensway/M55 Link Road and/or Nature Park have commenced. Natural England then commented on the options submitted and recommend options 1 or 3 be utilised as they consider option 2 to be unviable, as although the option states that weekly checks will be undertaken for the presence of SPA birds, once the check has been completed and works commenced, any bird wanting to use fields within 200m of the development will be subject to disturbance. Option 1, they state, will not result in the significant disturbance or displacement of SPA birds and no likely significant effect can be concluded and Option 3, they agree, will not result in the significant disturbance or displacement of SPA birds and no likely significant effect can be concluded. It has been found that there would be no likely significant effect and this has been accepted by Natural England (if option 1 or 3 is used). Accordingly, the findings of the shadow HRA would be adopted as the Council's own subject to the removal of reference of the Ecology Chapter the ES within it. The same HRA was submitted with the revised application however NE have stated that the HRA is 2 years old and whilst no further surveys are necessary the HRA must be up to date, they have also suggested with regard to the three options that another option to consider with the options above would be the use of acoustic screening during construction works close the BHS and that clarification is needed on which option will be used. They state that the implementation of the proposed recreational disturbance mitigation measures outlined in Section 7 (page 11) should also be secured. The HRA submitted has been revised accordingly and the mitigation can be subject to condition. NE's views have been sought but at the time of writing had not been received and will therefore be supplied via an update sheet.

Biological Heritage Site

A Biological Heritage Site (BHS) is a term which identifies that an area has biodiversity interest. In the case of Lytham Moss as discussed above this is because of wintering birds. In the case of the application site it is because of the presence of nesting tree sparrows. The Habitat Regulations only apply to sites which support the qualifying features of the European Site and therefore the sparrow designation is not related to the European site and does not need to be considered as part of the HRA and thus Natural England have not made any comments with regard to this element of biodiversity. The BHS designation was for tree sparrows and that designation was based upon artificially maintained populations (i.e. a nest box scheme which has not been maintained). This has resulted in the tree sparrows no longer maintaining a population in the boxes and, therefore, whilst the BHS designation remains extant the purpose of its designation is no longer applicable. There are no records of tree sparrows breeding within the site since 2006. The application includes details of a Tree Sparrow Survey which was undertaken over the course of four visits, with the nest holes located and observed each day. No sparrows were recorded and none were recorded during similar