

Development Management Committee Schedule 11 January 2017

Item Number: 1

Committee Date: 11 January 2017

Application Reference:	15/0114	Type of Application:	Outline Planning Permission
Applicant:	Lancashire County Council	Agent :	Eric Wright Group
Location:	LAND ON THE NORTH & SOUTH SIDE OF OLD HOUSE LANE, WESTBY WITH PLUMPTONS		
Proposal:	OUTLINE APPLICATION FOR MIXED USE DEVELOPMENT OF UP TO 265 DWELLINGS AND 1.5 HECTARES OF EMPLOYMENT DEVELOPMENT (CLASS B1A/B1B/B1C/B2/B8) WITH ACCESS FROM WESTBY CLOSE AND WITH EMERGENCY ACCESS FROM OLD HOUSE LANE AND BOARDMANS WAY AS REQUIRED. ALL MATTERS OTHER THAN ACCESS TO BE RESERVED		
Parish:	WARTON AND WESTBY	Area Team:	Area Team 1
Weeks on Hand:	99	Case Officer:	Kieran Birch
Reason for Delay:	Negotiations to resolve difficulties		

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

<https://www.google.co.uk/maps/@53.7889628,-2.9968454,1009m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Delegated to Approve

Summary of Officer Recommendation

The proposal is an outline application for up to 265 dwellings and 1.5 hectares of employment development on a 14 hectare site located adjacent to the existing Whitehills estate. The site is currently allocated as Countryside in the Fylde Borough Local Plan, but is allocated for mixed use development in the emerging Fylde Local Plan to 2032 as part of the Blackpool Periphery Strategic Location for Development.

The 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 a proposal that delivers sustainable development must be supported unless it will cause significant and demonstrable harm. Furthermore the emerging Local Plan allocation is a significant material consideration in favour of the principle of development.

Having assessed the relevant considerations that are raised by this proposal it is officer opinion that the development is acceptable in principle but drainage issues need to be overcome. However the size of the site for residential development is acceptable 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. There are no objections from LCC Highways with regard to traffic generation or safety issued although conditions and a legal agreement will be necessary to implement the development appropriately.

It is considered that the proposal does deliver a sustainable form of development and so it is recommended that the application be supported by Committee and so assist in delivering the housing supply requirements of para 17 of NPPF and the employment needs of the Borough.

Reason for Reporting to Committee

The application is a major development and therefore as officers are minded to approve the application it has to be considered by the Development Management Committee in line with the Council's scheme of delegation.

Site Description and Location

The application site is 14 hectares and is owned by Lancashire County Council and was formerly formed part of the County's Agricultural Estate. There are 4 'islands' (which fall outside of the red edge) within the Estate which accommodates 6 private dwellings. There are a further 4 dwellings within the application site. Three of these houses are vacant and the final dwelling is occupied on an Agricultural Holdings Act (AHA) Tenancy. Other than a small number of farm buildings the remainder of the site is greenfield land that has not been previously developed. There is a public footpath number 4 (5-15-FP4) that runs through the middle of the site. The land to the north is characterised by large scale office development as part of the Whitehills Business Park and to the east and south east are small employment units. To the west of the application site is a caravan park and residential development.

Details of Proposal

The application is made in outline and was originally submitted for 200 dwellings and 5.6 ha of employment land. This has been revised to 265 dwellings and 1.5 hectares of employment land. All matters other than access are reserved for future approval.

Access to the site will be taken from Westby Close which is located off Brooklands Way, via Hallam Way which is the main road that runs through the Whitehills Estate. The illustrative plan does not show the siting of dwellings but areas within which they will be located, as well as areas of landscaping buffers, a linear park and the employment land located to the south of the access road adjacent to existing employment buildings.

The application states that the dwellings will be a mix of housing and buildings sizes with 2, 3 and 4 bedroom dwellings designed as detached, semi-detached and mews type dwellings, of which 30% will be affordable dwellings. Whilst scale isn't a detailed matter the application states the vast majority of dwellings will be two storey, with some 3 storey dwellings sited at focal locations. It states that red brick will be used for the dwellings with occasional use of render and tile hanging. Existing hedgerows are proposed to be retained and enhanced.

Relevant Planning History

None.

Relevant Planning Appeals History

None

Parish/Town Council Observations

Westby with Plumpton Parish Council notified on 26 February 2015 and comment:

“Objection on the following;

Potential loss of good fishing pond.

Pond off Old House lane is not site on the plan.

Object to inadequate access from Old House lane.

Where is the effluent and surface water to be disposed?”

Statutory Consultees and Observations of Other Interested Parties

Environment Agency

The EA initially objected to the application as the FRA did not include enough information around the discharge of surface water. The applicants are required to submit a FRA which demonstrates that development will not increase flood risk elsewhere. This has yet to be received.

Lancashire County Council - Highway Authority

LCC Highways response is 19 pages long and the below is a summary of their response. The full response is available to view on the Councils website.

LCC have carried out a re-assessment of the impact of the proposed changes (i.e. the increase in dwellings from 200 to 265, but a subsequent reduction in employment land use dropping from 11,000sqm previously to an estimated 4,500sqm (30% of the 1.5 Hectare site).

The latest application proposals (Masterplan Option 4) for 265 dwellings and 1.5 Hectares of Employment Land accessed off Westby Close have been reviewed to assess the overall impact of the proposed changes on the assessment traffic figures. Net change Am -26 Pm -6 It can be seen that the net (2-way) effect of the revised proposals makes very limited material difference to the overall trip generation of the development.

Access strategy

The original application considered access from Boardmans Way. Having reviewed the current use of the road network in the vicinity of that proposed main access to the site, LCC considered this would lead to unacceptable routing and safety issues for traffic between the existing employment and proposed residential land uses. The original access proposal via Boardmans Way was therefore considered unsuitable to serve this large residential development and the developer has agreed to a new access strategy.

Having reviewed the existing road layout and traffic/parking situation, LCC Highways consider that Westby Close presents a much more satisfactory access to the development site. Currently there is one access off Westby Close serving office type land use rather than the more industrial uses. There is no other frontage onto Westby Close and on street parking is at present significantly less problematic than on the approach to

the previously proposed Boardmans Way site access.

The main site access is to be provided from a new roundabout. This is to be a standard roundabout and the illustrative masterplan layout (Option 4) shows the approximate location which is agreed 'in principle' subject to detailed design.

The site access junction scheme should also include gateway treatment and traffic calming measures as necessary to residential areas. The latest proposal will deliver access from Westby Close to serve both the residential and employment elements of the proposed site. The employment land use will access from the south arm of a new standard roundabout at the eastern edge of the proposed site, with the access for the residential elements to the north and west arms of the proposed roundabout. The residential elements will now be separated from the existing employment uses to the south by an area of green space, creating a suitable buffer zone. Provision for pedestrian and cycle provision will be provided to and through the new access roundabout from both the employment and residential areas. A high quality pedestrian/cycle route will be provided through the green space buffer zone in the south of the site and continue north through the linear park, as shown in the Masterplan (Option 4). This shared pedestrian/cycle route should be 3.5m wide and run to the northwest (red edge) boundary of the site, with access for sustainable modes only onto Old Houses Lane (as indicated by the orange arrow on the masterplan). For completeness the Master plan should have indicated the yellow dotted line denoting this pedestrian/cycle route up to the northwest corner.

Secondary Access from the West via Cropper Road (Wainhomes Site) – Proposed for Public Transport Only

Fylde Borough Council Planning Committee passed a resolution to approve the Wainhomes residential development located to the west of this current proposed site in October 2015. The Wainhomes development included a proposal to deliver an access road right up to the eastern edge of their site to facilitate access, in particular Public transport, to this proposed site and the wider Whitehills Business Park.

The developer of this site agreed to utilise the access opportunity delivered from the Wainhomes site and to provide a suitable connection that would support the potential for PT routing into and through the site. LCC would wish to see the link road continued into the proposed site with the same standard/highway boundary extents that should include footway provision on both sides etc. This additional access opportunity for public transport is welcomed by the LHA and it is considered would, in combination with an agreed main access strategy via Westby Close, address many of the vehicular access issues identified with the original submission.

Old houses lane - Old Houses lane is a narrow, private road (Cul-de-sac of some 615m in length) serving less than 10 premises. There is no footway provision on the lane. This application does not propose vehicular access to the site via Old Houses Lane. LCC Highways have carried out preliminary site observations and measurements on Old Houses Lane that indicate this private road does not appear to be suitable in its current form to accommodate increased traffic movements (without improvements that would require land not in the control of the applicant) or a PT service (with an access that could be suitably controlled/managed).

PROW - The proposed application impacts on Public Right of Way (PROW), Footpath No.

4. The latest illustrative site Masterplan layout (Option 4) does indicate a diversion of the PROW may be necessary to accommodate the site proposals. Any cost associated with changes to Public Rights of Way as a result of this development will need to be borne by the developer, whether physical measures or the legal procedures.

Public Transport - This shows that the site is not as well served by the frequency and distribution of bus services as listed within the TA. I consider this development will deliver a car dependent site unless improvements are delivered. It is essential that funding is secured to provide a long term, viable public transport service into and through Whitehills Business Park (BP) to serve this development. Any new bus service(s) to be provided within Whitehills BP will need 'pump prime' funding to ensure delivery. Any Public Transport proposals should seek to provide a frequent service throughout the day and also consider evenings and weekends to a range of destinations. In order to secure the long term sustainability of the site any service provided needs to be viable once any initial funding period has past. It is essential that a level of flexibility is maintained with regard to route choice for any public transport options identified. The proposals should not compromise the opportunity to introduce positive changes to the provision of public transport services in the future with regard to improved accessibility or maximising patronage. Funding should also be made available at an early stage in the site development to ensure the use of PT is encouraged and promoted from the outset.

M55 to Heyhouses link road - The M55 to Heyhouses Link Road is a proposed highway scheme, referenced within the Local Plan and LCC's Highways and Transport Masterplan, to support delivery of currently approved and future developments. LCC has sought, where appropriate, to secure funding to deliver this scheme and its linkages to the wider network. The developer of this site has agreed to provide a contribution to the M55 Heyhouses Link Road through a commitment to support the delivery of the link road by providing the land necessary to deliver the site compound. This will be made available for the duration of the link road construction programme and not prejudice the timing of the link road delivery.

Section 106 requirements

Improvement to Cropper Road/Whitehill Road/School Road Roundabout.

Trigger point - occupation of 75th residential dwelling

Planning Contribution Request => £20,000

Improvement to the A583/Whitehill Road Traffic Signals

Trigger point - occupation of 50th residential dwelling

Planning Contribution Request => £50,000

Pedestrian and Cycle Improvements to enhance connectivity to the wider network

Trigger point - occupation of 100th residential dwelling

Planning Contribution Request => £120,000

S106 - Public Transport

Trigger point – 1st payment of £120,000 on occupation of 50th residential dwelling (then second payment of £120,000 after a further 12 months)

Funding contribution => £240,000

S106 - Travel Plan (TP)

Trigger point – 1st occupation on site

Funding contribution £18,000

S278 Works;

The main site access is to be provided from a new roundabout. The main site access is to be a standard roundabout, the illustrative masterplan layout (Option 4) shows the approximate location which is agreed 'in principle' subject to detailed design.

The site access scheme should also include gateway treatment/traffic calming measures to residential areas.

Trigger point - Prior to 1st occupation on site

2) Jenny Lane Footpath Improvement Scheme

Provision of a 2m wide pedestrian footway on Jenny Lane for 160m (southeast side) from south of Old Houses Lane to tie in to existing footpath at Brunel Way roundabout (to include dropped kerbs over Old Houses Lane and other side road access points). This s278 scheme to include clearance of the overgrown vegetation to the existing footway at the junction of Old Houses Lane with Jenny Lane and a traffic management scheme /signing/markings scheme to reinforce the nature and limited access to Old Houses Lane.

Trigger point - occupation of 75th residential dwelling

Conclusion and Recommendation

This development will have an impact on the local transport network. The highway authority is fully aware of the prevailing conditions local to this development and at pinch points on the surrounding network experienced by motorists. LCC have worked with the applicant to identify an acceptable access strategy and necessary mitigation measures that can be considered go some way to mitigate the impacts from this development. I consider these measures in parallel with an agreed access strategy would make the development acceptable in regards to highways and transport (capacity, sustainability and accessibility). The developer has committed to a strategy of highway improvements and mitigation measures and these are set out under the headings 'S278 Works' and 'Planning Obligations (s106 Planning Contributions)'. It is LCC's view that, overall, with delivery of the requested necessary measures, the residual cumulative impacts of the development would not be severe or compromise overall safety.

In conclusion, with consideration for all the information now provided, LCC Highways Development Control would have no objection to the proposed development providing that appropriate funding (s106) for sustainable measures is secured and that all s278 measures as agreed and detailed above are delivered by the developer in line with agreed trigger points. These measures are considered necessary, directly related and reasonable in both scale and kind. It is essential that suitable conditions are put in place to ensure these necessary measures are delivered by the developer in line with required trigger points.

National Air Traffic Services

Satisfied that the outline proposal is unlikely to impact on communications and radar installation in St Annes. The potential for impact exists for development, so require a condition restricting to this height and that NATs be consulted if development is proposed that exceeds this height.

Regeneration Team (Economic Development)

In making these comments I have primarily concentrated on the evidence and

information presented in relation to the provision of employment land to Fylde commercial property market and the impact upon the wider economy of Fylde. I have made limited comments on matters relating to 'planning policy' leaving these instead to be dealt with by better informed and more experienced colleagues.

I note from the application details that the plans have been recently revised and my comments relate to 'Proposed Illustrative Structure Plan – Option 4 – Rev A'. The general changes made in my view are to considerably increase the overall amount of land provided for housing and to significantly reduce the overall amount of land provided for employment uses. I also note that in the revised plans, land to the north that is still within the red line of the site, does not appear to have any further development proposals shown, I have estimated this area to be 1.99 Ha. I have assumed that this area has now been removed from the planning application.

In reaching my conclusions on the proposed development I have given limited weight to the policies contained within the current Local Plan, Fylde Borough Local Plan 1996-2006, Alterations Review (2005), and have instead given significant weight to both the policies and in particular the evidence base of the proposed Local Plan, Fylde Local Plan to 2032 Publication Version (2016).

The application site falls entirely within an area of land covered for by Policy EC1 and in particular is referred to as site MUS1 in the Fylde Local Plan to 2032 Publication Version (2016). MUS1 provides a gross land allocation of 5.7 Ha of employment land for the plan period to 2032 and as such I have judged this application against this policy and objective.

The total site area referred to as MUS1 also contains land, approximately 5 Ha, which has been the subject of a planning approval; 15/0472. This decision provided for approximately 0.48 Ha of employment land and as such the previous objective of 5.7 Ha could be reduced to 5.22 Ha. The revised plans make provision for a further 1.52 Ha of employment land and thus the objective could again be reduced further to 3.7 Ha. However this would leave only approximately 1.99 Ha of land within the area covered by MUS1 not subject to a previous consent or this application and would accordingly leave the overall objective of 5.7 Ha of employment land unmet. Accordingly the objective would be somewhere between 3.7 Ha and 1.71 Ha undersupplied; an undersupply of somewhere between 30% and 43% of the original target.

All of the above may be acceptable when balancing other material considerations, however given the focus of my comments is limited to the provision of employment land and more generally what is of benefit to the wider Fylde economy I cannot support the proposed revisions. I may be moved from this position by detailed evidence as to how the level of employment land provision under MUS1 could not be delivered in a viable way over the plan period, however at this moment in time I am unaware of any such evidence.

Conclusions

On balance I feel that the refusal of this application would be the most advantageous economic outcome for Fylde. In reaching this conclusion I relied heavily on the findings of the Council's Employment Land and Premises Study (FELPS), Fylde Borough Local Plan 1996-2006, Alterations Review (2005) and the Fylde Local Plan to 2032 Publication Version (2016). I also feel that to refuse consent would be in-line with the objectives of the NPPF, the denial of this land to the industrial market would have an overall adverse

economic impact and I feel that there is a reasonable prospect of the land being used for industrial purposes during the 'plan period' to 2032.

United Utilities - Water

No objections provided that a condition relating to a scheme for the submission of foul and surface water being submitted and approved in writing.

Electricity North West

It could have an impact on infrastructure. There is a 132kV overhead line within the proposed development site. There is an overhead low voltage mains/service cable within the site. Applicants are advised they will have to pay for any diversion.

Lancashire CC Flood Risk Management Team

Objects to the proposal as The FRA submitted with this application does not comply with the requirements set out in paragraph 30 of the Planning Practice Guidance, and therefore paragraph 103 of the NPPF cannot be satisfied. The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted FRA:

- Is out of date with regards to the revised planning application. The FRA has not been updated to take account of the proposed increase in property numbers at the site.
- Estimates the existing 100 year greenfield surface water run-off rate using the loH124 method for a 50ha site but does not give details of the rate for the 14.3ha site being brought forward. In addition the FRA does not consider climate change.
- Does not consider the runoff created from the proposed development and therefore the level of attenuation that would be required to achieve a greenfield run-off rate.
- Does not consider the risk of groundwater flooding as this is stated as not being an issue, however the northern part of the site is at high risk from groundwater flooding and the southern half of the site is at medium risk.
-

Lancashire County Archaeology Service

No objections, no significant archaeological implications.

Greater Manchester Ecology Unit

Thank you for consulting the Ecology Unit on the above application. I have the following comments relating to Ecology.

Ecological survey effort

I would regard the ecological surveys submitted in relation to the application as satisfactory and sufficiently up-to-date. No further surveys need to be undertaken prior to deciding the application.

Impact on the Ribble and Alt Estuaries European protected site

Although the application site is within 5km of the Ribble and Alt Estuary SPA it is separated from the SPA by significant established built development. It is also close to roads and human habitation, such that I would not consider that the site will support any of the bird species for which the SPA has been designated in any significant numbers. The proposed development will not therefore cause any harm to the special interest of the SPA.

Impact on Locally Designated Sites

The application site is not designated for its nature conservation value at a local level and is not particularly close to any locally designated sites.

Impact on Protected and Priority Species

I would accept that the site is unlikely to support great crested newts and that the buildings on the site have only low potential to support roosting bats. Reptile surveys have not detected the presence of any reptiles on the site. Although water voles have in the past been recorded on an adjacent site I would not consider that this application site is of high value for water voles.

The site does however have some value for bat foraging, although providing the site incorporates some Landscaping and greenspace the loss of bat habitat ought not to be significant for local bat populations.

Impact on Habitats

Whilst I would accept that the site does not support habitats of high nature conservation value it does support some habitats of local value including a pond, hedgerows, broadleaved trees and open grassland. I would recommend that the pond, the hedgerow and the trees be retained if at all possible, or if lost the losses should be compensated by recreating habitats as part of a holistic and comprehensive Landscape Creation and Management Plan for the site. This Plan should be required as part of any Reserved Matters Application that may result.

Retained trees and hedgerows should be suitably protected from harm during the course of any approved development.

Impact on Nesting Birds

As the works involve the clearance of vegetation that may be used by nesting birds, I would recommend that the following condition (BS 42020:2013) be attached to any permission:

No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

All nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended)

Blackpool Borough Council

No comments received.

Chief Education Officer

Has made an assessment on the basis of all the dwellings being four bedrooms. When this was for 200 dwellings this yielded a requirement for 76 primary school places and a contribution of £914,251 and 30 secondary school places and a contribution of £543,791. This needs to be re-assessed for the increase in dwellings to 265 and has been requested of LCC Education but at the time of writing has not been received.

Neighbour Observations

Neighbours notified:	26 February 2015
Amended plans notified:	14 September 2016
Press Notice Date:	12 March 2015
Number of Responses	3 to original plan 3 to revised plans
Summary of Comments	

Original plans comments

Three letters of objections

- Contrary to policy SP2.
- Indicative layout detrimental to amenity.
- Emergency access on Old House Lane is a concern as not adopted and not suitable for heavy traffic.
- Increase in noise and vibration.
- Increase in traffic flow.
- Inappropriate access from Boardman's Way – parking on streets.
- No local bus service in area.
- Impact on wildlife.

Revised plans comments

Two letters of objection one of support

- Emergency access to Old House Lane is not suitable and is concern it will be used as a short cut and used for parking.
- No houses on plans so don't know if I am going to be overlooking or if they will be in character.
- Drainage and flooding issues.
- Object to change from greenbelt land.
- No details of how emergency access will be controlled.
- Change to character of old house lane.
- The revised plan is much better particularly if the road running from Blackpool and Fylde Industrial Estate/Peel Centre can be connected up to Whitehills at the top of Brooklands Way at some stage
- The plots off Brooklands Way and Westby Close are more trade/retail driven, particularly now the convenience store is up and running and following the completion of the sale of the site adjacent to B&Q to Wren Kitchens. It makes sense to access residential from this side rather than driving through office and industrial units and also allows for a more reasonable landscape buffer splitting the two areas. The previous plan had gardens backing directly on to commercial units which was a bit odd.
- The proposed employment parcel squares off the business park nicely with potential to link through from Plumpton Close.

Relevant Planning Policy

Fylde Borough Local Plan:

EP11

Building design & landscape character

EP14	Landscaping of new developments
EP19	Protected species
EP22	Protection of agricultural land
EP23	Pollution of surface water
EP24	Pollution of ground water
EP25	Development and waste water
HL02	Development control criteria for new housing proposals
SPO2	Development in countryside areas
TREC17	Public Open Space within New Housing Developments

Fylde Local Plan to 2032:

NP1	Presumption in favour of Sustainable Development
M1	Master planning the Strategic Locations for Development
SL2	Fylde-Blackpool Periphery Strategic Location for Devt
GD1	Settlement Boundaries
GD6	Promoting Mixed Use Development
GD7	Achieving Good Design in Development
EC1	Overall Provision of Empt Land and Existing Sites
H1	Housing Delivery and the Allocation of Housing Land
H2	Density and Mix of New Residential Development
H4	Affordable Housing
INF1	Service Accessibility and Infrastructure
INF2	Developer Contributions
ENV4	Provision of New Open Space

Other Relevant Policy:

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance

Site Constraints

Within countryside area
Article 4 direction

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The main issues that need to be considering this proposal are;

Principle of the development/Impact on character of the area
Residential amenity
Highways
Flood risk and drainage
Ecology
Public open space
Education

Principle of the development

Policy background

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that: 'if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The first test, and the statutory starting point, is whether the application is 'in accordance with the plan'. This has been reinforced by the National Planning Policy Framework (NPPF) which refers, at paragraph 14, to the need for applications that accord with the development plan to be approved without delay.

The statutory development plan in this case comprises the saved policies of the Fylde Borough Local Plan (2005). In addition the National Planning Policy Framework is a key material consideration. In accordance with the NPPF 'due weight' should be given to the relevant saved policies within the Local Plan and the weight given to these policies depending upon the degree of consistency with the NPPF. The starting point for determining this applications therefore remains the saved polices of the Local Plan. If there is a conflict between these saved policies and the NPPF, the NPPF takes precedence, however it should be read as a whole and in context. In accordance with paragraph 215 of the National Planning Policy Framework (NPPF) 'due weight' should be given to the relevant saved policies in the FBLP, the weight given dependent on the degree of consistency with the NPPF.

The saved policies of the now dated FBLP will be replaced by the emerging Fylde Local Plan to 2032 which has recently been submitted to the Planning Inspectorate, and so has some weight. Policy SL2 designates this site as part of the Blackpool Periphery strategic location for development as a mixed use site, with the site proposed to include residential and employment land. Although this policy does not have full weight in the decision making process, policies in the emerging Local Plan are a material consideration.

The starting point in determining planning application remains the saved policies of the Local Plan. If there is a conflict between these policies and the NPPF then the NPPF should take precedence but be read as a whole and in context. The NPPF is a material consideration in planning decisions and should be given considerable weight. Thus, the statutory starting point is the development plan and development that accords with an up-to-date Local Plan should be permitted, unless material considerations indicate otherwise. The NPPF seeks sustainable development. Paragraphs 7 and 8 of the NPPF explain that there are three dimensions to sustainable development - economic, social and environmental - which are mutually dependant, so that gains in each should be sought jointly and simultaneously.

Need for residential development

Under the Fylde Borough Local Plan the whole of this application site is outside of any settlement boundary in Fylde and is land allocated as open countryside under Policy SP2. This Policy restricts the majority of development to preserve its rural character, with the exceptions generally limited to agricultural or other such uses. New residential development, retail and commercial development as proposed is clearly contrary to this Policy and so it is important to assess whether there are any material considerations that would justify overruling this Policy objection. If there are not then a reason for refusal because of the conflict with the Local Plan allocation would be appropriate. It is accepted that the FBLP is dated, work has been going on for some time on the emerging Local Plan, including where major strategic housing sites will be located. The application site is proposed within Policy SL2 – The Blackpool Periphery Strategic Location to be a mixed use development. The

principle of the development proposed is, therefore, in line with the site's allocation in the emerging Local Plan and would thus comply with that aspect of the development plan, however the split between employment and residential uses needs to be considered.

The NPPF states that there is a need for the planning system to perform an economic, social and environmental role. In a social role, it is necessary that the planning system supports strong, vibrant healthy communities by providing the supply of housing required to meet the needs of present and future generations that reflects the community's needs. Local circumstances need to be taken into account. There is a presumption in favour of sustainable development and local planning authorities are urged to approve, without delay, development proposals that accord with the development plan. It advises that decision takers at every level should seek to approve applications for sustainable development where possible.

In section 6 of the NPPF 'Delivering a wide choice of high quality homes', it requires the significant boosting of housing and that local authorities should use their evidence base to meet the full objectively assessed needs for market and affordable housing in the housing market area. For market and affordable housing a five year supply of land should be maintained. Housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 47). Applying this policy context to the development requires considering the NPPF as a whole and assessing the weight which should be applied to SP2 and also considering the sustainability of the development and the balance of any positive or adverse impacts, within the NPPF context of seeking to boost housing supply and economic growth.

The NPPF requires that local planning authorities provide for housing land equivalent to at least a 5 year supply of the council's housing target. The Council's emerging housing figure is 370 dwellings per annum and the latest assessment of this from March 2016 confirms that the Council is unable to demonstrate the required 5 year supply of housing. The presumption in para 14 of NPPF is therefore activated and this is a strong factor to be weighed in favour of residential development proposals. If a scheme is considered to deliver sustainable development and not have any adverse impacts that would significantly and demonstrably outweigh the benefit in housing supply, that guidance is clear that planning permission should be granted. There is, therefore, a need to assess whether this particular proposal delivers housing at a scale and location that is sustainable, and if there are any other relevant factors to outweigh its development.

Does the proposal deliver sustainable development?

It is a basic planning principle that development should be directed to the most appropriate location, and the NPPF requires development to be sustainable. This is explained throughout the NPPF with its 'presumption in favour of sustainable development' which includes the economic, social and environmental sustainability of development. The sustainability of the location is a key aspect of this. The development is situated in close proximity to junction 4 of the M55 motorway and is also situated close to the route of a bus service and another cycle routes & pedestrian links. The proposal is for housing and employment in an area where housing development is already taking place all around the site and is also situated adjacent to the Whitehills employment area. A shop is located on the employment site and also on the adjacent Wainhomes site which is currently being development. This combination of uses in close proximity to each other also offers the potential for a reduction in travel between the home, work and small scale convenience shopping. The development would not have any direct adverse impact on the built form of the nearest settlements, which is essentially the urban area of Blackpool. Also, there is potential for the additional residents that would accrue from this development to bring economic benefits to the nearest town and local centres and increased patronage of community facilities. Therefore, it is

considered that the proposal amounts to a sustainable form of development. Previous appeals and applications have been allowed in the vicinity of the site, and these sites having been considered by Inspectors to be situated in a sustainable location. This has resulted in the formation of dwellings in this area and it is considered that the proposal will help to form critical mass that will help support other services such as bus services as required by LCC Highways and dealt with below and other local facilities. Therefore whilst the application would be contrary to Policy SP2 of the Local Plan in this instance there is greater weight to be given to the NPPF due to the site's sustainable location and the NPPF's housing objectives and presumption in favour of sustainable development.

Mix of residential and employment uses

The proposed mix of employment and residential uses is considered acceptable. Site MUS1 –Cropper Road East within policy SL2 – The Blackpool Periphery Strategic Location of the plan to 2032 outlines that the site should be capable of delivering 451 dwellings within the plan period and providing 5.7 hectares of employment land. As this application provides 265 dwellings and 1.5 hectares of employment land and other applications have provided 0.48ha of employment land within the allocation and approximately 2ha of land remains means that the overall objective of 5.7ha would be unmet as outlined in the Economic Development Officers response above. The use of all that land for employment would result in approximately a shortfall of 0.7 ha. This shortfall is considered acceptable when considering the application sites constraints with regard to access to the site, the overhead cables easement requirements, existing dwellings located within the site which need to be respected and the need for a landscaped buffer between residential and employment uses. The council's requirement to meet housing supply requirements is also a key consideration here. The outcome is that the layout being considered for determination is the most appropriate as it is not inappropriately accessed off Boardmans Way as originally proposed, with both employment and residential uses accessed off Westby close and a buffer provided between the two uses and existing and proposed dwellings. The cable easements means areas under them cannot be developed and the existing dwellings and private roads mean that employment uses cannot be constructed near to them. The employment parcel is appropriately located to the south of the residential area adjacent to existing employment uses. Furthermore the proposed allocation does not state explicitly where the employment and residential areas should be. It is important that the 1.5 ha of employment land is included as part of the application as employment land and offices are still required at the site and having permission in place is necessary to see the sites development in accordance with the emerging Local Plan.

Impact of development on character of area

Whilst the principle of the development is accepted another issue is the impact of the development visually on the character of the area. In this case the application site consists of agricultural land which has effectively been sterilised by surrounding developments. The NPPF states that the intrinsic character and beauty of the countryside should be recognised however in this case the site is not an area designated for its landscape quality and furthermore the application site is located north of an employment site with further developments to the west under construction. It has to be acknowledged that the development will have some impact on the character of the area however it is considered that the degree of harm will be very limited. The site is effectively contained visually by surrounding development and as such will not appear unduly intrusive in views from any direction, this was also considered when allocating the site in the Local Plan to 2032. The indicative layout shows the provision of POS and landscaping on the sites southern boundary which will help to soften the developments appearance. This application effectively fills the gap between developments already permitted. It is not considered the development will have a significant site visual impact, it will be well contained and surrounded by residential dwellings and existing landscape features.

Principle of development summary

It is considered that the proposed development in this location is sustainable and complies with the three dimensions of sustainability outlined in the NPPF. Whilst contrary to the adopted Local Plan countryside allocation this plan is outdated and the site is proposed to be allocated as a mixed use site in the Local Plan to 2032 which adds weight to the principle in favour of development. This development is for 265 dwellings and 1.5 hectares of employment land which is considered appropriate. The proposal would comply with the NPPF requirement that housing applications should be considered in the context of the presumption in favour of sustainable development. Furthermore, Fylde is not able to demonstrate that it currently has a 5 year supply of housing which is a material consideration of weight in favour of the proposal. The proposal would, therefore, contribute to meeting this identified need for dwellings in the emerging Local Plan and the housing supply for the Borough as a whole as well as providing employment land for which the allocation requires. The site is considered to be a suitable location for development and the development is acceptable in principle.

Layout/Residential amenity

The application is an outline application with all matters reserved asides for access into the site. Appearance, layout and scale are matters reserved for future consideration however the illustrative masterplan submitted shows the access road for the site to be taken from Westby Close and as access is a detailed matter it is inevitable that this layout will be the one in the Reserved Matters application. Located to the north of this access is the residential element and to the south the employment land, with a landscaped buffer around the access road. Shown on the plan are emergency accesses to Boardmans Way, and pedestrian, cycle and emergency accesses to Old House Lane and the adjacent Wainhomes site which is also proposed to be a bus gate controlled connection. The layout is considered acceptable in terms of the principle of establishing the locations of residential and employment development, but the detailed Reserved Matters will need to carefully consider siting and landscaping. Furthermore the principle of accessing a residential site through an employment site is not one that would normally be accepted as good planning, however the site has been allocated for mixed use development and the existing highways network surrounding the site means that the proposed access is the only realistic viable option. In order to make this route acceptable it is considered appropriate that the scheme makes a contribution of £1000 per dwelling to the Whitehills Business Park Environmental Improvements scheme. This scheme including signage and wayfinding, improved street lighting, boundary treatments, tree planting, greases verges being enhanced and significant public art. This contribution will serve to enhance the arrival route to the residential site. The contribution of £1000 appropriate and can be justified through the adopted Local Plan and the emerging Local Plan which is due to be adopted March next year. This will therefore be part of the heads of terms to the 106 legal agreement.

Highways

The application has been made in outline with access a detailed matter for consideration. It is proposed that the site will be accessed from Westby Close, which is linked to Brooklands Way via Hallam Way which is the main road that runs through the site. Both uses are proposed to be taken via this route with emergency, bus and pedestrian access proposed to Old House Lane, Boardmans Way and the adjacent Wainhomes residential site. The provision and details of these accesses will need to be subject to the condition. LCC Highways have considered the application and raise no objection. They have commented at length with regard to the submitted Transport Assessment which is reported above, and state that the proposal in this application will create less highways

movements than the original submission of less residential and more employment land. They consider the access via Westby Close to be more appropriate than originally proposed via Boardmans Way due to the on street parking in that area. They consider that the site access to the site needs to be improved from a sustainable transport point of view in order to be sustainable development. The following mitigation measures are required in order to make the development acceptable from a highways point of view;

Improvement to Cropper Road/Whitehill Road/School Road Roundabout. Trigger point - occupation of 75th residential dwelling. Planning Contribution Request => £20,000

Improvement to the A583/Whitehill Road Traffic Signals. Trigger point - occupation of 50th residential dwelling. Planning Contribution Request => £50,000

Pedestrian and Cycle Improvements to enhance connectivity to the wider network. Trigger point - occupation of 100th residential dwelling. Planning Contribution Request => £120,000

S106 - Public Transport. Trigger point – 1st payment of £120,000 on occupation of 50th residential dwelling (then second payment of £120,000 after a further 12 months). Funding contribution => £240,000

S106 - Travel Plan (TP). Trigger point – 1st occupation on site Funding contribution £18,000

S106 – Use of the site for provision as a compound for the M55 to Heyhouses Link Road.

S278 works – Main site access as a standard roundabout. The site access scheme should also include gateway treatment/traffic calming measures to residential areas. Trigger point - Prior to 1st occupation on site

S278 works - Jenny Lane Footpath Improvement Scheme. Provision of a 2m wide pedestrian footway on Jenny Lane for 160m (southeast side) from south of Old Houses Lane to tie in to existing footpath at Brunel Way roundabout (to include dropped kerbs over Old Houses Lane and other side road access points). This s278 scheme to include clearance of the overgrown vegetation to the existing footway at the junction of Old Houses Lane with Jenny Lane and a traffic management scheme/signing/markings scheme to reinforce the nature and limited access to Old Houses Lane. Trigger point - occupation of 75th residential dwelling

With these contributions/off site works and conditions to meet these requirements in place there are no highways issues with the application.

Flood risk and drainage

The site is identified as being within an area designated on the Environment Agency's Flood Map as Flood Risk Zone 1. This is land defined as having a less than 1 in 1000 annual probability of flooding. All uses of land are regarded as appropriate within this zone. The application has been submitted with a FRA however this has not been updated to reflect the change in balance between the mix of residential and employment. As such the LLFA and EA have objected to the development. United Utilities have not objected. Clearly a technical solution to the drainage of the site can be developed so that surface water run off rates are restricted to greenfield rates and so that if infiltration is not possible water is discharged into a watercourse at a controlled rate using flow control devices to restrict flows and store water on site. However with the objections from the statutory drainage consultees it is considered appropriate for the recommendation be to delegate

the application to the Head of Planning and Regeneration to approve subject to the withdrawal of these objections from the EA and LLFA.

Ecology

The application has been submitted with an ecological appraisal of the site. GMEU, the Council's ecologists, have considered the application and state that the surveys submitted in relation to the application as satisfactory and sufficiently up-to-date and that no further surveys need to be undertaken prior to deciding the application. They state that although the application site is within 5km of the Ribble and Alt Estuary SPA it is separated from the SPA by significant established built development. It is also close to roads and human habitation, such that they would not consider that the site will support any of the bird species for which the SPA has been designated in any significant numbers. The proposed development will not therefore cause any harm to the special interest of the SPA. GMEU accept that the site is unlikely to support great crested newts and that the buildings on the site have only low potential to support roosting bats. Reptile surveys have not detected the presence of any reptiles on the site. Although water voles have in the past been recorded on an adjacent site I would not consider that this application site is of high value for water voles. The site does however have some value for bat foraging, although providing the site incorporates some Landscaping and greenspace the loss of bat habitat ought not to be significant for local bat populations.

GMEU whilst accepting that the site does not support habitats of high nature conservation value it does support some habitats of local value including a pond, hedgerows, broadleaved trees and open grassland. They would recommend that the pond, the hedgerow and the trees be retained if at all possible, or if lost the losses should be compensated by recreating habitats as part of a holistic and comprehensive Landscape Creation and Management Plan for the site. This Plan should be required as part of any Reserved Matters Application that may result. Retained trees and hedgerows should be suitably protected from harm during the course of any approved development. As the works involve the clearance of vegetation that may be used by nesting birds, GMEU recommend that a condition preventing works during the bird breeding season.

Therefore with these conditions in place a scheme some degree of biodiversity enhancement will be possible in the development of the site. The report submitted shows there will not be any unacceptable effect on protected species or priority habitat subject to appropriate mitigation and compensation and conditions will be used to ensure this. It is considered that with mitigation the development of the site is acceptable.

Public open space

The Local Plan requires that open space be provided on site in residential developments of this scale in line with the amount per plot detailed in Policy TREC17, with appropriate provision made for the on-going maintenance of this. The outline nature of the application means that there can be no clarity on this matter, however the illustrative layout shows areas of open space within the development. It is considered that the proposal could comply with Policy TREC17 and so no reason for refusal on this matter is justified.

Affordable Housing

The Council's Strategic Housing team have confirmed that the findings of the Housing Needs Study remain valid and this indicates that there remains a shortage of affordable housing in all parts of the borough. If members are minded to approve the scheme, the Applicant will have to enter into a

section 106 agreement to ensure the provision of up to 30% of the properties as affordable dwellings, which would then be resolved through the usual reserved matters applications.

Education

At the time of writing the report LCC Education have not commented on the revised application in terms of increased numbers, although from initial discussions it is expected that there will be a need to secure contributions to meet the education needs of the development,. Their views will be reported to members in the late observations and an appropriate contribution secured by legal agreement.

Conclusions

The proposal is considered to form sustainable development, providing housing and employment land for which there is an identified need. The principle of the development is considered to be acceptable. There are no material considerations that could justify a refusal of the application however it is considered that amendments to the submitted layout are necessary and for that reason it is recommended that approval of the application be delegated to the Head of Planning.

Recommendation

That the decision on the application be delegated to the Head of Planning and Regeneration, with any decision to grant planning permission being subject to the following and any variation of these which the Head of Planning & Regeneration considers to be appropriate:

- Submission of a satisfactory drainage scheme for the site and the withdrawal of objections to the site drainage arrangements from the Environment Agency and Lead Local Flood Authority
- the completion of a Section 106 agreement in order to secure necessary infrastructure works
- a series of planning conditions

Suggested Heads of Terms of s106 Agreement

- provision, retention and operational details for 30% of the proposed dwellings to be affordable properties,
- a financial contribution of up to £1000 per dwelling towards public realm improvements on Whitehills estates
- a financial contribution to be determined towards primary and secondary education
- Improvement to Cropper Road/Whitehill Road/School Road Roundabout. Trigger point - occupation of 75th residential dwelling. Planning Contribution Request => £20,000
- Improvement to the A583/Whitehill Road Traffic Signals. Trigger point - occupation of 50th residential dwelling. Planning Contribution Request => £50,000
- Pedestrian and Cycle Improvements to enhance connectivity to the wider network. Trigger point - occupation of 100th residential dwelling. Planning Contribution Request => £120,000
- Public Transport. Trigger point – 1st payment of £120,000 on occupation of 50th residential dwelling (then second payment of £120,000 after a further 12 months). Funding contribution => £240,000
- Travel Plan (TP). Trigger point – 1st occupation on site Funding contribution £18,000
- Use of the site for provision as a compound for the M55 to Heyhouses Link Road construction.

The agreement will be expected to meet the full amounts quoted above in all cases, unless a viability appraisal has been agreed with the Local Planning Authority.

Suggested Planning Conditions

1. A subsequent application for the approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

[a] The expiration of five years from the date of this permission;

or

[b] The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter approved.

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

2. Before any development is commenced (a) reserved matters application(s) must be submitted to and approved by the Local Planning Authority in respect of the following reserved matters:

Nos. (1,2,3 & 5)

(Reserved matters are:-

1. Layout
2. Scale
3. Appearance
4. Access
5. Landscaping

This permission is an outline planning permission and details of these matters still remain to be submitted.

3. Prior to the commencement of the development hereby approved, a scheme shall be submitted to and approved in writing by the Local Planning Authority which shall demonstrate how the infrastructure including the proposed vehicular access and services to the proposed employment land shall be delivered. Full details of the proposed pedestrian, emergency accesses and bus gates and how they will be delivered, controlled and maintained shall also be submitted. This scheme shall be implemented to the satisfaction of the Local Planning Authority, prior to the occupation of the first dwelling.

In order to ensure a satisfactory comprehensive development of the whole site.

4. A detailed scheme of landscaping for the proposed landscape buffer shall be submitted to and approved in writing by the Local Planning Authority, prior to construction of the development hereby approved. The landscaped buffer shall be implemented simultaneously with the residential development to the satisfaction of the Local Planning Authority and maintained in perpetuity.

To ensure a satisfactory standard of development.

5. No development shall take place until a plan detailing the protection and/or mitigation of damage to populations of Water Vole, a protected species under The Wildlife and Countryside Act 1981 as amended and their associated habitat during construction works and once the development is complete. Any change to operational, including management, responsibilities shall be submitted to and approved in writing by the local planning authority. The Water Vole protection plan shall be carried out in accordance with a timetable for implementation as approved.

Reason: This condition is necessary to protect the Water Vole population and their habitat within

and adjacent to the development site. Without it, avoidable damage could be caused to the nature conservation value of the site.

6. No development shall take place until a landscape creation and management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:
- detail extent and type of new planting (NB planting to be of native species)
 - details of maintenance regimes
 - details of any new habitat created on site
 - details of treatment of site boundaries and/or buffers around water bodies
 - details of management responsibilities

Reason: In order to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

7. The reserved matters application shall retain all existing lengths of hedgerow within the proposed residential development area except for where their removal is required for the formation of access points, pavements/cycleways & visibility splays or in other limited circumstances where an equivalent or greater length or hedge is provided as a replacement and has been previously agreed in writing by the Local Planning Authority. No removal, relaying or works to existing hedgerows shall be carried out between March and August inclusive in any one year unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect habitats which have the potential to support breeding birds.

8. Prior to any development activity commencing, retained trees, either individually or, where appropriate, as groups, will be protected by erecting HERAS fencing at the Root Protection Areas (RPAs) identified in the arboricultural survey.

Within, or at the perimeter of, these root protection areas, all of the following activities are prohibited:

- Lighting of fires;
- Storage of site equipment, vehicles, or materials of any kind;
- The disposal of arisings or any site waste;
- Any excavation;
- The washing out of any containers used on site.

HERAS fencing must not be removed or relocated to shorter distances from the tree without the prior agreement of the Local Planning Authority. Any work to retained trees to facilitate development or site activity must (a) be agreed in advance with the Local Planning Authority and (b) must meet the requirements of BS3998:2010 Tree Work - recommendations.

Reason: To ensure that tree root damage and damage to the aerial parts of retained trees is avoided so that the trees' health and visual amenity is not diminished by development activity.

9. The on-site provision of public open space shall be in accordance with the provision of Policy TREC17 of the Fylde Borough Local Plan and shall include facilities for children's play provision in accordance with a scheme of which shall be agreed by the Local Planning Authority and constructed and made available for use in accordance with a timetable for construction which shall be approved in writing by the Local Planning Authority.

Reason: In order to secure the provision of public open space in accordance with Development Plan policy.

10. No development shall take place in any individual phase of the development hereby approved that exceeds 15m in height above ground level, unless there has been submitted to and approved in writing by the planning authority and by the radar Operator - NATS (En-route) plc, either:
- detailed plans for the proposed buildings in that individual phase, demonstrating that there would be no detrimental impact upon the operation of the St. Annes Radar; or,
 - details of a scheme to mitigate any detrimental impact upon the St. Annes Radar.

Development shall not take place other than in complete accordance with such a scheme as so approved unless the planning authority and NATS (En-route) plc have given written consent for a variation.

Reason: To avoid a potential impact on the safety of air traffic due to a technical impact on the NATS RSS St. Annes Secondary Surveillance Radar.

11. No part of the development hereby approved shall commence until a scheme for the construction all site access and the off-site works of highway improvement have been submitted to, and approved by the Local Planning Authority in consultation with the Highway Authority. The site accesses and off-site highway works shall be completed before the development is first occupied unless otherwise agreed in writing by the Local

Planning Authority. The following schemes to be covered by this condition include:

(i) The Main Site access junction on Westby Close. The main site access will provide a new standard roundabout. The main site access is to be a standard roundabout. The illustrative masterplan layout (Option 4) shows the approximate location which is agreed 'in principle' subject to detailed design.

The site access junction scheme should also include gateway treatment/traffic calming measures to residential areas.

(ii) Jenny Lane Footpath Improvement Scheme

Pedestrian footway on Jenny Lane (southeast side) from south of Old Houses Lane to tie in to existing footpath at Brunel Way roundabout (to include dropped kerbs and tactile paving over Old Houses Lane). This s278 scheme to include clearance of the overgrown vegetation to the existing footway at the junction of Old Houses Lane with Jenny Lane and a traffic management scheme/signing scheme to reinforce the nature and limited access to Old Houses Lane.

Note: Delivering these s278 works may require a review, consultation and implementation of new/or changes to TROs; the full cost for these to be funded by the developer.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site. Also, in order to provide safe access to the site for all users (motorised and non-motorised).

12. Prior to the first occupation of any part of the development hereby approved, the access and off-site highway works set out in condition 11 should be constructed in accordance with the details approved, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the development will provide a safe access to the site and ensure that users of the development have appropriate access to sustainable transport options

13. Prior to the commencement of development a phasing programme for the implementation of the residential development, the construction of the access roads and highway works in their entirety, and the implementation of public open space, landscaping and other associated works shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved phasing programme.

Reason: To define the permission and in the interests of the proper site development.

14. The Framework Travel Plan as agreed must be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.

Reason: To ensure that the development provides sustainable transport options

15. No development of any phase shall take place until a Construction Environmental Management Plan (CEMP), for the construction and operation of that proposed phase of development, is submitted to and approved by the Local Planning Authority. The plan shall detail:
- i. how biodiversity would be protected throughout the construction period
 - ii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
 - iii. the parking of vehicles of site operatives and visitors;
 - iv. loading and unloading of plant and materials;
 - v. storage of plant and materials used in constructing the development;
 - vi. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - vii. wheel washing facilities to be retained throughout the construction period by which means the wheels of vehicles may be cleaned before leaving the site;
 - viii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
 - ix. a Management Plan to identify potential ground and water contaminants;
 - x. details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction;
 - xi. a scheme to control noise during the construction phase,
 - xii. the routing of construction vehicles and deliveries to site including the direction of construction traffic away Old Houses Lane.

The development shall then proceed in full accordance with this approved plan.

Reason: In order to safeguard the biodiversity of the site, protect the water environment and public drinking water supplies, and to maintain the operation and safety of the local highway network, and to minimise the risk of pollution to occupiers of nearby buildings during site preparation and construction, in accordance with the provisions of the NPPF.

16. The development hereby approved shall not be commenced until a details are submitted that set out the proposals for the management and operation of Old Houses Lane and how access for existing properties served of Old Houses Lane will be maintained/facilitated.

Reason: To ensure that a satisfactory Management Strategy is implemented for the maintenance and operation of Old Houses Lane post development.

17. There shall not at any time in connection with the development hereby permitted be planted hedges, trees or shrubs over 1m above the road level within any visibility splay required to maintain safe operation for all users.

Reason: To ensure adequate visibility splays are maintained at all time.

18. Prior to the commencement of any of the commercial development hereby approved, a fully detailed Parking Management Strategy for that commercial development shall be submitted to and approved in writing by the Local Planning Authority. The management of the car parking and cycle parking at the site shall be fully implemented in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority. The Parking Management Strategy will include an assessment and strategy to ensure adequate parking provision is delivered for all proposed site uses for both car parking and cycle parking.

Reason: To ensure that a satisfactory Parking Management Strategy is implemented for the development. This in turn will ensure adequate parking is provided for all uses so that the access to the site is not restricted, resulting in safety and capacity issues.

19. Notwithstanding the approved plans prior to the commencement of development a phasing plan for the completion of the road within the site to be built up to and contiguous with the southern boundary as shown by the red edge on the submitted site location plan shall be submitted to and approved in writing by the Local Planning Authority.

So as to not prejudice the future development of the adjacent land in accordance with Policy HL2 of the adopted Fylde Borough Local Plan.

20. The car parking provision for each commercial unit as identified in the Parking Management Strategy for that unit shall be surfaced, demarcated and made available for use prior to the that unit being first occupied unless otherwise agreed in writing with the Local Planning Authority. The car parking shall then be available at all times whilst that part of the development is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the buildings are occupied and the site is built out.

21. No commercial unit shall be occupied until space and facilities for bicycle parking have been provided in accordance with the Parking Management Strategy for that unit. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport.

22. No phase of the development hereby approved shall commence until a pedestrian and cycle signing strategy for that phase has first been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The scheme shall satisfy the needs of all elements of the site and be constructed in accordance with the approved details in a timescale agreed in line with the phasing set out in condition 3, and thereafter retained. The Strategy to also provide details of the following:
- how those footpaths and cycle ways not adjacent to the highway are to be managed by a site management/maintenance strategy and not the local highway authority; and
 - details regarding provision for PROW FP4 through the site.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final

details of the pedestrian and cycle network are acceptable before work commences on site and that these will be maintained thereafter. Also, in order to provide users of the development with appropriate

23. Construction/demolition shall be limited to the following hours - 08.00 - 18.00 Mondays to Fridays; 08.00 -13.00 Saturdays and no activity on Sundays and Bank Holidays

Reason: To protect neighbouring residential amenity.

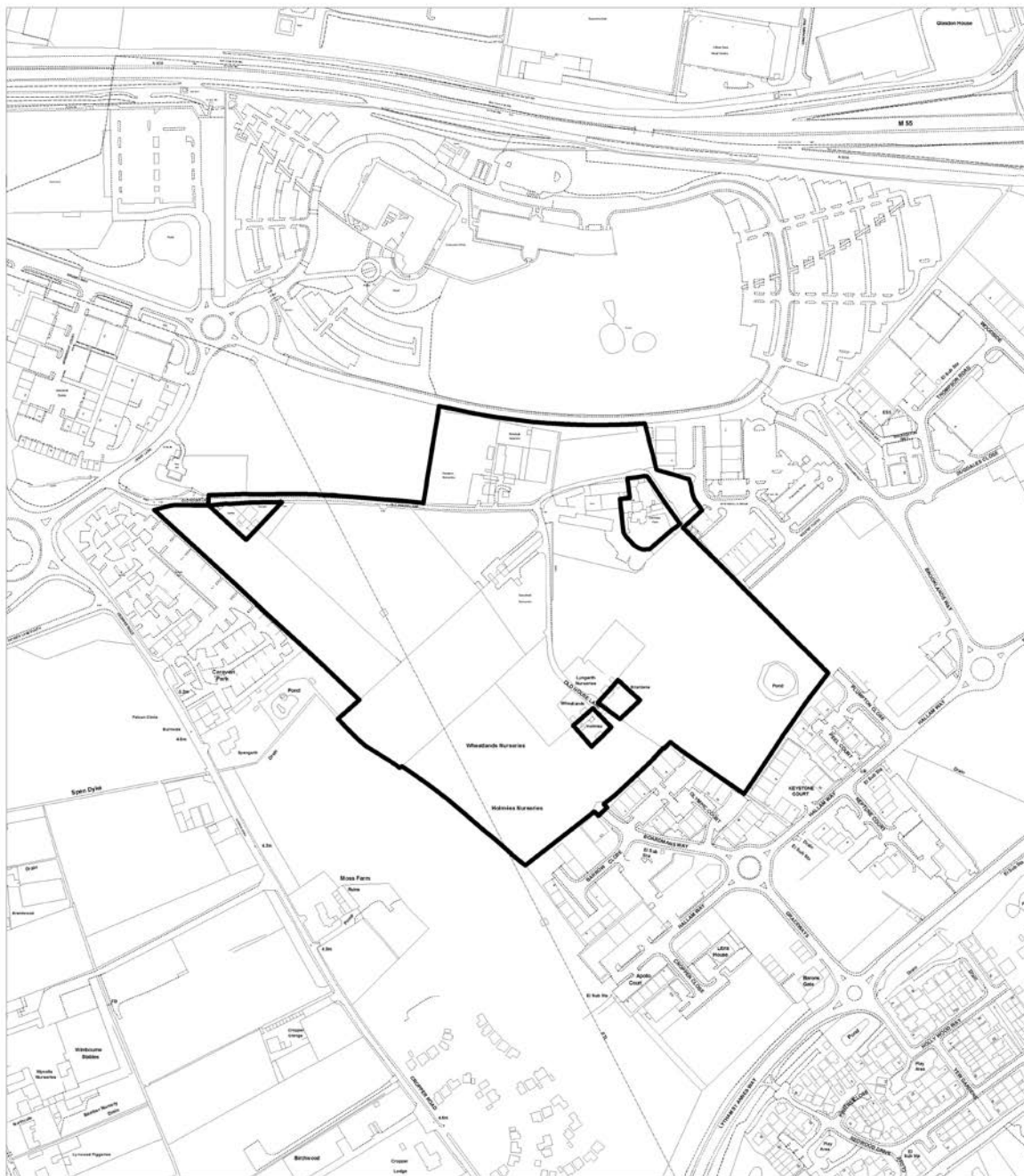
24. No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In order to protect habitats which have the potential to support breeding birds.

25. 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 18 February 2015, including the following plans:

- Proposed site location plan 14012 LP00
- Illustrative structure plan Option 4 Revision A

Reason: For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.



Development Services Fylde Council		(c) Crown Copyright and database right (2016). Ordnance Survey (100006084).	
Application No. 5/15/0114	Address Land on the north & south side of Old House Lane, Westby	Grid Ref. E.3346 : N.4330	Scale 0 25 50 75 100 m