



Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Outline Planning Permission Granted

Part 1 - Particulars of Application

Application Number: 13/0753

Location: MOSS FARM, CROPPER ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL,
FY4 5LB

Description: OUTLINE APPLICATION FOR ERECTION OF 26 DWELLINGS FOLLOWING
DEMOLITION OF EXISTING DWELLING (ACCESS APPLIED FOR WITH OTHER
MATTERS RESERVED)

Part 2 - Particulars of Decision

The Fylde Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that PERMISSION HAS BEEN GRANTED for the carrying out of development referred to in Part 1 hereof in accordance with the development proposal specified on your submitted application form and the relevant plan (s) subject to the following conditions(s) and reasons(s):

- 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 and 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 The new estate road/access between the site and Cropper Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level prior to the construction of any dwelling within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

- 4 Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site, and this facility shall be operated throughout the development.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

- 5 No part of the development hereby approved shall commence until a detailed scheme (with phasings) for the construction of the site access and a schedule of highway enhancements has been submitted to, and approved in writing by the Local Planning Authority. This shall include the provision of continuous pedestrian / cycle connections from the site access point leading across the whole of the site frontage to the site boundaries to provide a contiguous link to existing connections on Cropper Road in both directions. The development shall be implemented in accordance with the approved phasing.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable and that the development provides an appropriate level of accessibility to the wider highway network.

- 6 Prior to the commencement of any development details of the design, location, access arrangements, phasing of provision, and on-going maintenance arrangements of the public open space for the development shall be submitted to and approved in writing by the local planning authority. This provision shall be at least in accordance with the requirements of Policy TREC17 of the Fylde Borough Local Plan and shall be implemented and maintained in accordance with the approved scheme.

To ensure the provision and retention of appropriate levels of public open space to serve the development as required by Policy TREC17 of the Fylde Borough Local Plan.

- 7 A tree protection scheme for all trees and retained hedges on the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. No work of any kind shall take place until the protective fences are erected around the retained trees in the position and to the specification agreed by the local planning authority. Such fencing shall be retained throughout the development where work of any kind is undertaken in proximity to trees and hedging.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 8 Prior to commencement of the development hereby permitted, details of the incorporation of bat roosting (in addition to that required by NE licence) and bird nesting opportunities that shall be incorporated into the design of the development (i.e. into new buildings) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the phasing of the works and shall thereafter be implemented in accordance with that phasing.

In the interests of protecting wildlife and biodiversity and to comply with the provisions of the

- 9 Tree felling, vegetation clearance works, or other works that may affect nesting birds shall not be carried out between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections undertaken by a suitably qualified ecologist and their confirmation provided in writing to the Local Planning Authority.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 10 All existing lengths of hedgerow within the proposed residential development area shall be retained, except for where their removal is required for the formation of access points or visibility splays or in other limited circumstances where an equivalent or greater length of 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 the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 11 No external lighting shall be installed until details of a lighting scheme have been submitted and approved in writing by Fylde Borough Council. The principles of relevant guidance shall be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009).

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 12 Prior to commencement of works a fully detailed method statement to demonstrate that impacts on amphibians (including Common Toad) will be avoided both during the site clearance and development works and during the operational phase shall be submitted for approval in writing by Fylde Borough Council. Any approved details shall be implemented in full. If the presence of Great Crested Newt is detected at any point then all works shall cease until advice has been sought from an appropriately qualified person including regarding the need for a Natural England licence.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework

- 13 Prior to the commencement of the development a scheme for the removal of the invasive non-native plant species identified in the submitted Ecological Survey and Assessment (Montbretia) shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented prior to the occupation of the development.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 14 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

a. the identification of the site access for construction traffic

- b. the parking of vehicles of site operatives and visitors
- c. loading and unloading of plant and materials
- d. storage of plant and materials used in constructing the development
- e. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- f. wheel washing facilities
- g. measures to control the emission of dust and dirt during construction
- h. a scheme for recycling/disposing of waste resulting from demolition and construction works
- i. hours of operation

Reason: To maintain the safe operation of the pedestrian and highway network in the area during construction given the proximity to residential properties.

- 15 Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage system has been completed to serve that building in accordance with the approved details. The development shall be maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory means of drainage.

- 16 No development shall take place until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. No surface water shall be discharged to the public sewerage system. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the risk of flooding, both on and off the site

SUMMARY OF RELEVANT POLICIES & GUIDANCE

This decision has been made having regard to the guidance provided by the National Planning Policy Framework and the policies contained within the adopted Development Plan which comprises the saved policies of: the Fylde Borough Local Plan and all other relevant planning guidance and in particular policies:

Fylde Borough Local Plan:

- CF02 Provision of new primary schools
- EMP3 Business & industrial uses outside defined area
- EP14 Landscaping of new developments
- EP19 Protected species
- HL02 Development control criteria for new housing proposals
- HL06 Design of residential estates
- SH15 Small scale out of centre retail development
- SP02 Development in countryside areas
- TR01 Improving pedestrian facilities

Informative notes:

1. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. 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 should be advised to contact the Environment Directorate in the first instance to ascertain the details of such an agreement and the information to be provided.

2. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:
 1. Actively engaging in pre-application discussions with the applicant to try and find solutions to problems
 2. Providing advice to the applicant/agent during the course of the application on potential problems and possible solutions
 3. Securing revised plans during the course of the application which have overcome initial problems

Date of Decision: 29/07/2015

Signed:



Mr P. Walker
Director of Development Services
Fylde Borough Council
Town Hall
Lytham St Annes, FY8 1LW

Mr shaw
Pilgrim Associates Ltd
4a -- Nile Mill Fields New Road
Chadderton
Oldham
Manchester, -
OL9 8NH

IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT UNAUTHORISED

- 1) These notes should be read in conjunction with the decision notice issued by the Local Planning Authority in respect of the application which you have recently submitted to the Council.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN GRANTED

- 2) Any permission/consent is granted on the basis of the approved plans listed in the decision notice. The development should be undertaken in strict accordance with the approved plans, as any deviation will constitute unauthorised development which may be liable to enforcement action. Any amendments to the approved plans are likely to require the submission of a further application to the Council. Should such changes be desired, you are advised to contact the Development Management Service to determine the most appropriate means by which any revisions could be considered.

- 3) Any permission/consent granted is subject to the conditions set out in the decision notice and it is the responsibility of the developer to ensure that these conditions are fully complied with. Any conditions that require work to be carried out or details to be approved before any development can take place form a “condition precedent”. If a condition precedent is not complied with, the whole of the development will be unauthorised and may result in enforcement action being taken by the Council.
- 4) The applicant is reminded of the need to obtain formal approval of those details required by the conditions of any planning permission/consent before development may lawfully commence on the site (or any other relevant trigger as set out in each condition). Formal applications for the approval of matters reserved by condition are currently subject to fees (per request) of £28 for householder applications and £97 in all other cases. Any breach of the imposed conditions may leave you liable to enforcement action or may require you to submit a new application in order to regularise any unauthorised works.
- 5) If the applicant is aggrieved by any of the conditions imposed as part of the planning permission, they may appeal to the Planning Inspectorate. Any appeal against the grant of permission subject to conditions to which the applicant objects needs to be made within 6 months of the date on the decision notice.
- 6) In undertaking any development you should ensure that you have also secured any necessary approval under the Building Regulations or any other approvals or consents required including consent from the landlord or obligations under the Party Wall Act.
- 7) For developments that need a new address or address change, please contact addresses@fylde.gov.uk of 01253 658515. New addresses need to be done at the earliest stage to enable Utility connections for the new properties.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN REFUSED

- 8) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse planning permission/consent, they may appeal to the Planning Inspectorate. The relevant time limits to lodge an appeal following the Local Planning Authority’s refusal of permission/consent are as follows:
 - a) For **householder** planning applications – **12 weeks** from the date on the decision notice.
 - b) For **advertisement** consent applications – **8 weeks** from the date on the decision notice.
 - c) For **minor commercial** development applications – **12 weeks** from the date on the decision notice.
 - d) For **any other** types of planning application – **6 months** from the date on the decision notice.

SAVE THAT in circumstances **where an enforcement notice has been served** for the same or very similar development, the time limit to lodge an appeal (in all cases) is:

- within **28 days** from the date of the Local Planning Authority’s decision if the enforcement notice was served before the decision was made, yet not longer than 2 years before the application was made.
- within **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the normal appeal period).

Appeals must be made directly to the Planning Inspectorate and can be dealt with by exchange of written statements or heard before an Inspector at an Informal Hearing or at a Public Inquiry. Further information regarding the appeals process (including application forms) can be obtained from the Planning Inspectorate via their website - <https://www.gov.uk/appeal-planning-decision>.