



Town and Country Planning Act 1990

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

Full Planning Permission - Granted

Part 1 - Particulars of Application

Application Number: 21/0667

Location: PATHWAYS, BLACKPOOL ROAD, NEWTON WITH CLIFTON, PRESTON,
PR4 3RJ

Description: RESIDENTIAL DEVELOPMENT OF FOUR DWELLINGS WITH
ASSOCIATED INFRASTRUCTURE FOLLOWING DEMOLITION OF
EXISTING BUILDINGS

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 the development referred to in Part 1 hereof subject to the following condition(s):

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

Drawing no. NCR/JC/PATH/01 Rev A – Location plan.
Drawing no. NCR/JC/PATH/03 Rev B – Site plan as proposed.
Drawing no. NCR/JC/PATH/04 Rev A – Dwelling type A ground floor layout & roof plan.
Drawing no. NCR/JC/PATH/05 Rev A – Dwelling type B ground floor layout & roof plan.
Drawing no. NCR/JC/PATH/06 – Dwelling type B (handed) ground floor layout & roof plan.
Drawing no. NCR/JC/PATH/07 Rev A – Dwelling type A elevations.
Drawing no. NCR/JC/PATH/08 Rev A – Dwelling type B elevations.
Drawing no. NCR/JC/PATH/09 – Dwelling type B (handed) elevations.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in

accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework.

3. All existing buildings and associated appurtenances falling within the red line boundary shown on drawing no. NCR/JC/PATH/02 Rev A shall be demolished in their entirety and removed from the site before any of the dwellings hereby approved are first occupied.

Reason: The development has been permitted on the basis that it involves the complete redevelopment of the site for a new use which would have no greater impact on the Area of Separation in comparison to the existing use. Accordingly, all existing buildings and appurtenances connected with the present use must be removed from the site to allow and justify the site's redevelopment for the replacement residential use. This is also required in order to avoid conflicts between the existing and proposed uses that would arise if they were to co-exist simultaneously (i.e. if the development were to be carried out in a piecemeal fashion) so as to ensure a high standard of amenity for future occupiers. The condition is required in order to comply with the objectives of Fylde Local Plan to 2032 policies GD3 and GD7, and the National Planning Policy Framework.

4. None of the dwellings hereby approved shall be first occupied until a scheme for the restoration of the whole of the existing overspill car parking area located to the northwest side of the site access (the extent of which is identified by dark green hatching on drawing no. NCR/JC/PATH/03 Rev B) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for:

- a) The cessation of the existing land use within that area and the removal of all existing hardstanding, vehicles, advertisements and any other appurtenances connected with that use.
- b) The restoration of the land to open greenspace, including details of all surface treatment and landscaping works, means of enclosure and, where necessary, a schedule of the type, species, siting, planting distances and a programme of planting of any trees, hedges and shrubs; and
- c) A timetable for implementation.

The duly approved restoration scheme shall be carried out in accordance with the details and timetable contained therein, and shall be completed in full before any of the dwellings hereby approved are first occupied.

Reason: To ensure that existing ancillary land uses connected within the current use of the site (which fall within the applicant's ownership, but outside the boundary of the development site) cease and that the affected areas are treated in a manner which is sympathetic to their countryside setting in order to provide enhancements to the landscaping of the site which would offset the development's visual impact on the surrounding landscape and Area of Separation, and to ensure that existing land uses adjoining the proposed development do not adversely affect the amenity of future occupiers of the approved dwellings as a result noise disturbance, poor outlook or any other nuisance. The condition is required in order to comply with the objectives of Fylde Local Plan to 2032 policies GD3, GD7 and ENV1, and the National Planning Policy Framework.

5. Before the dwelling on plot 4 hereby approved is first occupied, a scheme for the retention of the existing floodlights surrounding the manège to the west of the site (the location of which is identified by yellow hatching on drawing no. NCR/JC/PATH/03 Rev B) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) An assessment of the effects of the existing floodlighting on surrounding occupiers, both existing and proposed (having particular regard to the future occupiers of the dwelling on plot 4), including an analysis of existing luminance levels and light

- spillage arising from the current floodlighting.
- b) Details of any measures to mitigate the effects of light spillage towards surrounding land uses (both existing and proposed) including, where necessary, modifications to the height of the existing lighting columns, the angle of installation for the floodlights and any hoods or shields to be fitted to them.
- c) Details of the times when the floodlights will and will not be switched on.

The duly approved scheme shall be implemented in accordance with the details contained therein before the dwelling on plot 4 is first occupied, and all floodlights associated with the manège shall be maintained and operated as such thereafter.

Reason: To ensure that future occupiers of the dwelling on plot 4 which is located adjacent to the existing manège do not experience unacceptable effects on their amenity as a result of light pollution in order to ensure a high standard of amenity for future occupiers in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

6. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works of development shall take place until samples or full details of all materials to be used on the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure use of appropriate materials which are sympathetic to the rural character of surrounding buildings and the site's countryside setting in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

7. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, no windows or doors shall be installed in any of the buildings hereby approved unless and until details of their design, materials (including sill and lintel treatments), finishes, colour treatment, reveals and opening profile have first been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the duly approved details before any of the dwellings are first occupied, and shall be retained as such thereafter.

Reason: To ensure use of appropriate materials which are sympathetic to the rural character of surrounding buildings and the site's countryside setting in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

8. No above ground works of development shall take place until details of the finished floor levels for each dwelling and the ground levels for the external areas of the site, above ordnance datum, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the proposed development and surrounding buildings, and between the approved dwellings, in the interests of ensuring a high standard of amenity for existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

9. No development shall take place until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

- a) a survey of the extent, scale and nature of contamination;

- b) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.
- c) where necessary, an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied.

Reason: In order that appropriate investigations are undertaken to determine whether the site (or part of it) is contaminated before any development takes place, to avoid any disturbance of contaminated land while carrying out the development, to ensure the safe development of the site and to secure appropriate remediation of any contamination before development takes place in order to prevent pollution of the surrounding environment in the interests of the amenity of future occupiers and other sensitive receptors in accordance with the requirements of Fylde Local Plan to 2032 policy GD9 and the National Planning Policy Framework.

10. No above ground works of development shall take place until a scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- a) separate systems for the disposal of foul and surface water;
- b) details of the siting, size, capacity, design and operation of any sewage treatment plant(s);
- c) an investigation of surface water drainage options which follow the hierarchy set out in the Planning Practice Guidance, including evidence of an assessment of ground conditions and the potential for surface water to be disposed of through infiltration;
- d) details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development run-off rate reduces discharge to greenfield run-off rates (including an appropriate allowance for climate change);
- e) details of the size, siting and design of any necessary flow attenuation measures, including the use of Sustainable Drainage Systems where practical; and
- f) details of how the scheme will be maintained and managed after completion.

The duly approved scheme shall be implemented before any of the dwellings hereby approved are first occupied, and shall be managed and maintained as such thereafter.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Fylde Local Plan to 2032 policies CL1 and CL2 and the National Planning Policy Framework.

11. None of the dwellings hereby approved shall be first occupied until details of the height, design, materials and finish of all boundary treatments within the development (the siting and type of which is shown on drawing no. NCR/JC/PATH/03 Rev B) have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in accordance with the duly approved details before each associated dwelling is first occupied, and shall be retained as such thereafter.

Reason: To ensure clear demarcation of public and private areas, to achieve adequate levels of privacy between neighbouring dwellings and to ensure that the design of boundary treatments is sympathetic to the character and appearance of the area in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

12. All the means of enclosure and additional/extended areas of hard and soft surfacing (including those required to maintain existing means of vehicular and/or pedestrian access) to be provided alongside the shared boundary with the property known as “Longacres, Blackpool Road, Preston, PR4 3RJ” shall be constructed and made available for use in accordance with the details shown on drawing no. NCR/JC/PATH/03 Rev B before any works to modify the existing internal access road through the site first take place. The duly constructed means of enclosure and additional/extended areas of hard and soft surfacing shall be retained as such thereafter.

Reason: To maintain a safe and suitable means of access to Longacres both during and after the construction period before any works to alter the existing internal access road from which Longacres takes its access take place and to provide an appropriate boundary treatment to screen the development from existing occupiers in interests of the privacy of neighbouring residents in accordance with the requirements of Fylde Local Plan to 2032 policy GD7.

13. The soft landscaping scheme for the development set out in the following plans and documents shall be carried out during the first planting season that occurs: i) in the case of landscaping within the curtilages of the dwellings hereby approved, after the dwelling on each associated plot is first occupied; and ii) in the case of landscaping on all the other areas of the site located outside the curtilages of the dwellings, after the development is substantially completed.

- Drawing no. NCR/JC/PATH/03 Rev B.
- Document titled “Landscaping – Planting information”.
- Document titled “Tree Planting Detail”.

The areas which are landscaped shall be maintained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in order that the development assimilates sympathetically into its surroundings, to provide an appropriate landscape buffer with surrounding land uses, to enhance the character of the street scene by providing tree lined streets and to provide appropriate biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 policies ENV1, ENV2 and GD7, and the National Planning Policy Framework.

14. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- a) hours of work for site preparation, delivery of materials and construction;
- b) arrangements for the parking of vehicles for site operatives and visitors;
- c) details of areas designated for the loading, unloading and storage of plant and materials;
- d) arrangements for the provision of wheel washing and road sweeping facilities, including details of how, when and where the facilities are to be used;
- e) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
- f) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
- g) measures to ensure that construction and delivery vehicles do not impede access to adjoining properties;
- h) measures to control the emission of dust and dirt during construction;

Development shall thereafter be carried out in full accordance with the duly approved CMS.

Reason: In order to ensure that appropriate measures are put in place before any development commences to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties and to avoid obstruction of the surrounding highway network during the construction of the development in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

15. No above ground works of development shall take place until a scheme for the design and construction of the development's access (the siting, layout and geometry of which is shown on drawing no. NCR/JC/PATH/03 Rev B) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) minimum visibility splays of 2.4 metres x 80 metres in both directions at the junction of the site access with Blackpool Road;
- b) the provision of 2 metre wide footways extending into the site on each side of the access to merge with the existing footways on Blackpool Road in the positions shown on drawing no. NCR/JC/PATH/03 Rev B, including the provision of tactile paving.

The development's access shall be constructed in accordance with the duly approved scheme and made available for use concurrently with any works to modify the existing internal access road through the site, ensuring that access to the property known as "Longacres, Blackpool Road, Preston, PR4 3RJ" is maintained at all times. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent order following the revocation or re-enactment thereof (with or without modification), the visibility splay in a) shall thereafter be kept free of any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction) over 0.6 metres in height.

Reason: To ensure a suitable and safe means of access to the site for all users both during and after construction and to achieve a satisfactory standard of engineering works in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

16. No above ground works of development shall take place until a scheme for the siting, layout, design and construction of the following highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

- a) The provision of a pedestrian refuge within the carriageway of Blackpool Road to the west of the development's access. The location of the pedestrian refuge should allow for the future creation of a right turn facility into the site from Blackpool Road.

The highway improvement works shall be implemented and made available for use in full accordance with the duly approved scheme before any of the dwellings hereby approved are first occupied.

Reason: To secure proportionate improvements to surrounding highway infrastructure that will provide a safe and suitable means of access to the development for all users in the interests of highway safety, to ensure that appropriate opportunities to promote sustainable transport modes are taken up given the type of development and its location and to give priority to pedestrian movements that encourage modal shift and increased use of sustainable methods of travel in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

17. No above ground works of development shall take place until a scheme for the design,

construction (including surface treatment) and drainage of the following features shown on drawing no. NCR/JC/PATH/03 Rev B has been submitted to and approved in writing by the Local Planning Authority:

- a) the estate road and private drive;
- b) the extended vehicle access into the property known as “Longacres, Blackpool Road, Preston, PR4 3RJ”; and
- c) all other hard landscaped areas within the site.

The feature described in b) shall be constructed and made available for use concurrently with any works to modify the existing internal access road through the site, ensuring that access to the property known as “Longacres, Blackpool Road, Preston, PR4 3RJ” is maintained at all times, and the features described in a) and c) shall be constructed and made available for use before any of the dwellings hereby approved are first occupied, all in accordance with the details in the duly approved scheme.

Reason: To ensure a satisfactory standard of engineering works for the construction of roads and hard landscaped areas to serve the development and to provide satisfactory facilities for vehicle access, circulation and manoeuvring in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

18. None of the dwellings hereby approved shall be first occupied until a scheme setting out arrangements for the future management and maintenance of the estate road and private drive to be constructed pursuant to condition 17 of this permission has been submitted to and approved in writing by the Local Planning Authority. The scheme shall set out arrangements for future management and maintenance by a private residents management company and/or transfer to individual occupiers of the dwellings. The estate road and private drive shall thereafter be managed and maintained in accordance with the duly approved scheme.

Reason: To ensure that suitable arrangements are put in place for the future management and maintenance of communal areas intended to provide access to the development, to ensure that a safe and suitable means of access to the site is maintained for all users in the interests of highway safety, and to safeguard the amenity of future occupiers in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

19. The car parking spaces for each dwelling shown on drawing no. NCR/JC/PATH/03 Rev B shall be laid out and made available for use in accordance with the details shown on the approved plan before each associated dwelling is first occupied. The duly constructed parking spaces shall be retained as such thereafter for the parking of vehicles.

Reason: In order that there is adequate provision for vehicles to be parked clear of the highway in the interests of road safety and to ensure appropriate surface treatment of parking areas in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policies T5 and GD7, and the National Planning Policy Framework.

20. No demolition of buildings or clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1st March and 31st August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the buildings and/or vegetation to be cleared do not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no demolition of buildings or clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the revocation and re-enactment thereof, with or without modification), no development permitted in Schedule 2, Part 1, Classes A, AA, B, C and E shall be carried out to any of the dwellings hereby approved.

Reason: The development has been permitted within the Area of Separation on the basis that the site's redevelopment for housing would have no greater impact on the function and purposes of designating land within the Area of Separation in comparison to the existing development. Accordingly, it is necessary to withdraw those permitted development rights that would otherwise allow the construction of large extensions, alterations to roof space and/or the erection of large outbuildings within the curtilages of the dwellings in order to ensure that such development would not undermine the function and purposes of the Area of Separation in accordance with the requirements of Fylde Local Plan to 2032 policies GD3 and H7.

22. None of the dwellings hereby approved shall be occupied until a scheme for the incorporation of the following biodiversity enhancement measures (including details of their number, location and specification) into the development and a timetable for their provision has been submitted to and approved in writing by the Local Planning Authority:

- a) The installation of bat boxes and/or bat access panels.
- b) The installation of bird boxes which provide nesting opportunities for house sparrow and starling.

The biodiversity enhancement measures shall thereafter be provided in accordance with the details and timetable in the duly approved scheme, and shall be retained as such thereafter.

Reason: To ensure that the development delivers appropriate biodiversity enhancements in accordance with the objectives of Fylde Local Plan to 2032 policy ENV2 and the National Planning Policy Framework.

23. No development shall take place until a Construction Exclusion Zone (CEZ) has been formed around the Root Protection Area of the hedgerow located alongside the southern boundary of the site (identified as "H1" in the "Tree Survey & Report" by West Lancashire Borough Council dated October 2018). The CEZ shall be provided in the form of protective fencing of a height and design which accords with the specification in BS 5837: 2012 and shall be installed along the northern (inner) edge of hedgerow H1 for its full length within the site. The CEZ shall be maintained in the duly installed position during the entirety of the construction period insofar as it relates to the affected area of the site.

Reason: To ensure that adequate measures are put in place to protect the existing hedgerow which is to be retained as part of the development before any construction works commence in order to safeguard existing natural assets at the site which contribute to visual amenity and biodiversity in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

24. Notwithstanding any details contained within the application and the requirements of condition 2 of this permission, a scheme for the installation of any exterior lighting to be installed on the building(s) and/or the external areas of the site shall be submitted to and approved in writing by the Local Planning Authority before any such lighting is installed. The scheme shall include

details of the lighting's: i) position and height on the building(s) and/or site; ii) spillage, luminance and angle of installation; and iii) any shields or hoods to be fixed to the lights. All exterior lighting shall thereafter be installed in accordance with the duly approved scheme.

Reason: To ensure that any external lighting to be installed at the site does not cause a nuisance to existing and future occupiers or detract from visual amenity in the surrounding area as a result of light pollution in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

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 policies of the Fylde Local Plan to 2032 and all other relevant planning guidance and in particular policies:

Fylde Local Plan to 2032:

CL1	Flood Alleviation, Water Quality and Water Efficiency
CL2	Surface Water Run-Off and Sustainable Drainage
DLF1	Development Locations for Fylde
ENV1	Landscape
ENV2	Biodiversity
GD3	Areas of Separation
GD7	Achieving Good Design in Development
GD9	Contaminated Land
H1	Housing Delivery and the Allocation of Housing Land
H2	Density and Mix of New Residential Development
INF1	Service Accessibility and Infrastructure
S1	The Proposed Settlement Hierarchy
T5	Parking Standards

Informative notes:

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

2. **Highways:**

With reference to conditions 15, 16, 17 and 18 of this permission, and before any development commences, the applicant is advised to contact the Local Highway Authority (Lancashire County Council) in order to determine the need for any section 38 and/or section 278 agreements under the Highways Act (1980) with regard to the adoption of any new estate roads and/or any engineering works within the adopted highway.

3. **Bats:**

Whilst the site has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during the development all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed as a protected species license may be required.

4. **Invasive species:**

It is an offence under the Wildlife & Countryside Act 1981 (as amended) to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Japanese knotweed are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

5. **United Utilities:**

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. If the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change. Details of both our S106 sewer connections and S104 sewer adoptions processes (including application forms) can be found on our website <http://www.unitedutilities.com/buildersdevelopers.aspx>

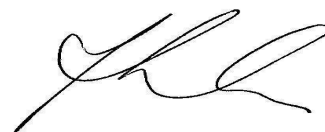
If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for. To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development. A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

The applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

Date of Decision: 08/10/2021

Signed:



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

PLANNING PROBLEMS SOLVED
19 EGERTON ROAD
ASHTON
PRESTON
PR2 1AJ

**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 £34 for householder applications and £116 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 or 01253 658515. New addresses need to be made as early as possible to arrange for Utility connections.

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/planning-inspectorate>.