**Planning Application - 21/1075**

DEMOLITION OF TWO BUNGALOWS AND ERECTION OF TWO DRIVE THROUGH RESTUARANTS, AND ASSOCIATED DEVELOPMENT INCLUDING ACCESS FROM LYTHAM ROAD, CAR PARKING AND LANDSCAPING ARRANGEMENTS. 16 & 18 LYTHAM ROAD, BRYNING WITH WARTON, PRESTON. PR4 1XD

**Bryning with Warton Parish Council - Comments Observations**

The Parish Council Object strongly to the application and are extremely concerned on the impact the development would have on not only the Parish of Bryning with Warton but also its neighbouring Parish, Freckleton.

It is noted in the applicants Planning Statement

Planning Statement - Chapter 4 - Principle of Development

" 4.1. The application site is wholly located within the settlement boundary of Warton/Freckleton. The Fylde Local Plan does not differentiate between the two settlements with the settlements merging. Notwithstanding this both Warton and Freckleton are identified as ‘Local Service Centres’ by Policy S1 of the adopted Local Plan and therefore both fulfil the role of second order settlements in the Borough.

The council is most surprised by this statement as the Fylde Local Plan indicates in numerous places e.g. *Policy S1 Proposed settlement Hierarchy, Local service centres, Urban areas* Freckleton and Warton as distinct separate settlements and 'Local Service centres' within the life of the Local Plan. The Bryning with Warton Neighbourhood development plan, which forms part planning policy for the area, also makes quite clear the boundary. While clarification is surely not required the site falls most definitely within the Bryning with Warton Parish boundary and thus makes it more perplexing that there is no reference to the Neighbourhood Development plan of which there seems to have been no consideration.

Chapter 1 Introduction -

1.2. This document responds to the requirements of the Local Plan Policy and NPPF in relation to town centre uses and economic development. It considers the pertinent matters relevant to this application.

**Sequential Test**

4.9. A sequential test has been undertaken on behalf of the applicant in response to planning policy and in the context of case law and SoS decision outlined earlier in this Statement. An initial pre-application approach was made to Fylde Council to discuss the extent of a Sequential Test and associated parameters as part of this pre-application engagement the following matters were agreed:

***• Owing to the scale and location of the proposal only Freckleton Local Centre should be considered;***

Naturally in view of the extensive efforts by those in the formulation, submission and adoption of the Bryning with Warton Neighbourhood Development Plan the Parish Council would query why it seems it is discounted from this application process?

It is farcical that the applicants from the 'scale and location' of proposal would '**only'** consider 'Freckleton Local Centre' given that both 'Tesco Express' and 'Subway' (Lytham Road, Warton) are within less than half a mile from the proposed site (Not 0.8 of a mile as indicated by the applicant) and there are further existing businesses providing 'take away food and drink' facilities in and around the centre of Warton. The combined 'Spar' service station further down Lytham Road, in addition to groceries provides a plethora of 'take away' type foodstuffs including beverages, 'Foodie

Fusion' and Olivers Chippy', slightly closer on Lytham Road provide such takeaway food(although perhaps at more limited hours of trading), but that aside while retail competition may not be a planning consideration the policies (BWH2 - Protecting existing employment) of the Neighbourhood Plan are relevant and Reference Policy M1 of the Fylde Local Plan-"An appropriate level of retail, leisure, social, cultural, community and health facilities should be provided that meet local needs of the residents of the development, but does not undermine existing town, district or local centres or neighbouring key service centres or local service centres. Which the location of this particular venue would clearly do so.

The following Planning Statement item is most intriguing and obviously difficult to imagine how this would work for a coffee/beverage or small food drive through?

4.8. It is considered that the proposed use of the premises does not fall with in the category of a “*more intensive use*” and as such is not classed as a Main Town Centre Use as defined by NPPF. The application proposes the use of the unit for limited hours at the start and end of the day and is limited to no more than 10 people attending at any one time. Attendance is by appointment only and access is strictly controlled. **In the presumption that appointment only is an error how could this possibly be policed/enforced? Do they intend to turn away the eleventh customer? Is this for both premises jointly or individually meaning a potential 20 customers and associated vehicles?**

**Traffic and Highways**

There are significant highway safety concerns both from the Council and residents of the community.

"5.3. The proposed development will not have an unacceptable detrimental impact on the local highway network and the site can be accessed safely both by car and on foot. *The application was subject to pre-application discussions with the highways authority and the applicant has submitted the scheme on the basis of those discussions.*

The Transport Statement -Summary and Conclusion 5.1 This Transport Statement considers proposals for a drive-thru development on land at Lytham Road in Warton. The review is concluded as follows:

• Two drive-thru units are proposed serving coffee and small food (i.e. sandwiches and pastries);

• Vehicular access can be provided from Lytham Road referencing design best practice and industry guidance;

• The proposed site layout seeks to maximise queue storage for vehicles whilst providing safe passage for pedestrians and cyclists;

• Drive-thru lane infrastructure has been informed by a review of similar sites and their general operational requirements;

• An indicative trip generation exercise has been conducted accounting for the different drivethru elements and their associated peak periods;

• The majority of trips associated with the proposed development will be diverted trips from the A584 of eastern section of Lytham Road, with few new trips; 4.16. INF1 also requires development to minimise negative impacts on existing infrastructure. The majority of customers visiting the site will already be on the network and already passing the site. The location of the development just off of the A584 but also within walking distance of a number of residents in both Warton and Freckleton means that there will be limited additional traffic movements associated with the proposal and limited additional diverted trips putting pressure on the existing road network.

• Traffic impacts are not expected to adversely affect existing network characteristics; and

• A simple mitigation strategy can be implemented should queueing start to extend towards the site access on Lytham Road which will manage and make best use of the queue storage space available within the site. 5.2 Overall, it is considered that the development proposals would not significantly alter the existing characteristics of the local highway network in the vicinity of the site and can therefore be accommodated.

**• The site is located in a sustainable location in transport terms;**

**Policy BXT2 of the BWW Neighbourhood Development Plan (Page 73) To promote the visual appearance of the village, and improve access for all transport users, opportunities should be taken to enhance and improve key gateways. In particular: Lytham Road A584**

The Parish Council are at a complete loss as to how the proposal will not have a detrimental effect on traffic flows in all directions on the A584 and that is before the new residential estate (400+ houses) junction on to the roundabout are built! As referenced in the N.D.P. At the Warton Stakeholder meeting facilitated by Fylde Borough Council on 20 November 2013, Lancashire County Council expressed concerns that the existing local network already suffers from congestion at peak times. Lancashire County Council also made it clear at the same meeting that there are sustainability issues in Warton that must be addressed by a comprehensive masterplan, supported and delivered by all developers, and in consultation with the community. If not, there is a great risk that further development proposals of significance will not satisfy the aims and objectives of the NPPF.

**It would have to be concluded that the 'Masterplan' is referenced in these 'pre-application discussions' but presumably the consultations with the community are of no concern anymore? Or if LCC Highways have since decided that there are now no issues of concern then the Borough Council should be seeking formal confirmation so as to alleviate all future issues of safety concerns!**

**• Local accident records show that there are no safety issues in relation to the operation of the surrounding highway network;**

A sad reflection on such statements in planning that only account of official Road Traffic Collision statistics determines reference of whether a safety issue exist or not. Many near misses and minor accidents go unreported and local consultation would unquestionably highlight that since the Highway alterations to accommodate Thunderbolt Way, Warton, off the dual carriageway roundabout, (Immediately North of this site) it is often now recounted that it's only a matter of time before a serious collision with the most tragic result occurs in this locality, and clearly why any access from the main road would be rejected, but this site will unquestionably detrimentally impact on future traffic flows.

The new approved residential estate that will access directly on to the main Warton /Freckleton roundabout will inevitably increase traffic on the roundabout and surely raises some heightened Safety concerns even for short trips 'nipping across to these restaurants' despite the indication that 'ratio of trips' will not be increased / influenced by the availability of further fast food facilities.

Due to speed and safety concerns the Parish Council has 'sited' a 'SPID' on Lytham Road for bypass traffic re-joining Lytham Road, in this locality as the two lane exit merges together, to the point where not only are there vehicles attempting to merge at the roundabout from direction of Freckleton Village but also, if intended to access the drive-ins, negotiate the Cul-de- sac part of Lytham Road where at busy times there is standing traffic waiting to get on to the main road as well as a Bus stop! This application proposal seeks to attract the attention of motorists to coffee and food drive-ins right at a point where full regard should be taken for negotiating the traffic.

Lytham Road in the immediate vicinity of the adjoining junctions not only has Holy family Church which hosts multiple social events and groups in addition to their usual function. It also accesses the local well established children's day Nursery business (Silverdawn Day Nursery, 23 Lytham Road, Warton) private residences' and access to allotments! The route is also a designated cycle path joining the main A584 Road coming out of Freckleton. Available parking is often completely full with the obvious congestion of those looking for spaces. Additional pedestrian child safety concerns exist for children and families accessing the neighbouring primary schools as well as parents trying to access the Nursery against vehicles entering and exiting the Drive-ins.

While the consideration of "The proposed site layout seeks to maximise queue storage for vehicles whilst providing safe passage for pedestrians and cyclists" - no discernible description of how this is to be implemented (or enforced) given the proposed entrance/exits.

As an additional issue the proximity of the site to the established existing Day Nursery will inevitably affect the access and safety of customers to the business and there is a genuine fear that the success of the proposed application would force the Nursery out of business and obviously cause the loss of employment.

4.18. NPPF paragraph 111 identifies that proposals should only be refused on highways grounds if the impacts of the proposed development are considered to be severe or there is an unacceptable impact on highway safety. The submitted Transport Assessment considers the implications of the development on the local highway network including highway safety. It demonstrates that there are no unacceptable highways impacts associated with the scheme. It is considered that the proposed development complies with the requirements of policy.

Can it be seriously be represented that at peek operational times for these proposed drive-in restaurants, 5 to 10 Customers and additional vehicles, will not 'unacceptably detrimentally impact on the existing local Highway Network!

**Other Matters of Concern**

Given the strong National and International concerns and guidance, Central Government etc., toward environmental Issues, health and welfare of the nation these are issues need to be referenced in any proposed business type premises offering takeaway facilities and all levels of Council have a duty to minimise any potential detrimental impact on their communities wherever possible.

**Litter:** Unfortunately drive-through and takeaway premises are producers of inordinate levels of food and drink packaging which often finds its way to the nearby hedge row or discarded on the street. While obviously the operators, some more than others, do try and reduce this impact but just by local example the Borough and Parish Council, in addition to council services, have become reliant of volunteer members of the community, litter picking to try and prevent vast areas of the rural Fylde from becoming unsightly and shambolic. Operating conditions to provide waste bins in and around site are just not sufficient to curtail the problem and more so with drive-through facilities which encourage or support consumption of their wares 'on journey' rather than on site.Unlike Cities and Towns there are not the resources, availability or convenience for easy litter and refuse collection by paid professional services.

**Health:** The irony of the Borough Council investing financial incentives in healthy eating programmes, particularly for the young and children, yet their hands are tied in the planning the 'system' restricting drive-through fast food type establishments in villages with close proximity to schools and venues frequented by those families. It would of course be argued that many such items offered are not unhealthy in context or limited quantity but as most of us know, and certainly any parents, trying to maintain a healthy balanced diet when sweetened beverages, cakes and pastries are so readily available can almost be impossible and at least mentally challenging to the most resolved.

**Conclusion**

Applicants Planning Statement.

Chapter 5

Conclusion 5.1. The application proposal is for the redevelopment of a previously developed site for two drive-through restaurants adjacent to the A584. The application site falls within the settlement boundary of Warton/Freckleton and therefore as a point of principle the development of the site is acceptable.

**Development of the site as a matter of principle is acceptable, just not for two drive through restaurants which alone would be an over development of the site for offering these type of facilities and in regard to Road Safety Issues.**

5.2. The proposal has been subject to the sequential approach with Freckleton Centre having been assessed and considered for alternative sites. No alternative sequentially preferable sites were identified in line with the approach agreed at pre-application stage and therefore the sequential test is passed.

**The site is in Warton Boundary and with the future prospects of the Enterprise Zone alternative more suitable sites may be available so the sequential test is not passed. Local Plan Strategic Objective 4: To diversify and grow the local economy by:** c. Recognising the international and national strategic importance of the Lancashire Enterprise Zone at BAE Systems, Warton ….. as means of achieving economic growth and diversifying and protecting existing employment land and industrial premises, where appropriate.

5.4. The proposed development will have no negative implications for protected species and the site can be adequately drained with on-site attenuation. The development will result in the loss of some trees on site, although these are of a low quality generally and will be compensated for as part of the landscaping of the development.

**There will be an unavoidable effect on wildlife habitat by any development of the site.**

5.5. The application will have overriding sustainability benefits through the redevelopment of a previously developed site, the improvement to the appearance of the area, provision of enhanced local facilities and the provision of jobs. 5.6. The application proposal is considered to comply with the Fylde Local Plan and, in accordance with presumption in favour of sustainable development outlined in paragraph 11 of NPPF planning permission should be granted without delay.

**The detrimental issues associated with the application far outweigh any sustainability benefits other than some form of development of the site. It does not comply with the Fylde Local Plan or Bryning with Warton Neighbourhood Development Plan and the application should be rejected.**

Naturally the Parish Council would wish to encourage the respective site developed from the existing run down and neglected properties presently on the site proposed. Seek to promote a healthy infrastructure of shops and services in accord with the Neighbourhood development plan and the Borough Council visions for Fylde through the Local plan. Encourage new and greater employment locally but certainly not at the expense of existing businesses and jobs.

This location for two drive-in facilities have the alarming potential to cause untold damage to both the existing Highway traffic flows, Highway safety and cause irreparable harm to surrounding businesses which is contrary to the both the Fylde Local Plan and the Neighbourhood plan ( Policy BWH2 protecting existing employment BWLC1 shops and services) this application should be refused.

Mr A J Wood

Clerk to the Council

Bryning with Warton Parish Council