



Community Association for the Protection of Wrea Green
Together we are Stronger!

Update No 50
6 January – 9 February 2018

The next issue is due to be emailed on 9 March

- 1 The Villa (No SHLAA reference as this is a Commercial Development)**
 - 1.1 The Conditions/Breaches are in the hands of FBC to ensure that these are enforced. We can/do issue reminders but this does not ensure action is taken. It is the intention to remove this entry from next month unless any new matters arise.

- 2 Willow Edge, Compliance with Conditions – 86 properties (Part of SHLAA reference WG14)**
 - 2.1 It has been confirmed by LCC Highways that the rut, which appeared across Ribby Road by the bottom of Willow Drive following Aptus Utilities connections, is to be repaired by Aptus. However, due to the need to give 3 months notice of a road closure, this will not occur until April 2018. Thanks are due to our County Councillor, Paul Rigby, for taking up this matter with LCC Highways, along with pothole issues in the Village. There have been complaints about potholes in Bryning Lane, Greenside, Station Road and even near the Recycling Centre, close to Lytham and about the drain on Station Road outside the entrance to the Grapes.

On the subject of potholes, residents may find the below link to an article on “Blog Preston” of interest in this context, it covers Lancashire generally.

<http://www.blogpreston.co.uk/2018/02/pothole-row-breaks-out-over-new-lancashire-road-repair-policy/>

2.2 Lorries continued to go to and from the site with uncovered loads. This is contrary to the Construction Plan, as it can allow spills and additional dust. This was taken up with the FBC Enforcement Officer who later advised it had been dealt with. However, within two hours of receiving the Enforcement Officer's advice on 29 January, at least four more uncovered but soil laden lorries used Willow Drive. A resident photographed one and the evidence was sent to the Enforcement Officer who re-raised this with Story Homes Site Manager. In turn, Site Manager took the matter up with the Lorry Operator, Clive Hurt Ltd. Since then matters have SIGNIFICANTLY improved, with lorries now regularly covered.

3 54 Bryning Lane – 36 properties (SHLAA Reference WG 20) Application 17/0797 Discharge of Conditions

- 3.1 Following an email to FBC Planning on 11 January, 3 additional items were added to the Planning website. We understand that further responses are being pursued with both the Developers and Statutory Consultees. However, our previously advised contact at LCC Highways has now left and we are "not permitted" to have the name and email address of his replacement. This would appear to be contrary to the LCC decree of "close involvement with residents" regarding development.
- 3.2 We raised a number of issues with the latest Construction Method Statement and asked that these are considered by FBC Planning as they pull matters together "in the coming weeks". These include very limited visitor parking which is to be raised with the Developer, the positioning of the Materials Storage Compound, which is going to have hoarding round it and cleaning Bryning Lane of mud deposits. The last of these is a problem reported on three occasions, now along with large lorries parking up on Bryning Lane before the site opens at 8am, causing both road and driveway obstructions.
- 3.3 A part reply to issues raised by Eric Murphy with Mark Menzies has now been received. This was held up by an oversight in Mark's office. Mark agrees that something should be done immediately regarding the capacity problems at the Brookland Pumping Station and has written to UU and EA in this context and awaits responses. Mark has a meeting scheduled with the EA Director in about a month and will re-raise the matter then.
- 3.4 In the latter part of January, a resident raised a number of matters with FBC Planning. These related to working outside the proposed permitted hours (with heavy machinery), a failure to clean Bryning Lane with sufficient regularity (leaving it muddy for much of the time) and the churning up of the grass verge in Bryning Lane by lorries arriving and

leaving the site, as well as previously outstanding matters. The response from FBC indicated that the resident himself would have to take up sewage issues directly himself (a previously outstanding matter), that LCC Highways would eventually require the re-instatement of the grass verges and other matters were referred to the FBC Enforcement Officer.

- 3.5 We have received advices from FBC that there are now to be NO bus shelters added in Bryning Lane, due to the problem with positioning these. Despite the confirmation by LCC Highways, that road speeds are in excess of 20mph, the visibility splay will ONLY reflect a posted speed of 20mph So much for resident safety!!!

4 Applications subject to Appeal.

- 4.1 As reported in the last Update, a Pre-Inquiry meeting was held on 22 January between “interested parties”. Those who were invited to attend were as below -

The Appeal Inspector, FBC Planning and barrister, 4 Developer representatives with barristers, Chairman of the Parish Council (John Maskell), Borough Councillor (Frank Andrews) and CAPOW (myself). The decisions reached were –

To use conjoined presentations/questioning for 3 main general and consistent topics in the following order –

- 1 - General Planning Matters and Sustainability
- 2 - Highways
- 3 - Housing Land Supply (for the Fylde)

This will be followed by specific issues arising out of each application, in assigned alpha order (see below).

The Appeal Inspector asked how many resident speakers there were likely to be. This I could not answer at the time, although I said that there will be some and that I would be present for the whole of the Appeal Inquiry.

It is important that we DO have resident speakers to show a strong level of concern and that this should not just be left to CAPOW, in the form on myself. I would suggest at least one for EACH site. **However, I do need to know how many of you are prepared to speak against individual sites, by end of February, so that we can liaise and prevent duplication of coverage so please contact me as soon as possible as resident involvement is paramount.** I also need to provide a list of known resident speakers to the Inspector by 27 February. The Inspector needs to have the content of your coverage/speeches by 20 March and an indication of time needed. This

will also require any speaker to attend at the start of the Inquiry (10am on 17 April) to register, in person, his/her intention to speak. There is some formality to all this BUT the Inspector is likely to be less formal with inexperienced resident speakers and allow flexibility. Coverage is NOT limited to the standard FBC/PC 3 minutes but resident speakers are allowed whatever time they need – within reason.

I would hope that Eric or Anne Murphy (maybe plus one) will cover 53 Bryning Lane and Dan Rowley and Bob Hetherington will cover Moss Side Lane, together with Peter Bagot. We really need local resident speakers for 38 Bryning Lane and The Brooklands. I believe I have managed to get one “volunteer” for 38 Bryning Lane.

The Inspector’s notes (issued 26 January) state that FBC had indicated that, provided consultation was undertaken, they would be unlikely to object to the revised plan for Appeal B (38 Bryning Lane) which responded to concern about layout. From this note, I believe it does not mean the objection is withdrawn in full, just this one aspect. Of course, that consultation has yet to take place.

As with our Borough Councillor Frank Andrews’ coverage, it was suggested by Appellants’ Barristers that residents’ speeches should be delivered early on in the Inquiry process. I have asked that this is amended so residents can speak as the detail of each specific site is discussed. This seems to give a greater opportunity of residents to be heard in context, which is KEY. This is now to be addressed at the start of the Inquiry.

I also asked, for CAPOW, that we are permitted to speak/add to FBC content on a subject by subject basis. This has been agreed.

It is hoped that CPRE will also speak against these Appeals, bearing in mind that ALL are Greenfield sites in the Countryside. CAPOW have approached CPRE in this regard.

The process for each topic is to FBC to present first (ie their objections), followed by resident speakers and then CAPOW followed by other interested parties, if any. This will be followed by the Developer/s. Each speaker will be followed by single Barrister questioning. As far as CAPOW is concerned the intention is to prepare a check list of issues for each Appeal Site and mark these off if and when issues are dealt with by other speakers (FBC/Residents) and merely raise any remaining items. We will not be repeating the same points as previously raised, unless merely to confirm agreement or to reinforce a specific point.

None of the above stops any resident attending for as much or little of the Inquiry as he/she wishes – and the more who attend the better, it shows a KEEN interest in the outcome, so let's fill the room! An opportunity may arise to raise additional issues as the hearing progresses, particularly in relation to what you have heard on a particular topic. It certainly WILL arise at the start of Proceedings as, by law, ANY individual or group can apply to speak during the Inquiry. (For one past Inquiry regarding Warton, I applied to speak much later on, via the FBC Barrister, and THAT was granted - same Inspector).

4.2 The proceedings have a start date for the Joint Inquiry of April 17 with a duration of 3 weeks. Nevertheless, there is MUCH to do prior to 17 April. The venue will be the Dalmeny Hotel, for the first 3 days using the larger ballroom and the rest of the time in the smaller St Annes' Conference Room. The below list has been changed to reflect the alphabetic letter assigned to each Appeal Site. This was as agreed and is important so that the Inspector is aware which application is being referred to.

A) Appeal against Refused Planning Permission – 16/0619 Moss Side Lane (SHLAA reference 15a) – up to 50 houses.

B) Application 16/1028 Land with access through land next to 38 Bryning Lane for 41 properties (SHLAA reference WG05/15).

C) Application 17/0005 Land at 53 Bryning Lane – 20 properties (part of SHLAA reference WG18).

D) Application - 17/0146 West of the Brooklands – 48 properties (SHLAA reference WG16)

4.3 CAPOW input to the Inquiry

The draft CAPOW input to the Inquiry was prepared, in draft, by 2 February and most certainly will be ready in time for submission. This covers the three conjoined issues, with the national position included, followed by specific site matters for all four sites, placed in consistent order, as far as possible. Overall this runs to 20 pages of text/photos and refers to the original CAPOW objections, which contained more detail, as part of the overall CAPOW stance, on behalf of residents. The document was emailed to all Parish Councillors on 6 February for consideration prior to the PC Meeting on 12 February. Once amended/confirmed, copies will be passed to resident speakers and submitted to PINs.

5 Local Plan Examination

The proposed revisions to the Local Plan were released on 9 January and included in the Agenda for the 17 January Meeting of the Planning Committee.

Updated housing supply figures were added to the Local Plan Examination website on 11 January. These were confirmed as 5.1 years (Sedgefield) and 6.3 years (Liverpool). These figures were as at 30 September 2017. The Examiner has yet to advise whether she regards the Liverpool method as suitable/acceptable.

A Re-Consultation of the “final plan” was due to be and did commence for 6 weeks from 8 February completing on 22 March. Actually, it only appears to be the modifications which are being consulted upon. FBC will provide copies of the Re-Consultation comments to the Examiner on an “as received” basis, with no summary to be provided. This will be within 2 weeks of the end of the Consultation.

The Examiner will summarise her conclusions in a report by the end of May 2018 at the latest – although that is only indicative and depends on her workload.

6 Other Matters

- 6.1 The dead tree immediately adjacent to Ribby Road, which is a potential road hazard – and getting worse - was again reported to our County Councillor (31 January) for action by LCC Highways since the land owner continues to ignore requests to take action. No reply has been received as at the time of this Update.
- 6.2 There is to be a revised draft of the NPPF (National Planning Policy Framework) to be issued by Easter.
- 6.3 Ombudsman Services (OS) has announced that it will withdraw from complaints handling in the property sector.

It has instead launched a dialogue with consumers to help tackle an “imbalance in power” in the housing sector.

The not-for-profit organisation, which is the largest multi-sector Ombudsman in the UK, said it will work with charities, consumer groups, property professionals and the public on a major report on the creation of a single housing ombudsman for submission to the Ministry of Housing, Communities and Local Government in the spring.

Ombudsman Services will now begin a managed withdrawal from the current schemes it operates for surveyors, managing agents, estate agents and letting agents by 6 August 2018.

It will consult with the public to understand “key pain points”.

Summary of Outstanding/Ongoing Matters

At DMC level – (please note we have to work from information on the Planning website to use as “a best guess” as to when an application will come before the DMC, UNLESS the Agenda has been issued or other information happens to be provided. This explains why some applications may not come forwarded as anticipated below. The basis of our “best guess” is linked to the requirement to consider an application within the proscribed time limit of 3 months).

Awaited/Expected –
PINs Appeals (April 2018)

Appeal against decision to Refuse (regarded as the “lead” appeal)

A - Application 16/0619 Moss Side Lane (up to 50 houses).

and

Non-determination by FBC Planning

B - Application 16/1028 for 41 houses, west of Bryning Lane (41 houses)

C - Application 17/0005 land Adjacent to 53 Bryning Lane – under Appeal for non-determination by FBC (ONLY 20 large detached houses).

D - Application 17/0146 land west of The Brooklands (48 houses).

Current Matters

None known.

Other Issues –

Monitoring of compliance with Construction Plan Conditions and other matters at Ricksby Grange, Willows Edge and 54 Bryning Lane (all on-going). This is very dependent on site-local input from residents and it is preferable that residents raise matters directly with FBC, so that CAPOW are not regarded as the sole complainant. Copies should be sent to CAPOW so that we can maintain a cumulative record of issues arising and raise overall site matters.

John Rowson

Chairman of the Community Association for the Protection of Wrea Green

9 February 2018