

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 20th October, 2021 at 10.30 am in Committee Room 'C' - The Duke of Lancaster Room, County Hall, Preston

Present:

County Councillor Matthew Maxwell-Scott (Chair)

County Councillors

P Rigby	M Pattison
L Cox	S Hind
M Dad BEM JP	B Yates
A Kay	S Clarke
G Mirfin	

1. Apologies for absence

Apologies for absence were received from County Councillor Potter and County Councillor Khan.

Temporary changes

County Councillor Hind replaced County Councillor Pope.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor Kay declared a non-pecuniary interest in Item 6 as the site was in her electoral division.

County Councillor Yates declared a non-pecuniary interest in Item 7 as he was a Member of South Ribble Borough Council and their Planning Committee.

3. Minutes of the last meeting held on 8 September 2021

Resolved: That the minutes of the last meeting held on Wednesday 8 September 2021 be confirmed and signed by the Chair.

4. Update Sheet

The Update Sheet was circulated prior to the meeting (copy attached).

5. West Lancashire Borough: application number LCC/2021/0032 Erection of portal framed building for storage of recycled soils, Newbridge Farm, Stopgate Lane, Simonswood

A report was presented on an application for the erection of a portal framed building for storage of recycled soils at Newbridge Farm, Stopgate Lane, Simonswood.

The site imported inert wastes which were then processed and screened to produce a variety of soil products, suitable for use on sites such as football pitches, golf courses and domestic gardens. The Committee noted that the soil screening and storage operations currently took place in the open air but that this was resulting in the recycled soil materials becoming saturated by rain, making the product unfit for purpose. The proposed building would therefore be used for the storage of soil under cover, in order to prevent it being exposed to the weather. The height of the building was required to allow a loading shovel to operate inside the building to create and remove stockpiles of soil.

The report included the views of West Lancashire Borough Council, Simonswood Parish Council, the Health and Safety Executive and LCC Highways Development Control. No observations had been received from the Coal Authority and no representations had been received.

An email had been received from County Councillor Rob Bailey requesting that the application be determined by the Development Control Committee and raising concerns over expanded operating hours and additional Heavy Goods Vehicles movements through Bickerstaffe, as a consequence of the new operation.

The Development Management Officer presented a Powerpoint presentation showing a location plan, an aerial view of the site, elevations diagrams and photographs of the existing site and proposed building.

Abigayle Boardman addressed the Committee, on behalf of the applicant. Ms Boardman reported that, in recent years, an increase had been seen in the demand for dry products, especially from house builders. If the soil was too wet, it was harder for plants to root and harder for water and air to penetrate which increased the risk of surface water. Committee noted that the original planning permission had not been implemented as the proposed location of the building was not considered to be appropriate. The applicant now intended to construct a building of similar dimensions, but in a different location on the site next to the existing building. Committee noted that there would be no additional product on site, no increase in vehicle movements or any other changes.

Resolved: That planning permission be **granted** subject to conditions controlling time limits, working programme, building materials and hours of construction, as set out in the Committee report.

- 6. Wyre Borough: application number LCC/2021/0033 Amendment to condition 7 of planning permission LCC/2014/0145 to allow the site to accept household waste in addition to the existing permitted waste inputs of commercial and industrial waste, Burn Hall Waste Transfer Station, Unit 8 Burn Hall Industrial Estate, Venture Road, Fleetwood**

A report was presented on an application for an amendment to condition 7 of planning permission LCC/2014/0145, at Burn Hall Waste Transfer Station, Unit 8 Burn Hall Industrial Estate, Venture Road, Fleetwood, to allow the site to accept household waste in addition to the existing permitted waste inputs of commercial and industrial waste.

It was reported that the commercial waste currently being accepted on site may include wastes having a level of food contamination similar to household waste. Committee noted that the existing Environment Agency permit for the site already allowed for the importation of household waste, and therefore the amendment to the planning permission would bring the two controls into alignment.

The report included the views of the Environment Agency and Highways England. No observations had been received from Wyre Borough Council, LCC Highways Development Control, Fleetwood Town Council and no representations had been received.

The Development Management Officer presented a Powerpoint presentation showing an aerial view of the site, the nearest residential properties and the location of Cala Gran Caravan Park. A diagram was also shown of the site layout, and photographs showing the views of the waste transfer building, the open yard area, the air filtration system, the waste reception area and the piles of processed waste.

It was reported that the original application had received objections, but that none had been received for this current application and that the extraction system installed had seen good results in eliminating odours.

County Councillor Andrea Kay had requested that the application be reported to Committee for determination and had also drawn attention to the presence of two caravan parks, a farm based visitor attraction and two proposed housing developments in the local area. County Councillor Kay had asked where the waste would be originating from, the routes the heavy goods vehicles (HGVs) would take and the likely pollution impacts for the local area. CC Kay reported that a major problem was the littering of plastics which were strewn all over the road, in the fields and the nearby children's farm and emphasised that the applicant needed to comply with the conditions currently in place by keeping the building shutters closed and for loads to be secured on the HGVs. As traffic was already an issue in the area, CC Kay informed Committee that a 7.00am start was not acceptable and stated that this should be 9.00am.

It was reported that the volume of waste at the site would not be increased and that, as no contract was currently in place, it was not yet known where the waste would be coming from. There was currently an agreement in place stating which route the vehicles needed to take and that, if this rule was not being adhered to, then this would be taken up with the applicant who needed to enforce these rules. In relation to litter, Committee were advised that this should be controlled through the conditions already in place; most of the vehicles were well-enclosed and

sheeted in order to contain the waste, and a further condition was proposed, in relation to sheeting and ensuring loads were secured.

CC Clarke informed Committee that the HGVs were not taking the route that they had been told they should use and that the route they were using was dangerous. In addition, he expressed concern about this site being so near to the caravan park and the leisure park and the odours that would be emitted. CC Clarke stated that vehicle movements should not start until 9.00am.

Jonathan Haine re-iterated that the issue in relation to the route would need to be taken up with the applicant and that the air quality control plan put in place as part of the Environment Agency permit should eliminate the odour issue.

Andy Mullaney reminded Committee they had previously agreed the route to be taken by HGVs and that, if it was now seen to be unacceptable, then solid reasons would be required for changing the route.

Ross Hudson reported that the consultation had begun on 11th August and that a site notice had been put up on 16th August to which no objections had been received, and that the proposal would not involve an increase in vehicle movements.

CC Yates expressed concern about noise, fumes and the litter problem. In addition, the building doors had been photographed as being wide open on the presentation. CC Yates proposed that a decision be deferred on this matter whilst issues were addressed on the building doors, conditions for vehicles and loads being secured. Committee noted that a condition already existed in relation to loads being covered and that enforcement actions could be considered in relation to this.

It was reported that the photograph shown on the presentation had been taken during the construction of the site, and that the doors had not been fitted at that stage. Jonathan Haine reported that he had been on site after the construction work had been completed and that he had witnessed the doors working properly. It was explained that, as vehicles approached the building, the doors opened automatically and then closed once the HGV had entered the building. As the building was maintained under negative pressure, air was drawn into the building and through the filters, eliminating odours as much as possible.

Following a discussion, County Councillor Yates withdrew his deferral.

County Councillor Mirfin stated that reasons for any deferral should be that an up to date odour assessment/modelling was required, given the change in the nature of waste being accepted, and that permits needed to be scrutinised in more detail to ensure they were satisfactory. It was reported that an assessment had shown that household waste odours were very similar to those of the waste currently being accepted and that the extraction system on site was more than adequate. Committee noted it was not in their remit to scrutinise the permits and that there

were controls within the permit conditions to ensure that odours from the site should not cause any issues for local residents.

Resolved: Subject to the applicant first entering into a Section 106 Agreement relating to heavy goods vehicle (HGV) routing, planning permission be **granted** subject to conditions controlling time limits, working programme, noise and dust controls, building materials and lighting, highway matters, surface waters and ecological mitigation, as set out in the Committee report.

**7. South Ribble Borough: application number LCC/2021/0012
Extraction of sand and gravel including construction of new access road and new junction with A59 Preston New Road, creation of plant site, weighbridge and stockpiling area, silt ponds, landscaping including screen mounding, with progressive restoration to wetland and passive flood management facility, woodland and agriculture.
Lower Hall Farm, Samlesbury nr Preston**

A report was presented on an application for extraction of sand and gravel, including construction of a new access road and new junction with A59 Preston New Road, creation of plant site, weighbridge and stockpiling area, silt ponds, landscaping including screen mounding, with progressive restoration to wetland and passive flood management facility, woodland and agriculture at Lower Hall Farm, Samlesbury near Preston.

The application proposed the extraction of around 3 million tonnes of sand and gravel which would be worked over a period of around 20 years at an annual output of around 150,000 tonnes per annum. This would generate approximately 25 heavy goods vehicle (HGV) loads (50 movements) per day.

The key elements of the proposal were outlined to Committee and it was noted that a full description of the proposed development would be provided once the application was presented for determination. It was reported that a further period of consultation was required, following some work being carried out by the applicant, and that it was expected that the application would be put forward to Committee around March/April 2022.

Due to the scale of the proposal and likely impacts and the difficulty in visualising the proposed development 'on paper', it was considered that it would be beneficial for members of the Committee to view the site and surrounding area before considering this planning application.

CC Yates provided Committee with some details on the history of the site. However, it was noted that the background of the application should not be discussed at this stage and that Committee were merely being asked to vote on whether to visit the site prior to considering the full proposal.

Resolved: That the Committee visit the site before considering the proposal.

**8. West Lancashire Borough: application number LCC/2021/0037
Provision of a temporary classroom, Lathom Park C of E Primary
School, Hall Lane, Lathom**

A report was presented on an application for the construction of a temporary classroom at Lathom Park C of E Primary School, Hall Lane, Lathom.

The temporary classroom (for a maximum of three years) was required to alleviate pressure on classroom space due to rising roll numbers. The site was located within the Lathom Park Conservation Area and within the Green Belt. Lathom Park C of E Primary School offered education for children from pre-school age to eleven years. Due to new development in the area, and the good reputation of the school, roll numbers were rising and there was now an urgent need for additional specialist teaching space. The school wished to extend the existing school building but due to its design, any extension would be costly, and it would take time for the school to acquire the necessary finance. A small temporary classroom building was therefore proposed to alleviate the immediate pressure on classroom space.

The report included the views of West Lancashire Borough Council, Lathom Parish Council and the Coal Authority. The main issues related to the impacts on the Green Belt and location adjacent to a listed building and within a Conservation Area. No representations had been received following the press advertisement and site notice and neighbouring residents being informed by individual letter.

The Development Management Officer presented a Powerpoint presentation showing a location plan, aerial photograph of the site and the nearest residential properties, elevations and a photograph of the proposed location of the building.

The Officer drew attention to the Update Sheet which included comments from LCC Highways Development Control requesting a condition be attached to the planning permission, outlining the requirement of a construction method statement clearly stating working hours. Committee were informed that, given the nature and scale of the building being proposed, it was considered that this condition did not meet a number of the tests in paragraph 56 of the National Planning Policy Framework, and therefore should not be imposed.

Resolved:

That planning permission be **granted** subject to conditions controlling time limits, working programme, duration of the development and building materials, as set out in the Committee report.

9. Planning decisions taken by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation

It was reported that, since the last meeting of the Development Control Committee on 8 September 2021, four planning applications had been granted planning permission by the Head of Planning and Environment, in accordance with the county council's Scheme of Delegation.

Resolved: That the report be noted.

10. Urgent Business

There were no items of Urgent Business.

11. Date of Next Meeting

Resolved: That the next meeting of the Committee be held on Wednesday 8 December 2021 at 10.30am, County Hall, Preston.

L Sales
Director of Corporate Services

County Hall
Preston

Item 4 - Update Sheet

Development Control Committee – 20 October 2021

Item 8 – Lathom Park School – Application LCC/2021/0037

Consultations

Lancashire County Council (LCC) Highways: No objection. However as the construction site is in a school, in order to alleviate any safety concerns for pupils and staff during installation, a construction method statement is required clearly stating working hours.

Highways request the following condition:

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. It shall provide for:

- *The parking of vehicles of site operatives and visitors*
- *The loading and unloading of plant and materials*
- *The storage of plant and materials used in constructing the development*
- *The erection of security hoarding*
- *Details of working hours*
- *HGV delivery times and routing to / from the site*
- *Contact details for the site manager*
- *Construction vehicle routing*
- *Delivery, demolition and construction working hours*

Advice

The absence of objection from Lancashire County Council (LCC) Highways should be noted. However, it is considered that the condition recommended by Highways should not be attached to any permission. Paragraph 56 of the NPPF states that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Given the nature and scale of the building being proposed, it is considered that this condition does not meet a number of the tests in paragraph 56 and therefore should not be imposed.

