

Lancashire County Council

Development Control Committee

Wednesday, 16th October, 2013 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Agenda

Part 1 (Open to Press and Public)

No. Item

1. **Apologies for absence**
2. **Disclosure of Pecuniary and Non-Pecuniary Interests**

Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.
3. **Minutes of the last meeting held on 4 September 2013** (Pages 1 - 12)

The committee are asked to agree that the Minutes of the last meeting held on 4 September 2013 be confirmed and signed by the Chair.
4. **Fylde Borough: Application ref 05/13/0431** (Pages 13 - 24)

Change of use from general industrial unit (Class B2) to metal recycling site. Unit 2, Scafell Road, Queensway Industrial Estate, St Annes.
5. **West Lancashire Borough: Application No. 08/13/0959** (Pages 25 - 34)

Change of use of building to an end of life vehicle de-pollution and breaking area and use of adjoining land for ancillary storage. Unit 6 Highgate, Tarleton.
6. **Lancaster City: Application 01/13/0882** (Pages 35 - 42)

Construction of a temporary compound including siting of ten demountable units, topsoil storage and car parking area in association with the Heysham M6 Link Road. Halton Army Training Camp, Halton Road, Lancaster.

7. **Lancaster City: Application ref 01/13/0944** (Pages 43 - 48)
Provision of farm access track and sheet pile protection in association with the proposed Heysham to M6 Link, at the proposed milestone canal bridge. Lancaster Canal, north of Hammerton Hall Bridge. Lancaster

8. **Preston City: Application ref 06/13/0517** (Pages 49 - 66)
Construction of a three storey youth zone building including outdoor sports provision with floodlighting and a 4m high ball stop fence, external storage facilities and construction of a new highway to facilitate access. Bow Lane, Preston.

9. **Planning Applications determined by the Executive Director for Environment in accordance with the County Council's Scheme of Delegation.** (Pages 67 - 68)

10. Urgent Business

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

11. Date of Next Meeting

The next meeting of the Development Control Committee will be held on Wednesday 27 November 2013 at 10.00 a.m. in Cabinet Room B - The Diamond Jubilee Room, County Hall, Preston.

I M Fisher
County Secretary and Solicitor

County Hall
Preston

Agenda Item 3

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 4th September, 2013 at 10.00 am in The Diamond Jubilee Room (Formerly Cabinet Room 'B') - County Hall, Preston

Present:

County Councillors

T Aldridge	M Johnstone
P Buckley	A Jones
C Crompton	K Sedgewick
M Dad	R Shewan
M Green	B Yates
P Hayhurst	C Henig
S Holgate	D Stansfield
D Howarth	

County Councillors C Henig and D Stansfield replaced County Councillors K Ellard and P Rigby on the committee respectively.

1. Apologies for absence

None received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor C Crompton declared a non pecuniary interest in agenda Item 10 as a member of Preston City Council.

County Councillor P Buckley declared a non pecuniary interest in agenda item 5 as his wife is a member of Fylde Borough Council.

3. Minutes of the last meeting held on 17 July 2013

At their meeting held on the 5 June 2013, the committee had considered application 01/13/0020 relating to a single storey extension to the existing building and external works consisting of play areas and landscaping and a new pedestrian access at Great Wood Primary School, Beaufort Road, Morecambe.

The committee resolved that planning permission be granted and that:

- i) The school be requested to give further consideration to an increase in parking provision.
- ii) The assistant director (highways) be requested to carry out further investigations in respect of the former lay-by to the front of the school on Beaufort Road.
- iii) The outcome of further investigations in respect of i) and ii) above, be reported to the next meeting of the committee.

The committee was informed that the school had advised that the budget for the scheme was constrained and the priority was to direct resources to maximise the educational provision for the children, rather than providing parking. It was felt that additional parking would also reduce the amount of play area for the children possibly leading to the Department of Education and Sport England objecting to any loss of sporting/recreational space to hard standing areas.

The committee was also informed that the assistant director had carried out further investigations in respect of the former lay-by and was strongly of the view that the lay-by should not be reinstated. It was considered that the extra parking provision would be insignificant and would compromise pedestrian safety.

Resolved: That the developments in respect of application 01/13/0020 be noted and that the Minutes of the meeting held on 17 July be agreed and signed by the Chair.

**4. Lancaster City: Application ref 01/13/0700
Variation of condition 2 of planning permission 01/03/1591 to retain existing offices until 7 March 2030. Back Lane Quarry, Nether Kellet, Carnforth**

A report was presented on the variation of condition 2 of planning permission 01/03/1591 to retain existing offices until 7 March 2030 at Back Lane Quarry, Nether Kellet, Carnforth.

The report included the views of the County Council's Assistant Director (Highways) and Specialist advisor (Ecology).

The committee noted that no letters of representation had been received.

The Deputy Group Head, Development Management, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential property. The committee was also shown photographs of the office building and the view of the building taken from the nearest residential property.

Resolved: That subject to the applicant first entering into a Section 106 agreement restricting the occupation of the building to the operator of the adjacent limestone quarry, planning permission be **granted** subject to the conditions set out in the report to the committee.

**5. Fylde Borough: Application ref 05/13/0431
Change of use from general industrial unit (Class B2) to metal recycling site. Unit 2, Scafell Road, Queensway Industrial Estate, St Annes.**

A report was presented on an application for the change of use from general industrial unit (Class B2) to metal recycling site at Unit 2, Scafell Road, Queensway Industrial Estate, St Annes.

The report included the views of the County Council's Assistant Director (Highways), the Environment Agency and details of four letters of representation received.

The Deputy Group Head, Development Management, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the site and the access road.

Following concerns raised by the Members with regard to the noise attenuation measures at the site and the proximity of the nearest residential properties, it was Moved and Seconded that:

"The application be deferred to allow the committee to visit the site prior to determining the application".

On being put to the vote the Motion was Carried whereupon it was:

Resolved: That the application be deferred to allow the committee to visit the site prior to determining the application.

**6. Rossendale Borough: Application 14/13/0239
Extension to building at waste transfer station and erection of a screen wall, Waterbarn Mill, Newchurch Road, Stacksteads, Bacup**

A report was presented on an application for an extension to a building at a waste transfer station and erection of a screen wall at Waterbarn Mill, Newchurch Road, Stacksteads, Bacup.

The committee was reminded that at their last meeting they had resolved to defer the application to allow the applicant to redesign the building in a way that would attenuate noise and provide dust suppression.

The report included details of a presentation made by four residents to the committee on the 15 July 2013 and details of four presentations made at the meeting on the 17 July 2013.

The case officer, Catherine Lewis, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown an illustration of the building and the proposed elevations together with photographs of the site and surrounding residential streets.

It was reported orally that the views of Rossendale Borough Council had been received. They advised that the revised noise assessment had been briefly reviewed. Initial observations in the time available, were that the report contained a number of omissions and inconsistencies in relation to the data provided. Accordingly, the Council's position of referencing noise as one of the concerns leading to objection remained the same as that set out in their representations of 20th June 2013.

The committee was informed that an independent assessment of the noise report submitted by the applicant had been sought by the County Council and which advised:

'The measurements taken at 9 Brandwood Park are fairly consistent with those that we obtained earlier this year. There is an error in Table 2 under para 2.4 - For location 5b the Lmax noise levels have been entered in the column that should show LAeq.

I consider the report reasonable in its findings and conclusions.

I would take issue slightly with the conclusion (4th bullet point under para 5.1) that the Rating Level [in relation to 9 Brandwood Park] is "comfortably below the recommended noise limit of 45dBLAeq, 1 hour", when in fact it is only 1dB below.

However, if the recommended noise limits are applied and complied with these should adequately protect the nearest sensitive receptors'.

Inconsistencies in the report had been identified by Rossendale Borough Council's Environmental Health Officer and the County Council's own specialist advisor. However, it was considered that in the main, the report was reasonable in its findings and conclusions and that should the inconsistencies be addressed, they would not alter the overall conclusion.

A further representation had been received maintaining that the site was co-owned, that the applicant was not the sole owner of the site and should therefore have completed Certificate B rather than Certificate A and served formal notice of his intent to submit an application on the co-owner before the submission of the application.

The applicant had subsequently confirmed that the site was co-owned but the co-owner had left him to deal with all operations on site and so he did not think it was necessary to make reference to the co-owner in connection with the application. The co-owner had confirmed he was aware of the application and that he had no objection to it.

The committee noted that as the applicant did not serve the correct ownership certificate there had been a breach of the statutory requirements and s.327A of the Town and County Planning Act 1990 provides that a local planning authority should not entertain an application where there has been a breach of the requirements.

However, if planning permission were to be granted notwithstanding this breach, the permission would still be valid unless set aside by the High Court on review. In a case in 2012, (**Queen on the Application of O'Brien v West Lancashire Borough Council**), the High Court declined to set aside a planning permission in similar circumstances for the following reasons:

1. There was no evidence of bad faith and no intention to deceive;
2. Those challenging the permission were not owners of the land;
3. Those who had been directly affected by the breach (the other land owners) had made it clear they did not consider themselves as prejudiced because they never intended to make representations in relation to the grant of permission; and
4. The adjoining landowners were aware of the application and had made representations.

The committee was advised that all the above reasons applied here and it was clear that no prejudice had been caused to the co-owner of the land or to those third parties now objecting to the application. In the circumstances it was considered that should planning permission be granted any challenge on this point would fail and the permission would be allowed to stand.

The case officer reported that it was proposed to amend Condition 3 'Working programme' by substituting:

'Drawing entitled Waste Transfer Station-proposed elevations-North rev A received 3 July 2013.'

With

'Drawing entitled Waste Transfer Station-proposed elevations-North rev B received 3 July 2013.'

Following debate and concerns raised by the members with regard to the breach of the statutory requirements, it was Moved and Seconded that:

"The application be declared invalid due to the submission of an incorrect certificate declaring ownership".

On being put to the vote the Motion was Carried whereupon it was:

Resolved: That the application be declared invalid due to the submission of an incorrect certificate declaring ownership.

**7. Ribble Valley Borough: Application 03/12/1059
Demolition of part of the school buildings and construction of a 2/3 storey building, external walkway, glazed link roof, remodelled caretaker building, and reconfiguration of parking and external play areas at Bowland High School, Sawley Road, Grindleton**

A report was presented on an application for the demolition of part of the school buildings and construction of a 2/3 storey building, external walkway, glazed link roof, remodelled caretaker building, and reconfiguration of parking and external play areas at Bowland High School, Sawley Road, Grindleton.

The report included the views of Ribble Valley Borough Council, the County Council's Assistant Director (Highways), the Environment Agency, Natural England and details of two letters of representation received.

The Group Head, Development Management presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown an illustration of the site layout and the proposed elevations together with photographs of the existing buildings including those to be demolished or remodelled.

The Group Head reported orally that condition 6 of the planning permission required details of a construction method statement to be submitted for approval.

It was also reported that the applicant had now provided sufficient detail that was considered to be acceptable. It was therefore proposed to amend condition 2 to the planning permission as follows (reason to remain unchanged), delete condition 6 and renumber all subsequent conditions accordingly:

2. The development shall be carried out, except where modified by the conditions of this permission, in accordance with the following documents:
 - a) The Planning Application received by the Director of Transport and Environment on 22 November 2012.
 - b) Submitted plans and documents:
 - Drawing No:
 - L (00) 03 Rev 6 Proposed Site Plan
 - L (2-) 03 Rev 09 Proposed Elevations Sheet 1 of 2
 - L (1-) 03, rev 12 Proposed Lower Ground Floor Plan
 - L (1-) 04 Rev 13 Proposed Upper Ground Floor Plan
 - L (1-) 05 Rev 13 Proposed First Floor Plan
 - L (1-) 06 Rev 02 Proposed Roof Plan
 - L (1-) 11 Rev 03 Proposed Caretaker Building Plans and Elevations
 - L (00) 15 Proposed Landscaping Layout
 - 4054-E10 Rev A Proposed External Lighting & Elevations Layout

Mr P Tunstall, the agent for the applicant addressed the committee. He explained that the development was required to provide suitable facilities for the pupils at the school particularly in respect of Information Technology. A visual impact assessment had been undertaken to help inform the design of the development and mitigation measures were proposed following a bat survey. In order to address objections it was proposed to replace any trees lost during the construction phase of the development and reconfigure the car park to allow for an overall increase in the provision at the site.

Officers responded to questions from the members in respect of the installation of fire sprinklers, the building materials to be used, the external lighting proposed and the hours of construction. In respect of the latter it was agreed that Condition 4 to the planning permission be amended as follows:

4. No demolition work, construction development, delivery or removal of materials shall take place outside the hours of:

0730 to 1800 hours Monday to Friday (except Public Holidays),
0900 to 1300 hours on Saturday (except Public Holidays).

No demolition work, construction development, delivery or removal of materials shall take place at any time on Sundays or Public Holidays.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy G1 of the Ribble Valley Local Plan.

Resolved: That planning permission be **granted** subject to the conditions set out in the report to the committee with amendments to Conditions 2 and 4 as set above, the deletion of condition 6 and the renumbering of all subsequent conditions.

8. **Ribble Valley Borough: Application No. 03/13/0650**
Single storey detached building to provide sixth form teaching accommodation, associated landscaping and the provision of 11 additional car parking spaces to provide a total of 60 parking spaces. Hillside Special School, Ribchester Road (B6245), Hothersall.

A report was presented on a single storey detached building to provide sixth form teaching accommodation, associated landscaping and the provision of 11 additional car parking spaces to provide a total of 60 parking spaces at Hillside Special School, Ribchester Road (B6245), Hothersall.

The report included the views of Ribble Valley Borough Council, Hothersall Parish Council, the County Council's Specialist Advisor (Ecology) and details of eleven letters of representation received.

The Deputy Group Head, Development Management presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown an illustration of the proposed layout and elevations together with photographs of the proposed site.

The Deputy Group Head reported orally that the views of the County Council's Assistant Director (Highways) had been received. He felt that it was clear from the objections received that there was/had been an issue with taxis waiting to access the site. When the site was visited with the developer there were no taxis waiting on the highway (but this may not have been a representative observation as the gates were in the open position due to maintenance work). It was felt that the school head and the travel care provider would need to address any problems. It was noted the number of taxis has been reduced from 40 to 21 as more pupils share taxis and there was a commitment to pursue the introduction of a travel plan. With this in mind, no objection to the proposal was raised but it was suggested that a travel plan be submitted prior to the occupation of the new building and that the travel plan should include provision for regular liaison and a channel of communication with the Parish Council to ensure that the arrival and departure of the taxis did not give cause for concern.

It was reported that a letter of representation had been received from County Councillor David Smith. He felt that the 11 proposed car parking spaces would not alleviate the 'stacking taxi' problem on the main (Ribchester) Road, at least while the main school gate remained locked at critical times. He also felt that the application should only be approved with a traffic management plan that took taxis off the main road before 9am and before the end of the school day.

A further 3 letters of representation had been received from local residents objecting to the proposal for the following summarised reasons:

- The number of taxis waiting on Ribchester Road would increase and so pose an even greater danger to pedestrians, cyclists, neighbours, local residents and motor vehicle users on a road approaching the school where the national speed limit (60mph) applies.
- There had already been a number of incidents on the stretch of road in question including two pedestrian fatalities in the last 16 years. Consequently, the road surface was improved with raised red road humps at the junction and on the approach roads immediately outside Hillside. However, there was still on average one vehicle collision every couple of months and daily near misses mainly due to speeding. A real danger included cars ramming into the back of vehicles as they wait to pull into their own residential driveways. The large number of taxis that consistently wait on the road for up to 20 minutes before the gates open only amplified the situation.

- The problem had escalated since electric gates were installed at the entrance to the school access and the school refused to open them until 9am and 3pm.

It was suggested that a double, vehicle width holding bay should be created outside of the school gates by either moving the gates further down the existing long driveway or creating a long holding bay the full width of the school grounds on the approach to the school from the east (south side of Ribchester Road). There was ample room within the school grounds and along the frontage to implement either of these options. Another possible solution would be to build a small road across fields via Higher College Farm.

The committee was advised that the issues raised were addressed in the report. With regards to condition 7, it was noted that the travel plan would need to be reviewed when the new staff were present. It was felt it would be inappropriate to require the travel plan to be prepared prior to the occupation of the building. It was therefore proposed to amend condition 7 as follows to exclude part e) and for that to be the subject of a new condition. It is not proposed to make it a requirement for dialogue with the Parish Council.

7. With 6 months of the new sixth form building hereby approved being brought into use a revised Travel Plan for the whole of the school including the new sixth form, as defined by this permission, shall be submitted to the Director of Transport and Environment for approval in writing.

The Travel Plan shall include:

- a) A brief description of the whole school including the sixth form building, their location and a summary of the particular transport and road safety issues at the site including the transport of all pupils by private vehicle, taxi or bus.
- b) Evidence and results of consultation with staff and other interested parties.
- c) Targets and measures to minimise the impact of/reduce private car use for the journey to and from the site by staff and other visitors including the transport of all pupils by private vehicle, taxi or bus.
- d) A summary of the site's current road safety policies and practices, details of any new or proposed initiatives including a planned timetable of introduction.
- e) Proposals for monitoring progress of the Travel Plan including a timetable for its implementation and review.

The revised Travel Plan shall be implemented in full within one month from the date of approval and within one month of any subsequent review for the purposes of (e) above.

Reason: In the interests of highway safety and to conform with Policy G1 of the Ribble Valley Local Plan.

Additional condition:

Prior to the commencement of development, details of the times the school gates are to be open before school starts and finishes to accommodate drop off and pick up times shall be submitted to the Director of Transport and Environment for approval in writing. The gates shall remain open during the approved times for drop off and pick up times every day the school is open to pupils to ensure that taxis and buses can access the grounds and wait to drop off and pick up pupils without the need to wait on Ribchester Road within 200 metres of the school gates and provision shall be made within the school grounds to ensure taxis and buses waiting to drop pupils off and pick pupils up do not wait on Ribchester Road within 200 metres of the school gates.

Reason: In the interests of highway safety and to conform with Policy G1 of the Ribble Valley Local Plan.

County Councillor David Smith, the local member for the area, addressed the committee. He reiterated the concerns set out in his letter of representation above in relation to the parking situation on the access road to the school and called for more realism and rigour when addressing this issue.

In response to concerns raised, the committee agreed that Condition 7 to the planning permission be further amended to allow for the Travel Plan to be implemented within 2 months of the new sixth form building being brought into use.

Resolved: That planning permission be **granted** subject to the conditions set out in the report to the committee with the amendments to Condition 7 and the inclusion of the additional condition as set out above.

**9. Preston City: Application ref 06/13/0517
Construction of a three storey youth zone building including outdoor sports provision with floodlighting and a 4m high ball stop fence, external storage facilities and construction of a new highway to facilitate access. Bow Lane, Preston.**

A report was presented on an application for the construction of a three storey youth zone building including outdoor sports provision with floodlighting and a 4m high ball stop fence, external storage facilities and construction of a new highway to facilitate access on Bow Lane, Preston.

It was noted that although the site was located relatively near to the city centre, it was located close to a number of residential properties. The committee was

advised that along with issues of design and landscaping, the other main issues to consider would include the likely impacts on residential amenity, access to public transport routes and potential loss of car parking associated with the County Hall complex. Given the nature, scale and location of the proposal and the issues it had raised in terms of visual and physical impact and location, it was recommended that a site visit be carried out prior to the determination of the application.

Resolved: That the Development Control Committee visits the site prior to determining the application.

- 10. Preston City: Applications 6/13/0527 and 6/13/0528
Renewal of Planning Permission 6/06/0589 for Construction of the Broughton Bypass and improvements to existing highways.
(Application 6/13/0528)
Renewal of Planning permission 6/07/0320 for measures to safeguard European protected species (bats and great crested newts) affected by Broughton Bypass including bat roost, bat box and ponds. (Application 6/13/0527). Land at Broughton, Preston.**

A report was presented on the renewal of planning permission 6/06/0589 for the construction of the Broughton Bypass and improvements to existing highways (ref 6/13/0528) and the renewal of planning permission 6/07/0320 for measures to safeguard European protected species (bats and great crested newts) affected by Broughton Bypass including bat roost, bat box and ponds(ref 6/13/0527) on land at Broughton, Preston.

The committee noted that the planning application had generated a number of representations objecting to the proposal. Given the scale and nature of the proposal and level of public interest, the Committee was recommended to visit the site before determining the applications.

Resolved: That the Development Control Committee visits the site of the proposed by pass and associated ecological mitigation area before determining the applications.

- 11. South Ribble Borough Council 07/13/0469
Formation of a pedestrian access gate within the existing fence
Leyland Learning Centre, Redwood Avenue, Leyland.**

A report was presented on an application for the formation of a pedestrian access gate within the existing fence at Leyland Learning Centre, Redwood Avenue, Leyland.

The report included the details of one letter of representation received.

The Group Head, Development Management, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown a photograph of the location of the proposed gate.

Resolved: That planning permission be **granted** subject to the conditions set out in the report to the committee.

12. Planning Applications determined by the Executive Director for 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 17 July 2013, ten planning applications had been granted planning permission by the Executive Director for Environment in accordance with the County Council's Scheme of Delegation:

Resolved: That the report be noted.

13. Urgent Business

There were no items of urgent business.

14. Date of Next Meeting

It was noted that the next meeting of the committee would be held on Wednesday 16 October 2013 at 10.00 a.m. in Cabinet Room B at County Hall, Preston.

I M Fisher
County Secretary and Solicitor

County Hall
Preston

Agenda Item 4

Development Control Committee
Meeting to be held on 16th October 2013

Electoral Division affected: St Annes North
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Fylde Borough: Application ref 05/13/0431
Change of use from general industrial unit (Class B2) to metal recycling site.
Unit 2, Scafell Road, Queensway Industrial Estate, St Annes.

Contact for further information:
Jonathan Haine, 01772 534130, Environment Directorate
DevCon@lancashire.gov.uk

Appendix A – Application report to Development Control Committee meeting of 4th September 2013

Executive Summary

Application - Change of use from general industrial unit (Class B2) to metal recycling site. Unit 2, Scafell Road, Queensway Industrial Estate, St Annes.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, control of noise and storage activities and hours of operation.

Background

A report on the application for the change of use of an existing industrial unit to a metal recycling site was presented to the meeting of the Development Control Committee on 4th September 2013; a copy of the report is appended as 'A'.

Following a presentation of the application the Committee resolved to undertake a site visit before determining the application. The site visit took place on 15th October 2013.

Consultations

The consultation responses are set out in Appendix A.

Planning Policy

Since the report to the 4th September 2013 Committee was published, the policies relevant to the application have changed. The saved policies in the Lancashire Minerals and Waste Local Plan (LMWLP) have now been replaced by the policies of the Lancashire Minerals and Waste Development Framework – Site Allocations and Development Management DPD.

The following policies of the Lancashire Minerals and Waste Development Framework – Site Allocations and Development Management DPD are relevant to this application

Policy NPPF 1	Presumption in favour of sustainable development
Policy DM1	Management of Waste and Extraction of Minerals
Policy DM2	Development Management
Policy WM1	Capacity of Waste Management Facilities
Policy WM3	Local Built Waste Management Facilities

Advice

A planning application for the change of use of an existing industrial unit at Queensway Industrial Estate to a site for the processing of waste metal was reported to the meeting of the Development Control Committee on 4th September 2013. Following discussion, the Committee resolved to undertake a site visit before determining the application. The site visit took place on 15th October 2013.

Since the application was last reported to the Committee, the saved policies of the LMWLP referred to in the report (policies 2, 37 and 88) have been replaced by the Lancashire Minerals and Waste Local Development Framework – Site Allocations and Development Management policies DPD. The application must now therefore be considered against these policies and those of the NPPF, the Lancashire Minerals and Waste Development Plan Framework and the Fylde Borough Local Plan.

Policy DM2 of the Site Allocation and Development Management Policies DPD is the most relevant policy to the proposal. The policy supports minerals or waste development proposals where it can be demonstrated that all environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. The requirements of this policy are very similar to those found in Policy 2 of the former LMWLP and against which this application was previously assessed and found acceptable. It is therefore considered that the proposal remains acceptable in terms of the development plan policies relating to local environmental impacts.

Since the previous Committee, the applicant has confirmed that all unloading operations can take place within the building and that the skip for the receipt of non ferrous metals can also be accommodated within the building. This would provide for all activities, with the exception of parking, to take place within the building and which would further mitigate the potential environmental impacts of the proposed recycling operations. Conditions 4 and 5 have therefore been modified to ensure all operations would be undertaken within the building.

The applicant has also now obtained an Environmental Permitting exemption from the Environment Agency. The exemption has been granted on the basis that the proposed activities can be undertaken without endangering human health or harming the environment in particular without risk to water or air and without causing nuisance through noise or odours. The exemption has therefore been granted on the basis that the proposed activities are of a small scale and do not present a risk to the environment.

The proposal was previously considered acceptable subject to conditions. The applicant has now confirmed that all operations can be carried out within the building. This would further protect the amenities of nearby properties and could be controlled by condition. The proposed use would not generate large numbers of heavy goods vehicles. The site is served by a purpose built access serving the remainder of the industrial estate which does not require traffic to pass the front of any residential properties. Subject to the imposition of conditions the proposed use is considered to be acceptable for the purposes of Policy DM2 of the Site Allocation and Development Management Policies.

In view of the scale, nature and design of the development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **granted** subject to the following conditions:-

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1) (a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

- a) The Planning Application and supporting statement received by the County Planning Authority on 24th June 2013.
- b) Submitted Plans and documents:
Drawing no Scar/001

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policy EMP2 of the Fylde Borough Local Plan and policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocations and Development Management Policies DPD.

3. No receipt or export of metals, waste processing, bulking up and loading activities shall take place outside the hours of:

08.00 to 17.00 hours, Mondays to Fridays (except Public Holidays)
08.00 to 13.00 hours on Saturdays

No receipt or export of metals, waste processing, bulking up and loading activities shall take place at any time on Sundays or Public Holidays.

This condition shall not, however, operate so as to prevent the carrying out, outside these hours, of essential repairs to plant and machinery used on site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocation and Development Management Policies DPD.

4. All unloading / loading of vehicles, metal processing activities and storage of metals shall be undertaken within the building shown on Drawing no Scar/001.

Reason: To protect the amenities of the area and to conform with policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocation and Development Management Policies DPD.

5. No waste or sorted metals shall be stored outside of the building shown on Drawing No Scar/001 unless they are stored in purpose designed skips or storage containers (which shall be first loaded within the building) and are located within the area shown by the dashed line on drawing Scar/001.

Reason : In the interests of the visual amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocation and Development Management Policies DPD.

6. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the operation of the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Development Framework Site Allocation and Development Management Policies DPD.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
5/13/0431	24/5/13	Jonathan Haime/Environment/534130

Reason for Inclusion in Part II, if appropriate – N/A

APPENDIX A

Development Control Committee

Meeting to be held on 4 September 2013

Electoral Division affected: St Annes North
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Fylde Borough: Application ref 05/13/0431

**Change of use from general industrial unit (Class B2) to metal recycling site.
Unit 2, Scafell Road, Queensway Industrial Estate, St Annes.**

Contact for further information:

Jonathan Haine, 01772 534130, Environment Directorate

DevCon@lancashire.gov.uk

Executive Summary

Application - Change of use from general industrial unit (Class B2) to metal recycling site. Unit 2, Scafell Road, Queensway Industrial Estate, St Annes.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, control of noise and storage activities and hours of operation.

Applicant's Proposal

Planning permission is sought for the change of use of an existing industrial unit and associated yard to a waste transfer station involving the receipt, sorting and segregation and bulking up of waste metals prior to onward delivery to metal reprocessing facilities.

The unit would primarily accept scrap non ferrous metals from local tradesmen such as plumbers and builders. The materials would be delivered into the building where they would be sorted into different metal types with any cable being stripped of its plastic coating and larger items of waste such as boilers being broken into constituent parts. A skip would be provided outside the building for the storage of ferrous metals with any sorted non ferrous metals being stored within bins within the building. The site would accept approximately 2 tonnes of materials each day, which would be delivered to the site in light goods vehicles (approximately 15 per day) with recycled metals being collected by HGV (approximately 1 vehicle per day).

The proposed use would operate between the hours of 08.00 -17.00 hours Monday to Friday and 08.00 – 13.00 hours on Saturdays.

Description and Location of Site

Unit 2 is located on the Queensway Industrial Estate approximately 2km north east of St Annes town centre. The Industrial Estate is comprised of a number of small business units used mainly for storage and distribution and general industrial uses, which are accessed from the B5261 (Queensway) via Kilnhouse Lane and Everest Road.

The unit to which the application relates measures 32m x 20m and includes a building measuring 18m x 20m. The adjacent units are used for vehicle parts distribution or are presently vacant. The nearest houses to the unit are located on Walter Avenue, the rear elevations of which face the industrial estate approximately 46m from the application site.

Background

History

There is no relevant planning history.

Planning Policy

National Planning Policy Framework

Paragraphs 11 – 16, 17 and 18 – 22 of the NPPF are relevant with regard to the definition of sustainable development, core planning principles and building a strong competitive economy.

Planning Policy Statement 10 – Planning for sustainable waste management

Lancashire Minerals and Waste Local Plan (LMWLP)

Policy 2	Quality of Life
Policy 37	Strategic Road Network
Policy 88	Recycling Sorting and Transfer of Waste

Lancashire Minerals and Waste Development Framework

Policy CS7	Managing our waste as a resource
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Fylde Borough Local Plan

Policy SP1	Development within settlements
Policy EMP 2	Development within the defined business and industrial areas

Consultations

Fylde Borough Council: No observations received.

St Annes on the Sea Parish Council: No observations received

LCC Assistant Director (Highways): No objection.

Environment Agency: No objection. The development will require an environmental permit unless a waste exemption applies.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Three representations have been received from residents on Walter Avenue objecting to the proposal in view of the likely noise and traffic impacts of the development. A further representation has been received from a metal recycling business located on Snowdon Road expressing concern to the prospective loss of trade and increased competition.

Advice

Director of Transport and Environment – Observations

The proposal is for the change of use of an existing industrial unit to a waste transfer station for the receipt, sorting and segregation and bulking up of metals. The unit is currently vacant but was last used as a storage facility / warehouse by a garden furniture retailer. The proposed use would accept waste metals and metal goods from local tradesmen such as plumbers and builders following which they would be dismantled, sorted and segregated into different metal types. The operation would include equipment to strip plastics from cables and to cut metals but no other mechanised processing would occur. All the processing activities would be undertaken within the existing building and the external yard area would only be used to locate a skip for the storage of ferrous metals and for car parking. Sorted metals would be bulked up prior to collection and moving on for further reprocessing at other sites.

Planning Policy Guidance Note 10, which represents Central Government planning policy on waste management, states that the overall objective of Government policy on waste is to protect human health and the environment by producing less waste and by using it as a renewable resource whenever possible. Policy CS7 of the Lancashire Minerals and Waste Core Strategy sets out targets for the recycling and recovery of industrial and commercial wastes. The proposal would help to meet such targets and objectives as it would provide a facility for local tradesmen to dispose of waste metals in a way that would maximise the recovery and reuse and such materials. The development therefore complies with the overall waste policies as set out in PPS10 and the Lancashire Minerals and Waste Core Strategy.

Policy 88 of the LMWLP sets out policy for the location of development for the transfer and recycling of household, commercial or industrial waste. The policy provides that such development will be supported where it is located on appropriate industrial areas or in other appropriate locations and that all operations should be carried out within buildings where they would otherwise give rise to harm to amenity, not give rise to unacceptable adverse impacts on people or the environment and the highway network and site access can safely accommodate the traffic generated.

The unit is located on an existing industrial estate. Policy EMP2 of the Fylde Borough Local Plan allocates this site as an existing business and industrial area and states that such sites will be retained for uses falling within Class B of the Use

Classes Order. Development for the recycling of waste metal is considered to be a *sui generis* use – one that does not fall within a particular use class. However, the development is small in scale and would have a similar light industrial nature to many of the other uses located on this industrial estate. Other waste uses have also been permitted on the industrial estate including a scrapyard and household waste centre. The development is therefore considered to be acceptable in terms of policy EMP2 of the Fylde Borough Local Plan and the site is therefore in an appropriate industrial area as required by policy 88 of the Lancashire Minerals and Waste Local Plan.

Three representations have been received from residents on Walter Avenue. The rear elevations of these properties overlook the industrial estate and are approximately 40m from the application site. The waste would be sorted on site, mainly by hand, with the only mechanised equipment being two machines to strip insulation from cable, a shear to cut metal and a bailer. Such operations would be undertaken within the building and the only operations undertaken in the external yard area would be the loading / unloading of vehicles and storage of ferrous metals in a skip. Given the layout and nature of the operations, it is considered that the development would not result in unacceptable harm to the amenities of local residents. However, conditions are proposed relating to the use of the external yard area, hours of working and silencing of plant to protect the amenities of the area.

One further representation has been received from the occupier of a nearby unit on the industrial estate who operates a similar business who is concerned about loss of trade. However, it is considered that this is not a material consideration.

The development would not generate large numbers of heavy goods vehicles. The site is served by a purpose built access serving the remainder of the industrial estate which does not require traffic to pass the front of any residential properties. Subject to the imposition of conditions referred to above, the proposed use is considered acceptable in relation to Policies 2 and 88 of the Lancashire Minerals and Waste Local Plan and can be supported.

In view of the scale, nature and design of the development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1) (a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
- a) The Planning Application and supporting statement received by the County Planning Authority on 24th June 2013.

- b) Submitted Plans and documents:

Drawing no Scar/001

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policies 2 and 88 of the Lancashire Minerals and Waste Local Plan.

3. No receipt or export of metals, waste processing, bulking up and loading activities shall take place outside the hours of:

08.00 to 17.00 hours, Mondays to Fridays (except Public Holidays)
08.00 to 13.00 hours on Saturdays

No receipt or export of metals, waste processing, bulking up and loading activities shall take place at any time on Sundays or Public Holidays.

This condition shall not, however, operate so as to prevent the carrying out, outside these hours, of essential repairs to plant and machinery used on site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy 2 of the Lancashire Minerals and Waste Local Plan.

4. All metal processing activities shall be undertaken within the building shown on Drawing no Scar/001.

Reason: To protect the amenities of the area and to conform with Policies 2 and 88 of the Lancashire Minerals and Waste Local Plan.

5. No metals apart from ferrous materials shall be stored outside of the building. Any storage of ferrous metals shall only be within purpose designed skips or storage containers which shall be located within the area shown by a dashed line on drawing Scar/001.

Reason: In the interests of the visual amenities of the area and to conform with policies 2 and 88 of the Lancashire Minerals and Waste Local Plan.

6. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the operation of the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy 2 of the Lancashire Minerals and Waste Local Plan.

Notes

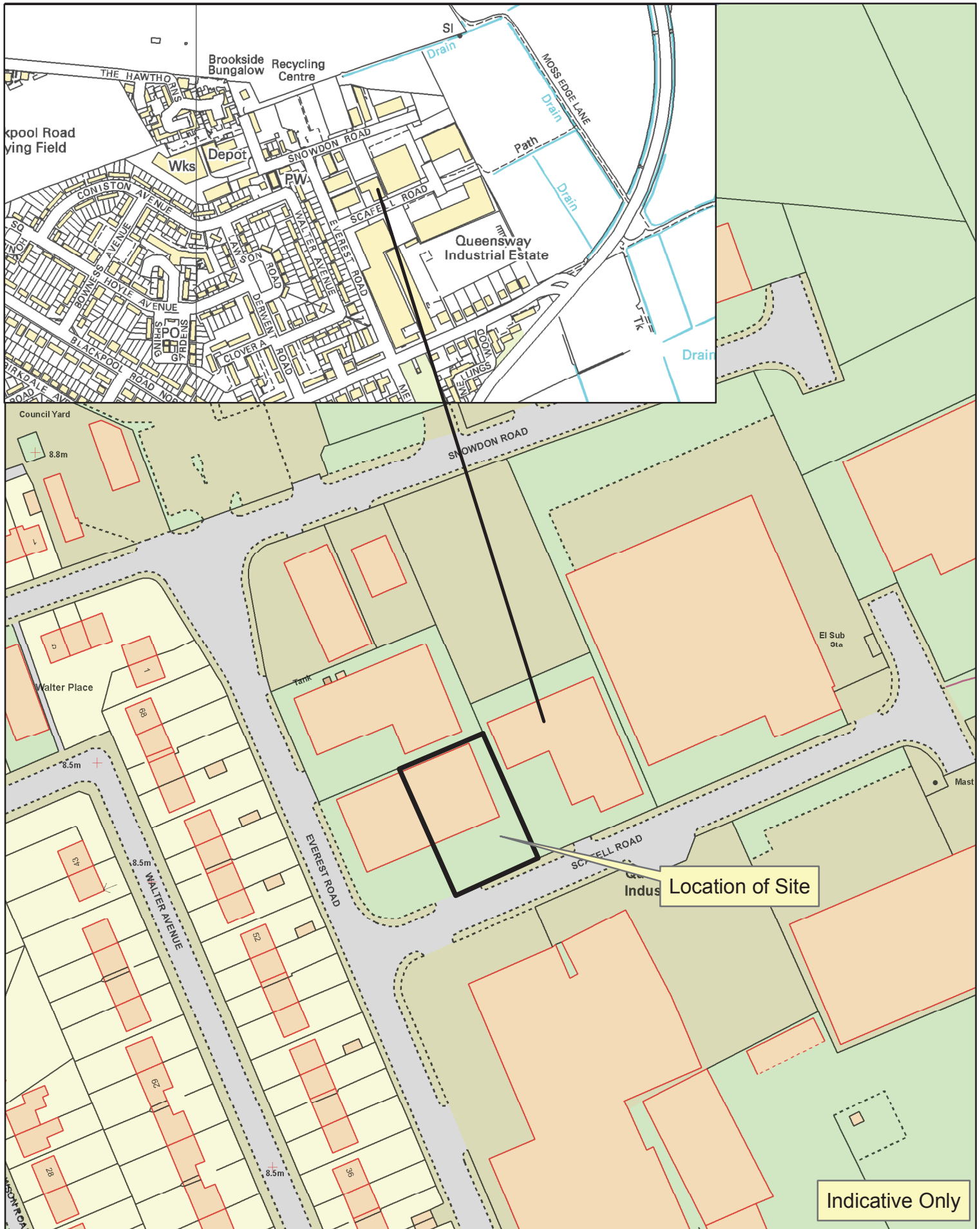
The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
5/13/0431	24/5/13	Jonathan Haine/Environment/534130

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION 05/13/0431 CHANGE OF USE FROM GENERAL INDUSTRIAL UNIT (B2) TO METAL RECYCLING PROCESSING UNIT CENTRE. UNIT 2 , SCAFELL ROAD, QUEENSWAY INDUSTRIAL ESTATE, ST ANNES

Agenda Item 5

Development Control Committee
Meeting to be held on 16 October 2013

Electoral Division affected: West Lancashire North

West Lancashire Borough: Application No. 08/13/0959
Change of use of building to an end of life vehicle de-pollution and breaking area and use of adjoining land for ancillary storage. Unit 6 Highgate, Tarleton.

Contact for further information:
Rob Jones, 01772 534128, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Application – Change of use of building to an end of life vehicle de-pollution and breaking area and use of adjoining land for ancillary storage. Unit 6 Highgate, Tarleton.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, site operations, prevention of retails sales and safeguarding of watercourses and drainage.

Applicant's Proposal

Planning permission is sought for the change of use of a building currently used as a vehicle repair workshop to a de-pollution area and breaking area for end of life vehicles (ELV).

Vehicles would be delivered to the site and de-polluted within the specified part of the unit. Prior to and after de-pollution the vehicles would be stored in a small yard area adjacent to the unit which is currently used for ancillary purposes to the vehicle repair workshop.

The proposed operating hours would be between 0800 to 1800 hours Monday to Friday, 0800 to 1400 hours on Saturday and closed on Sunday.

Description and Location of Site

The proposal is located at an existing vehicle repair workshop located in a unit at the end of the private road of Highgate and at the edge of the west side of the village of Tarleton. Highgate is accessed directly from the west side of Hesketh Lane. The proposed unit is at the end of a continuous line of four units that are subdivided.

Unit 6 consists of the building, which measures approximately 15m x 6m and an adjacent open area to the west side of the building measuring approximately 15m x 10m and which is surrounded by a 1.8m high wooden fence. The adjoining unit is in use as a joinery workshop while the other two units are used for commercial vehicle repairs. To the north and west is an overgrown and disused plant nursery area. A partially covered open storage area associated with the vehicle repairs separates the units from the rear of the nearest houses to the south by a distance of 30m.

The private road of Highgate which serves the units is partially surfaced with hardcore and is potholed. The distance from its junction with Hesketh Lane to Unit 6 is 80m and passes between two houses that front Hesketh Lane. There is a church on the opposite side of the road on Hesketh Lane.

The ELV de-polluting and breaking would take place within the building while the adjoining yard would be used for storage of vehicles.

Background

A Certificate of Lawfulness (ref. 8/96/0051) was granted by West Lancashire District Council on the 03 July 1996 for the Use of the building as a joiner's workshop and use of adjoining land for storage (i.e. materials and equipment) ancillary to the joinery business.

Planning Policy

In law all EU Regulations and Directives apply and all government guidance and policy statements must be taken into account. The following are particularly relevant to proposals of this nature:

Framework Directive on Waste

A Community Strategy for Waste Management

EU Sustainable Development Strategy 2001

Securing the Future (UK Strategy for Sustainable Development)

Waste Management Licensing Regulations 1994

PPS10 Planning for Sustainable Waste Management

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17, 18-20, 56 – 66, 109 and 120 are relevant with regard to the requirement for sustainable development, core planning principles, strong local economy, the requirement for good design and conserving and enhancing the natural environment.

Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD (LMWDF)

Policy CS7 Managing our waste as a resource

Lancashire Minerals and Waste Development Framework – Site Allocations and Development Management DPD

Policy NPPF 1	Presumption in favour of sustainable development
Policy DM2	Development Management
Policy WM1	Capacity of Waste Management Facilities
Policy WM3	Local Built Waste Management Facilities

West Lancashire Replacement Local Plan

Policy GD1	Design of Development
Policy EN11	Protection of Water Resources
Policy DS4	Open Land on the Urban Fringe

Consultations

West Lancashire Borough Council – Objection. Insufficient information has been provided to enable full assessment of the implications of the proposal.

Tarleton Parish Council – No observations received.

LCC Assistant Director (Highways) – No observations received.

Environment Agency - No objection.

Representations – The application has been advertised by press and site notice and neighbouring residents have been notified by letter. One representation has been received objecting as the de-pollution activities involve removing, storing, disposing and processing highly dangerous, explosive fluids which are dangerous to the environment and surrounding houses. It is not clear as to the processes involved in these activities.

Advice

Director of Transport and Environment – Observations

Planning Authorities must have regard to the EU Waste Framework Directive, which has been made part of domestic law by the Waste Management Licensing Regulations 1994. This legislation provides that the local planning authority must have regard to the ‘relevant objectives’, which are ensuring that waste is recovered or disposed of without endangering human health and without using processes or methods that could harm the environment and, in particular, without risk to water, air, soil, plants or animals; or causing nuisance through noise or odours; or adversely affecting the countryside or places of special interest.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development it is not only necessary to take into consideration the

relevant policies of the Development Plan but also the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process.

National policy seeks to achieve sustainable waste management by moving the management of waste up the 'waste hierarchy' of reduction, re-use, recycling, composting, using waste as a source of energy and only disposing of waste as a last resort. PPS 10 stresses that the wider environmental and economic benefits of sustainable waste management are material considerations that should be given significant weight in determining planning applications.

The Development Plan for the site is made up of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD and the West Lancashire Replacement Local Plan. The Minerals and Waste Local Development Framework – Core Strategy was prepared with regard to the EU Waste Framework Directive and Paragraph 4 of Part 1 of Schedule 4 of the Waste Management Licensing Regulations 1994. The 'relevant objectives' are referred to in the plan and the policies were prepared to reflect the intentions of such.

Planning permission is sought for the change of use of a workshop currently in use as an existing vehicle repair workshop to a de-pollution area and breaking area for the end of life vehicles. The adjoining yard would be used for the storage of vehicles associated with the activities. Permission is required as the end of life vehicle breaking activities are a *sui generis* use. There would be no alteration works to the exterior of the building or the yard area. The workshop and yard area have a lawful use as a joiners workshop and storage. It is not known when the current vehicle repair use commenced and which would be a matter for the district council. However, irrespective of the planning status of the site, the current application must be considered on its own merits.

The applicant currently operates the adjacent two units used for commercial vehicle repairs and the existing vehicle repair and MOT centre (J. Cheetham and Sons) at 172 Hesketh Lane. These existing operations deal with vehicles that have reached the end of their usable life. The applicant wishes to use the existing Unit 6 solely for the de-pollution activities associated with the ELV that arise at the other sites.

The vehicles would be delivered to the site, de-polluted and dismantled within the specified unit. The hazardous wastes such as oils and radiator liquids that are drained off as a part of the de-pollution process would be stored for removal at a later date. The vehicle parts would be either used in the existing vehicle repair and MOT centre at the previously mentioned sites or sold on and the vehicle shells removed from site for recycling or disposal.

Policy DM2 of the Lancashire Minerals and Waste Development Framework – Site Allocations and Development Management DPD supports proposals for waste management operations where it can be demonstrated that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels.

The unit is located on land designated as Open Land on the Urban Fringe and which is subject to Policy DS4 of the West Lancashire Replacement Local Plan which does not permit development unless it retains or enhances the rural character of the area. Suitable uses of the land would be small scale, low intensity tourism and leisure uses, and forestry and horticultural related uses. Small scale employment facilities to meet an identified local need will be permitted on the designated land provided that it can be demonstrated that there are no suitable sites available within the built up area, and, if there are no such sites, that sustainable sites, allocated under this policy, closest to the village centre are considered first, followed, secondly, by sites which are further from the village centre where a problem of dereliction would be removed. Only after this search sequence has been satisfied should other sites be considered.

The proposed de-pollution activity would take place within the existing unit. The proposed use is not one of the uses considered to be suitable for the purposes of Policy DS4 of the West Lancashire Replacement Local Plan, but it would be classed as a small scale employment facility to meet an identified local need.

The policy also requires that it be demonstrated that there are no suitable sites available within the built up area. In relation to this point, the applicant has advised that there are two designated employment areas in the Tarleton, Becconsall and Hesketh Bank areas; Tarleton Mill in Tarleton and Alty's Brickworks in Becconsall. However, Tarleton Mill has been demolished for residential development that has not yet commenced, while Alty's Brickworks is also to be developed for residential purposes. There are no designated industrial estates in the local area and no other alternative locations available. Given this information and the apparent scarcity of available sites, it is considered that it has been demonstrated that there are no suitable sites available within the built up area within which the proposed use could be accommodated.

In terms of the location of the site, it is just inside the land designation as Open Land on the Urban Fringe and would be only 80m from the west side of Hesketh Lane which is the main road that runs through Tarleton. Given the close proximity to Hesketh Lane and the adjacent two units and the existing vehicle repair and MOT centre on Hesketh Lane from where the ELV would be delivered, plus the fact that it would utilise an existing small building and adjoining yard that has been used for local employment uses, it is considered to be a sustainable site due to its location. It is therefore considered that the proposal would accord with Policy DS4 of the West Lancashire Replacement Local Plan.

Vehicles delivered to the site would use the existing private road of Highgate that leads directly from Hesketh Lane. The number of vehicles imported to the site is expected to be small due to the scale of the premises. Vehicles could be stored in the adjoining yard area and which would be screened by the surrounding 1.8m high wooden fencing. No stockpiling of vehicles would be required and which could be restricted by condition. It is not expected there would be any highway implications. The use is therefore considered acceptable for the purposes of the development plan.

Vehicle dismantling has the potential to pollute groundwater resources. However, the vehicle dismantling process would be undertaken within the building thereby controlling the pollution potential of the development. The development is not located close to any watercourse and the development would be subject to environmental controls imposed by the Environment Agency as a part of their granting of a permit for such a use. Subject to conditions being imposed regarding the storage of waste liquids, storage of vehicles and the prevention of the retail sales of parts, the development is considered acceptable in terms of Policies GD1 and EN11 of the West Lancashire Replacement Local Plan.

In view of the scale, location and nature of the proposed development it is considered no Convention Rights as set out in the Human Rights Act would be affected.

Recommendation

That planning permission be **granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1) (a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

- a) The Planning Application received by the County Planning Authority on 29 August 2013.

- b) Submitted Plans and documents received by the County Planning Authority on 29 August 2013:

Location Plan

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policy CS7 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD and Policies GD1, EN11 and DS4 of the West Lancashire Replacement Local Plan.

Site Operations

3. All vehicle dismantling and de-pollution operations shall be undertaken within the existing workshop building shown on the Location Plan.

Reason: To safeguard visual amenity, ground and surface water quality and to protect the amenity of adjacent land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan Site Allocation and Development Plan Policies DPD.

4. The site shall not be used for the retail sale of parts recovered from end of life vehicles at the site.

Reason: In the interests of local amenity and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan Site Allocation and Development Plan Policies DPD.

5. All vehicles that have been depolluted or are awaiting de-pollution or breaking shall be stored in the yard area shown on the Location Plan and shall not at any time be stacked.

Reason : In the interests of visual amenity and the prevention of pollution and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan Site Allocation and Development Plan Policies DPD and Policy GD1 of the West Lancashire Replacement Local Plan.

Safeguarding of Watercourses and Drainage

6. Any chemical, oil or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container or containers' total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. There must be no drain through the bund floor or walls. Double skinned tanks may be used as an alternative only when the design and construction has first been approved, in writing, by the County Planning Authority.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy EN11 of the West Lancashire Replacement Local Plan.

7. Provision shall be made for the collection, treatment and disposal of all waste liquids arising on the site from the storage of vehicle and the de-pollution process to ensure that there shall be no discharge of contaminated or polluted drainage to ground or surface waters.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy EN11 of the West Lancashire Replacement Local Plan.

Notes

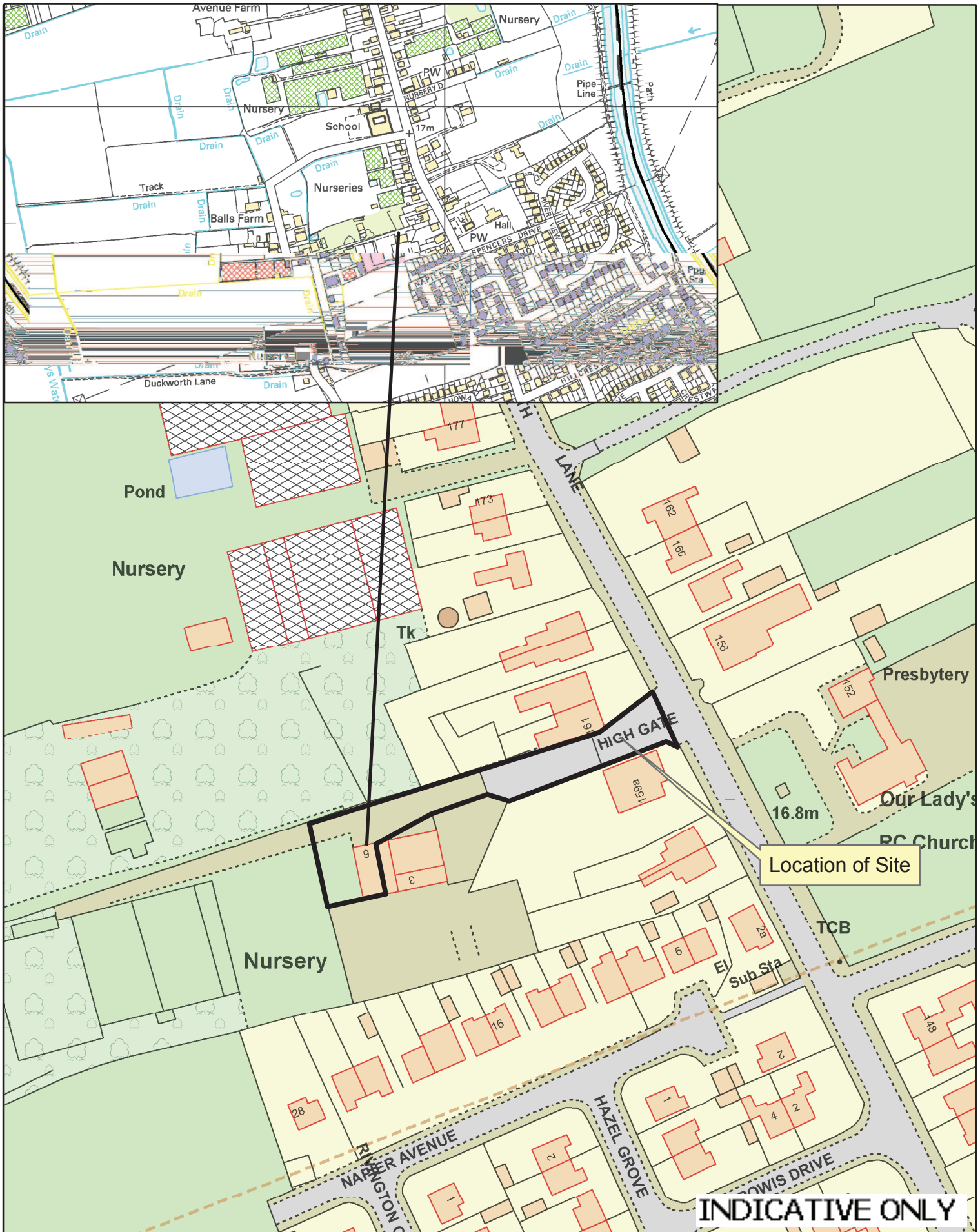
The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

Local Government (Access to Information) Act 1985
List of Background Papers

Paper	Date	Contact/Directorate/Ext
08/13/0595	29 August 2013	Rob Jones, Environment, 34128

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION 08/13/0959 CREATION OF A DEPOLLUTION AREA WITHIN THE EXISTING SITE.
 UNIT 6 HIGHGATE, TARLETON.

Agenda Item 6

Development Control Committee
Meeting to be held on 16 October 2013

Electoral Division affected: Lancaster Rural East
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Lancaster City: Application 01/13/0882
Construction of a temporary compound including siting of ten demountable units, topsoil storage and car parking area in association with the Heysham M6 Link Road. Halton Army Training Camp, Halton Road, Lancaster.

Contact for further information:
Jonathan Haine, 01772 534130, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Construction of a temporary compound including siting of ten demountable units, topsoil storage and car parking area in association with the Heysham M6 Link Road. Halton Army Training Camp, Halton Road, Lancaster.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits working programme, disposal of foul drainage, control of soil storage operations and site restoration.

Applicant's Proposal

Planning permission is sought for the construction of a temporary works compound to be used in association with the construction of the Heysham to M6 Link Road. The site measures 90m x 40m and would be enclosed by 2.4m high paladin fencing. The eastern part of the compound would be used for the siting of ten accommodation units, each measuring 9.6m x 3m x 3m high. The units would provide overnight accommodation for 20 workers employed on the construction of the road and would be constructed from steel panels coloured dark blue. The units would be sited on a hardcore base to provide pedestrian access to each cabin.

The western part of the site measuring 25m x 50m would initially be used for the storage of topsoil stripped from the main works compound located to the east of the application site. The topsoils would be stored to a height of approximately 3m but would only be stored in this location on a temporary basis pending relocation to the main topsoil storage area adjacent to the proposed link road. Following the soils being relocated, the footprint of the topsoil storage area would then be covered with a geotextile and compacted hardcore and used for car parking to serve the adjacent accommodation units for the remaining duration of the road construction operations.

Description and Location of Site

The application site is located adjacent to the entrance to the Halton Army Camp, directly to the south of Halton Road, 2km north east of Lancaster city centre. The site is surrounded on three sides by other parts of the army camp with Halton Road forming the northern boundary of the site. The River Lune (which is a Biological Heritage Site) is approximately 150m to the south of the application site with the nearest residential property at Carus Lodge being 220m west of the site.

The site is currently an area of grass and concrete hardstandings located adjacent to access roads within the army camp itself.

Background

History

A Development Consent Order for the construction of the Heysham to M6 Link was made by the Secretary of State in 2012.

Planning permission (ref 1/13/0179) on an area of land adjacent to the application site was granted in 2013 for the construction of a compound including the siting of 11 temporary units.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 -17 of the NPPF are relevant with regards to the presumption in favour of sustainable development and core planning principles.

Lancaster City Core Strategy

Policy SC1 Sustainable Development
Policy SC5 Achieving Quality in design
Policy E1 Environmental Capital

Lancaster District Local Plan

Policy E30 Green Corridors
Policy R9 Informal Recreation Areas

Consultations

Lancaster City Council: No objection subject to the accommodation units being of a temporary nature, the site being adequately restored and dust controls being implemented during the movement of topsoils.

Halton-with-Aughton Parish Council: No observations received.

LCC Assistant Director (Highways): No objection subject to a condition regarding wheel cleaning and sheeting of lorries.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. One representation has been received that does not comment on the application but raises concerns as to the impacts of construction traffic on a listed wall structure in Halton village.

Advice

Director of Transport and Environment – Observations

A Development Consent Order authorising the construction of the Heysham to M6 Link road was made by the Secretary of State in March 2013.

The main construction compound serving the road construction operations is proposed to be located at the northern end of the Halton Army Camp adjacent to the point where the new road will cross the River Lune via a new bridge. The project would employ a considerable number of workers during its construction and therefore within the main compound, a number of temporary buildings are required to provide office and welfare facilities for staff involved in the construction project. Planning permission was also granted earlier in 2013 for eleven temporary units to provide overnight accommodation for construction workers.

However, a need has been identified for further accommodation units in addition to those already approved. The ability to provide overnight accommodation would reduce the number of vehicle movements to and from the construction site by providing a facility for workers to stay on site during working periods thereby eliminating the need for them to travel to and from their home each day.

The access points from Halton Road are to be improved and widened as part of the main construction compound. The traffic associated with the temporary accommodation would use these improved access points and it is therefore considered that the development would be acceptable in terms of highway safety. The car parking associated with the use of the units would be on a hard surfaced area and should therefore not give rise to any mud on the Halton Road. However, during the period when the soils are being moved from the application site to the main soil storage area adjacent to the new road, it is considered appropriate to implement measures to safeguard the cleanliness of the highway as is suggested by the Assistant Director (Highways).

The application site is on an area of grass and hardstanding within the army camp and is partially screened from Halton Road by an existing hedgerow. The development would only require the removal of a number of small shrubs and given that the units are all single storey, the visual impact of the development would be acceptable. A condition is proposed requiring the accommodation units and all fencing, services and the hardcore car parking area to be removed upon completion of the road construction project and the restoration of the land to its current condition.

In addition to the accommodation units, part of the site would also be used for topsoil storage for a temporary basis. The height of the soil storage would be no higher than the height of the proposed accommodation units and therefore the visual impact of the soil storage is considered acceptable provided that the mounds are appropriately graded and grassed. Conditions can be imposed to address such matters.

The site is adjacent to a green corridor and informal recreation area as designated under policies E30 and R9 of the Lancaster Local Plan. However, given the temporary nature and location of the development within an established military site, it would not affect the ability to use the green corridor or informal recreational space and therefore the development is acceptable in terms of these policies.

The site is located at some distance from the nearest residential property and therefore it is considered that the development would be acceptable in terms of residential amenity. The development is therefore considered acceptable in relation to Policies SC1, SC5 and E1 of the Lancaster Core Strategy and policies E30 and R9 of the Lancaster Local Plan.

In view of the location, scale and nature of the development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission and shall only be commenced in conjunction with the Development Consent Order for the Heysham to M6 Link Road project.

Reason: Imposed pursuant to Section 91 (1) (a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application and supporting statement received by the Director of Transport and Environment on 8th August 2013
 - b) Submitted Plans and documents:

Drawing no. 2500260 COS S116 rev A - Site compound additional land use phase 1

Drawing no.2500260 COS S117 rev A - Site compound additional land use Phase 2

Drawing 2500260/Cos/S051 - Building Elevations

Reason: To minimise the impact of the development on the amenities of the local area, and to conform with Policy E1 of the Lancaster District Local Plan.

3. Notification of the date that the accommodation units are placed on the site shall be made in writing to the County Planning Authority within 5 working days of that date.

Reason: To ensure that the development is of a temporary nature in the interests of the visual amenities of the area and to conform with Policy E1 of the Lancaster City Core Strategy.

4. All topsoils on the site shall be stripped prior to the spreading of any hardcore or surfacing materials. All such topsoils shall be stored on the perimeter of the site in graded mounds and retained for use in restoration works.

Reason: To ensure the proper restoration of the site and to conform with Policy E1 of the Lancaster District Core Strategy.

5. The accommodation units shall be removed from the site not later than 3 years from the date that they are placed on the site as notified to the County Planning Authority in accordance with condition 3 to this permission. The site shall thereafter be restored within a further period of six months in accordance with the requirements of condition 11 to this permission.

Reason: To ensure that the development is of a temporary nature in the interests of the visual amenities of the area and to conform with Policy E1 of the Lancaster City Core Strategy.

6. All foul drainage shall be discharged to a public sewer or else to a sealed watertight tank fitted with a level warning device to indicate when the tank needs emptying. Upon emptying the contents of the tank shall be removed from the site completely.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy E1 of the Lancaster District Core Strategy.

7. Measures shall be taken at all times during the movement of topsoils to prevent the tracking out of debris onto Halton Road by vehicles leaving the site.

Reason: In the interests of highway safety and to conform with Policy E1 of the Lancaster District Core Strategy.

8. Topsoil shall not be stored within the site to a height exceeding three metres. All such topsoil shall be stored in graded mounds that are retained in a grassed, weed free condition throughout the duration of storage.

Reason: In the interests of the visual amenities of the area and to conform with Policies SC1, SC3 and E1 of the Lancaster District Core Strategy.

9. Measures shall be taken at all times during the movement of topsoil to minimise the generation of dust from such operations.

Reason: In the interests of local amenity and to conform with Policy E1 of the Lancaster District Core Strategy.

10. No movement of topsoil shall occur during the period from the 1st of October to the 30th April (inclusive) without the prior written consent of the Director of Transport and Environment. At all other times the movement of topsoils shall be restricted to occasions when the soil is dry and friable and the ground is sufficiently dry to allow the passage of heavy vehicles, plant and machinery over it without damage to the soils.

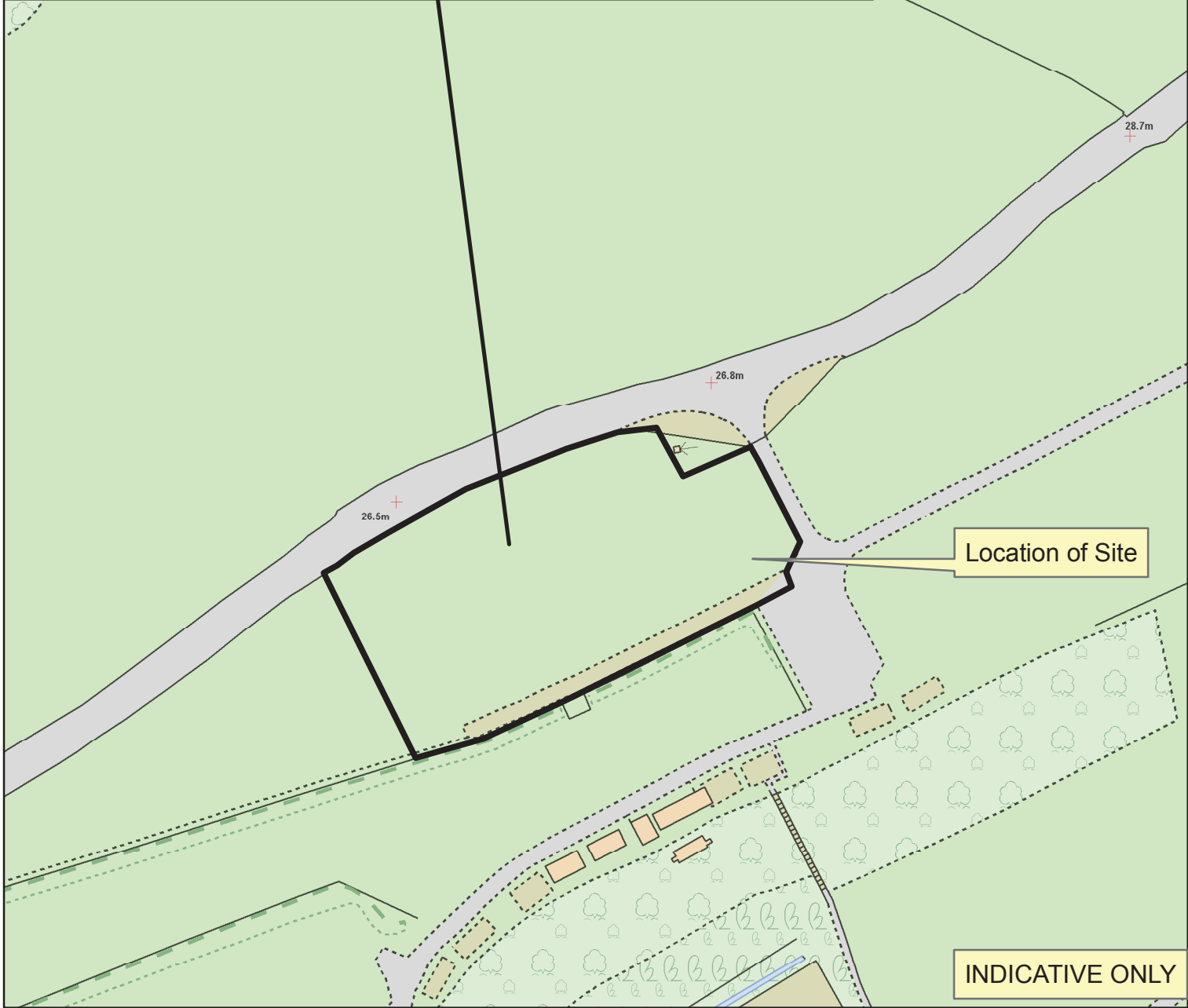
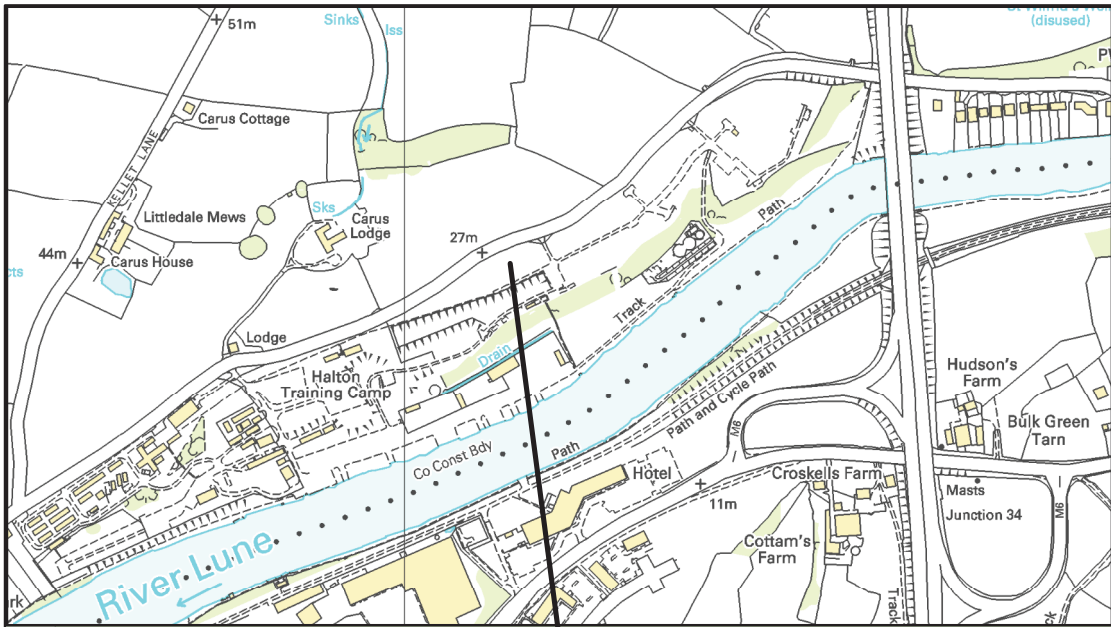
Reason: To ensure the proper removal, storage and replacement of soils to ensure satisfactory restoration and to conform with policy E1 of the Lancaster City Core Strategy.

11. The site shall be restored in accordance with the following:
- a) The accommodation units shall be removed from the land including all fencing, surfacing materials and services.
 - b) The surface of the site shall be restored by the spreading of top soil materials to a depth of 30 cm.
 - c) The soil materials shall be cultivated to provide a level but uncompacted surface.
 - d) The surface of the site shall then be seeded to ensure the provision of a full weed free grass sward.

Reason: In the interests of the visual amenities of the area and to conform with Policy E1 of the Lancaster City Core Strategy.

**Local Government (Access to Information) Act 1985
List of Background Papers**

Paper	Date	Contact/Directorate/Ext
1/13/0882	8th August 2013	Jonathan Haine/Environment/534130
Development Consent Order for the Heysham M6 Link Road made by the Secretary of State in March 2013		
Reason for Inclusion in Part II, if appropriate		
N/A		



APPLICATION 01/13/0882 CONSTRUCTION OF A TEMPORARY COMPOUND INCLUDING SITING OF TEN DEMOUNTABLE UNITS, TOPSOIL STORAGE AND CAR PARKING AREA IN ASSOCIATION WITH THE HEYSHAM M6 LINK ROAD. HALTON ARMY TRAINING CAMP, HALTON ROAD, LANCASTER

Agenda Item 7

Development Control Committee
Meeting to be held on 16 October 2013

Electoral Division affected: Morecambe North

Lancaster City: Application ref 01/13/0944
Provision of farm access track and sheet pile protection in association with the proposed Heysham to M6 Link, at the proposed milestone canal bridge. Lancaster Canal, north of Hammerton Hall Bridge. Lancaster

Contact for further information:
Jessica Manfield, 01772 531942, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Provision of farm access track and sheet pile protection in association with the proposed Heysham to M6 Link, at the proposed milestone canal bridge. Lancaster Canal, north of Hammerton Hall Bridge. Lancaster

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling commencement, working programme and protection of nesting birds.

Applicant's Proposal

Planning permission is sought to construct a farm access track and associated 15m extension to the proposed sheet piling protection to support the integrity of the (east) side of the Lancaster Canal bank. The works are required in association with the proposed Heysham to M6 link road.

The track would measure 4.5m wide x 30m long and would be surfaced in a 300 mm thick layer of crushed stone.

Description and Location of Site

The application site currently forms part of an open field which is used for grazing and which adjoins the east of the Lancaster Canal located approximately 2 km north of Lancaster city centre. The nearest road is Hammerton Hall Lane, some 250m to the south of the application site.

The proposed alignment of the Heysham to M6 Link Road crosses the canal immediately to the south of the application site.

The Lancaster Canal is designated as a Biological Heritage Site.

Background

History

Planning permission for the completion of the Heysham to M6 Link was made by the Secretary of State following a public inquiry in 2008 (ref 1/05/1584).

A Development Consent Order for the construction of a revised road scheme was issued by the Secretary of State in March 2013.

Planning Policy

National Planning Policy Framework (NPPF):

Paragraphs 6 - 16, 17, 18 - 2, 29 – 32, 109 – 125, 126 – 141 of the NPPF are relevant with regard to the definition of sustainable development, core planning principles, building a strong competitive economy, promoting sustainable transport, and conserving and enhancing the natural and historic environment.

Lancaster Local Plan

Policy T1 Transport Strategy
Policy E6 Agricultural land
Policy E7 Watercourse protection
Policy E10 Ecology

Lancaster Core Strategy

Policy SC1 Sustainable Development
Policy E1 Environmental Capital
Policies E2 Transportation Measures

Consultations

Lancaster City Council - No observations received.

Slyne-with-Hest Parish Council – No objection.

LCC Assistant Director (Highways) - No observations received.

Environment Agency - No objection

Canal and River Trust – No observations received.

Natural England - No objection. The application site is in close proximity to Morecambe Bay Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, providing the proposed development is carried out in strict accordance with the details of the application as submitted, there will be no damage or destruction to interest features.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. No representations have been received.

Advice

Planning permission is sought for the construction of a farm track and additional 15m length of sheet pile protection to the east side of the Lancaster Canal. The works are required in association with the construction of the Heysham to M6 Link Road. The link road would run across farm land belonging to Hammerton Hall Farm and would result in land to the north of the road being inaccessible from the farm. It is therefore necessary to provide a farm access below the proposed bridge over the Lancaster Canal in order to allow agricultural access to the land to the north of the road. The proposed sheet pile protection is designed to support the canal once the agricultural access track is constructed.

The Secretary of State has recently made a Development Consent Order for the construction of the Heysham to M6 Link, although this is currently the subject of a legal challenge. However, the area required for the farm track and extended sheet pile protection lies outside of the Development Consent Order boundary and therefore planning permission is required and which is sought through this application.

Policy SC1 of the Lancaster Core Strategy seeks to achieve Sustainable Development, policy E1 seeks development and stakeholder actions which strengthen the positive qualities of our Environmental Capital and enhance biodiversity. Policy E2 seeks to achieve Transportation Measures by providing efficient and attractive transport choices as sustainably as possible.

The proposed sheet pile protection would simply support and maintain the side of the Lancaster Canal and would be a northerly extension of that already proposed where the new road would cross the Lancaster Canal. The sheet piling would be installed with minimum disruption to the sides of the canal and therefore the existing visual and ecological value of the canal would not be affected. The farm access track would be 4.5m wide and surfaced from crushed rock. Below the bridge the track would be edged with kerbing in order to contain vehicles. The track would only be required in conjunction with the implementation of the Development Order Consent in the event the legal challenge is unsuccessful and the consent is implemented. The proposed track would maintain agricultural access and the proposed piling would support such being an extension of permitted piling. In view of the proposed works affecting the canal which is designated as a Biological Heritage a condition is proposed that seeks to protect nesting birds. The proposed works would be visually acceptable. It is therefore considered that the proposed works comply with the policies of the NPPF and Policies SC1, E1 and E2 of the Lancaster Core Strategy

In view of the nature, location and purpose of the proposal it is considered that no Convention Rights as set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **granted** subject to the following conditions

Time Limits

1. The development shall commence not later than 3 years from the date of this permission and shall only be implemented in conjunction with the Development Order Consent for the Heysham M6 Link Road in March 2013.

Reason: Imposed pursuant to Section 91 (1) (a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, in accordance with the following documents:
 - a) The Planning Application and supporting statement received by the Director of Transport and Environment on 4th September 2013
 - b) Submitted Plans and documents:

Plan 11063 / PAO813 / 001 Sheet 1 of 2
Plan 11063 / PAO813 / 001 Sheet 2 of 2

Reason: To minimise the impact of the development on the amenities of the local area, and to conform with policy SC1 and E1 of the Lancaster District Core Strategy.

3. There shall be no clearance of trees or hedgerows or works to the banks of the Lancaster Canal between 1 March and 31 July inclusive unless such features have been previously checked and found clear of nesting birds in accordance with Natural England's guidance and if appropriate, an exclusion zone set up around any vegetation to be protected. No work shall be undertaken within the exclusion zone until birds and any dependant young have vacated the area.

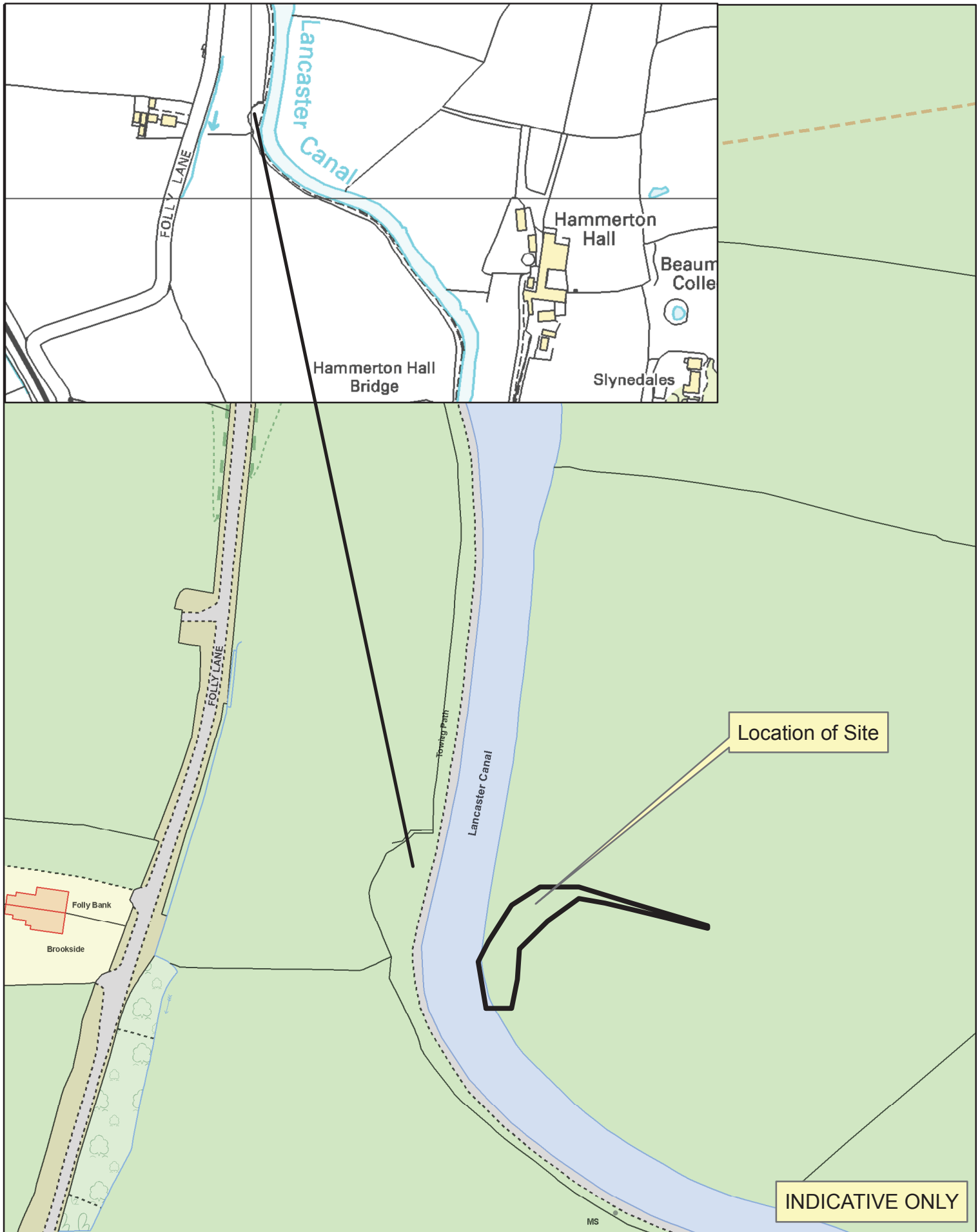
Reason: To protect nesting birds and to conform with Policies E10 of the Lancaster Local Plan.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
01/13 /0944	4th September 2013	J Manfield/ ENV/ 31942

Development Consent Order made by the Secretary of State in March 2013

Reason for Inclusion in Part II, if appropriate - N/A



APPLICATION 01/13/0944 TO PROVIDE IN ASSOCIATION WITH THE PROPOSED HEYSHAM M6 LINK, SHEET PILE PROTECTION AT THE PROPOSED MILESTONE CANAL BRIDGE. LANCASTER CANAL NORTH OF HAMMERTON HALL BRIDGE, LANCASTER.

Agenda Item 8

Development Control Committee
Meeting to be held on 16th October 2013

Electoral Division affected: Preston City
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Preston City: Application ref 06/13/0517
Construction of a three storey youth zone building including outdoor sports provision with floodlighting and a 4m high ball stop fence, external storage facilities and construction of a new highway to facilitate access. Bow Lane, Preston.

Contact for further information:
Jonathan Haine, 01772 534130, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Application - Construction of a three storey youth zone building including outdoor sports provision with floodlighting and a 4m high ball stop fence, external storage facilities and construction of a new highway to facilitate access. Bow Lane, Preston.

Recommendation – Summary

That planning permission be granted subject to conditions relating to commencement, working programme, to be completed.

Applicant's Proposal

Planning permission is sought for the construction of a youth zone building along with floodlit outdoor sports provision, 4m high ball stop fence, external storage facilities and construction of a new highway to facilitate access to provide recreational facilities for young people aged between 8 and 19 (up to 25 for those with additional needs) in Preston and surrounding areas. The building would also provide accommodation for the services provided by the Lancashire Youth Offending Team and the Urban Exchange including NHS services and Young People's Services.

The youth zone building and associated external recreational facilities would occupy a site measuring 110m x 50m. The building would be three storey's high with ground floor dimensions of 37m x 35m. The ground floor would contain a reception / lobby area, a main sports hall, climbing / bouldering wall, café and kitchen facilities, arts and crafts and beauty rooms and a room to be used by the County Council's Young Peoples Service. The first floor would contain the upper areas of the main sports hall, part of the climbing wall, a performing arts space, a fitness suite and contact sport rooms and toilet / changing facilities. The second floor would consist of a number of rooms to be used by the NHS and Youth Offending Teams, the Youth

Zone management / administration, music and media space and the upper levels of the climbing wall.

To the east of the building would be two five a side pitches with 8m high floodlighting columns and 4m high ball stop fencing. The pitches would be enclosed by overhead netting to prevent balls from leaving the site. Between the external pitches and the main building would be a covered store area. At the front of the building facing the junction of Ringway and Bow Lane would be the main entrance, car parking for disabled users and minibuses and a single storey building used to store sporting equipment. However, the scheme has now been amended to exclude the proposed store building.

The development would require the diversion of Nutter Road; it is proposed to realign this approximately 15m to the south of its current alignment. A number of other minor roads (Markland Street and Kay Street which used to serve terraces of houses in this area) would also require stopping up.

The Youth Zone would provide a base for 21 full time and 30 part time staff. It is estimated that the facilities provided would be used by approximately 3000 children / young people each week although the numbers attending would fluctuate throughout the day with peak usage expected at weekends / evenings. The Youth Zone is proposed to be open between 08.00 – 22.00 hrs all days of the week.

Description and Location of Site

The application site is located on the corner of Ringway/ Marsh Lane (A59) and Bow Lane, 600m west of Preston city centre. Nutter Road runs through the centre of the site which leads to Markland Street and Kay Street. The eastern boundary of the site is formed by part of the County Council's car park for County Hall beyond which is the retaining wall to the railway lines on the northern approaches to Preston railway station. To the south, adjoining Bow Lane is the Lancashire Records Office building to the east of which is the County Hall car park and maintenance building.

The majority of the site is currently comprised of open land created by the demolition of a terrace of houses off Nutter Road together with a two storey building that provided preschool childcare facilities and which was served from Markland Street. The eastern part of the site is currently used for car parking associated with County Hall. The frontage with Ringway is currently formed by a low embankment of trees / shrubs.

On the west side of and fronting Bow Lane, approximately 20m from the proposal, are two pairs of semi detached properties with further properties located on the corner of Bow Lane and Ringway and facing Marsh Lane. On the opposite side of Ringway / Marsh Lane are a number of retail and office uses. There is an existing pedestrian right of way through the site connecting Ringway with Kay Street.

The boundary of the Fishergate Conservation Area is located approximately 140m to the south of the application site.

Background

The application site was previously occupied by a two storey building and associated car parking used for preschool childcare. To the south of Nutter Road was a terrace of houses. Both the nursery building and houses have recently been demolished. There is no other relevant planning history.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 6 – 16, 17, 23 – 27, 56 – 66, 69 - 73 of the NPPF are relevant with regards to achieving sustainable development and the presumption in favour of sustainable development, core planning principles, ensuring the vitality of town centres, requiring good design and promoting healthy communities.

Central Lancashire Core Strategy

Policy MP	General Policy
Policy 11	Retail and town centre uses and business based tourism
Policy 17	Design of new buildings
Policy 23	Health
Policy 24	Sport and Recreation
Policy 25	Community Facilities

Preston City Local Plan

Policy C9	Archaeological features
Policy T19	General Transport Considerations
Policy T15	Access for people with reduced mobility; Buildings and Premises
Policy T17	Access for people with reduced mobility: Pedestrian Environments.
Policy T19	General Transport Considerations
Policy T20	Traffic Generation
Policy H5	Development proposals in existing residential areas.
Policy H14	Housing Renewal and Improvement
Policy CLF1	Large Scale Leisure Facilities
Policy D1	Design criteria
Policy D2	The Local Context
Policy D3	Daylight and sunlight
Policy D7	The layout of development
Policy D11	Landscape Treatment

Consultations

Preston City Council: No objection but request that consideration is given to their suggested design amendments and to the impacts on the amenities of neighbouring residents. In terms of design, the City Council draw attention to the need for the building to properly address its prominent location on the corner of Ringway and Bow Lane and for the storage building on this corner to be relocated to a less prominent location which would allow an improved plaza / public realm area in this location. The

City Council also request more details on the proposed cladding materials, for the incorporation of a more active frontage alongside Ringway and for the scheme to be subject to a design review panel.

Environment Agency: No objection subject to conditions dealing with contamination and site drainage.

Assistant Director (Highways): No objections in principle. The site access road, traffic generation, safety and accessibility by a variety of transport modes are considered acceptable. Conditions are proposed in relation to the construction of the site access, surfacing of car parking areas, provision of cycle and motorcycle parking, details of floodlighting, netting of the MUGA, details of works adjacent to the highway and submission of travel plan. It is also considered that a section 106 contribution of £12,000 should be required to allow the County Council's Travel Planning Team to assist in the production of a travel plan.

LCC Specialist Advisor (Ecology): The proposed development is located in an urban area of low wildlife value. The existing trees may provide limited opportunities for nesting birds and this vegetation will need to be cleared outside of the nesting season.

LCC Specialist Advisor (Archaeology): The site was previously occupied by Kay Street Mill which was demolished prior to 1931. There is still potential for buried parts of the mill to be encountered by the proposals in which case they should be recorded. A condition should be attached to any permission requiring a written scheme of archaeological investigation to be submitted.

Representations: The application has been advertised by press and site notice and local residents notified by individual letter. One representation has been received from a resident on Bow Lane objecting to the proposal for the following summarised reasons:

- That the proposed site is the wrong location for a Youth Zone. It is too far from Preston Bus Station leading to problems of accessibility due to complicated, expensive and possibly unsafe bus journeys for young children.
- The site is no longer located on a bus route; if buses were reinstated along Bow Lane, this would cause problems for residents as the bus stops would be outside the houses.
- The proposed Youth Zone is too close to houses. There have been problems at Blackburn Youth Zone with unruly behaviour. Such behaviour would be a problem on Bow Lane as it is a residential area whereas Blackburn Youth Zone is in the town centre.
- The Youth Zone would create noise until 10pm every night. Sound from the proposed outside football pitches will rebound off the railway wall towards the houses.
- The building is too large and would dwarf the houses resulting in a loss of light.
- The development would result in a loss of car parking for County Hall resulting in an increase in on street parking in the Broadgate area.

- There are other more suitable sites in Preston town centre but these have been dismissed on cost grounds. More suitable town centre site should be used which would be more acceptable and which would not affect local amenity.

Advice

Director of Transport and Environment – Observations

The County Council as part of a new charitable partnership of public and private sector organisations, wishes to develop a Youth Zone in Preston which would provide recreation facilities and careers / personal advice services for young people from Preston and surrounding areas. Youth Zone facilities have been successfully developed in a number of towns in North West England including Wigan, Manchester, Oldham and Blackburn. The existing Youth Zone facilities have been developed by Onside, a charity which developed from the Bolton Lads and Girls Club.

The Preston Youth Zone would also provide a base and accommodation for the County Council's Young Peoples Service, certain health HNS services and the Lancashire Youth Offending Team. The services currently provided through the Urban Exchange centre currently located next to Preston Post Office including health, welfare benefits, education and career options would also transfer to the Preston Youth Zone. The facility would therefore act as a hub for a network of services to young people aged between 8 – 19 (25 for those with additional needs) and their families and to provide a top quality, safe and affordable leisure venue. The leisure provision would be subject to a £5 annual membership and 50p per visit charge and would therefore be priced to ensure that the facilities would be accessible to all sections of society.

Paragraph 70 of the NPPF requires that planning policies and decisions should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments. The general principle of providing a youth zone is therefore supported as it would improve access to leisure and recreation to children from a diverse social background and would improve the provision of health and guidance services for this age group, thereby meeting the objectives in the NPPF.

The main issues to consider include the appropriateness of the proposed location, the design of the building and external areas and the likely impacts on residential amenity.

Site Location: Existing Youth Zones tend to be located in or on the edge of town / city centres. It is intended that the Preston Youth Zone should be in a similar central or peripheral location. A site selection exercise for the Preston Youth Zone has been carried out and 21 different sites in or adjacent to Preston city centre were identified and considered against a number of specific criteria including proximity to the city centre, accessibility to public transport, availability, size, affordability and neutrality (in terms of not being located within, and therefore belonging to, any particular community of Preston at the exclusion of other communities).

The majority of the sites investigated are located nearer to the City Centre than the application site. However, seven of the sites were dismissed as they were considered too small to accommodate all the facilities that need to be included within a new youth zone facility. Other sites were either not for sale or the cost of purchase exceeded the budget for the scheme, particularly given their central location and their attractiveness for retail and commercial development opportunities. Other sites have been dismissed as being unsuitable. Two preferred sites emerged from the process both of which were located to the rear of County Hall. The sites were considered to be viable as the land is in the ownership of the County Council and is therefore available, within budget and are on the periphery of the city centre. Within the two sites, four possible options were identified and subjected to further assessment. The site the subject of this application was selected as the preferred option in view of it having the least impact on the car parking at County Hall and would not compromise future development opportunities. It was also selected in view of the opportunity to create a high standard of development on the corner of Ringway and Bow Lane and improve the townscape area of a key approach to Preston.

In terms of planning policy, there are a number of development plan policies which relate to the control of development within the city centre and the location of large scale leisure facilities. The Preston Local Plan defines the city centre boundary which runs along Ringway and Bow Lane enclosing the application site. Although the site is therefore on the edge of the defined city centre, it is located only 700m from the main retail areas of the city and is as near as other town centre uses such as the railway station. It is therefore considered that the application site occupies a site that is sufficiently close to the city centre that it generally complies with the development strategy set out in the Preston Local Plan.

Policy CLF1 of the Preston Local Plan requires large scale leisure facilities to be located on sites allocated for this purpose or, where there is no such site available, elsewhere in the urban area provided that there is no other suitable site within or adjacent to the City Centre. The aim of the policy is to steer such development to central locations where they are accessible by a choice of transport modes. The site selection process has concluded that there are currently no other sites available that could meet the design and budget criteria of the project. Whilst the proposed site is further removed from other sites initially identified, it still falls within and adjacent to the city centre. Consequently it is considered that the proposal is acceptable for the purposes of Policy CLF1 of the Preston Local Plan.

The City Council has adopted new supplementary planning guidance (SPG) for the City Centre as part of their Local Development Framework. The application site lies within the central business district as proposed in the SPG. The main aim of the central business district is to increase the provision of high quality office space in the area of Preston immediately to the west of the city centre supported by a range of new hotel, leisure and small scale retail uses. The proposed Youth Zone would provide a new leisure facility in this area of Preston and would therefore accord with the future development of this area as envisaged in their SPG.

A key issue in relation to site location relates to accessibility. The Youth Zone would be mainly used by young people between the ages of 8 to 19 (up to 25 for those with

special needs) and therefore it is to be expected that users would travel to the site by a variety of means with the younger age group being brought by parents but with older children making their own way to the site using public transport or walking / cycling. The site is located immediately adjacent to Ringway and therefore has good vehicular access from all parts of Preston. Whilst the parking and drop off / pick up facilities within the site itself are limited, there is adequate space along Bow Lane for the dropping off and picking up of younger children. In terms of public transport, the site is located in close proximity to Preston railway station. Whilst it is anticipated to be of limited use to the users of the facility, the proximity of the railway station would be useful to staff who may live at greater distance from the site.

Bus services between Preston and Penwortham travel along Fishergate Hill where there are bus stops approximately 5 minutes walk away from the proposed Youth Zone. These bus services terminate and start at Preston Bus Station and provide the opportunity for links between other bus services serving other parts of Preston. The bus service between the city centre and the park and ride facility on Strand Road also passes along Bow Lane and the frontage of the application site. Services on both routes are relatively frequent. Whilst the proposed site is on the periphery of the town centre and more remote from the central bus station, it is considered that the proposed site is accessible by public transport and by cycle and foot from Preston City centre and surrounding areas and offers a choice of transport modes to all prospective users of the facility.

The Assistant Director (Highways) has advised that a section 106 contribution of £12,000 should be required to allow the County Council's Travel Planning Team to assist in the production of a travel plan. This issue is currently the subject of discussion with Assistant Director and the applicant and the outcome of such will be reported to the meeting.

The application site is located within a Housing Renewal and Improvement Area as designated by Policy H14 of the Preston Local Plan. The majority of the application site is currently vacant land having previously been occupied by a terrace of houses and a pre-school nursery, both of which have recently been demolished. Policy H15 requires that development within renewal areas will only be permitted where it contributes to environmental improvement and where it will facilitate the improvement of economic and community development initiatives. The site currently makes little environmental, social or economic contribution to the area given part of it is vacant and the remainder providing temporary car parking facilities. The site is in a prominent location. The proposed development is an opportunity to provide a new facility to assist in the regeneration of the site and this area of Preston generally.

The City Council consider the site to be an appropriate location for a youth zone. It is therefore considered that the site conforms with Policy H14 of the Preston Local Plan and that the location of the proposed Youth Zone is acceptable in terms of the general development strategy for this area of Preston and is sufficiently well located for the city centre.

Design Issues

The site occupies a prominent location on the corner of Ringway / Marsh Lane and Bow Lane on one of the main approaches into Preston. This corner of the site was previously occupied by a two storey child care nursery which made no contribution towards the visual townscape of the area. An opportunity therefore exists for the development of a building which makes full use of the potential of the site in creating a positive gateway feature in this location.

The proposed design of the building has been informed by several factors including the activities that need to be accommodated including outdoor sport areas, the need to respect the amenity of the properties on the opposite side of Bow Lane and the opportunities presented by the Ringway frontage.

In particular, it was considered that a building higher than three storeys would not be acceptable on this site due to its potential impacts on the nearest houses. A proposal to site the outdoor pitches on the roof of the building was therefore rejected at an early stage and replaced with a design that proposes the pitches to be provided at ground level to the rear (east side of the building). Whilst such a design does increase the area of land required for the Youth Zone, it does ensure that any outside activities and attendant impacts such as noise and lighting are sited as far as possible from the nearest properties and where they would be partially screened by the building itself.

There is no predominant building style in this area with the nearest buildings being the semi detached residential properties on Bow Lane, the red brick County Council Records building and a variety of retail / office buildings on the north side of Bow Lane. County Hall is located within the Fishergate Hill Conservation Area but the scale and location of the proposed Youth Zone building is such that it would not impact upon the character of the Conservation Area. The proposed building is of a modern appearance in a largely rectangular form but with additional features provided by way of an external glazed stairwell and a canopy covering the main entrance to the Bow Lane elevation. The ground floor would be clad in a grey facing brick with the upper two floors being clad with rain screen cladding which, over the majority of the building, would be coloured white with contrasting coloured panels located on the north west and south eastern corners. On the Ringway frontage would be a window at first floor level extending the full extent of the elevation, which would allow light into the main sports hall area, thereby providing design interest on this key elevation. It is considered that the modern appearance, and in particular the use of the coloured panelling on the corners of the building, would provide distinctive elevations reflecting the purpose of the building and the age range of the users.

In the original design, the building was to be set back from the carriageway of Bow Lane by around 20m with the intervening space being used for parking spaces for disabled users and for minibuses, with the area on the corner of Bow Lane and Ringway being used for a single storey building to be used as an equipment and bin store.

Preston City Council supports the general design of the building itself but are concerned that the design of the external areas on the corner of Bow Lane and Ringway is substandard. The City Council considers the location of the storage building on this corner would detract from the design of the main building and

prejudice the ability to provide an attractive public realm area at this road junction, which would then provide a focal point for the main entrance.

The City Council's concerns on this particular issue are supported. The applicant has consequently agreed to remove the proposed storage building to a less conspicuous location within the cartilage of the site and which would allow a revised design for the frontage of the site to be prepared. The removal of the storage building would provide room to construct a much stronger and attractive public frontage to this key area of the site and which is proposed to be required by condition.

The Ringway frontage of the site is currently formed by a low embankment with small trees and shrubs. The proposed new building would directly adjoin the pavement of Ringway and therefore some of this existing landscaping would be lost together with some existing ornamental trees that are within the parking area to the former nursery building. However, the proposed external MUGA areas are set back from Ringway and therefore it is possible that at least some of this landscaping can be retained. The loss of the trees on the site is regrettable but none of the trees to be removed have any significant ecological or townscape value and it is proposed to plant a small number of new trees around the entrance to the site which would provide some soft landscaping to replace that lost. Subject to a condition identifying vegetation to be lost / retained and that to be planted, it is considered that the development would be adequately landscaped.

It is therefore considered that the design of the building and external areas are acceptable and comply with Policy 17 of the Central Lancashire Core Strategy.

Local Amenity: The proposed Youth Zone building would be located approximately 45m from the nearest residential properties comprising two pairs of semi detached houses on the west side of Bow Lane and a single house on the corner of Bow Lane and Marsh Lane.

Policy H5 of the Preston Local Plan relates to development within primarily residential areas within which the site is located. The policy states that the most important consideration in assessing proposals will be their impact on residential amenity. Proposals will only be permitted where the design and scale of the development is sensitive to and in keeping with the area, where there would be no significant impact on residential amenity particularly by reason of noise, general disturbance, loss of privacy or intensity of vehicle movements, where the proposal would not lead to an over concentration of non residential uses and where the new building would reflect the character of existing buildings. The policy states that favourable consideration will be given to proposals which would result in an overall improvement to the amenity and environment of the surrounding area.

One representation has been received from a resident of one of the nearest properties objecting to the proposal due to noise impacts, the likelihood of anti social behaviour, that the size of the building would affect outlook and light levels and that the loss of car parking on the County Hall site would result in an increase in on street parking in the Broadgate area to the detriment of local residents.

The concerns in relation to noise are acknowledged. The building would contain rooms proposed to be used for performing arts and music. However, the rooms used for these purposes would be located within the interior of the building and whilst the performing arts room (which would be used for some musical activities) would be located in the part of the building nearest the properties, this room would be mechanically ventilated allowing noise breakout to be controlled by sealing the window and wall construction. Some noise would also result from the use of the outdoor pitches. However, the pitches would be located at the rear of the site at least 100m from the properties with the Youth Zone building occupying the bulk of the intervening space. It should be noted that the site is located in an area with relatively high background noise levels arising from traffic on Ringway and from the elevated railway line, both of which extend later into the evening. For these reasons it is considered that noise levels from the development would not be detrimental to the amenities of the nearest houses. Conditions are proposed to ensure that rooms used for the playing of music and performing arts are adequately noise attenuated.

Facilities attracting large numbers of young people do have the potential to give rise to disturbance which it is acknowledged could be disruptive to the amenities of the area and those of local residents. The objection has drawn attention to problems that have occurred at Blackburn Youth Zone where it is alleged that the facility is now closed to certain age groups on Saturdays. The applicant is not aware that there have been any issues at their Blackburn site but state that the Preston facility has been designed so that the reception area and management offices directly overlook the forecourt thereby allowing surveillance. If there were to be incidences of anti social behaviour, the Youth Zone management would have the opportunity of terminating membership or involving the police if circumstances dictate. The Youth Offending Team would generally see users of the service by appointment during normal working hours and therefore this aspect of the development should not conflict with the other recreational activities which would be mainly during the evening and weekends. For these reasons, it is not expected that the proposed Youth Zone would give rise to levels of anti social behaviour that would be detrimental to the amenities of local residents.

The building would be three storeys' (12.5m) high and therefore it is important that its scale would not result in any overlooking or loss of light at the nearest properties. The previous childcare nursery on this site was a two storey building but was located almost immediately behind the pavement fronting Bow Lane and Ringway approximately 20m from the façade of the nearest property. By contrast the proposed Youth Zone building would be located nearly 45m from the façade of the nearest residential properties. Notwithstanding the additional height of the Youth Zone building compared to the buildings that were previously on this site, it is considered that the standoff distances are sufficient to retain acceptable levels of light and privacy at the nearest properties. The proposed building is also significantly lower and is also set further back from the road line than the adjacent County Records building and is not in the line of sun that would result in any loss of light.

The eastern parts of the site are currently used for car parking associated with County Hall. The development would result in a loss of some of these parking spaces. However, it is proposed to remodel the existing car park and to provide additional spaces by demolishing the existing County Hall maintenance unit building

and by providing additional parking in a yard accessed from Red Cross Street. Whilst there may be a temporary reduction in parking facilities, particularly during the period of construction, there are proposals to replace that loss and therefore the development should not result in an increase in on street parking that would be detrimental to local residents.

The use of the Youth Zone for special events at weekends / evenings may result in additional demands on car parking. However, there are a number of parking facilities that are available in the local area including the County Hall car park and therefore it is considered that there are adequate parking facilities in the area to accommodate such special events.

It is therefore considered that the development would not lead to an unacceptable loss of amenity to the nearest local residents and would comply with Policy H5 of the Preston Local Plan.

Conclusions

The development would provide a new facility in the Preston area which would allow the delivery of a range of sporting, recreation and advice services to young people. The development would therefore meet the requirements of central government policy in terms of promoting active sport and recreation and promoting access to a range of services needed by young people. The development would allow a currently disused site to be replaced by a new building thereby promoting the regeneration of this area of Preston. The site is located on the periphery of the City centre accessible by a choice of transport modes. The development would not lead to an unacceptable loss of amenity to the nearest residential properties to the site. It is therefore considered that the development complies with the policies of the NPPF and the policies of the Development Plan and should be supported subject to the conditions set out in the recommendation.

In view of the nature, location, design and layout of the proposed development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be granted subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1) (a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
- a) The Planning Application and supporting statement received by the Director of Transport and Environment on 25th July 2013.
 - b) Submitted Plans and documents:
 - Drawing AO1 - Proposed Site Plan
 - Drawing AO2 - Ground floor
 - Drawing A03 - First Floor Plan
 - Drawing AO4 - Second Floor Plan
 - Drawing A05 - Proposed roof plan
 - Drawing AO7 - Sections
 - Drawing AO8 - Sections
 - Drawing P1 - Drainage layout
 - Drawing LA2 - Proposed Site Plan
 - Drawing AO11 Rev E - Proposed Elevations
 - c) All schemes and programmes approved in accordance with this permission.

Reason : To minimise the impact of the development on the amenities of the area and to conform with Policies 17 and 22 of the Central Lancashire Core Strategy and Policy H5 of the Preston City Local Plan.

3. No development shall commence until details of the building materials to be used for the external elevations of the building and for the external hard landscaping areas have been submitted to and approved in writing by the Director of Transport and Environment. The details shall include:
- a) the building materials to be used for the external elevations including the brick types, the rainscreen panelling including the details of the coloured panels, window and door details.
 - b) Details of the materials to be used on the hard landscaping around the exterior of the building including paving and other surfacing of pedestrian areas.
 - c) The design and colour of the fencing around the multi use games areas.
 - d) Details of the lighting columns at the front of the building including design, orientation of lighting head and power of lighting to be used.

Thereafter only those materials contained in the approved details shall be used in the construction of the building and external areas.

Reason: In the interests of the visual amenities of the area and to conform with Policies 17 and 22 of the Central Lancashire Core Strategy and Policy H5 of the Preston City Local Plan.

4. No development shall commence until a revised scheme for the design of the frontage of the site facing Bow Lane / Ringway has been submitted to and approved in writing by the Director of Transport and Environment. The scheme shall provide for the following:
 - a) The removal of the proposed equipment and bin storage buildings and detail for their relocation to another part of the site.
 - b) Details of a revised layout for the frontage of the site including means of pedestrian access, boundary treatments and details of hard and soft landscaping.
 - c) The layout and demarcation of minibus and disabled parking spaces.

Thereafter the site frontage shall be development in accordance with the approved scheme.

Reason: In the interests of the visual amenity of the area and to ensure high standards of design to conform with Policy 17 of the Central Lancashire Core Strategy.

5. The use of the building and outdoor sport pitches authorised by this permission shall not take place outside the hours of:

08.00 to 22.00 hours Mondays to Sundays (excluding Public Holidays)

Reason: to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy H5 of the Preston City Local Plan.

6. All rooms used for the playing of music shall either be located within the interior of the building or shall be mechanically ventilated with sealed window and wall construction to minimise the escape of noise from such rooms.

Reason: In the interests of local amenity and to conform with policy H5 of the Preston Local Plan.

Highway Matters

7. No development shall commence until a scheme and programme for the construction of the site access and access road has been submitted to and approved in writing by the Director of Transport and Environment. The scheme and programme shall contain details of the following:-
 - a) The layout of the site access onto Bow Lane including the dimension of the access, turning radii and visibility splays to be provided.
 - b) Details for the dimensions of the internal access roads and turning heads and for the design of the landscaping areas and access ramps on either side of the access road to ensure that forward visibility is retained.

- c) Details for the construction of the access including surfacing of the new areas of highway to be provided.

The access from Bow Lane and the internal access road and turning heads shall be constructed in accordance with the approved scheme prior to the building being brought into use.

Reason: In the interests of highway safety and to conform with Policy 17 of the Central Lancashire Core Strategy.

- 8. The minibus and disabled car parking areas as contained in the scheme and programme approved under the requires of condition 4 to this permission shall be surfaced and marked out in the positions shown in the approved scheme prior to the building being opened for use.

Reason: To secure adequate parking facilities and to conform with policy 17 of the Central Lancashire Core Strategy.

- 9. The building shall not be brought into use until cycle and motorcycle parking facilities have been provided in accordance with a scheme to be first submitted to and approved in writing by the Director of Transport and Environment.

The scheme shall include details of the number of spaces to be provided and the location and design of parking facilities.

Reason: In order to ensure the provision of adequate cycle and motorcycle parking facilities and to conform with policy 17 of the Central Lancashire Core Strategy.

- 11. Within six months of the opening of the Youth Zone, a Travel Plan, as defined by this permission, shall be submitted to the Director of Transport and Environment for approval in writing.

The Travel Plan shall include:

- a) A brief description of the development, its location and a summary of the particular transport and road safety issues at the site.
- b) Evidence and results of consultation with staff and other interested parties.
- c) Targets and measures to minimise the impact of/reduce private car use for the journey to and from the site by staff.
- d) The measures to be implemented to encourage users of the facility to access the site by sustainable means including the use of discounted bus tickets.
- d) A summary of the site's current road safety policies and practices, details of any new or proposed initiatives including a planned timetable of introduction.

- e) Proposals for monitoring progress of the Travel Plan including a timetable for its implementation and review.

Reason: In the interests of highway safety and to conform with Policy 17 of the Central Lancashire Core Strategy.

- 12. No development shall commence until a scheme and programme for the design of any retaining structures forming part of Ringway has been submitted to and approved in writing by the Director of Environment and Transport.

Reason: To protect the integrity of Ringway in the interests of highway safety and to conform with policy 17 of the Central Lancashire Core Strategy.

- 13. The outdoor multi use games areas shall not be brought into use unless they have first been enclosed with netting to prevent balls from the leaving the site and straying onto the adjacent carriageway. Such netting shall be retained at all times when the pitches are in use.

Reason: In the interests of highway safety and to conform with Policy 17 of the Central Lancashire Core Strategy.

Safeguarding of Watercourses and Drainage

- 14. All foul drainage shall be discharged to a public sewer or else to a sealed watertight tank fitted with a level warning device to indicate when the tank needs emptying. Upon emptying the contents of the tank shall be removed from the site completely.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy 17 of the Central Lancashire Core Strategy.

- 15. No development shall commence until a scheme and programme of measures to address land contamination issues have been submitted to and approved in writing by the Director of Transport and Environment. The scheme and programme shall contain the following:

- a) A preliminary risk assessment which identifies previous uses of the site, potential contaminants associated with those uses and a model demonstrating sources, pathways and receptors and risks arising from any potential contamination.
- b) Details of site investigation works based on the information in a) to provide detailed information on the risks to receptors that may be affected including those off site.
- c) The results of the site investigation and based on the results, a remediation strategy giving full details of the remediation works that are required.
- d) a verification plan providing full details of the data that will be collected in order to demonstrate that the works included in the remediation strategy are complete and identifying any

requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The site investigation and remediation works shall be undertaken in accordance with the approved scheme and programme.

Reason: In the interests of preventing pollution and to conform with Policy 17 of the Central Lancashire Core Strategy.

Landscaping, Ecology and Archaeology

17. No vegetation shall be cleared between the 1st March and the 31st July in any one year until it has first been checked and confirmed as clear from nesting birds. If any nests are detected, no operations shall commence until exclusion zones have first been established in accordance with Natural England guidance and such exclusion zones shall be maintained until such time as it is confirmed that all birds including attendant young have left the nest.

Reason: In the interests of ecology and to conform with policy 22 of the Central Lancashire Core Strategy.

18. No development shall take place until a scheme and programme for archaeological work in accordance with a written scheme of investigation has been submitted to and approved in writing by the Director of Transport and Environment.

The archaeological work contained in the approved scheme shall be undertaken during building works.

Reason: In the interests of archaeological investigation and to conform with policy 17 of the Central Lancashire Core Strategy.

Notes

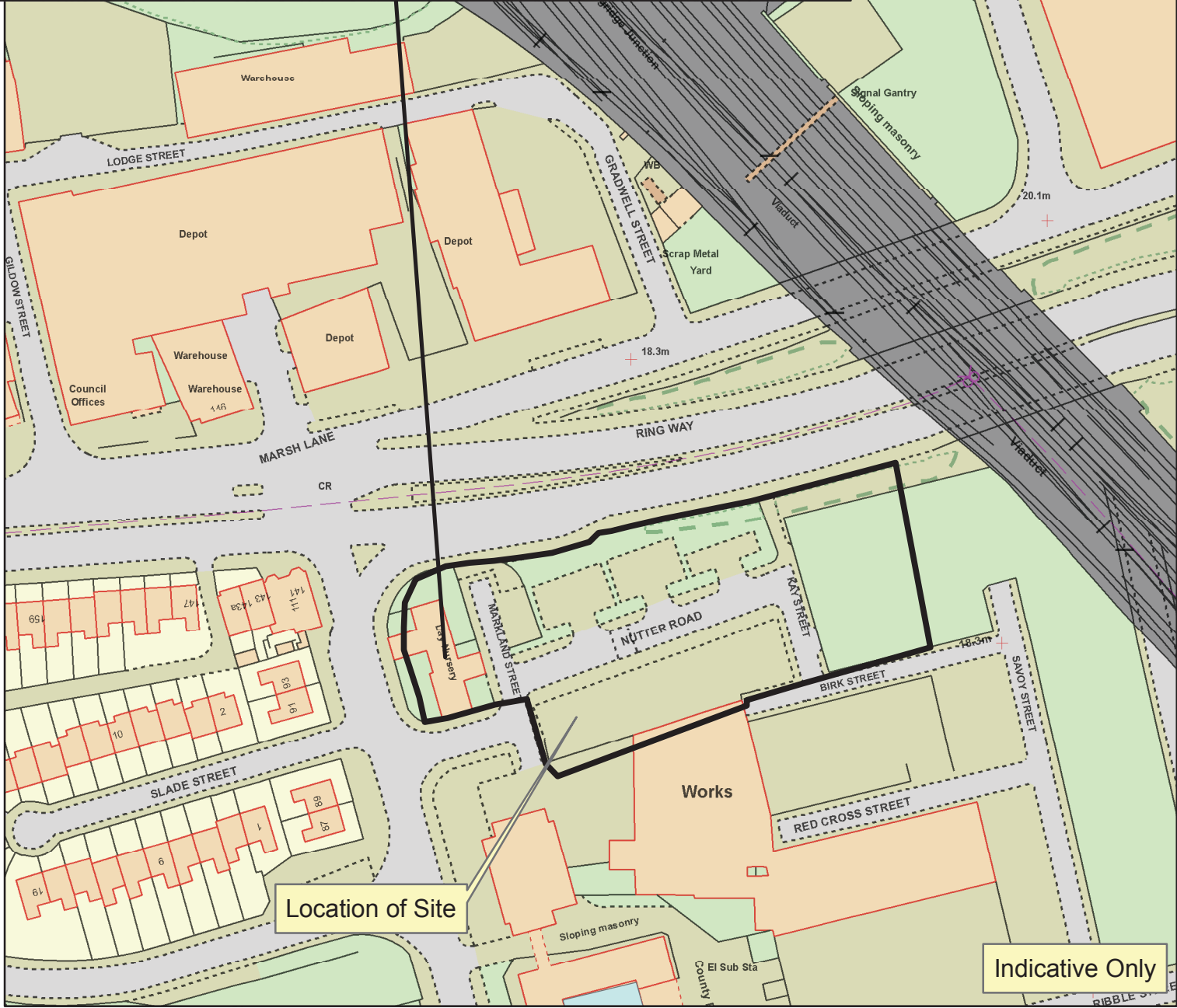
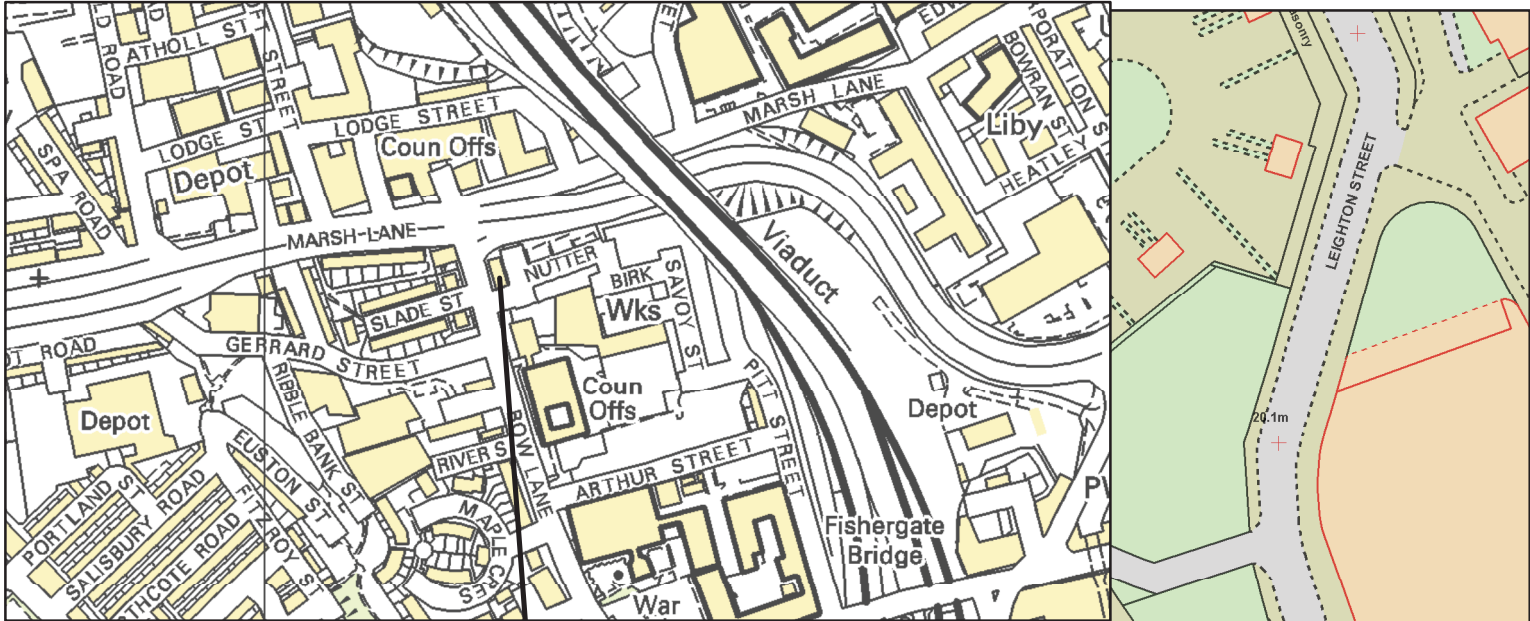
This consent requires the stopping up or diversion of a number of roads including Nutter Road, Kay Street and Markland Street. The appropriate orders should be confirmed before any development commences involving the obstruction of these highways.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
6/13/0517	25/07/13	Jonathan Haine/ Env/534130

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION 06/13/0517 CONSTRUCTION OF A THREE STOREY YOUTH ZONE BUILDING INCLUDING OUT DOOR SPORTS PROVISION WITH FLOODLIGHTING AND A 4M HIGH BALL STOP FENCE, EXTERNAL STORAGE FACILITIES AND CONSTRUCTION OF A NEW HIGHWAY TO FACILITATE ACCESS. BOW LANE PRESTON

Agenda Item 9

Development Control Committee
Meeting to be held on 16 October 2013

Electoral Division Affected: All

Planning Applications determined by the Executive Director for Environment in accordance with the County Council's Scheme of Delegation

Contact for further information:
Susan Hurst 01772 534181, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Planning Applications determined by the Executive Director for Environment in accordance with the County Council's Scheme of Delegation.

Recommendation – Summary

That the report be noted.

Since the last meeting of the Development Control Committee on the 4 September 2013, the following planning applications have been granted planning permission by the Executive Director for Environment in accordance with the County Council's Scheme of Delegation.

Lancaster City Council

Application: No. 01/13/0823

Sandylands Primary School, Hampton Road, Heysham.

Replacement of existing 3m high mesh fence with 3m high securifor 2d weld mesh security fencing

Application: No. 01/13/0701

Claughton Moor Quarry, Claughton

Erection of replacement shale reception/storage building and conveyor and demolition of existing structures (application under part 19, GDPO)

West Lancashire Council

Application: No. 08/13/0759

Wigan Waste Water Treatment Works, Deans Lane, Hoscarr.

Construction of a standby generator and associated fuel tank

Burnley Council

Application: No. 12/13/0378

Basnett Street Nursery, Basnett Street, Burnley

Construction of an extension to form a new play/sleep room.

Recommendation

That the report be noted.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper

Contact/Directorate/Ext

01/13/0823 01/13/0701

Susan Hurst, Environment

08/13/0759 12/13/0378

Ext: 34181