

Lancashire County Council

Development Control Committee

Wednesday, 3rd September, 2014 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 9 July 2014** (Pages 1 - 12)
The committee are asked to agree that the Minutes of the last meeting held on 9 July 2014 be confirmed and signed by the Chair.
4. **Rosendale Borough: application number. LCC/2014/0055** (Pages 13 - 38)
Extension to quarry and restoration by means of infill with inert construction, demolition and excavation waste, the sorting, screening and export of recyclable material, the consolidation of existing permissions and the revision of approved working and restoration schemes.
Tong Farm, Tong Lane, Bacup.
5. **Application withdrawn** (Pages 39 - 48)

- 6. Fylde Borough: application number LCC/2014/0096 (Pages 49 - 54)**
Construction and operation of a site for drilling up to four exploration wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells and restoration, including provision of an access road and access onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land to the north of Preston New Road, Little Plumpton
- 7. Fylde Borough: application number LCC/2014/0101 (Pages 55 - 60)**
Construction and operation of a site for drilling up to four exploratory wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells and restoration, including provision of access roads and improvement of accesses onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land west, north and east of Roseacre Wood and between Roseacre Road, Roseacre and Inskip Road, Wharles
- 8. Fylde Borough: Application number: LCC/2014/0028 (Pages 61 - 78)**
Demolition of existing building to allow construction of new single storey intensive support unit, including new access road off Moor Street, fencing, access gates, 6x6m high lighting columns, 6x illuminated bollards, relocation of existing car parking spaces and landscaping. Pear Tree School, Station Road, Kirkham.
- 9. Lancaster City: Application number. LCC/2014/0085 (Pages 79 - 98)**
Four single storey extensions to provide 6 additional classrooms and extra resource areas, extension to the existing secondary car park to provide an additional 16 spaces and associated lighting columns, alteration of two windows to fire exits, re-alignment of 2.4 metre high rear boundary fencing and external works consisting of landscaping and disabled access paths, steps and ramps and temporary fenced contractor's compound and associated access. Moorside County Primary School, Bowerham Road, Lancaster.

10. **Fylde Borough: Application No. LCC/2014/0099** (Pages 99 - 104)
Retention of single storey demountable office unit.
LCC Highways Depot, Grange Road, Singleton.
11. **Preston City: application number. LCC/2014/0112** (Pages 105 - 112)
Construction of an underpass to form agricultural
access under the proposed Broughton Bypass,
Broughton
12. **South Ribble Borough: application number.** (Pages 113 - 120)
LCC/2014/0113
Proposed car park and access track to the west of
existing school building at Moor Hey School, Far
Croft, Lostock Hall
13. **Rossendale Borough: application number** (Pages 121 - 128)
LCC/2014/0122
Construction of a single storey extension to south
elevation of the school at
Staghills Children's Centre, Top Barn Lane,
Rossendale
14. **Planning Applications determined by the Executive** (Pages 129 - 132)
Director for Environment in accordance with the
County Council's Scheme of Delegation.

15. 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.

16. Date of Next Meeting

The next meeting of the Development Control Committee will be held on Wednesday 15 October 2014 at 10.00 a.m. in Cabinet Room B - the Diamond Jubilee Room, County Hall, Preston.

I Young
County Secretary and Solicitor

Agenda Item 3

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 9th July, 2014 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Present:

County Councillor Munsif Dad (Chair)

County Councillors

R Newman-Thompson	M Johnstone
T Aldridge	N Penney
P Buckley	P Rigby
M Devaney	K Sedgewick
P Hayhurst	K Snape
S Holgate	B Yates
D Howarth	

County Councillor Michael Devaney replaced County Councillor Michael Green on the Committee.

Standing Order 19

County Councillors Bernard Dawson and Liz Oades attended the meeting under Standing Order 19.

1. Apologies for absence

Apologies for absence were received on behalf of County Councillor Tony Jones.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor P Hayhurst declared a non pecuniary interest in agenda items 4 & 9 as a member of Fylde Borough Council and in respect of agenda item 4, as a member of Elswick Parish Council. Councillor Hayhurst mentioned that the Parish Council had received a donation from the applicant towards the Britain in Bloom competition.

County Councillor P Buckley declared a non pecuniary interest in agenda items 4 and 9 as his wife is a member of the Borough Council for the area concerned.

County Councillor M Dad declared a non pecuniary interest in agenda items 5 and 7 as a member of Hyndburn Borough Council.

County Councillors B Yates and D Howarth declared a non pecuniary interest in agenda item 11 as members of South Ribble Borough Council.

County Councillors K Snape and S Holgate declared a non pecuniary interest in agenda items 10 and 12 as members of Chorley Borough Council.

County Councillor R Newman-Thompson declared a non pecuniary interest in agenda items 8 and 13 as a member of Lancaster City Council.

County Councillor Paul Rigby declared a pecuniary interest in agenda item 4 as the applicant had been allowed to access his land for testing purposes.

3. Minutes of the last meeting held on the 21 May 2014

Resolved: That the Minutes of the meeting held on the 21 May 2014 be confirmed and signed by the Chair.

4. Fylde Borough: Application number. LCC/2014/0084 Retention of the site compound and access track for a further three years to allow pressure testing and seismic monitoring of the Bowland Shale reservoir, followed by plugging and abandonment of the existing exploratory well and site restoration. Singleton Grange Road Shale Gas Exploration Site, Land south side of Grange Road, Singleton.

County Councillor Rigby was not present during consideration of this item.

A report was presented on an application for the retention of the site compound and access track for a further three years to allow pressure testing and seismic monitoring of the Bowland Shale reservoir, followed by plugging and abandonment of the existing exploratory well and site restoration at Singleton Grange Road Shale Gas Exploration Site, Land south side of Grange Road, Singleton

The committee was informed that the planning application had generated a considerable amount of interest with over 90 representations having been received objecting to the proposal primarily in respect of visual, traffic, habitats, noise, pollution and seismic activity.

It was therefore proposed that the committee visit the site before determining the application. This would have the benefit of members being familiar with the site and environs before determining the application and so having a clear understanding of the issues associated with the proposal.

Resolved: That the Development Control Committee visits the Grange Road Shale Gas Exploration site prior to determining the application.

**5. Hyndburn Borough: Application 11/13/0264
The extension of Whinney Hill Quarry (phases 2 to 4) and the restoration by means of partial infill with inert construction, demolition and excavation waste and ancillary activities. Whinney Hill Quarry, Whinney Hill Road, Accrington**

A report was presented on an application for the extension of Whinney Hill Quarry (phases 2 to 4) and the restoration by means of partial infill with inert construction, demolition and excavation waste and ancillary activities.

The committee was reminded that at their last meeting on the 9th April 2014, they had resolved to grant planning permission for an extension of Whinney Hill Quarry. The grant of planning permission was subject to the applicant first entering into a Section 106 agreement relating to financial contributions towards highway maintenance.

In anticipation of the legal agreement being completed and the decision notice being issued, the applicant had submitted a draft surface water management scheme to meet the requirements of condition 24. However, the proposed surface water management scheme was partly on land outside of the applicants control and on land which affected the landfilling operations and would be reliant on the complex owner's independent water lagoon system.

The committee was advised that planning conditions could only relate to land within the applicants control. Given the proposed scheme fell outside the applicants control and could not be controlled by condition, it was considered that to ensure the implementation, management and use of such, the scheme needed to be included within the Section 106 agreement rather than controlled by condition. The owners of the Whinney Hill Quarry complex had agreed to be a signatory to the Section 106 agreement.

Inclusion of these controls within the Section 106 agreement would mean that condition 24 was no longer required and it was therefore proposed to delete the requirements of such and renumber subsequent conditions accordingly.

Resolved:- That after first taking into consideration the environmental information, as defined in the Town and County Planning (Environmental Assessment) Regulations 2011 submitted with the application and subject to the applicant first entering into a Section 106 Agreement relating to contributions to highway maintenance and the submission and implementation of a surface water management plan, planning permission be granted subject to the conditions set out in the report to the committee.

**6. Rossendale Borough: Application number LCC/2014/0055
Extension to quarry and restoration by means of infill with inert construction, demolition and excavation waste, the sorting, screening and export of recyclable material, the consolidation of existing permissions and the revision of approved working and restoration schemes at Tong Farm, Tong Lane, Bacup**

A report was presented on an application for an extension to quarry and restoration by means of infill with inert construction, demolition and excavation waste, the sorting, screening and export of recyclable material, the consolidation of existing permissions and the revision of approved working and restoration schemes at Tong Farm, Tong Lane, Bacup.

The report included the views of Rosendale Borough Council, the County Council's Assistant Director (Highways), the Environment Agency, Natural England, the Health and Safety Executive, the Rambler's Association and details of two letters of representation received.

Robert Hope, Development Management Officer, 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 extension and the final restoration and landscaping proposals together with several photographs of the site and surrounding access roads.

The officer reported orally that the applicant had submitted letters of support from 48 construction / road haulage companies in the East Lancashire area. Each of the companies stated that they had previously disposed of their inert waste at Tong Farm. The applicant had also forwarded four letters of support from local residents – the residents stated that the quarry had always been a good neighbour and was a source of local employment. The applicant had also submitted an analysis of other gritstone / shale quarries in the East Lancashire area and concluded that many of the existing sites in the area were either dormant or did not have sufficient reserves to supply demand.

The committee was advised that comments on the representations received were set out in the report. In relation to the applicant's further information on the need for the minerals, a discussion on the overall landbank position and availability of gritstone and shale reserves at other sites in the East Lancashire area was included on pages 32 – 35 of the Committee report. It was considered that the overall landbank of permitted reserves was sufficient to ensure a steady and adequate supply of these types of construction materials from existing active sites and that there was no immediate need to release the additional reserves that were contained in the application site.

Mr Chris Ballam, the agent for the applicant, addressed the committee and spoke in support of the application. Mr Ballam informed the committee that:

- The application had received more than 57 letters and emails of support from local businesses in the East Lancashire area.
- The number of objections received reflected the limited impact the quarry had on the amenity of local residents.
- If planning permission was refused, it would not only impact on the workers and their families but would also have a detrimental impact on the local businesses who used the quarry.

- It was acknowledged that the impact of the quarry traffic on the local highway was an issue however, the community had been built up around the quarry which had been in existence for over 40 years.

Mr Ballam questioned whether the remaining quarries in the area would be able to provide the quality and type of materials required. The committee was therefore urged to defer consideration of the application to allow further investigation into the supplies of gritstone/shale in east Lancashire.

In response to questions raised by the Members, the officer advised that a large number of residents lived in the vicinity of the site and that two letters of representation had been received objecting to the proposal. In respect of the supplies of gritstone and shale in the area, the officer reiterated the advice set out in the update sheet that the overall landbank of permitted reserves was sufficient to ensure a steady and adequate supply of these types of construction materials from existing active sites and that there was no immediate need to release the additional reserves that were contained in the application site.

Members commented that although reserves were available at other sites, it was important that these reserves could be extracted at the appropriate time to cover the demand required. Following further debate it was Moved and Seconded that:

"The application be deferred until the next meeting of the committee on 3 September 2014, to allow officers to further investigate the overall landbank position and alternative sources of supply at existing sites in East Lancashire".

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

Resolved: The application be deferred until the next meeting of the committee on 3 September 2014, to allow officers to further investigate the overall landbank position and alternative sources of supply at existing sites in East Lancashire.

**7. Hyndburn Borough: application number. LCC/2014/0082
Change of use from sui generis car dealership to sui generis vehicle parts sales and end of life vehicle centre with associated uses at land off Sydney Street, Accrington**

A report was presented on an application for a change of use from sui generis car dealership to sui generis vehicle parts sales and end of life vehicle centre with associated uses at land off Sydney Street, Accrington.

The report included the views of Hyndburn Borough Council, the County Council's Developer Support (Highways), the Environment Agency and details of twelve letters of representation received, one of which included 19 petition style letters objecting to the proposal.

Robert Hope, Development Management Officer, 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 site layout together with photographs of the site and the access roads.

County Councillor Bernard Dawson addressed the committee on behalf of local residents. He was not opposed to the development of the site as such, but maintained that the proposed development was not suitable in a residential area. He also maintained that the proposed development with its associated HGV traffic, would add to the existing traffic problems in the area. Several photographs were circulated showing traffic congestion on the local road network to illustrate this point. Councillor Dawson urged the committee to consider visiting the site prior to determining the application.

Members discussed the impact of the development on residential amenity. Although concerns were raised in this regard, it was noted that the proposed use was similar to that of the previous use i.e. car showroom and vehicle repair garage. Members also noted that all dismantling activities would take place inside the building.

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

**8. Lancaster City: Application number. DCO HEYSHAM M6 02
Application to vary the scheme of landscaping and ecology
approved under requirements 5 - 1 and 5 - 3 of the Development
Consent Order for the construction of the Heysham to M6 Link,
Lancaster**

A report was presented on an application to vary the scheme of landscaping and ecology approved under requirements 5 - 1 and 5 - 3 of the Development Consent Order for the construction of the Heysham to M6 Link, Lancaster.

The report included the County Council's Specialist Advisor – Ecology.

Resolved: That the landscape and ecology management plan approved under Requirement 5(1) of the Development Consent Order for the Heysham to M6 Link be varied in accordance with the revised planting schedule ref 11063-3000-RevC2.

**9. Fylde Borough: Application number. LCC/2014/0028
Demolition of existing building to allow construction of new single
storey intensive support unit, including new access road off Moor
Street, fencing, access gates, 6x6m high lighting columns, 6x
illuminated bollards, relocation of existing car parking spaces and
landscaping. Pear Tree School, Station Road, Kirkham.**

A report was presented on an application for the demolition of the existing building to allow construction of new single storey intensive support unit, including new access road off Moor Street, fencing, access gates, 6x6m high lighting columns, 6x illuminated bollards, relocation of existing car parking spaces and landscaping at Pear Tree School, Station Road, Kirkham.

The report included the views of Kirkham Town Council and four letters of representation received. It was reported orally that the County Council's Developer Support (Highways) had raised no objection to the proposals.

Jonathan Haine, Development Management Officer, 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 building and the site layout plan together with photographs of the front and rear view of the current building.

It was noted that the applicant had amended the proposal to ensure that the new access road off Moor Street would be used for construction purposes only and that once the building was complete, vehicular access would be via the existing Station Road access.

County Councillor Liz Oades addressed the committee under Standing Order 19. Councillor Oades welcomed the above amendment but questioned whether it was possible to mitigate the impact of the construction traffic at peak times or for the construction traffic to use an alternative access. In addition, concerns were raised with regard to the design of the proposed building. The committee was also requested to consider carefully the landscaping to the frontage on Moor Street to ensure that it remained visually attractive.

Following debate and in response to concerns raised by the Members, the officer advised that:

- The current building was unsuitable for conversion for modern educational use and that a single storey building would meet the special needs of the pupils attending the establishment.
- The current access off Station Road was considered to be unsuitable for construction traffic as it served both the adjacent school and the health centre and was constrained in terms of its width and alignment.
- Design could be a material consideration when determining a planning application, however, the development had to be considered in terms of the nature of the surrounding buildings and local environment and considered to be so out of keeping that it would cause harm to visual amenity.

Following further debate it was Moved and Seconded that:

"The planning application be deferred to allow for further consideration of the design of the building".

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

Resolved: That the planning application be deferred to allow for further consideration of the design of the building.

**10. Chorley Borough: application number. LCC/2014/0063
Variation of condition 3 of permission 09/13/0185 to allow an extension of the hours of use of the multi use games area to 08.30 to 20.00hrs Monday to Fridays (during British summertime April to October) and 08.30 to 18.00 Saturdays and Sundays at Shaftesbury High School, Weldbank Lane, Chorley**

A report was presented on an application for the variation of condition 3 of permission 09/13/0185 to allow an extension of the hours of use of the multi use games area (MUGA) to 08.30 to 20.00hrs Monday to Fridays (during British summertime April to October) and 08.30 to 18.00 Saturdays and Sundays, at Shaftesbury High School, Weldbank Lane, Chorley.

The report included details of six letters of representation received including letters from County Councillor Bev Murray and the Rt Hon Lindsay Hoyle MP on behalf of local residents.

Robert Hope, Development Management Officer, presented a Powerpoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the MUGA and the open land forming the boundary between the MUGA and residential properties on Ash Grove.

Chorley Borough Councillor Paul Walmsley addressed the committee on behalf of local residents and reiterated the concerns raised in the report in relation to noise pollution and anti-social behaviour. He also made the following points:

- The original planning permission had placed restrictions on the hours of use in order to protect residential amenity.
- A new MUGA was proposed for community use at a nearby recreation ground. There was therefore no need to extend the hours of the school MUGA.
- If it was proposed to approve extended hours, the use should be restricted to 08.30 – 19.00 on a week day during British summertime, 08.30 to 13.00 on a Saturday, with no use on Sunday to protect residential amenity.
- Groups of youths should be adequately supervised by adults and the school should look at ways of securing the site.

Following lengthy debate, it was Moved and Seconded that for a temporary period of 12 Months, the multi-use games area be available for use between the hours of:

0830 to 1900 hours, Mondays to Fridays between 1 April and 31 October (excluding Public Holidays).

0830 to 1800 hours, Mondays to Fridays between 1 November and 31 March (excluding public holidays)

10:00 to 13:00 hours on Saturdays, Sundays and Public Holidays."

On being put to the vote the Motion was Lost.

Following further discussion, it was Moved and Seconded that the Officer recommendation as set out in the report, be granted. On being put to the vote the Motion was Carried whereupon it was:

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

**11. South Ribble Borough: application number. LCC/2014/0076
Demolition of existing Lynnhurst building (former care home) and outbuildings, provision of a new single storey building for overnight short break unit, vehicle parking, external lighting columns, fencing and landscaping at Lynnhurst, Stanifield Lane, Farington**

A report was presented on an application for the demolition of the existing Lynnhurst building (former care home) and outbuildings, the provision of a new single storey building for an overnight short break unit, vehicle parking, external lighting columns, fencing and landscaping at Lynnhurst, Stanifield Lane, Farington.

The report included the views of South Ribble Borough Council, the County Council's Developer Support (Highways), Natural England and one letter of representation received.

Robert Hope, Development Management Officer, 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 building and photographs of the site and access road.

Officers responded to questions raised by the committee in respect of the building design.

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

**12. Chorley Borough: Application number LCC/2014/0077
New single storey extensions to provide a reception area and workshop/community meeting room and minor demolition where new structures meet existing structures at Withnell Fold School, Withnell Fold, Withnell, Chorley**

A report was presented on an application for new single storey extensions to provide a reception area and workshop/community meeting room and minor demolition where new structures meet existing structures at Withnell Fold School, Withnell Fold, Withnell, Chorley.

The report included details of 11 letters of representation received.

Jonathan Haine, Development Management Officer, 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 extensions and photographs of the site and access road.

The officer reported orally that a further 3 letters of representation had been received additional to those summarised in the report. The committee was advised that the issues raised were addressed in the committee report.

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

**13. Lancaster City: Application number. LCC/2014/0085
Four single storey extensions to provide 6 additional classrooms and extra resource areas, extension to the existing secondary car park to provide an additional 16 spaces and associated lighting columns, alteration of two windows to fire exits, re-alignment of 2.4 metre high rear boundary fencing and external works consisting of landscaping and disabled access paths, steps and ramps and temporary fenced contractor's compound and associated access.
Moorside County Primary School, Bowerham Road, Lancaster.**

A report was presented on an application for four single storey extensions to provide 6 additional classrooms and extra resource areas, an extension to the existing secondary car park to provide an additional 16 spaces and associated lighting columns, the alteration of two windows to fire exits, the re-alignment of 2.4 metre high rear boundary fencing and external works consisting of landscaping and disabled access paths, steps and ramps and, temporary fenced contractor's compound and associated access at Moorside County Primary School, Bowerham Road, Lancaster.

Jonathan Haine, Development Management Officer, presented a PowerPoint presentation and reported orally that the County Council's Developer Support (Highways) had objected to the development on the basis that the extension to the school would have a detrimental impact on the local highway network which

would not be mitigated by the proposed mitigation measures as they currently stand. The increase in the size of the school from 420 pupils to approximately 600 would increase car movements at drop off and pick up times together with additional staff car movements. The additional pupils were likely to live further from the school than those currently at the school and therefore were more likely to be brought to the school by car. The additional traffic and parking on Bowerham Road would increase congestion and risks to pedestrians crossing the road. A number of issues were raised regarding car parking and pedestrian crossing facilities and the ability to undertake improvements.

The views of Lancaster City Council were also reported. The council supported the principle of the development subject to conditions relating to contaminated land, protection of trees and controls on hours of construction work.

The committee was advised that the applicant had submitted additional information relating to the need for additional school places and that the statutory duty of the County Council was to ensure that school places were available for children. It was explained that higher birth rates in Lancaster combined with the prospect of new housing developments had led to a forecast need for new primary school places in Lancaster. The forecast predicted a long term increase in the demand for school places which should be met by permanent accommodation rather than by temporary provision. In choosing Moorside as a site for expansion a number of factors had been considered including the current strength of the school, parental preference, existing school size, availability of space to extend school buildings and access and proximity to future growth areas. These factors had led to the decision to expand Moorside Primary.

The comments of highways were noted particularly with regard to the requirement to undertake improvements to alleviate the highway impacts. To allow time to investigate such improvements, it was considered that the application should be deferred and that Members should also visit the site in advance of the application being reported to the September 3rd meeting.

It was therefore Moved and Seconded that "the application be deferred and that the committee visit the site in advance of the application being reported to the next meeting of the committee on 3 September 2014".

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

Resolved: That the application be deferred and that the committee visit the site in advance of the application being reported to the next meeting of the committee on 3 September 2014.

14. 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 the 21 May 2014, fourteen planning applications had been granted planning

permission by the Executive Director for Environment in accordance with the Council's Scheme of Delegation.

Resolved: That the report be noted.

15. Urgent Business

There were no items of urgent business.

16. Date of Next Meeting

Resolved: That the next meeting of the Committee be held on Wednesday 3 September 2014 at 10.00am.

17. Exclusion of Press and Public

Resolved: That the press and members of the public be excluded from the meeting during consideration of the following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the paragraph of Part 1 of schedule 12A to the Local Government Act, 1972, indicated against the heading to the item. It was considered that in all the circumstances the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

18. Rossendale Borough Council: application number 14/10/0452 Report on investigations into alleged breaches of planning control and enforcement proceedings at Shadlock Skip Hire, Waterbarn Mill Newchurch Road, Stacksteads, Bacup.

(Exempt information as defined in Paragraphs 5 and 7 of Part 1 of Schedule 12A to the Local Government Act, 1972. It was considered that in all the circumstances of the case the public interest in maintaining the exemption outweighed the public interest in disclosing the information)

Jill Anderson, the Clerk to the Committee, presented an oral update report on investigations into alleged breaches of planning control and enforcement proceedings at Shadlock Skip Hire, Waterbarn Mill, Newchurch Road, Stacksteads, Bacup.

Resolved: That the report be noted and that a progress report be presented to the next meeting of the committee.

I Young
County Secretary and Solicitor

County Hall
Preston

Development Control Committee

Meeting to be held on 3 September 2014

Electoral Division affected: Whitworth

Rossendale Borough: application number. LCC/2014/0055

Extension to quarry and restoration by means of infill with inert construction, demolition and excavation waste, the sorting, screening and export of recyclable material, the consolidation of existing permissions and the revision of approved working and restoration schemes.

Tong Farm, Tong Lane, Bacup

Contact for further information:

Catherine Lewis, 01772 530490, Environment Directorate

DevCon@lancashire.gov.uk

Appendix A – Report on application LCC/2014/0055 presented to the Development Control Committee meeting of 9th July 2014

Executive Summary

Application – Extension to quarry and restoration by means of infill with inert construction, demolition and excavation waste, the sorting, screening and export of recyclable material, the consolidation of existing permissions and the revision of approved working and restoration schemes at Tong Farm, Tong Lane, Bacup.

The application is accompanied by an Environmental Statement and Non-Technical Summary under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Recommendation

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the application be **refused** for the following reasons:

1. The proposed quarry extension would be contrary to Policy CS3 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy and Policy M1 of the Joint Lancashire Minerals and Waste Local Plan in that the applicant has not demonstrated that there is a need for aggregate materials or fireclay for brick manufacturing.
2. The quarry extension would be detrimental to the living conditions of local residents caused by the movements of heavy goods vehicles close to residences over an extended period of time particularly as there is no proven need for the minerals, contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.
3. The recycling operations would be detrimental to the living conditions of

local residents caused by the movement of heavy goods vehicles importing waste materials to the site and subsequently exporting recycled materials thereby increasing the overall number of vehicles that would be required to provide the necessary materials for the restoration of the site or to export permitted minerals over a substantial period of time associated with the quarry extension and revised restoration levels contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Background

This application was presented to the meeting of the Development Control Committee on 9 July 2014 with a recommendation for refusal for the following reasons.

1. The proposed quarry extension would be contrary to Policy CS3 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy and Policy M1 of the Joint Lancashire Minerals and Waste Local Plan in that the applicant has not demonstrated that there is a need for aggregate materials or fireclay for brick manufacturing.
2. The quarry extension would be detrimental of the living conditions of local residents caused by the movements of heavy goods vehicles close to residences over an extended period of time particularly as there is no proven need for the minerals, contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.
3. The recycling operations would be detrimental to the living conditions of local residents caused by the movement of heavy goods vehicles importing waste materials to the site and subsequently exporting recycled materials thereby increasing the overall number of vehicles that would be required to provide the necessary materials for the restoration of the site or to export permitted minerals over a substantial period of time associated with the quarry extension and revised restoration levels contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

The applicant's agent addressed the committee and spoke in support of the application. He informed the committee that:

- The application had received more than 57 letters and emails of support from local businesses in the East Lancashire area.
- The number of objections received reflected the limited impact the quarry had on the amenity of local residents.
- If planning permission was refused, it would have a detrimental impact on the employees and their families and on the local businesses who used the quarry.
- It was acknowledged that the impact of the quarry traffic on the local highway was an issue however, the community had been built up around the quarry which had been in existence for over 40 years.

He questioned whether the remaining quarries in the area would be able to provide the quality and type of materials required and urged the committee to defer consideration of the application to allow further investigation into the supplies of gritstone/shale in east Lancashire.

The Committee resolved to defer the application until the next meeting of the committee to allow officers to further investigate the overall landbank position and alternative sources of supply at existing sites in East Lancashire.

The report presented to committee on 9 July 2014 is included at appendix A. This report provides information on the overall aggregates landbank position and the alternative sources of supply at existing sites in East Lancashire.

Advice

Minerals are essential raw materials which are valuable national assets and vital to a modern economy. As a result it is important that there is a sufficient supply of material to provide the infrastructure and building requirements associated with the demands of the economy whilst ensuring that permitted mineral operations do not have unacceptable adverse impacts on the natural and historic environment or human health. Since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them and to secure their long-term conservation through the mechanism of mineral safeguarding. Efficient and effective functioning of the planning system depends on high quality, readily accessible information on the extent, quality and, if possible, quantity of mineral resources. The mineral planning authority (MPA) is required to produce a 'Minerals and Waste Development Framework' (MWDF), which shows how the MPA will plan for future provision of minerals within their area. Through this process, the County Council as MPA has formulated policies and plans as part of the Joint Lancashire Minerals and Waste Development Framework to guide future development.

Due to the nature of quarrying, the industry requires long timescales for the securing of sites with sufficient reserves to enable capital investment decisions to be made. Therefore, national guidance requires landbank policies to be developed by local mineral planning authorities to maintain safeguarded aggregate reserves in their areas. The Planning and Compulsory Purchase Act 2004 requires every local authority to produce an Annual Monitoring Report (AMR) which reviews what has happened in development planning throughout the year. The review identifies progress against regional and national targets.

The County Council's AMR provides a forecast of demand for aggregates based upon existing reserves and the agreed apportionment. Figures of permitted reserves as set out in the *Joint Lancashire Minerals and Waste Development Framework - Strategic Minerals Issues* document dated November 2007, which was a background paper presenting technical and other data in support of the preparation of the Joint Lancashire Minerals and Waste Development Framework were used. The figures are monitored and updated accordingly as part of the AMR.

Since the last committee meeting the applicant has questioned these figures and has submitted a document entitled '*Supplementary Report: Analysis of Gritstone /Sandstone Permitted Reserves*' dated August 2014 as further support for the application. This report provides a commentary on each quarry comparing what the

applicant considers to be the current situation with that set out in the November 2007 Strategic Minerals Issues document. The applicant's supplementary report concludes that most of the quarries have either closed or have limited reserves.

The County Council's Strategic Planning Policy Team, who produced the Joint Lancashire Minerals and Waste Development Framework Core Strategy, has provided the following comments on the submitted report:

The Core Strategy and the Site Allocation Local Plan were both subject to independent examination prior to their adoption. The Site Allocation Local Plan examination considered its conformity to the National Planning Policy Framework (NPPF); it was found to be sound by the planning inspector, and was subsequently adopted by the Council in September 2013. Information on permitted reserves is provided by operators in response to yearly surveys, or estimated by the Council in the event of non-returns. Information provided to the Council is provided in confidence, and cannot be stored or published in an un-aggregated form. No information has been provided by the applicant, any other operator, or recent monitoring returns, to indicate that the level of permitted reserves has been significantly overstated.

Monitoring shows that production of gritstone (and aggregates in general) has reduced significantly since 2002, in part due to the effects on the economy of the global financial crisis. This has had an effect on the demand for construction materials, and the economics of working minerals. Production has shown a slight increase in the last two monitoring reports.

Gritstone reserves can be expressed as 'landbanks' of minerals, representing the length of time they can be expected to last at estimated rates of use. The annualised estimate of need is the apportionment (38.1Mt for Lancashire area), divided by the number of years the apportionment is for (21years), which provides a figure of 1.8 million tonnes per year. Alternatively, need and likely demand can be calculated using an average of the last 10 years production and sales; currently 1.04 million tonnes per year.

The AMR 2012-2013 published in January 2014 states that gritstone reserves increased from 66mt in 2011 to 71.4mt in 2012 primarily attributable to revised estimates from operators being received as part of the monitoring process and a small extension of stone extraction at the Whinney Hill Quarry complex. This permitted reserve represents a 68 year land bank at current rates of production, or a 39 year landbank based on annualised apportionment, which is well above the required 10 year land bank of 18.1 million tonnes as set out in the supporting text to Core Strategy Policy CS3. The AMR 2012-2013 confirms that there is no need for additional gritstone reserves.

The applicant's supplementary report includes a breakdown of each relevant individual quarry named in the *Joint Lancashire Minerals and Waste Development Framework - Strategic Minerals Issues* document and provides comments on their understanding of site information. Using the applicant's approach the sites referred to are listed below with comments provided when required.

Sites the applicant suggests are closed

Twist Hill & Delf Quarry – The applicant has stated that mineral extraction was to cease by 30/11/09. However, the applicant has not referred to the building stone quarry that was granted on 5 June 2013 (ref. 12/13/0173). Nevertheless, this is not an aggregate quarry and is not relevant here.

Whittle Hill Quarry - The applicant has stated that mineral extraction has ceased and the site is flooded and has been landfilled (as referred to in the Strategic Minerals Issues document). The quarry is currently flooded but permission for mineral extraction remains in place and there are mineral reserves available for extraction. However, this site is in Chorley and generally beyond the economic area of influence of the application site.

Catlow Quarry - The applicant has advised that extraction ceased on 31st December 2007. However, planning permission ref 13/12/0585 was granted in March 2013 to allow, limited extraction of stone, importation of stone and processing of stone until 31 December 2018 with restoration by 31 December 2020. This site relates to building stone and is not relevant here.

Hardrock - Currently being landfilled.

Round O - Currently being landfilled.

Deerplay Quarry and Landfill site - The applicant has stated that this is a closed landfill with no mineral reserve. However, planning permission was granted on 16th April 2008 to allow mineral extraction and landfilling to continue for an additional period of 15 years (ref 12/06/0959). Unworked reserves at the time, and still remaining due to the quarry remaining dormant, equate to some 300,000 tonnes of shale and sandstone.

Huncoat Rakehead Quarry – Determination of periodic review conditions under application ref. 11/12/0345 was approved on 18 January 2013. The site relates to some 14ha of largely shales and mudstones and the operator has advised that the site would be capable of releasing around 150,000 tonnes per annum in favourable market conditions. This appears to be in conflict with the applicant's assertion that estimated reserves are only 10,000 tonnes. However, minerals are worked predominantly for brick manufacture and therefore reserves do not form part of the aggregate landbank calculations.

The applicant states that the following quarries have a limited life or do not produce aggregate:

Mitchell's House- Stone roofing slates only. This is correct.

Ellel Crag- This site is in Lancaster district with limited life. This is correct.

Leeming- The applicant has stated that the planning permission is for dressed stone only. This is correct.

Middle Hill – There is no planning permission for mineral extraction in Lancashire. Limited permitted building stone reserves remain on land within Rochdale Metropolitan Borough Council.

Additional sites

Brinscall Quarry, Chorley district – Existing gritstone quarry with permission until 2042. This is correct. However, this site is in Chorley and generally beyond the economic area of influence of the application site

Waddington Fell, Ribble Valley – Gritstone quarry (building stone, crushed rock and sand) with approximately 300,000 tonnes of remaining unconstrained reserve. However, there are also approximately 700,000 tonnes of permitted reserves under and adjacent to the existing saw shed building.

Seven quarries named in the Committee report dated 9 July 2014

Whinney Hill -The applicant has advised that mineral extraction has ceased having run out of sandstone reserves within the existing permission. However, planning permission has been granted for the extraction of a further 2.76 million tonnes of sandstone over a period of approximately 10 years (based on current rates of extraction) subject to the applicant first entering into a Section 106 Agreement relating to drainage matters.

Scout Moor -The applicant has stated that although the 2007 Issues document notes that the minerals extracted are coal and shale, his view is that the primary mineral worked is dimension stone and that any aggregate produced is from crushed dimension stone waste and overburden. However, as part of the application for a quarry extension at Scout Moor in 1998 the applicant provided information referring to opportunities for stone to be crushed to sand; secondly, aggregates to be used in the manufacture of concrete products, and thirdly, as dimension stone and flags. This would still appear to be the case at the site. A significant reserve is present at the site and permission is in place until 2029. The site is also identified as a suitable location for inert landfill with the expectation that proposals for inert waste recycling and inert landfill would help deliver the restoration of the quarry. Inert recycling could therefore make a further contribution to the availability of aggregates.

Fletcher Bank – The administrative boundary between Lancashire and the Metropolitan Borough of Bury runs roughly north-south through of the quarry meaning that the eastern side of the site is in Lancashire and the western side of the site (including the access onto Manchester Road A56) is within Bury. The applicant has suggested that there is approximately 5 years of reserves remaining. However, significant reserves remain within the existing quarry and planning permission is in place for a quarry extension providing for the extraction of approximately 4 million tonnes of gritstone. Given the proximity of Fletcher Bank to Greater Manchester, the reserves do not form part of Lancashire's reserve calculation. Nevertheless, they do contribute to local supply.

Jamestone Quarry – Currently operational contrary to the applicant's assertion that the site is closed. There are extensive permitted reserves of gritstone and shale.

Whitworth Quarry -The applicant has stated that the majority of the reserves are located within Whitworth Quarry which accounts for somewhere around 52 million tonnes of the 71.4 million tonnes given in the Annual Monitoring Report for 2012-13 or nearly 75%. Without Whitworth reserves the total reserve figure would be around 19 million tonnes (10 years life) but it is likely that the reserves at the other quarries

are more limited than suggested in the 2012-2013 report. The applicant suggests that Whitworth has significant issues with quality and financial viability, poor access and significant environmental impacts on residential areas.

It is acknowledged that the majority of the reserve falls within Whitworth Quarry. However there is no evidence to suggest that there are "significant issues" with either the quality or the financial viability associated with aggregate production at this site. Although the access to Whitworth Quarry may generate environmental impacts upon the surrounding highway network the quarry has permission for mineral extraction until 2042 and there is a policy which safeguards a new access route.

Additionally, the applicant's report states that the majority of gritstone quarries are engaged in either reviews or are seeking planning permission for extensions. Therefore, the applicant suggests there may be a shortage of permitted reserves at all quarries with the exception of Scout Moor and Whitworth. It is acknowledged that the County Council is currently in receipt of one application for the determination of conditions under periodic review for gritstone reserves at Hutch Bank Quarry and that planning permission for an extension at Whinney Hill Quarry has been granted subject to the completion of a Section 106 agreement relating to drainage matters. However, the review application or any applications for extensions would have no bearing on known permitted reserves.

Conclusion

It is considered that the supplementary analysis of permitted reserves submitted by the applicant has not provided any information of significance to suggest the permission should be granted contrary to local plan policy concerning the need for minerals or in view of NPPF guidance that was considered as part of the report presented to Committee on 9 July 2014. Furthermore, the applicant's supplementary assessment is inaccurate in relation to a number of gritstone quarry sites that are referred to and which do contain workable permitted reserves that are available and could be released in more favourable market conditions.

The report presented to Committee on 9 July 2014 advised that in terms of local economic value and employment, the applicant is of the view that if planning permission for the proposed extension could not be secured, the extraction of aggregates at the quarry would cease with the loss of this aggregate supply to the east of the County and the loss of local employment associated with the quarrying activities and supporting industry. The employment and local economic benefits that the quarry currently provides is recognised but it was concluded in the previous report to Committee that these would not outweigh the overriding lack of policy support to the release of further aggregate reserves given the land bank situation. On this basis the recommendation remains as previous and set out below.

Recommendation

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the application be **refused** for the following reasons:

1. The proposed quarry extension would be contrary to Policy CS3 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy and

Policy M1 of the Joint Lancashire Minerals and Waste Local Plan in that the applicant has not demonstrated that there is a need for aggregate materials or fireclay for brick manufacturing.

2. The quarry extension would be detrimental to the living conditions of local residents caused by the movements of heavy goods vehicles close to residences over an extended period of time particularly as there is no proven need for the minerals, contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.
3. The recycling operations would be detrimental to the living conditions of local residents caused by the movement of heavy goods vehicles importing waste materials to the site and subsequently exporting recycled materials thereby increasing the overall number of vehicles that would be required to provide the necessary materials for the restoration of the site or to export permitted minerals over a substantial period of time associated with the quarry extension and revised restoration levels contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2014/0055	August 2014	Catherine Lewis/Environment/30490
14/10/0324		
14/98/0383		
14/96/0085		
13/1/2888		
13/1/1606		

Reason for Inclusion in Part II, if appropriate

N/A

Development Control Committee
Meeting to be held on 9 July 2014

Electoral Division affected: Whitworth

Rossendale Borough: Application number LCC/2014/0055
Extension to quarry and restoration by means of infill with inert construction, demolition and excavation waste, the sorting, screening and export of recyclable material, the consolidation of existing permissions and the revision of approved working and restoration schemes at Tong Farm, Tong Lane, Bacup

Contact for further information:
Catherine Lewis, 01772 530490, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Application – Extension to quarry and restoration by means of infill with inert construction, demolition and excavation waste, the sorting, screening and export of recyclable material, the consolidation of existing permissions and the revision of approved working and restoration schemes at Tong Farm, Tong Lane, Bacup.

The application is accompanied by an Environmental Statement and Non-Technical Summary under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Recommendation – Summary

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the application be **refused** for the following reasons:

1. The proposed quarry extension would be contrary to Policy CS3 of the Joint Lancashire and Waste Development Framework Core Strategy and Policy M1 of the Joint Lancashire Minerals and Waste Local Plan in that the applicant has not demonstrated that there is a need for aggregate materials or fireclay for brick manufacturing.
2. The quarry extension would be detrimental of the living conditions of local residents caused by the movements of heavy goods vehicles close to residences over an extended period of time particularly as there is no proven need for the minerals, contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.
3. The recycling operations would be detrimental to the living conditions of local residents caused by the movement of heavy goods vehicles importing waste

materials to the site and subsequently exporting recycled materials thereby increasing the overall number of vehicles that would be required to provide the necessary materials for the restoration of the site or to export permitted minerals over a substantial period of time associated with the quarry extension and revised restoration levels contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Applicant's Proposal

Planning permission is sought for an extension to Tong Farm Quarry and restoration by means of infill with inert construction, demolition and excavation waste, the sorting, screening and export of recyclable material, along with the consolidation of existing permissions and the revision of approved working and restoration schemes.

The proposed quarry extension would relate to 3.7ha of land to the north of the current approved extraction area; this would involve the extraction of 430,000m³ (755,000 tonnes) of shale and 110,000m³ (190,000 tonnes) of fireclay over a period of 10 years.

The application proposes the consolidation of a number of post 1970 planning permissions into a single defined boundary and as such the total application site relates to an area of 11.8ha.

The existing planning permissions provide for backfill with restoration taking place within the quarry floor and including the retention of the main quarry faces. The application seeks to fill the quarry to levels that would closely match original ground levels through the deposit of additional restoration materials. The operator also seeks permission to establish recycling facilities for construction, demolition and extraction waste as a means of recovering waste materials that could be re-used and recycled and exported back out of the site as recycled product.

Including the void space that would be created in the proposed quarry extension area the infill capacity would be approximately 720,000m³. The applicant anticipates infill at a rate of 50,000 tonnes per annum for approximately 22 years and at the end of which the site would be returned to agricultural use. The applicant has stated that provision of recycling facilities would attract more waste materials to the site increasing to approximately 63,000 tonnes per annum. From this it would appear that 13,000 tonnes of recycling material would be exported off the site per annum.

The applicant proposes to operate the site in the same way as the existing site and within the conditional restrictions set out in the extant planning permissions. The existing site operates between 0730 – 18.30 hours Monday to Friday and 0730 – 1300 hours on Saturdays. No work is allowed to be carried out on Sundays or Public Holidays. The applicant proposes to work the proposed extension area within the same hours.

The applicant estimates that minerals proposed to be worked as part of the extension area and the importation of restoration materials would generate an average of 40 HGV's leaving the site per day, reflective of the number of HGV's permitted to leave the existing site (Condition 21 to planning permission 14/98/0383 permits of 7 HGV's leaving the site in any one hour). Access would continue to be

from Pennine Road along Tong Lane, which leads to a haul road to the site, an informal car park lay-by, office accommodation and wheel wash facilities.
HGV's

An Environmental Statement accompanies the application which addresses the key likely significant effects of noise and dust, water features and hydro geological appraisal, vehicle movements, and ecology.

Description and Location of Site

Tong Farm Quarry is an active fireclay and shale quarry extending over an area of 8.3ha in an elevated location approximately 600m south east of Tong Farm (owned by the applicant) and approximately 2km south east of the centre of Bacup. The site is accessed off Tong Lane. The depth of the quarry has varied relative to adjoining land levels typically between approximately 18m in the south west and 25m in the north east. However, more recently the existing site has been progressively filled with restoration materials.

Although the site is surrounded on all sides by agricultural land, the quarry is located within a semi rural setting. To the north and east, a multitude of small hill farms are located along the valley sides with open Moorland dominating the hilltops. To the south and west of the quarry lies suburban housing. The nearest residential property to the existing quarry is Hey Head Cottages some 68m to the south east; Dry Corner Farm is located some 90m to the east. These properties are approximately 230m and 170m respectively from the proposed extension to the extraction area.

There is an extensive network of public rights of way in the immediate locality although none would be directly affected by the proposed development.

Background

History

Planning permissions for the extraction of materials at Tong Farm date from the early 1960's. In 1961 planning permission was granted for the working of a larger area with much of the material being excavated (ref 13/1/1606). The Environment Act 1995 introduced new requirements for the review of conditions attached to old permissions. This culminated in the determination of modern working conditions for Tong Farm Quarry under planning permission 14/96/0085 (subsequently varied by 14/98/0383).

A Stop Notice and Enforcement Notice were served on the applicant on the 30 April 2010 due to the unauthorised extraction of minerals. The applicant maintained that the extraction of minerals was required to carry out essential quarry face stability works. Mineral extraction operations ceased and the operator subsequently submitted a planning application to regularise these activities and which was granted in October 2011 (ref. 14/10/0324).

Planning permission was also granted for a small extension in 2011 (ref 14/10/03325) and which was the subject of a Section 106 Agreement to relinquish some of the approved depth of working.

Relevant planning permissions:

Planning permission for the extraction of fireclay by opencast mining was granted in June 1960 (ref 13/1/1531).

Planning permission for further extraction was granted in April 1961 (ref 13/1/1606)

Planning permission for further extraction was granted in September 1970 (ref. 13/1/2888).

Planning permission for the approval of conditions relating to permission 13/1/2888 was granted in August 1996 (ref 14/96/0085).

Planning permission for the variation of conditions imposed under 14/96/0085 was granted in April 1999 (ref.14/98/0383).

Planning permission for the retrospective mineral working and the importation of soils/subsoils for the purposes of restoration was granted in 7 October 2011. (ref.14/10/0324).

Planning permission for the extension of existing quarry working and the importation of soil/subsoil for the purposes of restoration was granted in 24 October 2011 (ref.14.10.325) subject to a Section 106 Agreement restricting depth of working in the existing site. This permission relates to a small extension and it was accepted that there would be a local economic stimulus provided by the continued activity at the quarry. However, there were a number of other factors associated with this approval including the applicant entering in to a Section 106 agreement to relinquish some of the approved depth of working.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 6 – 16, 109 – 125, 142 -148 are relevant with regard to the definition of sustainable development and the operation of the planning system, conserving and enhancing the natural environment and the sustainable use of minerals.

Planning Practice Guidance (PPG)

Paragraph 10 Economic considerations, feasibility of strategic approach to restoration

Paragraph 11 Assessing environmental impacts from minerals extraction

Paragraph 80 Aggregate landbanks

Joint Lancashire Mineral and Waste Development Framework Core Strategy DPD
Managing our Waste and Natural Resources (JLMWDF)

Policy CS1 Safeguarding Lancashire's Mineral Resources

Policy CS3 Meeting the demands for New Minerals

Policy CS4 Identifying Sites and Areas for Mineral Extraction

Policy CS5 Achieving Sustainable Mineral Production

Joint Lancashire Minerals and Waste Local Plan (JLMWLP) - Site Allocations and Development Management Policies

Policy NPPF1	Presumption in Favour of Sustainable Development
Policy DM1	Management of Waste and Extraction of Minerals
Policy DM2	Development Management
Policy LF1	Non hazardous landfill
Policy M1	Managing mineral production
Policy M2	Safeguarding Minerals
Policy WM4	Inert Waste Recycling

Rossendale Core Strategy

Policy 10	Provision for Employment
Policy 18	Biodiversity, Geodiversity and Landscape Conservation
Policy 24	Planning Application Requirements

Consultations

Rossendale Borough Council - Having regard to the harm to resident's amenities which is/will continue to be caused by HGV traffic as it passes between the site and the main road network, the current application should be refused unless the County Council is satisfied that there is a compelling need for extraction of the shale and fireclay to be found here in order to meet sub-regional requirements.

In the event that the County Council is satisfied that there is a compelling need for extraction of the shale and fireclay to be found here the permission for its extraction should minimise the period resident's amenities are harmed, consistent with there being no change to the presently permitted hours (7am-6pm weekdays; 8am-1pm Saturdays; not Sundays or Bank Holidays), nor increase in the number of HGVs that may exit the site (7 per working hour).

Furthermore, sorting, screening & export of recyclable materials and infilling to restore the site should not extend beyond the permitted extraction period by more than 5 years, and all activities to take place on the site shall be undertaken in a manner to minimise impact on neighbours.

LCC Assistant Director (Highways) - No objection subject to conditions controlling the number of vehicles, sheeting of vehicles, wheel wash facilities, access from Pennine Road, no explosives, and a written record to be kept of all heavy goods vehicles as per the previous application.

Environment Agency - No objection subject to a condition requiring an updated water features survey and if necessary a hydro geological impact assessment.

Natural England - The application is in close proximity to the Lee Quarry Site of Special Scientific Interest (SSSI) but is satisfied that the application details would not damage or destroy the interest features for which the site has been designated.

National Grid Gas and Electricity - No observations received.

National Grid Company PLC - No observations received.

Health & Safety Executive- No objection

Ramblers Association- No objection.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Two letters of representation has been received objecting to the proposed development for the following summarised reasons:

- There are too many lorries coming through the Pennine Road Estate/ South Street with most of them coming from Tong Farm.
- The lorries cause a risk to cars, pedestrians and the primary school and cause noise, dust, vibration and damage to the road surface.
- The number of lorry journeys should be reduced to avoid a serious accident particularly involving children.
- Operating the site for another 10 years would be unacceptable.

Three letters of representation has been received in support of the application on the grounds that the site provides a valued supply of aggregates, fireclay and a local inert waste disposal point.

Advice

Planning permission is sought for an extension to the north of the current quarrying activities at Tong Quarry followed by restoration through the importation of inert soil making materials and utilisation of quarry waste. Permission is also sought to introduce operations to allow for the recovery and export of re-usable materials from imported waste streams.

Planning permission for a small extension for the extraction of aggregates was granted in 2011. The application was supported given the small volume of mineral involved, the local economic stimulus that would be provided, an agreed reduction in the final approved depth of the existing workings, and a more desirable restored site profile in relation to the existing permission.

The policies of the Development Plan seek to ensure that Lancashire makes an appropriate contribution to meeting local, regional and national supplies of minerals. It is therefore necessary to assess the need for the aggregate that would be extracted against the potential impact of the proposal on the local environment including impacts on the public highway, the amenity of the residents who live nearby and the impact on local landscape.

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Need for Mineral

The site is currently worked for a variety of shale like materials (mudstones), some of which are crushed and sized for construction uses (aggregate). The site is also worked for fireclay (brickshale) which can be used as an industrial mineral for brick manufacturing.

Government policy is set out in the *National Planning Policy Framework* which seeks to ensure that Mineral Planning Authorities should plan for a steady and adequate supply of aggregates to the construction industry. When determining planning applications, Paragraph 144 of the NPPF is clear that local planning authorities should give great weight to the benefits of mineral extraction including to the economy.

Policy CS1 of the JLMWDF states that minerals will be extracted only where they meet a proven need for materials within particular specifications. Policy CS3 of the JLMWLP is about meeting the demand for new minerals and states that:

"No additional land will be made available for the extraction of gritstone for aggregate use before 2021 unless it is of a special quality not available elsewhere".

Policy CS3 goes on to add that:

'Additional land will be made available during the Plan period for the extraction of minerals for cement or brick manufacturing, where it can be demonstrated that the landbank supplying the manufacturing plant will fall short of 25 years during the Plan period'.

Furthermore, text accompanying Policy CS4 of the JLMWDF identifies that in relation to current landbanks of permitted reserves for gritstone, limestone, clay and shale at the end of 2004, no sites or other areas will be identified for the extraction of any other mineral unless there is a landbank shortfall or there is a recognised commercial need for minerals of a particular specification that cannot be met from elsewhere.

Policy M1 of the JLMWLP makes it clear that development will not be supported for any new extraction of sand and gravel, limestone, gritstone or brickshale.

In addition to the *National Planning Policy Framework*, the government has also published accompanying practice guidance. Paragraph 84 of the *Planning Practice Guidance* advises that an adequate or excess landbank is not a reason for withholding planning permission. The total landbank size is only one measure of the need to release additional reserves. It is also necessary to consider the ability of the existing operational sites to supply market demands, the suitability and availability of alternative materials and issues of possible sterilization should production cease at a quarry site. The PPG adds:

'There are a number of reasons why an application for aggregate minerals development is brought forward in an area where there exists an adequate landbank. These could include:

- significant future increases in demand that can be forecast with reasonable certainty;*
- the location of the consented reserve is inappropriately located relative to the main market areas;*

- *the nature, type and qualities of the aggregate such as its suitability for a particular use within a distinct and separate market; and*
- *known constraints on the availability of consented reserves that might limit output over the plan period.'*

In relation to the first bullet point, no significant future increase in demand has been identified, to singularly warrant supporting further extraction of gritstone aggregate within the County.

With reference to the second bullet point, the applicant has advised that the quarry provides a local source of aggregates to the local construction industry together with a means of disposing construction and demolition wastes as part of the quarry's restoration. The area served includes Burnley, Blackburn, Bury and Rochdale all within a 15 mile radius. The applicant states that without Tong Farm the local construction industry would face higher costs arising from reduced competition and increased travel distances.

Whilst these are considered to be valid observations and it is accepted that an extensive network of sites can reduce unsustainable haulage distances and contribute to local competitiveness, it is evident that aggregates and shales are readily available from within the Rossendale area and adjoining districts. A large proportion of the permitted reserves of gritstone in Lancashire are held close by at Whitworth Quarry in Rossendale. Similarly significant reserves are held at Scout Moor Quarry near Edenfield and Fletcher Bank Quarry near Shuttleworth, Ramsbottom. Permitted reserves of gritstone/shale are also available at Jamestone Quarry at Haslingden Grane, Hutch Bank Quarry, also at Haslingden, Whinney Hill in Accrington and Rakehead at Huncoat. Permitted shale reserves are available at Deerplay Landfill site although significantly the site is currently mothballed. Overall it is considered that local market is adequately served for the purposes of the local plan period.

The fireclay is commonly associated with coal seams and due to the decline of the opencast coal industry, particularly in the northwest, fireclay of this nature has become more difficult to source. However, the fireclay is a relatively small proportion of the overall mineral reserve proposed to be extracted. It is accepted that the fireclay from the site does meet an important market need; however, the fireclay production is subordinate to the aggregate /crushed stone output. Furthermore, although the applicant has provided a letter of support from a fireclay supplier in relation to the value of the reserves to the brick manufacturing market, the applicant has not clearly demonstrated there is likely to be a shortfall in supply as required by Policy CS3.

Therefore, it is considered that a need argument for the extension should not be weighted towards fireclay production alone. On balance it is considered that there is insufficient justification to support extraction of the stone due to *"the nature, type and qualities of the aggregate"* as set out in the third bullet point of paragraph 84 of the PPG.

The applicant has not demonstrated that the crushed stone (shale) produced by Tong Quarry is of any special quality and is used for construction sub bases, for hard standings and other general fill uses.

In view of the availability of alternative other local sites with extensive permitted reserves, there are no known constraints that might limit output over the plan period.

Policy M1 aims to manage mineral production and the accompanying text makes it clear that there is no need to provide further site allocations or policies for aggregates and minerals which includes brickshales. The glossary of terms associated with the local plan document includes "other bulk material used by the construction industry" as part of the definition of aggregates.

It is therefore considered that the applicant has not demonstrated the need for the release of additional reserves at this site for the purposes of Policy CS3 of the JLMWLP, Policy M1 of the JLMWLP or by virtue of any provisions set out within paragraph 84 of the PPG.

Impacts in relation to the sorting screening and export of recyclable material

The proposed processing facility would run in tandem with the infilling and restoration element of the associated quarry development, and would manage materials that would have previously been imported and disposed directly into the site, for the purposes of segregation and recycling.

The applicant has advised that products derived from the recycling of construction and demolition waste would be used to blend with the quarried materials. Combined sales of the blended aggregate would be likely to remain at approximately 80,000 tonnes per annum as per existing without the recycled element. The assumption has been made that imports of construction and demolition waste would rise to 63,000 tonnes per annum with approximately 50,000 tonnes of residual restoration material deposited within the quarry void.

In terms of vehicular movements the waste materials would be brought on site in 15 tonne load tipper wagons. This would generate an average of 16 loads per day. Maintenance and diesel tankers would also visit the site, fuel delivery tanks would visit twice per week.

Annual waste inputs have declined over the past years. Quarry void capacity including the void space in the proposed extension area and within the rest of the site has been calculated at 720,000m³. The applicant has advised that a recycling operation could enable infill at a rate of 50,000 tonnes annually which would extend the life of the quarry to approximately 22 years. The processing operations would not involve any permanent built development, and the only source of potential visual intrusion would be through the formation of stockpiles of aggregate type material. The applicant has advised that the current plant associated with the quarrying would be able to manage the sorting and processing of waste materials and the crushing and screening plant would remain located below ground level so as to minimise noise generated, particularly on noise sensitive properties outside the site boundary. Given the existing operations at the site it is considered that there would be no significant change in principle to existing operations. However, as the restoration of the site progresses it may be necessary to construct screen bunds behind which the plant would operate.

The applicant has argued that the provision of recycling facilities would attract more waste to the site, which would increase the rate at which the site could be restored. How this would work in practice would ultimately depend on the success of the recovery and recycling operations and how much material is exported off-site. Policy WM4 of the JLMWLP encourages developments for aggregate recycling facilities where they do not compromise the long term restoration of mineral workings and landfill sites back to a beneficial afteruse within the original timescale of the parent permission. There is limited mineral reserve remaining within the existing permission ref 14/98/0383 and the applicant has advised that there is approximately 200,000m³ of remaining void space within the permitted site. Permission 14/98/0383 is limited to 2042.

If the applicant's assumption, that more waste would be attracted to the site, can be supported then there should be sufficient residual material for restoration purposes so that the final restoration of the site is not unduly compromised. In this respect the proposal could be supported. However, the main concern is the cumulative impact of additional vehicles removing recycled materials off-site along with vehicles bringing in waste materials and exporting minerals. Overall, there would be an increase in HGV movements required to export materials and finally restore the site compared with those purely associated with quarrying and restoration operations currently permitted.

It is acknowledged that the quarry has been in existence for many years and HGV movements have been restricted by condition. However, it is considered that even if the timely restoration of the site would not be compromised, the benefits associated with waste recycling would not be outweighed by the impact of HGV movements on local residential amenity contrary to Policy DM2 of the JLMWLP.

Impact on Highway Network

The policies of the Development Plan in particular DM2 of the Local Plan Site allocation and Development Management Policies –Part One and Policy 24 of the Rossendale Core Strategy, seek to ensure that proposals for mineral development do not give rise to unacceptable traffic and road safety problems or unacceptable effects on amenity along the routes used.

A Transport Statement (TS) has been submitted which seek to demonstrate that the proposal would be acceptable. The TS states that the proposed operations would generate an average of 32 HGV's entering and exiting the site each day. It is not anticipated that there would be any increase in the daily vehicular movements to and from the site as the current daily rate of production is likely to remain the same. This aspect can be controlled by condition. It further explains that whilst the proposed extension would increase the overall volume of material extracted from the site this would be accommodated within the extended life of the quarry operations.

HGV's typically travel to the site from the A67, Rochdale Road. These vehicles either use Tong Lane and South Street or travel south along Pennine Road. Access to the quarry is via a narrow, concreted lane which leaves Pennine Road close to its junction with Tong Lane. St. Mary's Primary School is located approximately 400m to the west of the quarry off Tong Lane. Pennine Road and Tong Lane are lined with residential properties that form part of a large housing estate. To support the acceptability of the application in terms of highway safety the TS has considered the

injury accident data within the last 5 years and concludes that none of the accidents along the adjacent roads and junctions involved HGV traffic.

As there is no increase in employees and no proposed increase in vehicle movements per hour LCC highways has raised no objection to the application, subject to similar conditions being imposed as per the previous planning permissions. Commenting upon the applicant's suggestion that the HGV's are evenly distributed between the two main routes to the site, he states that in practice this is difficult to manage. Further it is likely that 90% of the HGV's use South Street to enter Rochdale Road. However, as there have been no reported collisions in the past 5 years involving HGV's the continuation of the current operation would not cause a highway safety issue. It is considered that there would be little impact upon highway safety subject to conditions controlling vehicular movements, wheel cleaning facilities, access to the site to be taken from Pennine Road and a written record to be maintained of vehicular movements.

Under previous historical permissions Tong Quarry has a life until 2042. Under the current rates of extraction within the most recent permissions, extraction should cease within the next few years and the site would then be subsequently restored. The most recent extension permission has an end date of December 2015.

It is accepted that there would be unlikely to be unacceptable highway safety impacts associated with HGV movements in the locality. However, the proposed extension to the quarry and the associated need to restore the site would mean that local residents would have to endure disturbance for an extended time.

It is acknowledged that the development would not increase the number of vehicles that are currently permitted and experienced but it would involve the operations taking place over a longer period of time. The accompanying text paragraph 2.2.4 associated with Policy DM2 of the JLMWLP considers that the magnitude of the impact can be influenced by the duration of the operations. This would then inform the significance of the impact and enable an assessment to determine whether the development would cause demonstrable harm. On balance it is considered that the continued use of these residential roads for quarrying related activities of which there is no overriding need would have an adverse effect upon the residential character of the area. It is therefore considered that by virtue of the duration of the development it would have an adverse impact upon the environment of the local community.

The development is therefore considered to be contrary to policy DM2 of the JLMWLP as the development would have a negative impact on the residential amenity of those living nearby.

Landscape, visual impact and restoration

The site lies within a Moorland Fringe landscape character type identified within Lancashire County Council's Landscape and Heritage Supplementary Planning Guidance and which has been retained for development control purposes. Proposed developments must be appropriate to the landscape character type within which they are situated and contribute to its conservation, enhancement or restoration or the creation of appropriate new features. Therefore any restoration plans must ensure that the proposals fit well with the area's Moorland Fringe landscape character and in particular that any method of enclosure used along the field boundaries is consistent

with what is found nearby. Planning permission was granted in 2010 for a restoration scheme that provided a benched quarry face and gently sloping agricultural grassland. The applicant advised that the final restoration levels would be achieved through utilisation of quarry overburden and mineral waste that is on-site and through the importation of soil making material within the limits of an Environmental Permit issued by the Environment Agency. The principle of the proposed restoration scheme was considered acceptable. As part of this application the applicant has proposed a different restoration scheme for the quarry as a whole that would seek to restore the site to existing ground levels. The quarry would be backfilled utilising quarry waste, imported soil making materials and residual materials from the proposed recycling operations as set out earlier in the report. The site would then be suitable for agricultural purposes and would eventually be restored to a pre quarrying landform and profile.

The restoration of the scheme has been divided into four phases and each phase would take 5 years. It is anticipated that final restoration would be undertaken by 2035 although this would be dependent on the rates of extraction and backfill. The aims of the revised restoration scheme could be supported in principle and the details of the scheme could be controlled by condition. However, the revised restoration scheme is fundamentally linked to the proposed quarry extension and therefore cannot be supported in view of the recommendation in relation to the need for the minerals above.

Impact upon local amenity

The NPPF (paragraph 144) and the JLMWLP framework recognise that minerals and waste developments have the potential to give rise to adverse impacts on the quality of life of people for a variety of reasons including noise, dust, vibration and visual intrusion.

The application site is located in open countryside but is in a landscape that includes scattered farmsteads and isolated properties. The nearest residential properties are located some 68m to the south east of the quarry (Hey Head Cottages) with Dry Corner Farm some 170 m from the proposed extraction area. The principle of the minerals working adjacent to these residential properties has been found acceptable previously, but it is important to assess the impact of the recycling operations on residential amenity. As set out previously in the report the applicant has advised that the processing operations would not involve any permanent built development, and the only source of potential visual intrusion would be through the formation of stockpiles of aggregate type material and the presence of additional plant and vehicles. The crushing and screening plant would remain located below ground level so as to minimise noise generated, particularly on noise sensitive properties outside the site boundary.

A noise assessment is accompanied as part of the Environmental Statement which assesses the sound levels from the proposed activities. The assessment is based upon the technical guidance to the National Planning Policy Framework. The technical guidance has been superseded by the Planning Practice Guidance but the guidance is similar. The noise assessment confirms that the proposed operations on week days and Saturday morning would generally comply with the Guidance which recommends for sound levels caused by mineral workings not to exceed the background sound levels by more than 10 dB(A). The only exception to this would

be when the mobile plant items are working near the quarry boundaries. However, they would comply with the alternative requirement of the technical guidance not to exceed 55 dB(A) LAeq 1 hour (free field).

The Planning Practice Guidance that accompanies the NPPF sets out policy considerations in relation to the environmental effects of mineral extraction. These policies establish the principles to be followed in respect of reducing and controlling dust and noise. The greatest potential for dust and noise generation is the crushing and screening of the aggregate and recycling operations. These operations would take place at the base of the quarry, and is therefore unlikely to have an impact upon residential amenity. The quarrying activities have taken place in this general location for many years and have not given rise to complaints about noise or dust. In this respect the proposed development would be acceptable.

Protected Species and Habitats

The application is accompanied by a Phase 1 Habitat and Protected Species Survey which identifies that the majority of the extension area is agriculturally improved ryegrass dominated pasture which is cropped for hay and grazed. The survey acknowledges that Badgers are present and active at the quarry site but are not identified within the proposed extension. Three setts have been located within the overburden mounds. The approved drawings provide for their retention.

The report concludes that there was no evidence to suggest the likely presence of other protected species on the site and recommends mitigation measures in terms of working practices to minimise the impacts on badgers and breeding birds. Subject to a condition requiring the working practices as set out in Section 7.3 of the document entitled "Tong Quarry Bacup Ecological Impact Assessment" dated November 2013 the development is considered acceptable in terms of ecology and would meet the aims of Policy DM2 of the JLMWLP.

Water Management

The application is accompanied by a Water Features Survey and Hydrological Appraisal dated 2010 that formed part of the submission for the most previous applications. Although this document demonstrated that the risk to local supplies is limited and the previous quarry extension should have no impact on the ground water dependant features, the EA note that the report is four years old. However, the EA has raised no objection to the proposed development but recommend, should permission be granted, that a condition be imposed requiring the submission and agreement of the details for an updated water feature and if necessary a hydrogeological impact assessment.

Other matters

Of relevance to the determination of this application is a recent planning application for a quarry extension at Whinny Hill, Accrington (ref 11/13/0264). Permission was granted subject to the signing of a Section 106 agreement in relation to highway matters. Although it was concluded that there was no need for the extraction of the minerals and therefore there was some conflict with the development plan it was considered that due to locational factors and the economic hauling distances to

serve other parts of Lancashire the Whinney Hill application could, on balance be supported.

In terms of local economic value and employment, the applicant has advised that if they cannot secure planning permission for the proposed extension the extraction of aggregates would cease with the loss of this aggregate supply to the east of the County and the loss of local employment associated with the quarrying activities and supporting industry. This employment and local economic benefit is recognized but it is judged that this would not outweigh the overriding lack of policy support.

Human Rights

The proposal raises issues relating to the protection of amenity and property under Article 1 of the 1st Protocol of the Human Rights Act 1998.

Article 1 of the 1st Protocol concerns the enjoyment of property and provides that everybody is entitled to the peaceful enjoyment of his possessions and that no one should be deprived of the enjoyment of property except in the public interest. The applicant has rights under this article. However, the policies of the Development Plan seek to ensure that the development of land is carried out in the public interest. The relevant policies seek to ensure that mineral reserves are only released when there is a need and that minerals and waste operations do not have an unacceptable impact on local amenity. The proposal has the potential to conflict with these policies and the interference in the rights of the applicant is therefore considered to be justified in order to protect the public interest. It is considered that the public interest can only be safeguarded by the refusal of permission and that the refusal would not place a disproportionate burden on the applicant.

Conclusion

In conclusion, the application is for an extension to an existing quarry measuring 3.7ha to the north of the current approved extraction area which would take approximately 10 years to extract. The application also relates to the establishment of sorting, screening, and export of recyclable material along with a revised restoration scheme for the whole of the quarry. This would increase activity at the quarry for a further estimated 22 years. The application also provides for the consolidation of a number of post 1970 planning permissions in to a single permission and as such the total application site relates to an area of 11.8ha.

There have been a number of incremental planning permissions for the quarry and the main issues associated with this application are the principle of further extraction, the acceptability of a recycling operation in this location, and a revised restoration scheme involving the importation of additional materials to restore the site to approximate former land levels.

The JLMWDF makes it clear that no additional land will be made available for the extraction of gritstone for aggregate use unless it is of a special quality not available elsewhere. The materials on site that are utilised as aggregate are not of a special quality and therefore there is no need to release this material in accordance with the local plan. It is acknowledged that a proportion of the shale on site can be utilised as fireclay from brick manufacturing and the material does have distinct properties. However, the Fireclay is a subordinate aspect to the overall quarry material and no

need for the fireclay has been demonstrated in accordance with Policy CS3 of the JLMWDF. It is therefore recommended that planning permission be refused.

Recommendation

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the application be **refused** for the following reasons:

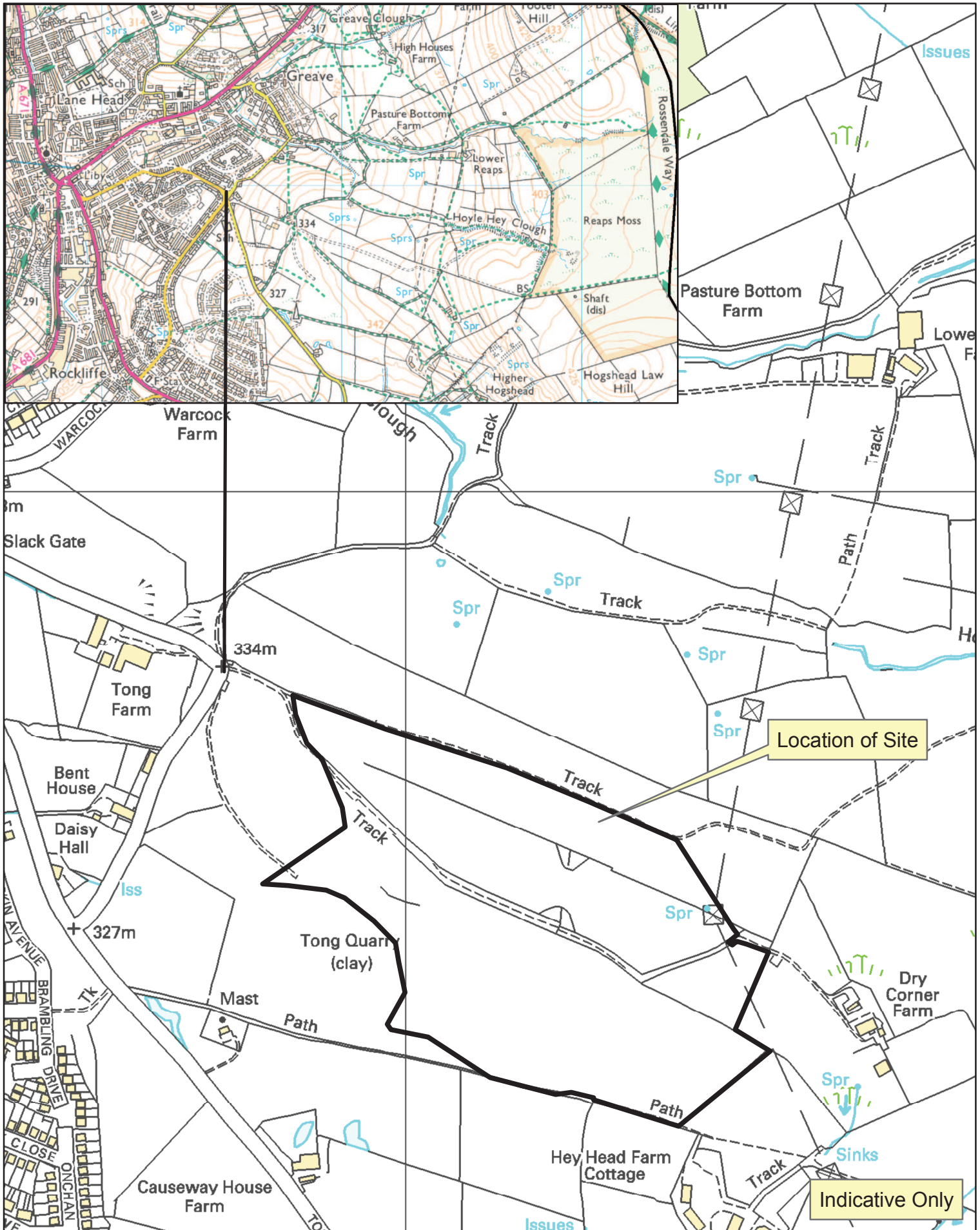
1. The proposed quarry extension would be contrary to Policy CS3 of the Joint Lancashire and Waste Development Framework Core Strategy and Policy M1 of the Joint Lancashire Minerals and Waste Local Plan in that the applicant has not demonstrated that there is a need for aggregate materials or fireclay for brick manufacturing.
2. The quarry extension would be detrimental of the living conditions of local residents caused by the movements of heavy goods vehicles close to residences over an extended period of time particularly as there is no proven need for the minerals, contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.
3. The recycling operations would be detrimental to the living conditions of local residents caused by the movement of heavy goods vehicles importing waste materials to the site and subsequently exporting recycled materials thereby increasing the overall number of vehicles that would be required to provide the necessary materials for the restoration of the site or to export permitted minerals over a substantial period of time associated with the quarry extension and revised restoration levels contrary to Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

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

Paper	Date	Contact/Directorate/Ext
LLC/2014/0055	1/4/14	Catherine Lewis/Environment/30490
14/10/0324		
14/98/0383		
14/96/0085		
13/1/2888		
13/1/1606		

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION LCC/2014/0055 EXTENSION TO QUARRY AND RESTORATION BY MEANS OF INFILL WITH INERT CONSTRUCTION, DEMOLITION AND EXCAVATION WASTE, THE SORTING, SCREENING AND EXPORT OF RECYCLABLE MATERIAL, THE CONSOLIDATION OF EXISTING PERMISSIONS AND THE REVISION OF APPROVED WORKING AND RESTORATION SCHEMES. TONG FARM, TONG LANE, BACUP

Agenda Item 5

Item 5 – Application withdrawn

Item 5 – Application withdrawn

Item 5 – Application withdrawn

Item 5 – Application withdrawn

Item 5 – Application withdrawn

Item 5 – Application withdrawn

Item 5 – Application withdrawn

Item 5 – Application withdrawn

Item 5 – Application withdrawn

Item 5 – Application withdrawn

Agenda Item 6

Development Control Committee

Meeting to be held on 3 September 2014

Electoral Division affected: Fylde West
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Fylde Borough: application number LCC/2014/0096

Construction and operation of a site for drilling up to four exploration wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells and restoration, including provision of an access road and access onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land to the north of Preston New Road, Little Plumpton.

Contact for further information:

Stuart Perigo, 01772 531948, Environment Directorate

DevCon@lancashire.gov.uk

Executive Summary

Application - Construction and operation of a site for drilling up to four exploration wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells and restoration, including provision of an access road and access onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land to the north of Preston New Road, Little Plumpton.

Recommendation – Summary

That the Development Control Committee visits the proposed site at Preston New Road before determining the application.

Applicant's Proposal

Planning permission is sought for the construction and operation of a site for drilling up to four exploration wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells and restoration, including provision of an access road and access onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land to the north of Preston New Road, Little Plumpton. A supporting application for the installation of a monitoring array of 80 boreholes for seismic and water quality within the surrounding area has also been submitted (ref LCC/2014/0097). The applications are supported by Planning Statement, Environmental Statement (ES) and Non Technical Summary. The ES provides a full description and assessment of the following:

- The application site and surroundings

- A description of the proposed development
- Scheme alternatives
- Air Quality
- Archaeology and cultural heritage
- Greenhouse gas emissions
- Community and socio economics
- Ecology
- Hydrogeology and ground gas
- Induced seismicity
- Landuse
- Landscape and visual amenity
- Lighting
- Noise
- Resources and waste
- Transport
- Water resources
- Public health

A full description of the proposed development will be provided when the application is presented for determination.

Description and Location of Site

The proposed site extending over approximately 2.5ha is located approximately 500m west of Little Plumpton between Moss House Lane and Preston New Road (A583) on land in agricultural use. Access would be taken from Preston New Road. Moss House Farm is located approximately 800m to the northwest of the site on the northern side of Moss House Lane. Staining Wood Farm is located approximately 360m to the south east with a number of residential properties approximately 500m away in Little Plumpton.

A full description of the site and surrounding area and properties will be provided when the application is presented for determination.

Background

There is no planning history to the site although a number of planning permissions have been granted for unconventional shale gas exploration operations in the Fylde and in West Lancashire. A full history of these activities will be provided when the application is presented for determination.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17, 56 – 66, 79 – 81, 87 – 90, 100, 103, 109, 118 – 125, 144 and 147 are relevant with regard to the requirement for sustainable development, core planning principles, the requirement for good design, protecting green belt land, flood risk, conserving and enhancing the natural environment and facilitating the sustainable use of minerals.

Technical Guidance to the National Planning Policy Framework – Flood Risk and Minerals Policy

Paragraphs 33 – 48 are relevant with regards to the restoration and aftercare of minerals sites.

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One

Policy NPPF 1 Presumption in favour of sustainable development
Policy DM2 Development Management

Fylde Borough Local Plan

Policy SP2 Development in Countryside Areas
Policy EP11 Building Design and Landscape Character
Policy EP12 Conservation of Trees and Woodland
Policy EP23 Pollution of Surface Water
Policy EP24 Pollution of Ground Water
Policy EP26 Air Pollution
Policy EP27 Noise Pollution
Policy EP28 Light Pollution

Consultations

The following bodies have been consulted or notified of the proposal:

LCC Developer Support (Highways)
Westby – with - Plumpton's Parish Council
Fylde Borough Council
County Landscape Service
County Ecology Service
County Archaeology Service
Environment Agency
Highways Agency
United Utilities
Natural England
Health and Safety Executive
National Grid Gas and Electricity
Department of Energy and Climate Change
Blackpoll Airport Ltd
Public Health England
Lancashire Public Health
Ministry of Defence
Blackpool Borough Council
LCC Emergency Planning
Police – Emergency Planning
Civil Aviation Authority
National Air Traffic Services Ltd

The application has been advertised in the press, notices posted on the land and nearby properties notified by letter.

A full summary of the consultee responses and those matters raised in letters of representation will be provided when the application is presented for determination.

Advice

The planning application has generated a considerable amount of interest with several thousand representations having been received to date objecting to the proposal primarily in respect of visual, traffic, habitats, noise, pollution and seismic activity. A full summary of the representations received will be provided when the application is reported for determination.

A full assessment of the proposal against national policies and the policies of the development plan along with an assessment of the impacts of the proposal against those policies and in light of advice received from statutory consultees and representations received, will be provided in the report when the application is presented for determination.

However, given the nature of the proposal and level of public interest received to date, it is considered that the Committee visit the site before determining the application. This would have the benefit of members being familiar with the site and environs before determining the application and so having a clear understanding of the issues associated with the proposal.

Recommendation

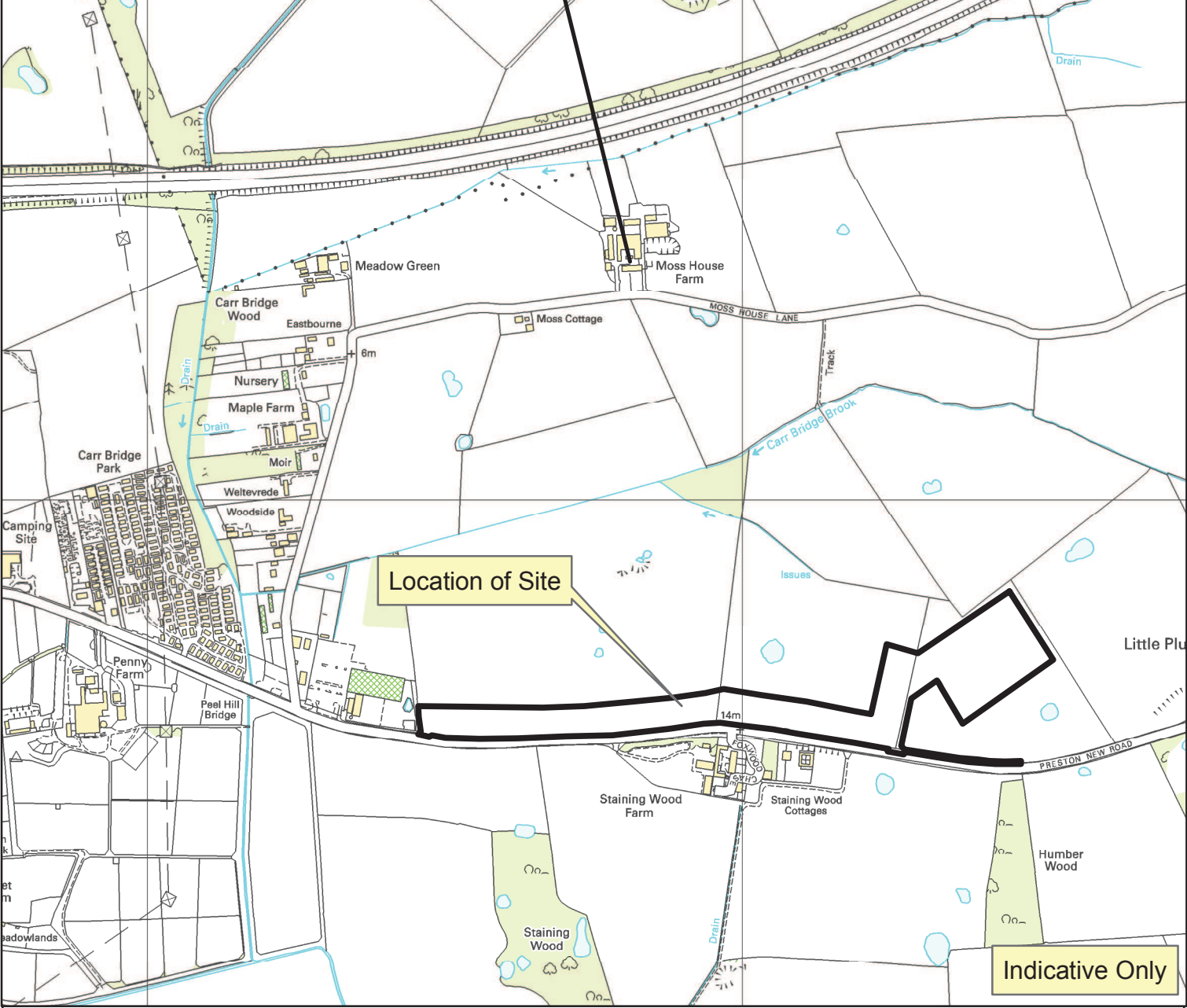
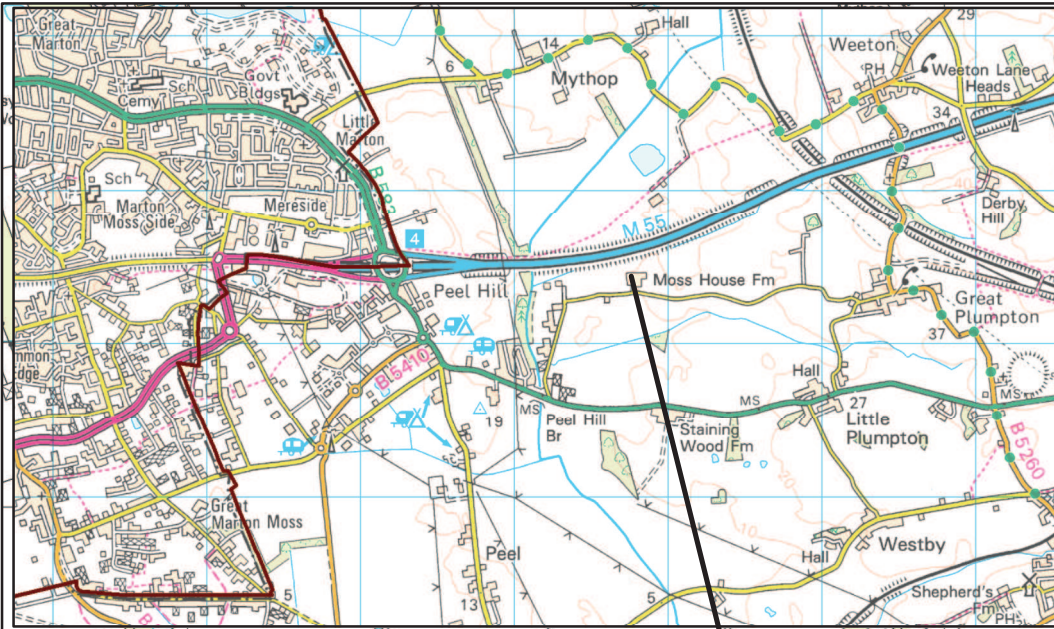
That the Development Control Committee visits the proposed Preston New Road site before determining the application.

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

Paper	Date	Contact/Directorate/Ext
LCC/2014/0096	27/3/14	Stuart Perigo/Environment/531948
LCC/2014/0097		

Reason for Inclusion in Part II, if appropriate

N/A



Location of Site

Indicative Only

APPLICATION LCC/2014/0096 CONSTRUCTION AND OPERATION OF A SITE FOR DRILLING UP TO FOUR EXPLORATION WELLS, HYDRAULIC FRACTURING OF THE WELLS, TESTING FOR HYDROCARBONS, ABANDONMENT OF THE WELLS AND RESTORATION, INCLUDING PROVISION OF AN ACCESS ROAD AND ACCESS ONTO THE HIGHWAY, SECURITY FENCING, LIGHTING AND OTHER USES ANCILLARY TO THE EXPLORATION ACTIVITIES, INCLUDING THE CONSTRUCTION OF A PIPELINE AND A CONNECTION TO THE GAS GRID NETWORK AND ASSOCIATED INFRASTRUCTURE ON AGRICULTURAL LAND THAT FORMS PART OF PLUMPTON HALL FARM TO WEST OF THE FARM BUILDINGS, NORTH OF PRESTON NEW ROAD, OFF PRESTON NEW ROAD, LITTLE PLUMPTON PRESTON

Development Control Committee

Meeting to be held on 3 September 2014

Electoral Division affected: Fylde East
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Fylde Borough: application number LCC/2014/0101

Construction and operation of a site for drilling up to four exploratory wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells and restoration, including provision of access roads and improvement of accesses onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land west, north and east of Roseacre Wood and between Roseacre Road, Roseacre and Inskip Road, Wharles.

Contact for further information:

Stuart Perigo, 01772 531948, Environment Directorate

DevCon@lancashire.gov.uk

Executive Summary

Application - Construction and operation of a site for drilling up to four exploratory wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells and restoration, including provision of access roads and improvement of accesses onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land west, north and east of Roseacre Wood and between Roseacre Road, Roseacre and Inskip Road, Wharles.

Recommendation – Summary

That the Development Control Committee visits the proposed site at Roseacre Wood before determining the application.

Applicant's Proposal

Planning permission is sought for the construction and operation of a site for drilling up to four exploration wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells and restoration, including provision of an access road and access onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land to the west, north and east of Roseacre Wood and between Roseacre Road, Roseacre and Inskip Road, Wharles. A supporting application for the installation of a monitoring array of 80 boreholes for seismic and water quality within the surrounding area has also been submitted (ref LCC/2014/0102). The applications

are supported by Planning Statement, Environmental Statement (ES) and Non Technical Summary. The ES provides a full description and assessment of the following:

- The application site and surroundings
- A description of the proposed development
- Scheme alternatives
- Air Quality
- Archaeology and cultural heritage
- Greenhouse gas emissions
- Community and socio economics
- Ecology
- Hydrogeology and ground gas
- Induced seismicity
- Landuse
- Landscape and visual amenity
- Lighting
- Noise
- Resources and waste
- Transport
- Water resources
- Public health

A full description of the proposed development will be provided when the application is presented for determination.

Description and Location of Site

The proposed site extending over approximately 6.5ha including access tracks is located approximately equidistant between Roseacre and Wharles. Roseacre village is located approximately 400m to the north of the proposed site and Wharles some 800m to the south. The land and access track are currently in agricultural use. The site would be accessed via the B5269 Preston Road via Inskip Road and Higham Side Road and possibly via the adjoining MOD land at Inskip

A full description of the site and surrounding area and properties will be provided when the application is presented for determination.

Background

There is no planning history to the site although a number of planning permissions have been granted for unconventional shale gas exploration operations in the Fylde and in West Lancashire. A full history of these activities will be provided when the application is presented for determination.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17, 56 – 66, 79 – 81, 87 – 90, 100, 103, 109, 118 – 125, 144 and 147 are relevant with regard to the requirement for sustainable development, core planning principles, the requirement for good design, protecting green belt land, flood risk, conserving and enhancing the natural environment and facilitating the sustainable use of minerals.

Technical Guidance to the National Planning Policy Framework – Flood Risk and Minerals Policy

Paragraphs 33 – 48 are relevant with regards to the restoration and aftercare of minerals sites.

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One

Policy NPPF 1 Presumption in favour of sustainable development
Policy DM2 Development Management

Fylde Borough Local Plan

Policy SP2 Development in Countryside Areas
Policy EP11 Building Design and Landscape Character
Policy EP12 Conservation of Trees and Woodland
Policy EP23 Pollution of Surface Water
Policy EP24 Pollution of Ground Water
Policy EP26 Air Pollution
Policy EP27 Noise Pollution
Policy EP28 Light Pollution

Consultations

The following bodies have been consulted or notified of the proposal:

LCC Developer Support (Highways)
Treales Roseacre and Whales Parish Council
Elswick Parish Council
Newton with Clifton Parish Council
Fylde Borough Council
County Landscape Service
County Ecology Service
County Archaeology Service
Environment Agency
Highways Agency
United Utilities
Natural England
Health and Safety Executive
National Grid Gas and Electricity
Department of Energy and Climate Change
Blackpoll Airport Ltd
Public Health England
Lancashire Public Health
Ministry of Defence

Blackpool Borough Council
LCC Emergency Planning
Police – Emergency Planning
Civil Aviation Authority
National Air Traffic Services Ltd
Ramblers Association
LCC Public Rights of Way

The application has been advertised in the press, notices posted on the land and nearby properties notified by letter.

A full summary of the consultee responses and those matters raised in letters of representation will be provided when the application is presented for determination.

Advice

The planning application has generated a considerable amount of interest with several thousand representations having been received to date objecting to the proposal primarily in respect of visual, traffic, habitats, noise, pollution and seismic activity. A full summary of the representations received will be provided when the application is reported for determination.

A full assessment of the proposal against national policies and the policies of the development plan along with an assessment of the impacts of the proposal against those policies and in light of advice received from statutory consultees and representations received, will be provided in the report when the application is presented for determination.

However, given the nature of the proposal and level of public interest received to date, it is considered that the Committee visit the site before determining the application. This would have the benefit of members being familiar with the site and environs before determining the application and so having a clear understanding of the issues associated with the proposal.

Recommendation

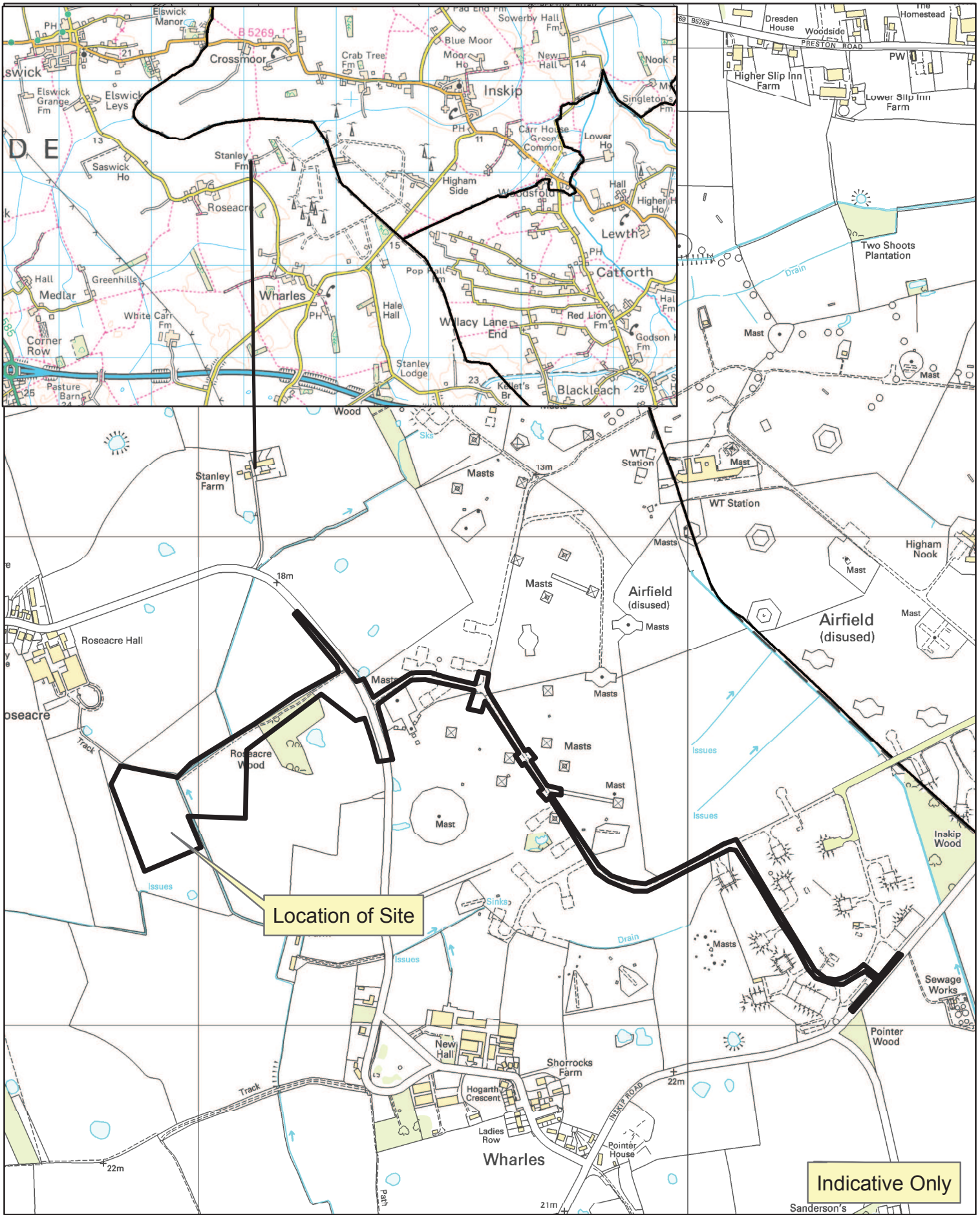
That the Development Control Committee visits the proposed Preston New Road site before determining the application.

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

Paper	Date	Contact/Directorate/Ext
LCC/2014/0096 LCC/2014/0097	27/3/14	Stuart Perigo/Environment/531948

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION LCC/2014/0101 CONSTRUCTION AND OPERATION OF A SITE FOR DRILLING UP TO FOUR EXPLORATORY WELLS, HYDRAULIC FRACTURING OF THE WELLS, TESTING FOR HYDROCARBONS, ABANDONMENT OF THE WELLS AND RESTORATION, INCLUDING PROVISION OF ACCESS ROADS AND IMPROVEMENT OF ACCESSES ONTO THE HIGHWAY, SECURITY FENCING, LIGHTING AND OTHER USES ANCILLARY TO THE EXPLORATION ACTIVITIES, INCLUDING THE CONSTRUCTION OF A PIPELINE AND A CONNECTION TO THE GAS GRID NETWORK AND ASSOCIATED INFRASTRUCTURE ON AGRICULTURAL LAND THAT FORMS PART OF ROSEACRE HALL, TO THE WEST, NORTH AND EAST OF ROSEACRE WOOD, AND LAND THAT FORMS PART OF THE DEFENCE HIGH FREQUENCY COMMUNICATIONS SERVICE (DHFCS) SITE BETWEEN ROSACRE ROAD AND INSKIP ROAD, OFF ROSEACRE ROAD AND INSKIP ROAD, ROSEACRE AND WHARLES, PRESTON

Development Control Committee

Meeting to be held on 3rd September 2014

Electoral Division affected: Fylde East
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Fylde Borough: Application number. LCC/2014/0028

Demolition of existing building to allow construction of new single storey intensive support unit, including temporary construction access off Moor Street, fencing, access gates, 6x6m high lighting columns, 6x illuminated bollards, relocation of existing car parking spaces and landscaping. Pear Tree School, Station Road, Kirkham.

Contact for further information:

Jonathan Haine, 01772 534130, Environment Directorate

DevCon@lancashire.gov.uk

Appendix A – Report to the Development Control Committee 9th July 2014

Executive Summary

Application - Demolition of existing building to allow construction of new single storey intensive support unit, including temporary construction access off Moor Street, fencing, access gates, 6x6m high lighting columns, 6x illuminated bollards, relocation of existing car parking spaces and landscaping. Pear Tree School, Station Road, Kirkham.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, access improvements, temporary access, wheel cleaning, protection of trees, landscaping, hours of working and building materials.

Background

This application for a new intensive education support unit for special needs pupils on land adjacent to Pear Tree School, Station Road, Kirkham was presented to the meeting of the Development Control Committee on 9th July 2014; the report is attached at Appendix A. The Committee expressed concerns about the proposed design of the building and its visual impact from Moor Street and resolved that the determination of the planning application be deferred to allow for further consideration of the design of the building.

Advice

The original proposal was for a building measuring 16.5m x 33m with a twin pitched roof to a maximum height of 5.2m. The elevations of the building would have been in red brick with white / cream render panels, a glazed panel on the south facing

elevation and white aluminium windows and blue external doors. The roof was proposed to be covered with dark grey metal sheeting.

To address the concerns of the Committee, the applicant has revised the design of the building. Whilst the building would have the same floor dimensions, the roof design has been amended so that it is now comprised of a traditional pitched roof which would be covered in Redland Cambrian grey slates (an artificial slate) to a maximum height of 5.3m. The walls would retain the same mix of red brick and white / cream render but there are some changes to the windows on the southern elevation so that they are more reflective of the window dimensions / styles found on the existing building. To add interest to the roof, two over hanging porch / canopy structures have been added to the east facing elevation.

The building would still be on the same alignment as previously proposed and would retain the same standoff distances to Moor Street. The building has been proposed in this location in order to retain sufficient space to extend the building to the north should this be required in future. The applicant considers that conversion of the existing building is undesirable as the children that would attend this school have special needs including significant disabilities and therefore a single storey building that is specifically designed to accommodate the needs of such children would provide a better teaching facility. Whilst it is acknowledged that the existing building does make some contribution to the street scene on Moor Street, the value of the building is not considered to be such that its retention is necessary.

The National Planning Policy Framework states that the Government places great importance on good design. The NPPF requires that LPA's should not seek to impose architectural designs or particular tastes and should not stifle innovation or initiative through requirements to conform to certain building styles. However, it is appropriate to promote or reinforce local distinctiveness.

The amendments to the design would provide a building with a more traditional roof structure and which would be covered in materials which would be similar to those used on the existing buildings in the area. It is acknowledged that some aspects of the design are of more modern appearance such as the use of render and the glazed panel. However, the upper storey of the existing building includes extensive areas of pebble dash and the rendered panels and glazing features would help to add interest into the elevations of the proposed building. The changes that have been made to the building are therefore considered to be acceptable and would produce a design that would respect the design of adjacent buildings and the street scene along Moor Street.

LCC Developer Support (Highways) has raised no objection to the application. The development is therefore considered acceptable in terms of highway safety subject to the conditions set out in the recommendation.

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

Subject to conditions relating to design and materials and the treatment of the Moor Street frontage of the site, the development is considered to be of an acceptable

design and complies with the policies of the NPPF and Policy CF1 of the Fylde Borough Local Plan.

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 13th February 2014.
 - b) Submitted Plans and documents:

Drawing A101 - Existing and proposed site location plans
Drawing A201 - Proposed Site Plan
Drawing L100.03 - Tree Survey
Drawing A203 - Proposed General Plan

Amended drawings received on 16th June 2014

L100 08 Rev C Externals Context Plan
L100 013 Rev C Road Widening and Pedestrian Access Link

Amended drawings received 7th August 2014

Drawing A204 Rev A - Proposed Elevations
Drawing A202 Proposed Site 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 TR10, EP14, EP18, EP19, EP28, and CF1 of the Fylde Borough Local Plan.

3. The building shall not be brought into use until the highway improvements including the road widening and pedestrian footway provision shown on drawing L100 013 Rev C have been implemented.

Reason: In the interests of highway safety and to conform with Policy CF1 of the Fylde Borough Local Plan.

4. No development shall commence until details of the temporary construction access have been submitted to the Director of Planning and Environment and approved in writing. The submitted details shall include information of the location, dimensions and design of the temporary construction access.

The access shall be constructed in accordance with the approved details and used throughout the construction phase and on completion of which shall be removed and the boundary reinstated to its former condition.

Reason: In the interests of highway safety and visual amenity and to conform with Policy CF1 of the Fylde Borough Local Plan.

5. Measures shall be taken at all times during demolition and construction phase of the development to ensure that no deleterious materials are tracked onto the public highway by heavy goods vehicles leaving the site.

Reason: In the interests of highway safety and to conform with Policy CF1 of the Fylde Borough Local Plan.

6. No trees other than those shown as T1, T2, T7, T8, T9, T10, T11, T25 and T26 as shown on drawing L100.03 shall be removed as part of the development. All other trees and shrubs shown on drawing L100.03 shall be retained and protected from damage throughout the duration of the construction works.

Reason: In the interests of the visual amenities of the area and to conform with Policy EP18 of the Fylde Borough Local Plan.

7. No development shall commence until a scheme and programme for the design and landscaping of the external areas of the site has been submitted to and approved in writing by the Director of Transport and Environment. The scheme and programme shall provide for the following:-

- a) Details for the closure and restoration of the temporary construction access including reinstatement of the footway and rebuilding of the existing wall alongside Moor Street
- b) Details for the formation of the new pedestrian entrances from Moor Street including design and details of building materials to be used
- c) Details for the closure of the existing pedestrian entrance including building materials to be used.
- d) Details of the fencing to be installed along the frontage of the site including design and colour.

- e) Details of landscaping on the Moor Street frontage of the site including location of new trees and shrubs, sizes, types and numbers of species to be planted, planting methods and protection measures.
- f) Details of additional landscaping to enhance the boundary treatment between the application site and the adjacent health centre.
- g) Details of external lighting of the new car parking area including details of the height of columns, power of lights and details of measures to avoid lighting glare to adjacent properties.

The tree and shrub planting contained in the approved scheme and programme shall be implemented in the first planting season following the completion of the development and shall thereafter be maintained for a period of five years including replacement of failed plants, weed control and maintenance of protection measures.

Reason: In the interests of the visual amenities of the area and to conform with Policy EP14 of the Fylde Borough Local Plan.

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

07.30 to 18.00 hours Monday to Friday (except Public Holidays),
08.00 to 13.00 hours on Saturday.

No construction development, delivery or removal of materials 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 of these hours, of essential repairs to plant and machinery used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CF1 of the Fylde Borough Local Plan.

9. The building materials to be used for the external elevations and roof of the new building shall be those shown on drawing A204 rev A.

Reason: In the interests of the visual amenities of the area and to conform with Policy CF1 of the Fylde Borough Local Plan.

Notes

The applicant's attention is drawn to the possibility of European protected species (bats) being encountered during the demolition of the existing building. Should bats be discovered during such operations the applicant should contact Natural England for further advice.

The applicant's attention is drawn to the requirements of the Equality Act 2010 and the British Standards Institution Code of Practice for Design of Buildings and their approaches to meet the needs of Disabled People (BS8300:2009). The design of the building will also need to comply with Part M of the Building Regulations 2010. In the case of educational buildings, the applicant's attention is drawn to the Special Educational Needs and Disability Act 2001 and the guidance prepared by the Department of Education and Skills Building Bulletin 91 (Access for the Disabled to School Buildings) and Building Bulletin 94 (Inclusive School Design).

This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the County Council, as Highway Authority, must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Before any works to the access commence you should contact the Area Manager (Public Realm) [North] [address and telephone number see below] quoting the planning permission reference.

Area Manager (Public Realm) North: Hampson Lane, Hampson Green, Galgate, Lancaster LA2 0H7 Tel: 01524 752290

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

Paper	Date	Contact/Directorate/Ext
LCC/14/0028	13/02/14	Jonathan Haine/Environment/534130

Reason for Inclusion in Part II, if appropriate

N/A

Development Control Committee

Meeting to be held on 9th July 2014

Electoral Division affected: Fylde East
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Fylde Borough: Application number: LCC/2014/0028

Demolition of existing building to allow construction of new single storey intensive support unit, including new access road off Moor Street, fencing, access gates, 6x6m high lighting columns, 6x illuminated bollards, relocation of existing car parking spaces and landscaping.

Pear Tree School, Station Road, Kirkham.

Contact for further information:

Jonathan Haine, 01772 534130, Environment Directorate

DevCon@lancashire.gov.uk

Executive Summary

Application - Demolition of existing building to allow construction of new single storey intensive support unit, including new access road off Moor Street, fencing, access gates, 6x6m high lighting columns, 6x illuminated bollards, relocation of existing car parking spaces and landscaping. Pear Tree School, Station Road, Kirkham.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, access improvements, temporary access, wheel cleaning, protection of trees, landscaping, hours of working and building materials.

Applicant's Proposal

Planning permission is sought for the construction of a new intensive education support unit for pupils who have specialist educational needs due to behavioural or physical issues. The new building would cater for 12 additional children of various ages but within the age range currently accommodated within the adjacent Pear Tree School (ages 2 – 19).

The new building would be single storey with dimensions of 35m x 17m with a maximum height to the ridge of 5m. The elevations of the building would be constructed in red brick with coloured render panels with a dark grey standing seam roof. The windows and doors would be polyester coated aluminium coloured white.

The application originally provided for the building to be served by a new access from Moor Street. The applicant has subsequently amended the proposal so that the access from Moor Street would only be for construction purposes only and that once the building is complete, vehicular access would be via the existing Station Road access. The Station Road access would be improved by slight widening and provision of a new pedestrian footway. A new car parking area would be provided along the eastern boundary of the site with 20 spaces which would be served from the existing access road. A new pedestrian access would be created onto Moor Street as originally proposed.

To the eastern and western sides of the building would be two new areas of external play space which would be landscaped and enclosed by 2.4 metre high weldmesh fencing. The existing pedestrian entrances off Moor Street would be bricked up to match the existing wall and the wall would be topped with new railings.

The existing car park at the rear of the building would be resurfaced and relined to provide a number of car parking spaces.

The development would require the demolition of an existing two storey adult training centre building. The new building and provision of the construction access from Moor Street would require the removal of 8 trees / shrubs which currently form the frontage of the site with Moor Street.

Description and Location of Site

The development is located off Moor Street, 300 metres west of Kirkham town centre. The site measuring 50m x 60m is currently occupied by a two storey building last used as an adult training centre. The existing building is set back from Moor Street and is fronted by a landscaped area with a number of trees and shrubs. The western boundary of the site is formed by a high brick wall beyond which are residential properties located on Aiken Court. There is also a row of terraced properties on the southern side of Moor Street which face the existing building.

To the north of the site is the car park and school buildings belonging to Pear Tree School which are accessed off Station Road. To the east of the site is the Kirkham medical centre which is also served via the Station Road access.

Background

The application is located on the site of an existing adult training centre. There is no relevant planning history at this site but a number of planning permissions have been granted for new buildings at the adjacent Pear Tree School.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 16, 17, 56 – 66 and 72 are relevant with regard to the presumption in favour of sustainable development, core planning principles, securing high standards of design and the need for additional school accommodation.

Fylde Borough Local Plan

Policy SP1	Development within settlements
Policy TR9	Car parking
Policy TR10	Car Park Design
Policy EP14	Landscaping
Policy EP18	Retention of natural features
Policy EP19	Protected Species
Policy EP28	External lighting
Policy CF1	Community Services and Infrastructure
Policy CF3	Redevelopment of redundant educational sites

Consultations

Fylde Borough Council: No observations received.

Kirkham Town Council - Object to the creation of the new access into the site, the impacts on car parking, moving of the existing building line closer to Moor Street, additional light pollution, the proposed fencing and the clearance of existing trees and shrubs

LCC Developer Support (Highways) - No observations received.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Four representations objecting to the development have been receiving raising the following summarised issues:

Two representations in relation to impacts on the adjacent Health Centre have been received from a GP and from the NHS Estates Services who are concerned about the alignment and dimensions of the new access road and implications for their delivery vehicles. Concerns are also raised about the impacts of demolition and construction and additional passing traffic on a treatment room belonging to the surgery and also the impacts of the new access on existing street parking.

One representation has also been received from a resident on Moor Street who objects to the creation of the new access onto Moor Street due to existing high traffic levels, impact on residential amenity by moving the building line nearer to Moor Street and proliferation of lighting, the suitability of the existing access onto Station Road, the likely impacts on parking, loss of existing trees and impacts of proposed fencing.

A further representation states that the existing buildings have a historic significance and should therefore be retained, that the design of the proposed building is not in keeping with the area and that the access off Moor Street would create highway safety issues.

Advice

Planning permission is sought for the construction of a new unit to provide educational services for pupils with special behavioural and physical needs. At present the County Council sends a number of such pupils outside the county for their education which results in significant taxi journeys each day. The new unit would allow such pupils to be educated more locally to their homes. Pear Tree Special School already has some pupils with similar needs. It is therefore proposed to create the new provision by demolishing an existing adult training centre building and incorporating the new building within the boundary of Pear Tree School.

Paragraph 72 of the National Planning Policy Framework states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. The development would accord with this policy as it would enhance provision and choice for specialist education needs and the principle of the development is therefore supported.

The development has a number of aspects including the new building and associated external play areas, the construction of new parking areas and improvement of the existing access from Station Road.

Policy CF1 of the Fylde Borough Local Plan relates to the provision of new community services including schools and requires that such development is located within a settlement except where a rural location is required, the development is appropriately located and landscaped having regard to adjacent land uses and would not prejudice residential amenity and that adequate vehicular access and manoeuvring areas are provided.

The development is located within the main urban area of Kirkham and is located adjacent to an existing educational establishment. The location of the building is therefore considered acceptable in terms of the broad locational criteria within Policy CF1.

The site is currently occupied by a two storey brick building last used as an adult training centre. This building occupies almost the entire width of the site, has a height of around 10 metres and is set back from Moor Street by around 19 metres. The existing building has a residential character with red brick and render. This building would be demolished and replaced with the new unit which would have a single storey to a maximum height of five metres with the ridge of the building being perpendicular to Moor Street. The southern elevation of the new building would be 9 metres from the edge of Moor Street.

One representation has been received which states that the existing building should be retained as until 1960 it was a home for orphaned and disadvantaged children and therefore has a historical importance. Comment is also made that the design of the new building is inappropriate. Whilst the County Council's Specialist Advisor (Archaeology) has commented that the buildings date from 1913, he is of the view that they are of little architectural merit having been subject to extensive internal and external alteration. The existing building is not considered suitable for children with specialist educational needs even if extensive internal remodelling was carried out. No objection is therefore raised to their demolition.

In terms of design, the new building, particularly the roof line, would be of modern appearance. However, the elevations would be in brick and render which are similar to the materials used on the existing building and which are found on many of the other buildings in the local area. The new building would be considerably smaller in ground floor area than the existing building and its scale and design is considered acceptable in terms of its relationship to adjacent buildings. The alignment of the new building would allow sufficient of the green space fronting Moor Street to be retained which would help to preserve the visual amenity of this road including the properties on its southern side provided that new landscaping is undertaken to replace that lost to the new building. This can be the subject of a planning condition.

The existing Pear Tree School, adjacent health centre and the application site are currently served via an access from Station Road. However, this access is constrained in terms of its width and alignment which creates congestion and hazards for pedestrians during certain times of the day. The applicant originally proposed to improve the vehicular circulation through the site by creating a new entrance and single carriageway drive from Moor Street which would then allow a one way system to be implemented with all vehicles including that associated with the health centre, leaving the site via the Station Road access. A number of representations, including from the adjacent health centre, were received stating that the width and alignment of the new road leading to the health centre would cause operational problems for delivery and emergency vehicles, would lead to highway safety issues on Moor Street and would result in loss of vegetation.

To address the representations, the applicant proposes that access to the building would be by way of the existing Station Road. To improve vehicular access to the site, the Station Road access would be improved by widening in two locations and providing a new pedestrian footway. The Station Road access was used to serve the previous use of a building as an adult training centre and therefore it is considered that is capable of accommodating the vehicle movements that would be generated by the new building considering the access improvements that are now proposed. Due to the layout of the Station Road access and possible conflicts with school traffic, it would still be necessary to construct a temporary access from Moor Street to serve the construction phase.

Although the Moor Street access has been removed from the application, the applicant wishes to retain a strip of car parking along the eastern side of the site adjacent to the health centre. The health centre are concerned that the presence of the development will create difficulties for the use of a treatment room located in western elevation of the surgery. However, there is an existing boundary hedge and wall which separates the application site from the surgery and which would be retained as part of the development. Given the boundary treatments, it is considered that the impact on the health centre would be acceptable.

One objection has been received from a property on the southern side of Moor Street concerned about loss of outlook and impacts on amenity. The new building would be 10m closer to Moor Street than the existing building. However, the existing building has a considerably greater set back from the road than the other buildings on the northern side of Moor Street and therefore would not extend the building line further to the road than is the case with other neighbouring buildings. It is considered

that sufficient space would be retained to the highway to allow satisfactory levels of landscaping. The new building would be considerably lower in height and due to its orientation would have a reduced visual impact when seen from Moor Street. The separation distances to the existing dwellings to the properties on Moor Street are therefore considered acceptable and the representations on these grounds are not supported.

The construction of the temporary construction access and building would require the removal of 8 trees and shrubs located on the frontage of the site with Moor Street. These trees / shrubs are of a variety of evergreen and native species and whilst none are of any particular value, they do provide landscaping to the frontage of the site. Some of these trees are only required to be removed as a consequence of the construction access but the applicant considers that the Station Road access is too constrained to be used by construction traffic and therefore there is no alternative but to create a temporary access from Moor Street. The loss of these trees would result in a more open view of the site from Moor Street but the landscaping proposals for the grassed area in front of the new building would mitigate for the loss of these trees. It is also proposed to undertake some works to the existing brick wall along this frontage of the site including replacement of the railings which would enhance the appearance of the street scene. Subject to a condition being imposed relating to landscaping and the treatment of the Moor Street boundary including the reinstatement of the construction access, the application is considered acceptable in terms of visual amenity.

The applicant has undertaken a survey of the existing building to detect the presence of bats. The survey comprised of a visual inspection of the internal roof voids and external facades of the building. No evidence of bats was found within the roof voids and the external facades only offered limited potential for bats to gain access to the building. However, not all parts of the building were accessible and therefore a proper assessment of bat potential could not be made. The County Council's Specialist Advisor (Ecology) has advised that an emergence survey should also be undertaken as a further assessment of whether bats are using the building. Such a survey has been undertaken which has confirmed that the building is not used by bats.

It is therefore considered that the development is acceptable in terms of the policies of the development plan and should therefore be supported subject to the conditions set out in the recommendation.

In view of the location, scale and design of the building, 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 13th February 2014
 - b) Submitted Plans and documents:
 - Drawing A101 - Existing and proposed site location plans
 - Drawing A201 - Proposed Site Plan
 - Drawing A202 - Proposed Site Elevations
 - Drawing A204 - Proposed Elevations
 - Drawing L100.03 - Tree Survey
 - Drawing A203 - Proposed General Plan

Amended drawings received on 16th June 2014

 - L100 08 Rev C Externals Context Plan
 - L100 013 Rev C Road Widening and Pedestrian Access Link
 - 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 TR10, EP14, EP18, EP19, EP28, and CF1 of the Fylde Borough Local Plan.

3. The building shall not be brought into use until the highway improvements including the road widening and pedestrian footway provision shown on drawing L100 013 Rev C have been implemented.

Reason: In the interests of highway safety and to conform with Policy CF1 of the Fylde Borough Local Plan.

4. No development shall commence until details of the temporary construction access have been submitted to and approved in writing. The submitted details shall include information of the location, dimensions and design of the temporary construction access.

The access shall be constructed in accordance with the approved details and used throughout the construction phase and on completion of which shall be removed and the boundary reinstated to its former condition.

Reason: In the interests of highway safety and visual amenity and to conform with Policy CF1 of the Fylde Borough Local Plan.

5. Measures shall be taken at all times during demolition and construction phase of the development to ensure that no deleterious materials are tracked onto the public highway by heavy goods vehicles leaving the site.

Reason: In the interests of highway safety and to conform with Policy CF1 of the Fylde Borough Local Plan.

6. No trees other than those shown as T1, T2, T7, T8, T9, T10, T11, T25 and T26 as shown on drawing L100.03 shall be removed as part of the development. All other trees and shrubs shown on drawing L100.03 shall be retained and protected from damage throughout the duration of the construction works.

Reason: In the interests of the visual amenities of the area and to conform with Policy EP18 of the Fylde Borough Local Plan.

7. No development shall commence until a scheme and programme for the design and landscaping of the external areas of the site has been submitted to and approved in writing by the Director of Transport and Environment. The scheme and programme shall provide for the following:-

- a) Details for the closure and restoration of the temporary construction access including reinstatement of the footway and rebuilding of the existing wall alongside Moor Street.
- b) Details for the formation of the new pedestrian entrances from Moor Street including design and details of building materials to be used.
- c) Details for the closure of the existing pedestrian entrance including building materials to be used.
- d) Details of the fencing to be installed along the frontage of the site including design and colour.
- e) Details of landscaping on the Moor Street frontage of the site including location of new trees and shrubs, sizes, types and numbers of species to be planted, planting methods and protection measures.
- f) Details of additional landscaping to enhance the boundary treatment between the application site and the adjacent health centre.
- g) Details of external lighting of the new car parking area including details of the height of columns, power of lights and details of measures to avoid lighting glare to adjacent properties.

The tree and shrub planting contained in the approved scheme and programme shall be implemented in the first planting season following the completion of the development and shall thereafter be maintained for a period of five years including replacement of failed plants, weed control and maintenance of protection measures.

Reason: In the interests of the visual amenities of the area and to conform with Policy EP14 of the Fylde Borough Local Plan.

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

07.30 to 18.00 hours Monday to Friday (except Public Holidays),
08.00 to 13.00 hours on Saturday.

No construction development, delivery or removal of materials 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 of these hours, of essential repairs to plant and machinery used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CF1 of the Fylde Borough Local Plan.

9. The building materials to be used for the external elevations and roof of the new building shall be those shown on drawing A204.

Reason: In the interests of the visual amenities of the area and to conform with Policy CF1 of the Fylde Borough Local Plan.

Notes

The applicant's attention is drawn to the possibility of European protected species (bats) being encountered during the demolition of the existing building. Should bats be discovered during such operations the applicant should contact Natural England for further advice.

The applicant's attention is drawn to the requirements of the Equality Act 2010 and the British Standards Institution Code of Practice for Design of Buildings and their approaches to meet the needs of Disabled People (BS8300:2009). The design of the building will also need to comply with Part M of the Building Regulations 2010. In the case of educational buildings, the applicant's attention is drawn to the Special Educational Needs and Disability Act 2001 and the guidance prepared by the Department of Education and Skills Building Bulletin 91 (Access for the Disabled to School Buildings) and Building Bulletin 94 (Inclusive School Design).

This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the County Council, as Highway Authority, must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Before any works to the access commence you should contact the Area Manager (Public Realm) [North] [address and telephone number see below] quoting the planning permission reference.

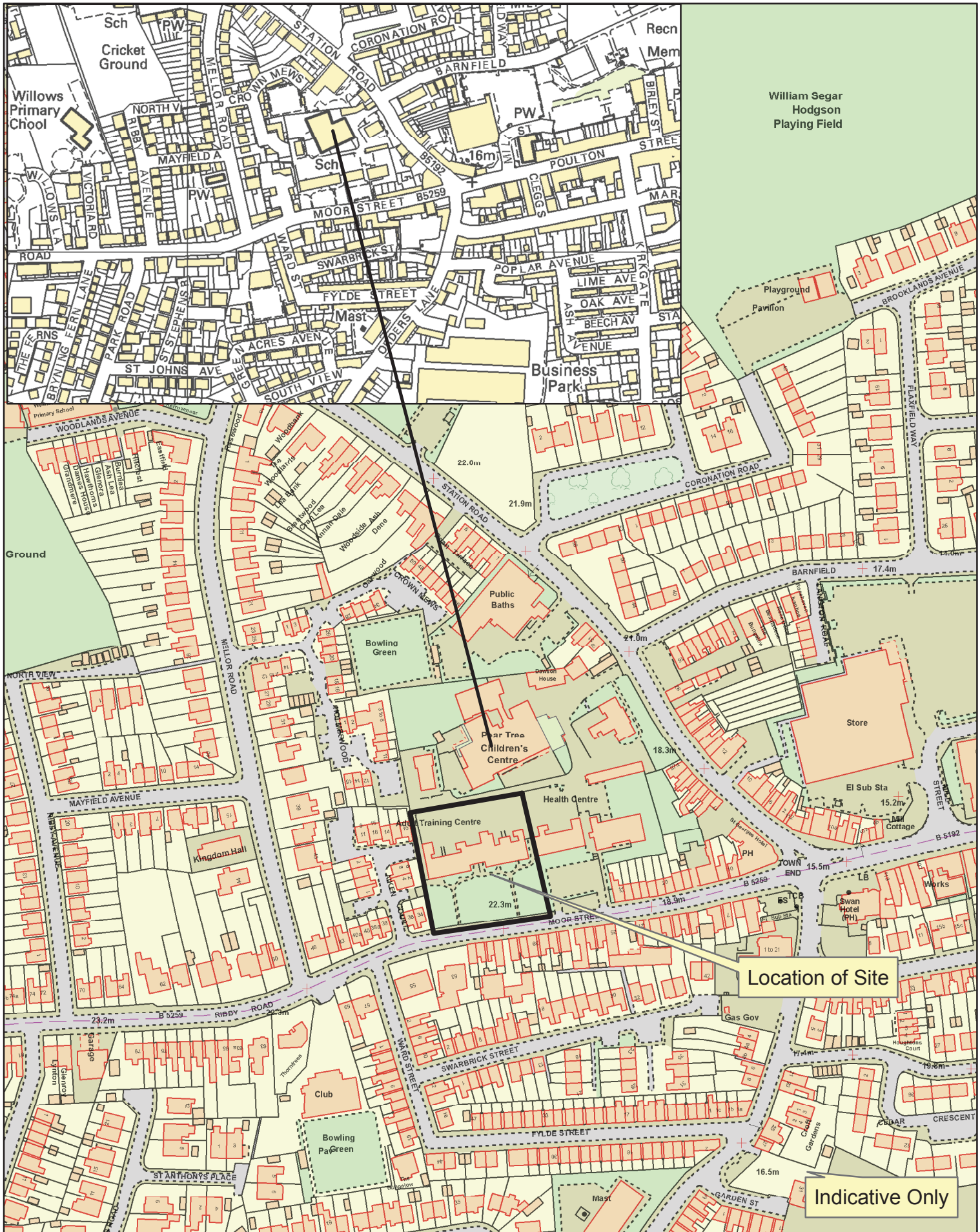
Area Manager (Public Realm) North: Hampson Lane, Hampson Green, Galgate,
Lancaster LA2 0H7 Tel: 01524 752290

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

Paper	Date	Contact/Directorate/Ext
LCC/14/0028	13/02/14	Jonathan Haine/Environment/534130

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION LCC/2014/0028 DEMOLITION OF EXISTING BUILDING FOR NEW SINGLE STOREY INTENSIVE SUPPORT UNIT, INCLUDING NEW ACCESS ROAD OFF MOOR STREET, FENCING, ACCESS GATES, 6X6M HIGH LIGHTING COLUMNS, 6X ILLUMINATED BOLLARDS, RELOCATION OF EXISTING CAR PARKING SPACES AND LANDSCAPING. PEAR TREE SCHOOL, STATION ROAD, KIRKHAM.

Agenda Item 9

Development Control Committee

Meeting to be held on 3rd September 2014

Electoral Division affected: Lancaster South East
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Lancaster City: Application number. LCC/2014/0085

Four single storey extensions to provide 6 additional classrooms and extra resource areas, extension to the existing secondary car park to provide an additional 16 spaces and associated lighting columns, alteration of two windows to fire exits, re-alignment of 2.4 metre high rear boundary fencing and external works consisting of landscaping and disabled access paths, steps and ramps and temporary fenced contractor's compound and associated access. Moorside County Primary School, Bowerham Road, Lancaster.

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Executive Summary

Application - Four single storey extensions to provide 6 additional classrooms and extra resource areas, extension to the existing secondary car park to provide an additional 16 spaces and associated lighting columns, alteration of two windows to fire exits, re-alignment of 2.4 metre high rear boundary fencing and external works consisting of landscaping and disabled access paths, steps and ramps and, temporary fenced contractor's compound and associated access. Moorside County Primary School, Bowerham Road, Lancaster.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, building materials, control of noise, dust, hours of operation, drainage, highway matters, landscaping, protection of nesting birds and floodlighting.

Background

This application was presented on the agenda to the last Committee meeting on the 9th July 2014. The comments of LCC Developer Support (Highways) were reported and the requirement to undertake improvements to alleviate the highway impacts was noted. To allow time to investigate such improvements, it was resolved that the application be deferred and that the Committee visit the site in advance of the application being reported back to the September 3rd meeting.

The report has been updated to include a summary of the views of LCC Developer Support (Highways) and the advice section updated to address the highway issues.

Applicant's Proposal

Planning permission is sought for the erection of four single storey extensions to the school to provide new classrooms/ teaching areas to enable Moorside County Primary School to increase from a 2-form to a 3-form entry school.

The development would comprise the following key elements:

- Three single storey extensions to the rear of the existing school each containing two classrooms, a resource area and a disabled toilet for pupils in Years 1-6.
- A single storey extension to the northern side of the school containing a resource area, disabled toilet and storage for reception pupils. The roof over this block would be extended to form a canopy to shelter parents waiting to collect their children.
- Removal of two windows and alteration to a fire exit door.
- New landscape area to the north and front sides of the school.
- Remodelling of grass bank to rear of site incorporating spoil arising from construction of new classrooms.
- Re-alignment of existing line of 2.4 metre high weld mesh fence on rear boundary and installation of new gates.
- Connecting paths, steps and ramps for disabled access around extensions.
- An extension to the school's secondary car park to measure 34m x 17m to provide an additional 16 car parking spaces, with 3 x 6m high lighting columns and associated landscaping.
- Temporary closure of a combined cycle path and footpath to allow its use by contractor's vehicles to access a temporary fenced compound at the rear of the school.

The three single storey extensions would each measure 23m x 9.5m x 4m high. The extensions would be glazed on the west elevation and finished in Trespa wall panels (colour to be provided) and dark concrete blocks with dark mortar on the other elevations with a low pitched zinc roof. The extensions would link to the existing school building via a corridor measuring 3.5m x 3m x 3m high and would be glazed. The doors and windows would be powder coated anthracite grey (RAL 7016).

The single storey extension for reception pupils would measure 15m x 5m with a height of 2m where it adjoins the existing school and rising to 3m. The store room would be finished in Siberian Larch timber boarded panels and the resource/group area would be glazed with aluminium door and curtain walling to be powder coated anthracite grey (RAL 7016). The roof would be zinc and would extend beyond the edge of the extension by another 6 metres to form a 3.7m high canopy supported by stained timber posts.

A number of trees would be removed around the proposed building footprints and the car park extension.

The construction works for the project as a whole would take approximately 13 months. The hours of working would be between 0800 to 1800, Monday to Friday (except Public Holidays), and 0800 to 1400 hours on Saturdays. The contractor's

compound would consist of temporary office and welfare facilities, parking, delivery and equipment storage areas. Lighting would be used during reduced daylight hours.

Following completion of construction works, the compound would be restored and the temporary access would be reinstated to combined cycleway and footpath.

Description and Location of Site

Moorside County Primary School fronts the west side of Bowerham Road in a residential area approximately 2 km to the south of the centre of Lancaster. The school is bordered to the north by St. Bernadette's Primary School, to the south by houses on Ascot Close and to the west by public open space with the school playing fields beyond. The east side of Bowerham Road is fronted by houses and a small row of shops. A combined cycleway and public footpath forms the southern boundary of the school and runs through a woodland area, an area of open space and a 15 space car park associated with the school.

The school site is surrounded on all boundaries by a mixture of low stone walls and 1.5m high metal railings, except for the western boundary, where there is a 2.4 metre high weld mesh fence. Separate and combined vehicular and pedestrian accesses to the school are from Bowerham Road. The existing school building is separated from Bowerham Road by hard play areas and the main 28 space car park.

The existing school building consists of a long single storey building running parallel with Bowerham Road and with two wings to the front and four wings to the rear with open grassed areas between. The northern rear wing houses nursery and reception pupils, the remaining three wings each house four classrooms (a wing for the infants and two wings for the juniors). An independently run Stepping Stones School for pupils that have been excluded or are at risk of exclusion is located in the wing at the southern side of the school.

The reception extension and canopy would be located on part of the hard play area to the north side of the reception wing. A classroom extension would be located on the end of each of the three wings to the rear of the school. The existing line of 2.4 metre high weld mesh fence would be moved and have gates installed, the adjacent grass bank remodelled and trees removed to accommodate the classroom extensions. The connecting paths, steps and ramps for disabled access would be around the extensions. The two windows to be altered to a door would each be located on the side of one of the wings to the rear of the building. The additional 16 car parking spaces and associated lighting would be located on the area of open space on the west side of the existing 15 space car park on the south side of the school. The new landscape areas would be to the front and north sides of the school. The public cycle and footpath to the south of the school would be temporarily closed to allow its use by construction traffic between Bowerham Road and the construction compound to be located on the area of public open space between the west boundary of the school and the school playing fields.

The extended car park is the part of the development nearest to residential properties, being 30 metres to the north of no. 234 Bowerham Road and 40 metres from Ascot Close.

Members visited the site on 21st July 2014.

Background

The proposal is at an existing primary school.

A number of permissions have been granted at the school, the most recent being the following:

Planning permission for the installation of a canopy and alteration of a window to a door and the creation of two access ramps with railings was granted on 19 May 2014 (ref. LCC/2014/0052).

Planning permission for the erection of a canopy over an existing outdoor play area for nursery provision was granted on 07 February 2012 (ref. 01/12/0009).

Planning permission for the erection of a canopy and access slope to the entrance of the pre-school unit and the creation of a new pedestrian entrance in the school boundary fence was granted on 23 July 2010 (ref. 01/10/0577).

Planning permission for the creation of a hard surface play area with low level fencing was granted on 21 June 2010 (ref. 01/10/0442).

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17, 32, 34, 36, 38, 56- 66, 69-70, 72, 74, 77, 94, 99, 103 and 125 of the NPPF are relevant with regard to the requirement for sustainable development, core planning principles, promoting sustainable transport, requiring good design, promoting healthy communities, flood risk and conserving and enhancing the natural environment.

Lancaster District Core Strategy (LDCS)

Policy SC1 Sustainable Development
Policy SC5 Achieving Quality in Design
Policy E1 Environmental Capital
Policy E2 Transportation Measures

Lancaster District Local Plan (LDLP)

Policy T17 Green Travel Plans
Policy E12 Nature Conservation in the Wider Environment
Policy E29 Urban Greenspace

Consultations

Lancaster City Council – The City Council supports the principle of the development subject to issues relation to ground contamination and impacts on trees being adequately addressed. A condition should be imposed restricting hours of construction.

LCC Developer Support (Highways) – Objects to the proposal. The development will mean a considerable increase in the number of classrooms and children at the school and the increase in school capacity may mean that the catchment area is wider and the proportion of pupils brought to school by car will increase. The number of staff will also increase which could lead to an increase in on street parking on surrounding streets. There have been no reportable pedestrian accidents on Bowerham Road in the vicinity of the site. However, Bowerham Road is narrow at some points to the front of the school which is exacerbated by parking and creates some congestion which is a hazard for pedestrians wishing to cross the road. There is an existing manned school crossing at this point but there is no associated dropped kerb on the western edge of the road. It is recognised that the proposed increase in the size of the school is necessary. However, it is considered that the proposed mitigation measures to alleviate additional traffic impacts will not be sufficient. The additional traffic and parking demands will lead to increased congestion and highway safety risks.

Environment Agency (EA) – No objection subject to a condition requiring that the development shall be undertaken in accordance with the submitted Flood Risk Assessment) and the Drainage Plan .

LCC Specialist Advisor (Ecology) - No objection subject to conditions to protect nesting birds, that any landscaping scheme should include replacement planting of native species to deliver compensatory replacement bat foraging and commuting habitat and to require details to be submitted for the provision of bird and bat nesting/roosting bricks or boxes. A note should also be included that, if bats are found during the construction period, then provision would have to be made for their protection.

LCC Specialist Advisor (Lighting) - No objection. There are no glare issues to residents or road users associated with the proposed car park lighting.

LCC Specialist Advisor (Landscape) - No observations received.

Public Rights of Way - No observations received.

Representations – The application has been advertised by site notice, press notice and neighbouring residents have been notified by letter.

Three representations have been received concerned as to the traffic levels and problems of parent parking that will increase on Bowerham Road and the surrounding highway network as a consequence of more pupils attending the school. Without additional thought, planning and design in relation to these issues then the situation will continue to get worse to the detriment of road and pedestrian safety. Consideration should therefore be given to how the additional traffic generated in the morning drop off and afternoon pick up periods could be better controlled or managed and to reduce car use. It is suggested that an additional crossing (lights or crossing guards) be provided on Bowerham Road between the school and the outgoing bus stop or near the Stepping Stones School and one on Barton Road near the junction with Bowerham Road and that Newlands Avenue should be made one way.

Advice

The proposal is to erect four single storey extensions to provide new classrooms/teaching areas plus resource areas, disabled toilets and a storage area to Moorside County Primary School to enable the school to expand from a 2-form to a 3-form entry school with pupil numbers increasing from the existing roll of 414 to around 630 by September 2021 when the entire school will be 3-form entry. An additional 16 parking spaces are also proposed to provide parking facilities for the extra staff that a 3-form school would require.

The main issues relate to the need for the extensions, traffic and safety, the impact on residential amenity, built form and landscape and the protection of public open space.

The need to expand this school arises from analysis of future populations in the area of Lancaster south of the River Lune. This analysis has identified a future increase in school age children in this area due to an increase in birth rates and proposed new development which may mean that there may not be sufficient places in this area to meet demand from September 2014 and beyond. The forecasts indicate that there are sufficient births in the area to justify additional places in this area of Lancaster on a permanent basis. Following this basic needs assessment, schools within the area of growth were contacted in order to seek expressions of interest for potential expansion. The sites identified as part of this process were assessed on the basis of a number of factors including the current strength of the school in terms of pupil attainment and leadership, parental preference, existing school size, availability of land for school expansion, access to the site and proximity to growth areas and likelihood of joint investment benefits. As a result of this assessment, Moorside Primary was identified as a location to meet the predicted shortfall in school places and the County Council therefore consulted on a proposal to permanently expand Moorside. The proposal was agreed by the Cabinet Member for Children, Young People and Schools in May 2014 subject to the granting of planning permission for the required expanded accommodation. Bowerham Primary School, located 1km north of Moorside has similarly been selected for expansion as part of this process and additional accommodation at this site has now been constructed.

Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and proposed communities. The policy states that Local Planning Authorities should give great weight to the need to expand schools. The above analysis demonstrates that there is a need for additional school places in this area of Lancaster and the development is therefore supported by the policy in the NPPF regarding the need for new school accommodation.

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 necessary to take into consideration the relevant policies of the Development Plan and 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. The Development Plan for the site is made up of the Lancaster District Local Plan (LDLP) and the Lancaster District Core Strategy (LDCS).

The site is an existing primary school within the urban area of Lancaster that is not the subject of a site specific policy. However, Policy SC1 of the LDCS seeks to ensure that new development proposals are as sustainable as possible as a consequence of their location and design, construction and use. Policy SC5 of the LDCS is also relevant and seeks to achieve quality in design.

The proposed extensions would provide a total of 6 classrooms, one for each of Years 1-6 together with a resource area for reception pupils so as to provide the additional teaching space required to enable the school to increase from a 2-form to a 3-form entry school due to a forecast increase in pupil numbers. The extensions would be single storey with contemporary designs and materials that, while not matching the design of the existing school buildings, would be visually acceptable as they would be located on the rear and north sides of the school that are not visually prominent. The two windows to be altered to a door would have no visual impact. The development is therefore considered acceptable in terms of visual amenity. The finished colour of the Trespa wall panels to the elevations of the three classroom extensions has not been provided and hence a condition should require details of the colour to be submitted and approved. The extensions would require the existing fencing on the western boundary to be moved and detail is required for the re-alignment of the fencing. The three classroom extensions would necessitate the remodelling of the grass bank to the rear of the site using the spoil arising from the construction of new classrooms. A tree survey has been submitted that shows that a number of young and semi-mature trees and shrubs would also be removed. A condition should provide for details of the replanting of trees and shrubs and of the new landscape area to the north and front sides of the school.

The area of public open space between the western boundary of the school and the school playing fields on which the construction compound would be located is designated as a Green Space and hence is subject to Policy E29 of the Lancaster District Local Plan which seeks to protect urban spaces from development and, where appropriate, enhance them. However, the compound would only be a temporary facility and provided that a condition is imposed relating to the restoration of that area, there would be no permanent loss of Green Space. The development is therefore acceptable in terms of Policy E29.

The main issue relates to traffic impacts. The change from a 2-form to a 3-form entry school would increase the number of pupils at the school from 414 to around 630 by September 2021. The Transport Statement (TS) submitted with the application states that the school currently generates approximately 200 vehicle movements (148 associated with pupils and 54 associated with staff) in the morning and the same number in the afternoon. It is estimated that the proposed development would increase morning and afternoon movements by 91 if the current travel patterns continue although this increase would take place progressively over a number of years as the additional classroom space is utilised. The number of vehicle numbers during each opening and closing time would therefore be around 293 by September 2021 (225 associated with pupils and 68 associated with staff). The TS concludes that the development would not adversely affect the safe and efficient operation of the local highway network.

LCC Developer Support (Highways) are concerned that the additional traffic impacts of the development will give rise to additional parking and congestion on Bowerham Road leading to highway safety impacts which cannot be adequately mitigated. Three representations have also been received concerned that increased pupil numbers will increase traffic levels and problems of parent parking on Bowerham Road and the surrounding highway network to the detriment of road and pedestrian safety. It is suggested that an additional crossing (lights or crossing guards) be provided.

The school is located within the main urban area of Lancaster and is therefore proximate to the locations, including future growth areas, where children attending the school will reside. On Bowerham Road there are already areas of parking restriction to prevent unsafe parking practices and the highway is subject to a 20 mph limit in line with the County Council's policy for all roads outside of school sites. There is also a manned crossing point during school times across Bowerham Road directly opposite the school with a further crossing across Barton Road to the north of the school. Provision therefore already exists to ensure the safety of children wishing to access the school on foot.

The TS accepts that the proposed development would lead to an increase in traffic to the school and therefore increases in on - street parking particularly during school pick up and drop off times. There are stretches of Bowerham Road further from the school that can be used for parking for limited periods and there are also a number of residential streets to the east of Bowerham Road that can be used for a similar purpose for short periods during drop off and pick up times. Although the issue of on street parking is raised in the three representations that have been received, the generally low level of objection may indicate that on street parking by parents is not currently perceived as a particular concern in the local area.

LCC Developer Support (Highways) are concerned that the traffic impacts of the development would not be able to be mitigated. Whilst there would undoubtedly be an increase in traffic, it is necessary to consider whether the capacity of the local highway network could absorb these generally short - duration traffic and parking impacts and the likely effectiveness of any mitigation measures that might be possible.

As part of the proposal the number of car parking spaces at the school would increase from 43 to 59. Lancaster City Council's car parking standards allow two parking spaces per classroom. The number of classrooms in the whole school site with the new development would be 27 consisting of 24 for Moorside CPS (21 classrooms plus the main school hall and an ICT and a SEN teaching room) and 3 for Stepping Stones School. The number of car parking spaces should therefore be 54 and the total proposed provision at the school site would therefore exceed the parking standards by 5 spaces. However, providing fewer spaces than proposed could lead to an increase in on-street parking on the neighbouring roads and therefore providing more spaces than allowed for by the standards is considered acceptable in this instance.

The additional 16 car parking spaces and associated lighting would be located on the area of open space directly to the west of the existing car park on the south side

of the school adjacent to the Stepping Stones unit. The open space is not the subject of any specific policy protection and could not reasonably be used as an outdoor play area or part of the school playing field. A number of young trees would be removed to accommodate the car park extension. Conditions are proposed to protect the existing trees in proximity to the proposed car park, to require a landscaping scheme and that the car parking spaces are marked out before the new class rooms are brought into use. Highways have noted that some of the existing parking spaces appear to be occupied temporarily by taxis associated with the transport of special needs pupils to the Stepping Stones unit. It is therefore considered that the additional parking area should be signed to discourage taxis from these practices so the spaces are available for school staff. This can be the subject of a planning condition.

The application is supported by a School Travel Plan. However, this was produced in 2006 and therefore it is considered that should planning permission be granted a condition should be imposed requiring a further updated travel plan to be submitted which should include a timetable of measures to be implemented to increase the proportion of pupils and staff travelling to the school by means other than private car and provision for regular reviews as the size of the school increases. The school has confirmed that it may be possible to stagger school start / finish times. Such a proposal would not reduce the total amount of traffic but would mean that the impacts would be spread over a longer period and would therefore perhaps be less severe. Such a proposal could also reduce cumulative impacts with the adjacent St Bernadette's Primary School. Further investigation of this issue can be included within the condition relating to a revised school travel plan.

There are separate and combined vehicular and pedestrian accesses to the school from Bowerham Road. No alterations are proposed to these accesses. The existing cycleway and public footpath to the south of the school would be temporarily closed to be used as the means of access for construction traffic between Bowerham Road and the construction compound to be located on the area of public open space between the west boundary of the school and the school playing fields. However, on completion of the development, the cycleway would be reopened thereby enabling continued use of a traffic free link to where many of the pupils attending the school reside.

The applicant would not widen or amend the access but the trees that line the route may require some works to ensure that vehicles can safely use the access. A condition is therefore proposed requiring details of any proposed works to the protected trees and to require any damage to the cycleway as a result of the construction traffic to be repaired.

The construction of the development would increase vehicle numbers on the local highway network particularly on Bowerham Road. The compound would be large enough to accommodate vehicles associated with construction activities and ensure that vehicles do not need to park on the surrounding streets. A Traffic Management Plan (TMP) has also been submitted to address the safety concerns relating to the potential conflicts of construction traffic and school traffic during the construction works. The TMP prevents deliveries to the compound between 8:15-9:15 and 3-4pm Monday to Friday and requires that no delivery vehicles are to block any access

roads or adjacent driveways. Subject to the acceptability of the submitted details by the LCC Developer Support (Highways), then a condition should be imposed to require the TMP to be implemented and the restoration of the compound to open space following completion of the development. The development would therefore accord with Policy E29 of the Lancaster District Local Plan as there would be no long term loss of open space.

To protect the amenities of the nearest properties and the surrounding area during the construction phase of the development, a condition is proposed restricting the hours within which construction work may be carried out and to require that noise and dust suppression methods be employed throughout the duration of the construction activities. To minimise light spill and intrusive glare beyond the boundaries of the compound, a condition is proposed to require that no lighting is installed until the details of such have been approved. Subject to the imposition of such conditions the development is considered to be acceptable in terms of the impact on the amenities of nearby residential properties and complies with Policy SC5 of the Lancaster District Core Strategy.

The extended car park is the part of the development that would be nearest to residential properties. The main impact would be from the provision of 3 x 6m high lighting columns to illuminate the extended car park. A plan has been submitted to show the proposed illumination (lux) levels and which shows the light produced would be contained within the boundaries of the school. There would be no glare issues to residents or road users associated with the proposed car park lighting. It is therefore considered that the proposed extended car park lighting is acceptable and would not adversely impact on the amenities of local residents.

The site is not located within a Flood Risk Zone but, in line with the recommendation of the Environment Agency, a condition should be imposed requiring that the development shall be undertaken in accordance with the submitted Flood Risk Assessment and the Drainage Plan. This should ensure that the surface water run-off from the site will not exceed existing levels.

With respect to ecological matters, the applicant's bat survey undertaken in June 2014 advised that the school does have potential roosting areas but that no bats were identified to be using the existing building during surveys. However, bats use the existing vegetation along the fence line at the rear of the school as part of the route of their flight lines/ feeding circuits. The vegetation would be removed as a part of the development works. In line with the comments of the LCC Specialist Advisor for Ecology, any landscaping scheme should include replacement planting so as to deliver compensatory bat foraging and commuting habitat. A condition is also proposed to protect nesting birds and to require details to be submitted for the provision of bird and bat nesting/ roosting bricks or boxes. In the event that bats are found during the construction period, provision would have to be made for their protection. A note is proposed to address this. Subject to such conditions and note, the development accords with Policy E12 of the Lancaster District Local Plan and Policy E1 of the Lancaster District Core Strategy.

In conclusion, the proposed development would provide 6 new classrooms and extra resource areas to enable Moorside County Primary School to increase from a 2-form

to a 3-form entry school. The increase in the size of the school is required to provide education facilities for local children which is a statutory duty of the County Council and a priority for Government as expressed in the NPPF. The development would result in an increase in traffic and on street parking. However, those impacts would be of relatively short duration and it is necessary to balance such impacts against the need to provide extended school accommodation. It would be possible to address some of the traffic impacts by providing further parking, undertaking improvements to pedestrian facilities and undertaking a review of the school travel plan and which can be provided for by condition. The scale and design of the extensions are considered acceptable and the benefits of the scheme to provide extended educational facilities to meet an increase in demand outweigh the potential impacts on the highway associated with such and therefore, on balance, the proposed development could be found acceptable.

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.

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

2. The use of the temporary construction compound and associated access route shall cease within one month of the completion of the development. The land disturbed by the temporary construction compound and associated access route as far as its junction with the existing cycleway shall thereafter be restored within a further period of 3 months in accordance with the scheme and programme approved under the requirements of condition 17 below.

Reason: To ensure the satisfactory restoration of the site and to conform with Policy SC5 of the Lancaster District Core Strategy.

Working Programme

3. 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 Director of Transport and Environment on 4th June 2014 and emails received by the Director of Transport and Environment from Martin Howden on 16th and 23rd June 2014.

- b) Submitted Plans and documents received by the Director of Transport and Environment on 04th June 2013:

Drawing No. A200 Rev. A - Proposed Site Plan
Drawing No. A201 Rev. A - Proposed Temporary Cycle Path Closure
Drawing No. A202 Rev. A - Proposed Roof Plan
Drawing No. A210 Rev. A - Proposed Ground Floor Plan - Sheet 1
Drawing No. A220 Rev. A - Proposed Ground Floor Plan - Sheet 2
Drawing No. A230 Rev. A - Proposed Ground Floor Plan - Sheet 3
Drawing No. A235 Rev. A - Proposed Ground Floor Plan - Sheet 4
Drawing No. A250 Rev. A - Proposed Site Sections
Drawing No. A260 Rev. A - Proposed Elevations - Sheet 1
Drawing No. A280 Rev. A - Proposed Site Elevations
Drawing No. A290 Rev. A - Proposed Car Park
Drawing No. A291 Rev. A - Proposed Lighting Plan
Drawing No. A320 Rev. A - Proposed Landscaping Plan
Drawing No. A820 Rev. A - Proposed Drainage Plan
Drawing No. A980 Rev. A - Proposed Class Base Doors
Drawing No. TS.1 - Tree Survey on Topographical Survey

Submitted Plans and documents received by the Director of Transport and Environment on 16th June 2013:

Construction Programme
Classroom Numbers
Drawing No. A390 Rev. B - Proposed Site Establishment

- c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the Director of Transport and Environment 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 SC1, SC5, E1 and E2 of the Lancaster District Core Strategy and Policies T17, E12 and E29 of the Lancaster District Local Plan .

Building Materials

4. Within two months of the date of this planning permission, details of the finished colour of the Trespa wall panels to be used on the elevations of the three two-classroom extensions shall be submitted to the Director of Transport and Environment for approval in writing. Thereafter the approved colour shall be used for the Trespa wall panels.

Reason: To protect the visual amenities of the area and to conform with Policy SC5 of the Lancaster District Core Strategy.

5. Within two months of the date of this planning permission, details of the location of any re-aligned section of boundary fencing and of the height, colour, design and location of any new or relocated boundary fencing shall be submitted to the Director of Transport and Environment for approval in writing. Thereafter, the new or realigned fencing shall be erected in accordance with the approved details.

Reason: To provide adequate security for the school and to protect the visual amenities of the area and to conform with Policy SC5 of the Lancaster District Core Strategy.

6. Prior to the commencement of development details of bird and bat nesting / roosting bricks or boxes to be incorporated into the external elevations of the approved buildings or existing landscaping shall be submitted to the Director of Transport and Environment for approval in writing. The details shall contain information on the number, design and location of bird and bat nesting / roosting bricks or boxes to be installed. Thereafter the approved measures shall be incorporated into the construction of the building/s or existing landscaping.

Reason: To provide opportunities for nesting birds and bats and to conform with Policy E1 of the Lancaster District Core Strategy and Policy E12 of the Lancaster District Local Plan.

Control of Noise

7. All plant, equipment and machinery used in connection with the construction 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 development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy SC5 of the Lancaster District Core Strategy.

Dust

8. Measures shall be taken at all times during the construction phase of the development to minimise the generation of dust and prevent its migration outside of the site.

Reason: To safeguard local amenity and health of the pupils, staff and visitors to the school and to conform with Policy SC5 of the Lancaster District Core Strategy.

Hours of Working

9. No construction operations or delivery or removal of materials shall take place outside the hours of:

0800 to 1800 hours, Mondays to Friday (except Public Holidays)

0800 to 1700 hours, Saturdays

No construction operations or delivery or removal of materials 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 of these hours, of essential repairs to plant and machinery used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy SC5 of the Lancaster District Core Strategy.

Safeguarding of Watercourses and Drainage

10. The development shall be undertaken in accordance with the submitted Flood Risk Assessment (Sanderson Associates, April 2014) and the Drainage Plan (Lancashire County Council, Drawing A820, May 2014) and submitted with the planning application on 4th June 2014.

Reason: To reduce the risk of surface run-off from the site and flooding to the surrounding areas and to conform with Policy SC1 of the Lancaster District Core Strategy.

Highway Matters

11. Measures shall be taken at all times during the construction phase of the development to ensure that no mud, dust or other deleterious materials are tracked onto the public highway by vehicles leaving the site.

Reason: In the interests of highway safety and to conform with Policies E1 and E2 of the Lancaster District Core Strategy.

12. All vehicles associated with the construction phase of the development shall enter and leave the temporary site compound in a forward direction.

Reason: In the interests of highway safety and local amenity and to conform with Policies E1 and E2 of the Lancaster District Core Strategy.

13. Prior to the extended car park being brought into use, the car park shall be hard surfaced and marked out as shown on Drawing No. A290 Rev. A - Proposed Car Park.

Reason: In the interests of highway safety and to conform with Policies E1 and E2 of the Lancaster District Core Strategy.

14. The development shall not be brought into use until the existing pedestrian crossing on Bowerham Road has been improved in accordance with a scheme and programme to be first submitted to and approved in writing by the Director of Transport and Environment. The scheme and programme shall provide for the installation of the dropped kerb on the western side of Bowerham Road in the location of the existing crossing.

Reason: In the interests of highway safety and to conform with policy SC1 of the Lancaster District Core Strategy.

15. The construction traffic shall be managed at all times during the construction phase of the development in accordance with the Traffic Management Plan submitted with the application on 23rd June 2014.

Reason: In the interests of highway safety and to conform with Policies E1 and E2 of the Lancaster District Core Strategy.

16. Within six months of the date of this planning permission, a revised Travel Plan, as defined by this permission shall be submitted to and approved in writing by the Director of Transport and Environment.

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 and other visitors.
- 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) Details of any proposals to modify school start and finish times to mitigate the traffic impacts of the development.
- f) Proposals for monitoring progress of the Travel Plan including a timetable for its implementation and review at five yearly intervals

Reason: In the interests of highway safety and to conform with Policy SC1 of the Lancaster City Core Strategy.

17. Prior to the commencement of development, a survey of the condition of the shared pedestrian/ cycle path used to access the construction compound shall be submitted to the Director of Transport and Environment for approval in

writing. The survey shall contain details of any existing defects in the surface of the footway/ cycleway.

A further post development survey shall then be undertaken within one month of the completion of the development to identify any damage that has been caused to the surface of the footway / cycle way. The survey shall thereafter be submitted for the approval in writing of the Director of Transport and Environment and shall contain proposals for the repair of any highway defects should they be identified.

Any repairs contained in the approved post development survey shall be undertaken within two months of the approval of the survey by the Director of Transport and Environment.

Reason: In the interests of highway safety and to conform with Policies E1 and E2 of the Lancaster District Core Strategy.

Landscaping

18. No development shall commence until details of any proposed works to the trees affected by the temporary access and details for the protection of the trees have been submitted to the Director of Transport and Environment for approval in writing. The approved details shall be implemented in full prior to the temporary access being brought into use.

Reason: In the interests of visual and local amenity and to conform with Policies SC5 and E1 of the Lancaster District Core Strategy and Policy E29 of the Lancaster District Local Plan.

19. No development shall commence until a scheme and programme for the landscaping of the school site and of tree protection and replacement measures has been submitted to and approved in writing by the Director of Transport and Environment. The scheme and programme shall include details of:-
- a) Tree protection measures for those trees and vegetation that are to be retained to include root protection measures for such vegetation.
 - b) New tree and shrub planting to include replacement trees for those lost during the development including details of species, numbers, locations to be planted, planting methods and protection measures. The planting should use locally appropriate native species and should deliver compensatory replacement bat foraging and commuting habitat along the fence line to the rear of the site that are used by bats as a part of the route of their flight lines/ feeding circuits.
 - c) Removal of and restoration of the temporary construction access and compound within three months of the cessation of use of the temporary construction compound and associated access route.

- d) Reprofiting of any land to include locations, heights, gradients and landscaping works.

The approved protection measures required by a) shall be employed throughout the construction phase of the development. The planting works required by b) above shall be implemented in the first available planting season following the completion of the construction phase of the development and shall thereafter be maintained for a period of five years including weed control, replacement of failures and maintenance of protection measures.

Reason: In the interests of visual and local amenity and to conform with Policies SC5 and E1 of the Lancaster District Core Strategy and Policy E29 of the Lancaster District Local Plan.

- 20. No trees or hedgerows shall be removed during the bird-breeding season between 1 March and 31 July inclusive unless they 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 Policy E1 of the Lancaster District Core Strategy and Policy E12 of the Lancaster District Local Plan.

Floodlighting

- 21. No lighting shall be erected within the site compound unless the details of such lighting including the position, direction and design of such lighting has first been submitted to and approved in writing by the Director of Transport and Environment.

Reason: To minimise light spill beyond the site boundary to the surrounding houses and to safeguard the amenity of the area and to conform with Policy SC5 of the Lancaster District Core Strategy.

Definitions

Director of Transport and Environment: means the Director of Transport and Environment of the County Planning Authority or any successor position to that post.

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Notes

The applicant's attention is drawn to the requirements of the Equality Act 2010 and the British Standards Institution Code of Practice for Design of Buildings and their approaches to meet the needs of Disabled People (BS8300:2009). The design of the building will also need to comply with Part M of the Building Regulations 2010. In the

case of educational buildings, the applicant's attention is drawn to the Special Educational Needs and Disability Act 2001 and the guidance prepared by the Department of Education and Skills Building Bulletin 91 (Access for the Disabled to School Buildings) and Building Bulletin 94 (Inclusive School Design).

If bats are found or suspected at anytime during demolition or construction activities, work in that area should cease immediately until further advice has been sought from Natural England and/or the scheme ecologist. The scheme ecologist, Natural England or their agents in the Lancashire area will be able to locate a licensed bat worker to remove any bats present which might be harmed during the works. If bats are exposed during the works and are vulnerable to harm, gloves or a container should be used to move them to a dark and quiet area, until a bat worker has been contacted.

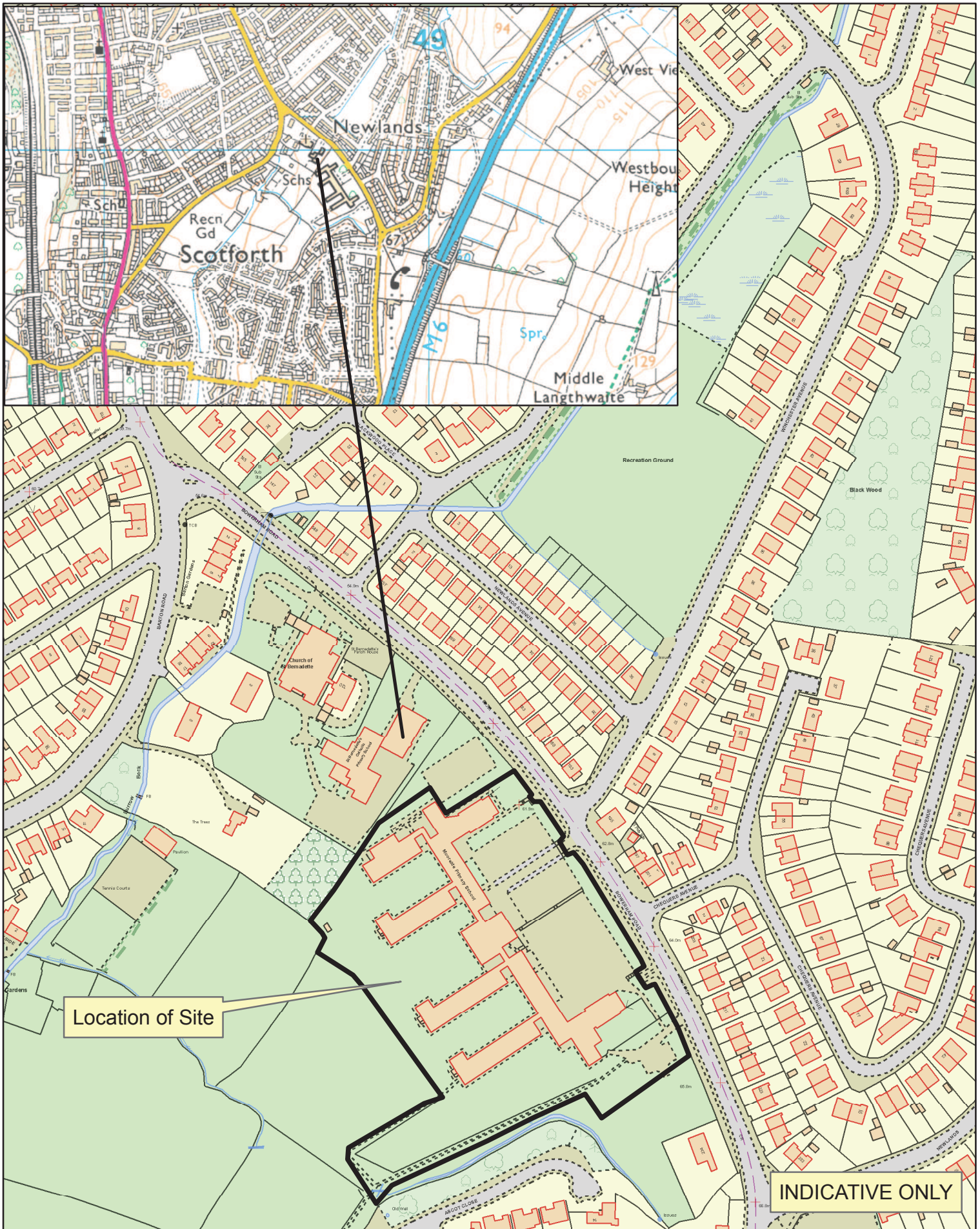
The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping - up or diversion of a right of way should be the subject of an Order under the appropriate Act. Access to the temporary construction compound would be taken via the existing public cycle and footpath to the south of the school. The applicant will have to apply for a temporary closure of the footpath for the duration of the works.

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

Paper	Date	Contact/Directorate/Ext
LCC/2014/0085	04 June 2013	Rob Jones/Environment/ 534128

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION LCC/2014/0085 FOUR SINGLE STOREY EXTENSIONS TO PROVIDE NEW CLASSROOMS, REMOVAL OF TWO EXISTING WINDOWS TO FORM TWO NEW EXITS. REMODELLING OF GRASS BANK TO REAR OF SITE USING SPOIL FROM CONSTRUCTION OF NEW CLASSROOMS, 2.4 METRE HIGH WELD MESH FENCING, NEW GATES, CONNECTING PATHS, STEPS AND RAMPS FOR DISABLED ACCESS AROUND NEW BUILDING. NEW CAR PARK PROVIDING AN ADDITIONAL 14 SPACES AND 1 MOTORBIKE SPACE, 3 LIGHTING COLUMNS 6 METRES HIGH AND ASSOCIATED LANDSCAPING. MOORSIDE CP SCHOOL, BOWERHAM ROAD, LANCASTER

Development Control Committee

Meeting to be held on 3 September 2014

Electoral Division affected: Fylde West
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Fylde Borough: Application No. LCC/2014/0099

Retention of single storey demountable office unit. LCC Highways Depot, Grange Road, Singleton.

Contact for further information:

Jonathan Haine, 01772 534130, Environment Directorate

DevCon@lancashire.gov.uk

Executive Summary

Application - Retention of single storey demountable office unit. LCC Highways Depot, Grange Road, Singleton.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling duration of permission, working programme and colour of building.

Applicant's Proposal

Planning permission is sought for the retention of a demountable office unit at Lancashire County Council's Highways Depot in Singleton. The unit measures approximately 21.3m x 7.2m with a gently sloping roof varying in height from 3.8 to 3.6m. The unit has external ramps and steps with handrails and guardrails with external walls coloured dark blue.

Description and Location of Site

Singleton Depot is an existing highway maintenance depot located at the junction of Grange Road and the A585 Fleetwood Road, approximately 2 km north east of Singleton. The depot is located within open countryside and is bordered to the east by the A585 and to the north by Grange Road from where the depot is accessed. The nearest residential properties are 60m to the east and 180m to the north. An access to a glass-manufacturing unit in former farm buildings is located on the opposite side of Grange Road to the depot.

The area of the depot nearest Grange Road (approximately one third of the site) is served by a separate access. It comprises a tarmaced surface with a brick office building and the mobile office unit, subject to this application, in the northern corner of the site, together with associated car parking. The remaining two thirds of the depot is used for the storage of materials and equipment associated with highway maintenance and is served by a separate access from Grange Road along the

western boundary of the depot. The depot is surrounded by trees on all boundaries apart from the western side.

Background

The demountable unit is located within an established LCC highways depot.

Planning permission for the siting of a temporary demountable office building, erection of a single storey office building and link to existing offices and the retention of a revised HGV access to depot was granted in August 2006 (05/06/0510).

Planning permission for the variation of Condition 2 of permission 05/06/0510 to allow retention of the single storey demountable unit for a further 3 years was granted in October 2010 (05/10/0589).

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17 and 56 – 66 are relevant with regard to the requirement for sustainable development, core planning principles and the requirement for good design.

Fylde Borough Local Plan

Policy SP2 Development in Countryside Areas

Consultations

Fylde Borough Council – No objection subject to a condition that the demountable unit is allowed to remain for a further period of three years or some other period that LCC feel is appropriate given the length of the contracting arrangements that exist in this case.

Singleton Parish Council – No observations received.

Representations – The application has been advertised by site notice and neighbouring residents have been notified by letter. No representations have been received.

Advice

Planning permission is sought for the retention of a single storey demountable office unit at Lancashire County Council's Highways Depot in Singleton.

The unit provides office facilities for 14 highways operations staff at the depot. The accommodation was originally provided for staff relocated from Wyre Borough Council's Civic Centre offices in Poulton-le-Fylde when the Lancashire Highways Partnership terminated in 2006. All the staff had to be relocated as a team to a single location. At that time, there were no other County owned buildings available

for lease so Singleton Depot was identified as a temporary solution while the new working arrangements were assessed. The demountable unit was required to accommodate the transferred staff and was granted planning permission in August 2006 (ref. 05/06/0510) for a temporary period of 2 years to provide the opportunity to find alternative premises. A subsequent planning permission was granted in October 2010 for the variation of Condition 2 of permission 05/06/0510 to allow the retention of the demountable unit for a further 3 years (ref. 05/10/0589) and so as to allow the continued delivery of the highway maintenance service.

Since planning permission was initially granted for this demountable building, plans to replace the temporary accommodation were set aside whilst a comprehensive staffing review took place and the suitability of all accommodation in Area North was assessed. This review established that there are on-going operational and cost efficiencies for the County Council in retaining client and contractor staff on a single site. The demountable office unit is still required to house the operational staff based at the site and hence this planning application is to retain the accommodation on a permanent basis.

The highways depot is located on land designated as a Countryside Area for the purposes of Policy SP2 of the Fylde Borough Local Plan. This policy permits development in countryside areas providing the proposal falls within one of a number of categories including development essentially needed for the continuation of an existing enterprise, facility or operation, of a type and scale which would not harm the character of the surrounding countryside.

The demountable offices are related to an existing highways depot which has become established in this location for operational reasons. Although the intention of Policy SP2 is to restrict new buildings in the countryside, this building is associated with the operations on the highways depot and is required for the continuation of those functions. The demountable office has been sited within the depot for approximately 7 years and in a location that is well screened by the belt of trees that surrounds the site. Fylde Borough Council has not objected to the retention of the unit subject to a condition that the retention of the demountable unit is restricted to a further period of three years or some other period that LCC feel is appropriate given the length of the contracting arrangements that exist in this case. The applicant intends that the unit remains in place on a permanent basis given its function as a part of the highways depot. However, whilst the building does not have a harmful effect on the character and appearance of the countryside and does not adversely affect the visual amenity of the nearest residential dwellings due to their distance from residential properties, the retention of a temporary building on a permanent basis in the countryside would be contrary to policy SP2. To allow for a future review of the acceptability of retaining the structure, it is therefore considered appropriate to grant planning permission to a further temporary five year period. A condition is also proposed requiring the unit to be retained and maintained in the current dark blue colour.

Subject to such conditions, the retention of the unit complies with the policies of the NPPF and Policy SP2 of the Fylde Borough Local Plan.

In view of the scale, location and nature of the proposed development 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 demountable building including all foundations and services shall be removed by not later than five years from the date of this planning permission.

Reason: To secure the removal of the building within a suitable temporary period and to comply with Policy SP2 of the Fylde Borough Local Plan.

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 Director of Transport and Environment on 3rd June 2014.
 - b) Submitted Plans and documents received by the Director of Transport and Environment on 3rd June 2014:

Drawing No. A01 - Location Plan
Drawing No. A02 - Plan and Elevations

Reason: To minimise the impact of the development on the amenities of the local area, and to conform with Policy SP2 of the Fylde Borough Local Plan.

Building Materials

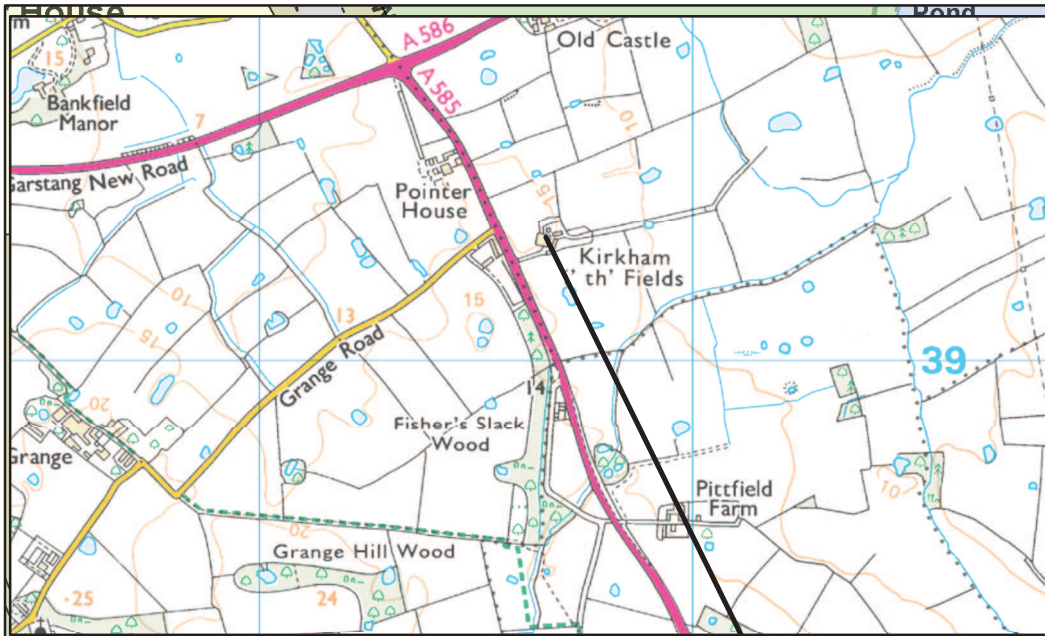
3. The external elevations of the building shall be retained and maintained in the existing colour.

Reason: To protect the visual amenities of the area and to conform with Policy SP2 of the Fylde Borough Local Plan.

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

Paper	Date	Contact/Directorate/Ext
LCC/2014/0099	03 June 2014	Jonathan Haine/Environment/534130

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



APPLICATION LCC/2014/0099 RETENTION OF THE TEMPORARY OFFICE UNIT AND EXTERNAL RAMPS AND GUARD RAILS. LANCASHIRE COUNTY COUNCIL DEPOT, GRANGE ROAD, SINGLETON

Development Control Committee

Meeting to be held on 3 September 2014

Electoral Division affected: Preston Rural

Preston City: application number. LCC/2014/0112 Construction of an underpass to form agricultural access under the proposed Broughton Bypass, Broughton

Contact for further information:

Guy Munden, 01772 533214, Environment Directorate

DevCon@lancashire.gov.uk

Executive Summary

Application – Construction of an underpass to form agricultural access under the proposed Broughton Bypass, Broughton.

Recommendation – Summary

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

Applicant's Proposal

Planning permission is sought for the construction of an underpass (Helm's Farm Underpass) to form agricultural access under the proposed Broughton Bypass.

Planning permission for the proposed Broughton Bypass was initially granted in 2001 (ref no. 6/00/678), and renewed in 2008 due to the initial permission not having been implemented (ref no. 6/06/589). A further application for the renewal of planning permission for the construction of Broughton Bypass was granted in December 2013 (ref no. 06/13/0528).

The proposed Broughton Bypass would commence at the existing A6 /M55 roundabout to the north of Preston and would run to the east of Broughton village to cross the B5269 Whittingham Lane at a point 350m to the east of Broughton crossroads. The bypass would then continue northwards and then westwards to rejoin the A6 at a new roundabout to be constructed on the A6 450m to the north of Broughton. The new road would have a total length of approximately 2.6 km. The northern limb of the bypass between Whittingham Lane and the A6 would be a 10m wide single carriageway road. The southern part of the bypass between Whittingham Lane and the A6/ M55 roundabout would be 14.6m wide and capable of accommodating four lanes.

The proposed Helm's Farm Underpass would be located at the northern section of the bypass, where the bypass rejoins the A6 approximately 450m north of Broughton crossroads. The underpass would be constructed to the east of the proposed roundabout junction on the A6 Garstang Road (permission 06/13/0528), and would run under the proposed Broughton Bypass, with access to the underpass through a gate to the south of the roundabout and to farmland north of the bypass. The proposed underpass is required to provide Helm's Farm with access to the farmland either side of the proposed bypass, in order to move cattle from the fields to the main building at Helm's Farm for milking, improving the safety and welfare of farm employees, cattle, and motorists and highway users. The track leading down to the underpass would measure approximately 200m in length and would be 4m wide. The track would slope down at a gradient of 4.59% and re-emerge in the field to the north of the bypass with a slope gradient of 3.85%. The underpass track would be constructed from stone, and there would be aluminium railings along part of the bypass road above the underpass to act as a containment parapet.

Description and Location of Site

The proposed Helm's Farm Underpass would be located at the northern point of the Broughton Bypass, where the bypass joins the A6 Garstang Road. The site is surrounded by agricultural land. Barton Hall is located further to the north (approximately 600m away), and Broughton village further to the south (approximately 200m).

Background

Planning permission for the construction of the Broughton bypass was first granted in 2001 (ref 6/00/0678).

Planning permission for the renewal of application 6/00/0678 was granted in 2008 (ref 6/06/0589).

Planning permission for ecological mitigation areas was granted in 2008 (ref 6/07/0320).

A planning application to renew planning permission 06/06/0320 for the ecological mitigation areas was granted in December 2013 (ref 06/13/0527).

Planning permission for the renewal of application 06/06/0589 was granted in December 2013 (ref 06/13/0528).

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11-14, 17, 18, 29 – 35, 56 – 58, 100 – 104, 109 - 141 of the NPPF are relevant to this application in terms of the presumption in favour of sustainable development, core planning principles, building a strong competitive economy, sustainable transport, requiring good design, flooding and conserving and enhancing the natural and historic environment.

Central Lancashire Core Strategy

Policy 13 Rural Economy
Policy 21 Landscape Character Areas
Policy 22 Biodiversity and Geodiversity
Preston City Local Plan

DC2 Open Countryside outside the Green Belt
DC7 Nature Conservation: Locally Important Sites
Policy T5 Highway Improvements – Broughton Bypass
D1 Design Criteria

Emerging Preston Local Plan 2012-2026

Policy EN1 Development in the Open Countryside

Consultations

Preston City Council – no comments received

Environment Agency – no objection.

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

Advice

The application must be determined by the Development Control Committee as it is an application by the Environment Directorate. The main issues relate to the economic value of the proposed underpass and the impact on landscape character. Policy 21 of the Central Lancashire Core Strategy states that any new development must be integrated into, and appropriate to, the existing landscape character type and designation within which it is situated and should contribute positively to its conservation. The design of the proposed underpass and access track would ensure that the development would be appropriate in relation to the approved by-pass and the existing landscape. Construction materials would be compliant with the aims of Policy D1 of the Preston Local Plan in terms of acceptable design criteria.

Policy 22 of the Central Lancashire Core Strategy states that development should conserve and enhance biological diversity. Policy DC7 of the Preston Local Plan states if development damages features of habitat then appropriate steps should be taken to compensate for any loss. The underpass would not present any significant additional ecological impacts than have already been assessed and accounted for as part of the determination of the planning applications for the by-pass. However, the proposed underpass would result in the loss of an additional 81.7m of hedgerow; to compensate for this loss, a new 154.4m section of hedgerow would be planted along

providing a net gain of 72.7m of hedgerow. It is considered that the proposed mitigation would be acceptable.

The proposed underpass would also contribute positively to the local rural economy. Policy 13 of the Central Lancashire Core Strategy states that development should achieve economic improvement for rural areas by sustaining and encouraging appropriate growth of rural businesses by encouraging new farm buildings and structures where they can be shown to be necessary for food production. The proposed Broughton Bypass would split the farmland of Helm's Farm into two separate areas which would result in limited access to its farmland holding. The construction of the proposed underpass would ensure that Helm's Farm and its business can continue to function, without any negative impact from the proposed Broughton Bypass, therefore it would sustain the business of Helm's Farm and its contribution to the local economy.

Policy DC2 of the Preston City Local Plan and Policy EN1 of the Emerging Preston Local Plan 2012-2026 support development in the open countryside when it is required for use appropriate to a rural area, particularly when it contributes to the rural economy. The proposed underpass is required for the continued functioning of Helm's Farm with regard to accessing farmland either side of the Broughton Bypass, and it would allow the farm to continue its contribution to the local economy. Therefore, the proposed development is considered to accord with Policy DC2 of the Preston City Local Plan and Policy EN1 of the Emerging Preston Local Plan 2012-2026.

In view of the scale, nature and location 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 5 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1) (b) 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 received by the County Planning Authority on 20 06 2014
 - b) Submitted Plans and documents:

'Helms Farm Underpass Site Location Plan',
CHA1E0252-6001- 01
'Broughton Bypass - Broughton', 6023UI/B2237403/HF/T/01
'Helms Farm Underpass General Layout Plan',
CHA1E0252

Reason : To minimise the impact of the development on the amenities of the area and to conform with Policies 13, 21 and 22 of the Central Lancashire Core Strategy, and Policies DC2, DC7, T5 and D1 of the Preston City Local Plan.

Landscaping

4. No development shall commence until a detailed scheme and programme for the landscaping of the site has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall provide for the following:
 - a) Details for the soiling and seeding of the site including soil materials to be used, ground preparation, seed mixes to be used and methods to ensure establishment.
 - b) Details for tree, hedgerow and shrub planting including areas to be planted, ground preparation works, methods of planting, species, types and sizes of plants, planting techniques and protection measures.

All landscaping works including tree, hedgerow and shrub planting works shall be completed within one year of the opening of the underpass and shall thereafter be maintained for a period of five years including weed control, replacement of failures and maintenance of protection measures.

Reason : To ensure the proper landscaping of the site in the interests of the visual amenities of the area and to conform with Policies 21 and 22 of the Central Lancashire Core Strategy, and Policies DC2 and DC7 of the Preston City Local Plan.

5. No trees or hedgerows shall be removed during the bird-breeding season between 1 March and 31 July inclusive unless they 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.

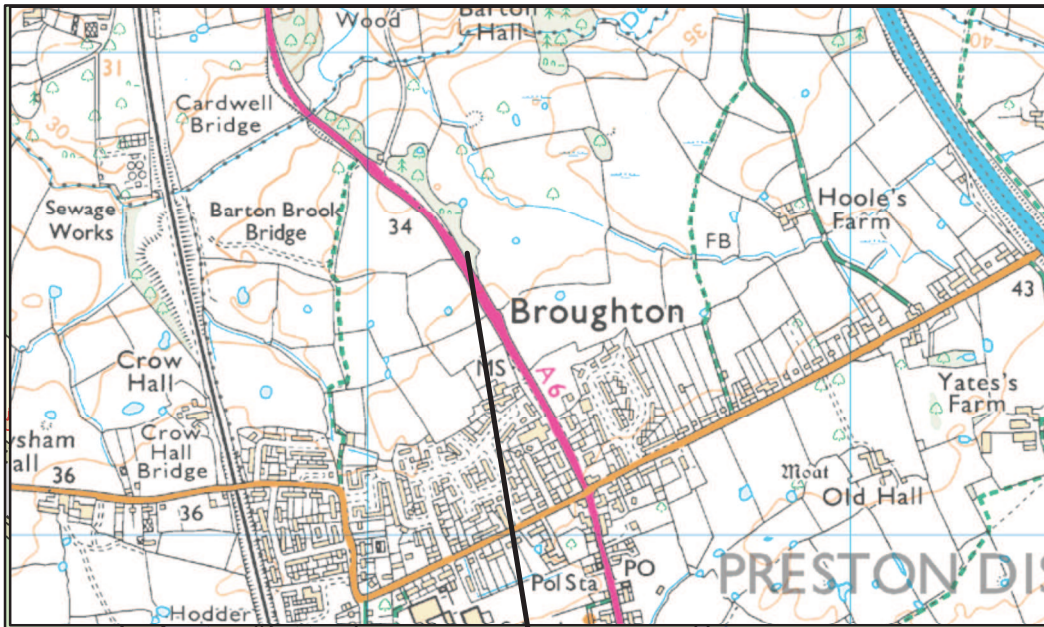
Reason: To protect nesting birds and to conform with Policy DC7 of the Preston City Local Plan.

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

Paper	Date	Contact/Directorate/Ext
LCC/2014/0112	15.08.2014	Guy Munden/Environment/33214

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION LCC/2014/0112 CONSTRUCTION OF AN UNDERPASS TO FORM AGRICULTURAL ACCESS UNDER THE PROPOSED BROUGHTON BYPASS. UNDERPASS BROUGHTON

Development Control Committee
Meeting to be held on 03/09/2014

Electoral Division affected: Penwortham South
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South Ribble Borough: application number. LCC/2014/0113
Proposed car park and access track to the west of existing school building at Moor Hey School, Far Croft, Lostock Hall

Contact for further information:
Guy Munden, 01772 533214, Environment Directorate
DevCon@lancashire.gov.uk

Executive Summary

Application - Proposed car park and access track to the west of existing school building at Moor Hey School, Far Croft, Lostock Hall.

Recommendation – Summary

That the application be **refused** for the following reasons:

1. The development would result in an unacceptable loss of open space contrary to Policy OSR6 of the South Ribble Local Plan.
2. The development would have a negative impact upon local amenity as a result of the loss of open space and disturbance associated with vehicle movements and parking contrary to Policies QD1, C1 and OSR6 of the South Ribble Local Plan.
3. The development does not incorporate sustainable drainage within the design contrary to Policies 17 and 29 of the Central Lancashire Core Strategy.

Applicant's Proposal

Planning permission is sought for the construction of a new car park and access track at Moor Hey School, Far Croft, Lostock Hall. The proposed car park would provide for 12 additional parking spaces, with the proposed access track providing access to the car park via the school's existing car park area. The proposed car park and access track would be surfaced with tarmac, with the car park being approximately 30m x 12m, with the access track being approximately 35m in length and 6m wide.

Description and Location of Site

Moor Hey School is located off Far Croft Road approximately 1km to the north west of Lostock Hall. The existing school is a large single storey complex with residential properties to the south, west and east and agricultural fields to the north. The proposed car park and access track would be located on the school playing field to the west of the existing school buildings, with the access track beginning taken from the existing school car park and running parallel to the school's educational garden area, approximately 15m from the school boundary, before reaching the proposed car park area which would be adjacent to the residential properties on Far Croft and Round Acre, approximately 1m from the school boundary.

Background

Planning permission was granted in May 2004 for security fencing on the school boundary (ref no. 07/04/0272).

Planning permission was granted in January 2005 for a car park extension to provide 12 additional car parking spaces (ref no. 07/04/1217).

Planning permission was granted in October 2005 for the construction of a single storey extension to provide 4 additional classrooms and toilet facilities (ref no. 07/05/0728).

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11-14 and 56-64 are relevant with regard to the requirements for sustainable development, core planning principles and good design.

Paragraph 72 and 74 – Promoting Healthy Communities.

Central Lancashire Core Strategy

Policy 14 Education
Policy 17 Design of New Buildings
Policy 29 Water Management

South Ribble Local Plan

Policy OSR6 Private, Educational and Institutional Recreational Open Spaces
Policy C1 Community Facilities
Policy QD1 Design Criteria for New Development

Consultations

South Ribble Borough Council – The Borough Council has raised concerns about the impact the development would have on the amenity and nature conservation value of the site. It is noted that no details have been submitted as part of the development to make an assessment on the value of the site in terms of nature conservation. In terms of amenity, due to the proximity of the proposed car parking area to neighbouring residential properties, there may be an impact on residential amenity in terms of noise and disturbance if the car park were to be used in the evenings, and

no details have been provided regarding the proposed hours of use of the car parking area. South Ribble Borough Council has stated that providing these concerns can be overcome, and providing that Sport England raise no objections to the loss of an area of school playing field, then no objections are raised.

LCC Developer Support (Highways) – no objection.

Sport England – Object on the grounds that the development would result in the loss of open space that would form part of the playing field and would constitute a loss in ability to use the existing playing field. The application does not compensate for the loss of playing field space by providing new open space, nor does it outline why the area of playing field to be lost is surplus to requirement. Sport England has noted from its records that a pre application enquiry was submitted to Sport England and they explained the site of the proposed car park would not accord with their policies. However, Sport England proposed a potential solution. This solution could be to turn part of the existing hard play area located in the south east corner of the site into car parking and provide replacement hard play on the strip of playing field in the north east corner of the site which would meet exception test E3.

Representations – The application has been advertised by site notice and neighbouring residents informed by individual letter. One letter of representation has been received supporting the development on the basis that it would reduce the number of cars parking on Far Croft Road. Two letters of representation has been received objecting to the development on the basis that it would negatively affect the amenity of the residential properties adjoining the school playing field where the proposed car park is located, particularly in relation to loss of privacy and noise.

Advice

The applicant states that the proposed additional parking is required because of the difficulties the school faces regarding lack of parking space. The school currently has 17 car parking spaces available within the school site, yet has 36 permanent staff and approximately 7 visiting professionals each day. This results in staff and visitors parking on Far Croft Road, creating a busy and overcrowded road within the residential area.

There are three main issues relating to the impact of the proposed car park and access track; the impact that the proposed development would have in relation to loss of open space at the existing school playing field; the impact that the proposed development might have upon the amenity value of the site and surroundings; and issues regarding sustainable drainage.

Loss of Open Space

The proposed development is located within a designated Open Space area as identified in the South Ribble Local Plan. Policy OSR6 of the South Ribble Local Plan states that development in this area will not be permitted unless the existing facilities can be fully retained through the development of only a small part of the site, or that the site of development is not required to satisfy a recreational need, or that the development would not detrimentally affect the amenity value of the site.

Paragraph 74 of the NPPF states *'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- *An assessment has been undertaken which has clearly shown the Open Space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a sustainable location; or*
- *the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.'*

The proposed car park and access track would be located on the school playing field with the access track running parallel to the school's educational garden area, approximately 15m from the school boundary, before reaching the proposed car park area which is adjacent to the residential properties on Far Croft and Round Lane, approximately 1m from the school boundary. In total, the proposed development infringes upon the existing school playing field by approximately 6m – the width of the proposed access track, and has a total area of 1936m². This area of playing field that would be lost is capable of accommodating a pitch or part of a pitch and its run-off area, and would therefore constitute a loss of part of the playing field, and in this regard is contrary to Policy OSR6 of the South Ribble Local Plan and paragraph 74 of the NPPF. Notwithstanding Sport England offered advice at the pre application stage that the proposal would be unacceptable and offered an alternative solution, the applicant wishes to pursue the application in its current form. Sport England reinforces the policy position that permission should be refused.

Amenity Value

It is considered that the development would detrimentally affect the amenity value of the site, particularly impacting upon the residential amenity of the properties located adjacent to the proposed car park. The car park and access track are proposed to be surfaced with tarmac, which would negatively affect the amenity value of the site, contrary to Policy OSR6 of the South Ribble Local Plan. Further, Policy QD1 of the South Ribble Local Plan states that development must not cause noise, disturbance and traffic generation that would be detrimental to the amenity of the area. The proposed development would not meet with this requirement due to the additional noise and disturbance from the cars using the proposed car park, which would negatively impact upon the amenity of the site.

Policy C1 of the South Ribble Local Plan states that development of community services is encouraged providing that the development does not have an adverse effect on the amenity of adjoining properties. Again, because the proposed car park is only approximately 1m from the school boundary and adjoining residential properties, the development is seen to pose a negative impact upon residential amenity. Therefore, the proposed development would be contrary with Policy C1 of the South Ribble Local Plan.

Sustainable Drainage

The proposed development is to be surfaced with tarmac with surface water discharge to sewer with no consideration of sustainable drainage (SuDS). This is considered to be unacceptable both in terms of amenity value of the open space and

drainage. A tarmac surface would negatively impact upon the amenity value of the site (contrary to Policy OSR6 and C1 of the South Ribble Local Plan, as above). Policy 17 and Policy 29 of the Central Lancashire Core Strategy state that developments should adopt SuDS. Notwithstanding the wider principle issues referred to above, the applicant has been advised that alternative sustainable approaches should have been considered such as porous asphalt or cellular systems, in order to meet both the amenity requirement of the South Ribble Local Plan and also to provide a greater level of sustainable drainage, as outlined in Policies 17 and 29 of the Central Lancashire Core Strategy. Irrespective of any alternative surfacing or drainage systems being employed, this would not be sufficient to overcome the objections to the proposal in respect of loss of open space and impacts on amenity.

Conclusion

The development would result in an unacceptable loss of open space contrary to Policy OSR6 of the South Ribble Local Plan; it would have a negative impact upon local amenity as a result of the loss of open space, and disturbance associated with vehicle movements and parking contrary to Policies QD1, C1 and OSR6 of the South Ribble Local Plan; and does not incorporate sustainable drainage within the design contrary to Policies 17 and 29 of the Central Lancashire Core Strategy. It is therefore concluded that the proposed development is unacceptable and should be refused.

Human Rights

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

Recommendation

That the application be **refused** for the following reasons:

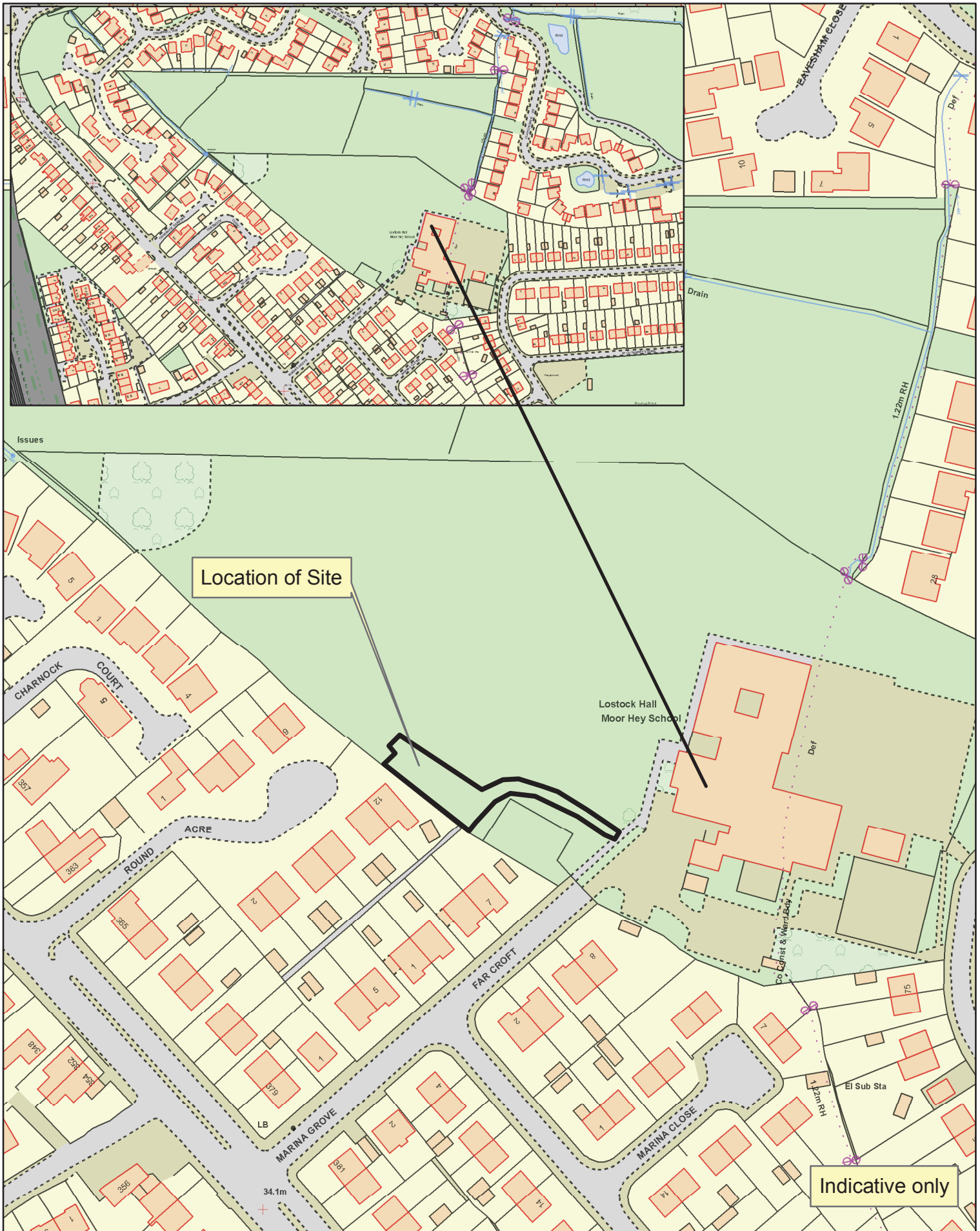
1. The development would result in an unacceptable loss of open space contrary to Policy OSR6 of the South Ribble Local Plan.
2. The development would have a negative impact upon local amenity as a result of the loss of open space, and disturbance associated with vehicle movements and parking contrary to Policies QD1, C1 and OSR6 of the South Ribble Local Plan.
3. The development does not incorporate sustainable drainage within the design contrary to Policies 17 and 29 of the Central Lancashire Core Strategy.

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

Paper	Date	Contact/Directorate/Ext
LCC/2014/0113	24/6/14	Guy Munden/Environment/533214

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION LCC/2014/0113 PROPOSED CAR PARK AND ACCESS TRACK TO THE WEST OF EXISTING SCHOOL BUILDING. MOOR HEY SCHOOL FAR CROFT LOSTOCK HALL

Development Control Committee

Meeting to be held on 3rd September 2014

Electoral Division affected: Rossendale North
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Rossendale Borough: application number LCC/2014/0122

Construction of a single storey extension to south elevation of the school at Staghills Children's Centre, Top Barn Lane, Rossendale

Contact for further information:

Jess Manfield, 01772 531942, Environment Directorate

DevCon@lancashire.gov.uk

Executive Summary

Application - Construction of a single storey extension to south elevation of the school, Staghills Children's Centre, Top Barn Lane, Rossendale.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling commencement and working programme.

Applicant's Proposal

Planning permission is sought for the construction of an infill extension to replace and extend an existing steel framed canopy. The extension area would cover approximately 9m x 5m to a height of 2.5m. It would be constructed from red/brown clay brickwork to match the existing buildings with aluminium glazing screen and composite panels at low level.

Description and Location of Site

Stag Hills Children Centre is centrally located in Newchurch on a steep hillside surrounded by residential properties and a dense tree planted area of landscaping to the rear. The Centre is a part single, part two storey children's centre constructed predominantly of red brick and colourful steel clad panelling. Access to the site, including a small car park, is from Top Barn Lane. The proposed extension would be located along the southern elevation of the Centre beyond which are the site grounds and then the rear boundaries of the closest residential properties, approximately 10m to the boundary of number 9 Priory Close to the west elevation, and 20m from the front of the extension along Rectory Close.

Background

History

Planning permission for an extension to the existing building was granted in April 2005 (ref. 14/05/0125).

Planning permission for a foyer extension was granted in February 2006 (ref. 14/05/0716).

Planning permission for two external canopies including roller shutter doors was granted in September 2006 (ref. 14/06/0389)

Planning permission for a single storey office extension was granted in April 2011 (ref. 14/11/0098).

Planning permission for a single storey extension to rear of nursery was granted in April 2012 (ref. 14/12/0108).

Planning application was granted in June 2013 for a proposed classroom extension including relocation of existing steel framed canopy (ref 14/13/0206).

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 6 – 17, 56 – 66 and 69-78 are relevant with regard to the definition of sustainable development, the purposes of the planning system, the need for good design and promotion of healthy communities.

Rossendale Borough Council Core Strategy

Policy 1	General Development Locations and Principles
Policy 23	Promoting High Quality Design and Spaces
Policy 24	Planning application requirements

Rossendale Local Plan

Policy DS1 The Urban Boundary

Consultations

Rossendale Borough Council – No objection

LCC Developer Support (Highways) – No objection. There is to be no increase in the number of children on the nursery school roll and no increase in the number of employees. It is recommended that the existing Travel Plan is updated as part of this application to encourage travel to the site by sustainable means.

Representations – The application has been advertised by site notice and neighbouring residents informed by individual letter. One letter of representation has been received raising the following concerns:

- This is the third planning request in as many years and the building is getting larger, closer and more dominant next to residential property.
- Elevated noise levels from the Centre.
- The site attracts vandalism and trespassers. More security is required.
- Existing surface water run-off affects local drainage.
- Existing trees block out sunlight.

Advice

The application site falls within the Urban Boundary identified in the Rossendale Local Plan where most new development is directed for the purposes of Policy DS.1.

Policy 23 of the Rossendale Borough Council Core Strategy seeks to ensure that all development is of the highest standard of design that respects and responds to local distinctiveness, character and context and contributes positively to local identity and heritage in terms of scale, density, layout, materials and access.

The proposed extension would replace and expand upon an existing enclosed canopy area but would not extend beyond the existing building line or above the existing roof height at this location. The proposed materials have been chosen to match the existing therefore when completed the development would look largely the same from outside the site. Consequently the concerns of a local resident that the proposed development would lead to the building dominating over residential property cannot be supported.

Further concerns raised by the resident regarding noise levels, surface water drainage, noise from children, and existing trees blocking out sunlight. The Centre is an established facility and there will be an existing element of noise associated with the activities of children. It is unlikely that the proposed development would generate any additional noise over and above that already experienced.

The trees are not affected by the proposed development so the impact of them on light is not material to the determination of this application.

With regards to drainage, the extension would be constructed on previously developed hardstanding and surface water would be disposed off to sewer. Therefore, any local drainage issue would not be exacerbated.

Given there is to be no increase in pupil numbers it would be unreasonable and unnecessary to require the school travel plan to be updated through the planning permission should planning permission be granted. The travel plan requires periodic review and is a matter for the school to address rather than through the planning process.

It is considered that the proposed development accords with the policies of the National Planning Policy Framework and the policies of the development plan.

In view of the location, nature, scale 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 Director of Transport and Environment on 23 07 2014
 - b) Submitted Plans and documents:

Drawing No. PL01 Site Location Plan & Existing Floor Plan Layout
Drawing No. PL02 Existing Part Plan and Elevation
Drawing No. PL03 Proposed Part Plan and Elevation
 - 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 Policy DS1 of the Rossendale Local Plan and Policies 1,23 and 24 of the Rossendale Borough Council Core Strategy.

Notes

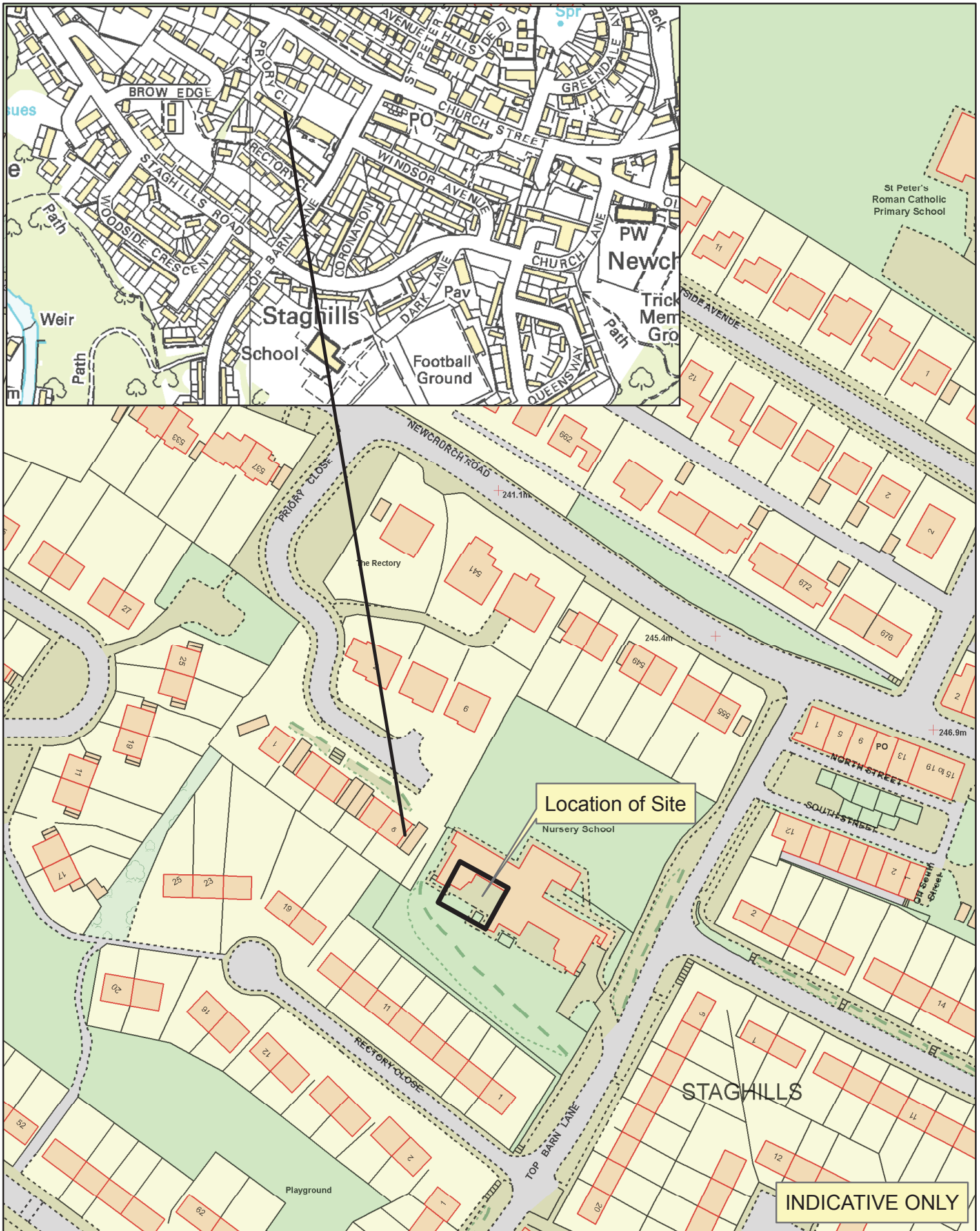
The applicant's attention is drawn to the requirements of the Equality Act 2010 and the British Standards Institution Code of Practice for Design of Buildings and their approaches to meet the needs of Disabled People (BS8300:2009). The design of the building will also need to comply with Part M of the Building Regulations 2010. In the case of educational buildings, the applicant's attention is drawn to the Special Educational Needs and Disability Act 2001 and the guidance prepared by the Department of Education and Skills Building Bulletin 91 (Access for the Disabled to School Buildings) and Building Bulletin 94 (Inclusive School Design).

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

Paper	Date	Contact/Directorate/Ext
LCC/2014/0122	August 2014	Jess Manfield/Environment/531942

Reason for Inclusion in Part II, if appropriate

N/A



APPLICATION LCC/2014/0122 CONSTRUCTION OF A SINGLE STOREY EXTENSION TO SOUTH ELEVATION OF THE SCHOOL. STAGHILLS CHILDRENS CENTRE, TOP BARN LANE, ROSSENDALE,

Development Control Committee

Meeting to be held on 3 September 2014

Electoral Division Affected: All

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

Contact for further information:

Pauline Kelly 01772 531929, Environment Directorate

Executive Summary

Planning applications determined by the Executive Director of 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 9 July 2014, the following planning applications have been granted planning permission by the Executive Director of Environment in accordance with the County Council's Scheme of Delegation.

Lancaster City

Application: No. LCC/2014/0110

Westgate Primary School, Langridge Way, Morecambe.

Non-compliance with condition 2 of permission 01/12/0450 for the retention of the existing temporary building and associated ramps until August 2012.

Application: No. LCC/2014/0109

Yealand C of E Primary School, Footeran Lane, Yealand Conyers, Carnforth.

Installation of sail shade to hard standing play area.

Application: No. LCC/2014/0080

Bleasdale House School, Emesgate Lane, Silverdale.

Single storey extension to create a new entrance to the day school.

Application: No LCC/2014/0117

Dolphinholme Primary School, Dolphinholme, Lancaster.

To create a perimeter path around the playing field to include soil amphitheatre and stage, storytelling corner, low level activity course, wild flower and orchard area with bird watching screen and outdoor classroom.

Wyre Borough

Application: No. LCC/2014/0070

Land North of Mains Lane, Poulton Le Fylde.

Modification to existing pipe bridge across main dyke, temporary access off the A585 Mains Lane on land adjacent to former Poulton Waste Water Treatment Works.

Application: No LCC/2014/0115

Heyhouses Endowed C of E Junior School, Clarendon Road North, Lytham St Annes.

Erection of 2.4 metre boundary fencing

Preston Borough

Application: No. LCC/2014/0107

Sherwood Primary School, Sherwood Way, Fulwood, Preston.

Relocation of existing fence, extension to existing playground and installation of artificial grass.

Application: No. LCC/2014/0089

Brockholes Wood School, Brant Road, Preston.

Relocation of the main entrance, erection of a canopy, railings and creation of an access ramp.

Application: No LCC/2014/0090

Ashton Primary School, Ainsdale Drive, Ashton on Ribble, Preston.

Installation of double gates within the existing 2.4m high fencing.

Application: No LCC/2014/0108

Sir Tom Finney School (Formerly Ashton Community Science College) Ribbleton Hall Drive, Ribbleton, Preston.

Relocation of existing 3m high security fence and creation of a multi-use games area with 3m high boundary fencing.

Application: No LCC/2014/0111

Longsands Community Primary School, Longsands Lane, Fulwood, Preston.

Temporary demountable classroom to accommodate the out of school club.

South Ribble Borough

Application: No. LCC/2014/0091

Cuerden Church School, Station Road, Bamber Bridge.

Provision of play equipment to the rear playground.

West Lancashire

Application: No. LCC/2014/0088

Bickerstaffe C of E Junior School, Hall Lane, Bickerstaffe, Ormskirk.

Extension to workroom.

Application: No. LCC/2014/0087
Asmall Primary School, Tennyson Drive, Ormskirk.
Infill extension and installation of doors within the rear elevation.

Application: No. LCC/2014/0086
Burscough Bridge Methodist School, Orrell Lane, Burscough.
Replacement of existing roof and windows and overcladding of the block walls.

Hyndburn Borough

Application: No. LCC/2014/0072
West End Primary School, Aspen Lane, Oswaldtwistle.
Single storey extension with access ramp and erection of woodland viewing platform

Application: No LCC/2014/0119
Hipping Methodist Primary School, Heron Way, Oswaldtwistle, Accrington.
Construction of a fully enclosed canopy within the reception playground

Burnley Borough

Application: No. LCC/2014/0098
Casterton Primary School, Thames Avenue, Burnley.
Creation of six additional parking spaces, relocation of disabled parking bay, new playground, concrete access ramp and new classroom doorway, relocation of existing two sheds and removal of fencing and provision of new path from main gate on Thomas Avenue to existing pathway.

Application: No. LCC/2014/0075
Burnley Campus, Barden Lane, Burnley.
Three single storey extensions to Holly Grove School and Barden Primary School.

Pendle Borough

Application: No. LCC/2014/0103
Earby Springfield Primary School, Bailey Street, Earby.
Installation of a demountable unit and relocation of existing storage shed.

Application: No LCC/2014/0118
Bradleys Nursery School, Bradley Road, Nelson.
Construction of a link corridor from the nursery to the sure start building to include a baby changing facility and activity space.

Rossendale Borough

Application: No. LCC/2014/0092
Unit 4 Hudhey Industrial Estate, Hudhey Road, Haslingden.
Variation of condition 2 of permission 14/13/0178 to extend the hours of working on Saturdays and Bank Holidays to 9am to 4pm.

Recommendation

That the report be noted.

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

Paper	Contact/Directorate/Ext
LCC/2014/0110, LCC/2014/0109	Pauline Kelly Environment
LCC/2014/0080, LCC/2014/0070	Ext: 31929
LCC/2014/0107, LCC/2014/0089	
LCC/2014/0091, LCC/2014/0088	
LCC/2014/0087, LCC/2014/0086	
LCC/2014/0072, LCC/2014/0098	
LCC/2014/0103, LCC/2014/0092	
LCC/2014/0119, LCC/2014/0117	
LCC/2014/0118, LCC/2014/0090	
LCC/2014/0108, LCC/2014/0111	
LCC/2014/0115, LCC/2014/0075	