

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 25th May, 2016 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Present:

County Councillor Munsif Dad (Chair)

County Councillors

T Aldridge	N Penney
B Dawson	P Rigby
K Ellard	A Schofield
M Green	K Sedgewick
P Hayhurst	K Snape
D Howarth	D Westley
M Johnstone	

Announcement

The Chair reported the sad death of County Councillor Michael Devaney who passed away on 19 May 2016.

Councillor Devaney was elected as a Conservative member to the County Council in 2009 and represented the electoral division of Chorley Rural North. During this time he held the position of Chairman of the County Council and Chair of the Development Control Committee.

The Committee joined with the Chair in paying tribute to Councillor Devaney.

1. Apologies for absence

None received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor K Snape declared a non pecuniary interest in agenda Items 4 and 10 as a member of Chorley Borough Council.

County Councillor D Howarth declared a non pecuniary interest in agenda Items 6 and 9 as a member of South Ribble Borough Council.

County Councillor K Ellard declared a non pecuniary interest in agenda Item 8 as the electoral division member for the area.

County Councillor P Hayhurst declared a non pecuniary interest in agenda Item 5 as a member of Fylde Borough Council.

County Councillor Green declared a non pecuniary interest in agenda items 6 and 9 as a member of South Ribble Borough Council. Councillor Green also declared a non pecuniary interest in agenda item 6 as he is acquainted with one of the objectors to the application

3. Minutes of the last meeting

That the Minutes of the last meeting held on 13 April 2016 be confirmed and signed by the Chair.

4. Chorley Borough: application number LCC/2015/0069 Revised working scheme including amended levels and extension of the mineral extraction and landfill areas at Clayton Hall Landfill Site, Dawson Lane, Whittle Le Woods

A report was presented on an application for a revised working scheme including amended levels and extension of the mineral extraction and landfill areas at Clayton Hall Landfill Site, Dawson Lane, Whittle Le Woods.

The Committee was reminded that at their meeting held on 2 March 2016, they had resolved to defer consideration of the application to allow officers to examine opportunities to control waste types on the site. A copy of the previous report was attached at Appendix A.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site and the nearest residential properties. The committee was also shown photographs of the proposed extension area and an illustration of the site layout plan and landscaping scheme.

Councillor Cullens, the borough councillor for the area, addressed the committee and reiterated a number of concerns raised in the report in relation to existing problems with noise, foul odours, flies, and bird nuisance at the site. It was suggested that if the committee was minded to approve the application, they should consider imposing additional conditions to further mitigate the impact of the proposals on local residents. These included conditions to control waste types and to ensure the site was capped/covered each evening. It was also suggested that a review be undertaken within six months of the commencement of operations.

In response to concerns raised by the Members, the officers advised that the extension area was at the furthest point from the main residential area and that the conditions attached to the planning permission would assist in mitigating the impact of the development on local residents. Further scrutiny and control of the restoration works would be undertaken by the Environment Agency through

the Environmental Permitting process and that it was not for the County Council to duplicate these controls.

Resolved: That, subject to the applicant first entering into a s.106 Agreement for the extended management of landscaping and habitats for a period of 5 years in addition to 5 years of aftercare controlled by condition (including the site area under permission 09/98/0049 (now replaced by permission 09/13/1075)), and the maintenance and management of footpaths and public access in perpetuity, and after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, planning permission be **granted** subject to the conditions set out at Appendix A in the report to the committee.

**5. Fylde Borough: Application number LCC/2016/0014
Change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips (Retrospective application). Land at Lidun Park Industrial Estate, off Boundary Road, Lytham.**

A report was presented on an application for a retrospective change of use of land and building as an extension to the existing adjacent waste transfer station and for the storage of skips on land at Lidun Park Industrial Estate, off Boundary Road, Lytham.

The report included the views of Fylde Borough Council, the County Council's Highways Development Control and Specialist Advisor (Ecology), the Environment Agency, Natural England and details of two letters of objection received.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site and the nearest residential properties. The committee was also shown an illustration of the site layout plan and landscaping scheme and photographs of the site from various viewpoints.

The officer reported orally that the applicant has submitted further information in response to the committee report and in particular comments on conditions 6 and 8. The applicant had also commented upon the noise, dust and odour impacts that had been raised by local residents. The comments together with the officer advice, was set out in the Update Sheet and circulated at the meeting (Copy attached at Annex 1 to the Minute Book).

A local resident addressed the committee and objected to the proposals on the grounds that the continued development and operations at the site caused severe detriment to the amenity of residents. A recording of the noise levels emanating from the site was played at the meeting to demonstrate this point. It was maintained that the persistent and continuing breaches to the conditions designed to mitigate noise and dust levels and contained within previous permissions had failed to safeguard residential amenity.

Following debate during which officers responded to questions raised by the Members with regard to noise, the reported breach of operating hours and the enforcement of planning conditions, it was Moved and Seconded that:

"The application be deferred to allow the Development Control Committee visit the site prior to determining the application."

Upon being put to the vote the Motion was Carried. It was therefore:

Resolved: That the application be deferred to allow the Development Control Committee to visit the site prior to determining the application.

**6. South Ribble Borough: application number. LCC/2016/0025
Proposed roof alteration to house additional tanks at 117-118
Clydesdale Place, Moss Side Industrial Estate, Leyland.**

A report was presented on an application for a proposed roof alteration to house additional tanks at 117-118 Clydesdale Place, Moss Side Industrial Estate, Leyland.

The Committee was reminded that they had granted planning permission for a smaller proposed roof alteration to house additional tanks in December 2015.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site and the nearest residential properties. The committee was also shown photographs of the site and an illustration of the roof alteration and proposed vehicle turning area.

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

**7. Ribble Valley Borough: application number. LCC/2016/0027
Importation and processing of construction and demolition waste
including road planings and reclaimed asphalt pavement (RAP)
including the regularisation of the RAP hopper. Bankfield Quarry,
Pimlico Link Road, Clitheroe.**

A report was presented on an application for an application for the importation and processing of construction and demolition waste including road planings and reclaimed asphalt pavement (RAP) including the regularisation of the RAP hopper at Bankfield Quarry, Pimlico Link Road, Clitheroe.

The report included the views of Ribble Valley Borough Council, Clitheroe Town Council, the County Council's Highways Development Control, the Environment Agency and details of one letter of representation received.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site and the nearest residential properties. The committee was also shown photographs of the site from various aspects.

Mr Tunstall addressed the committee on behalf of his clients who owned a plot of land adjacent to the site for which outline planning permission had been granted for residential dwellings. Concern was expressed that the applicant's noise report did not acknowledge the existence of this planning permission and that the proposed recycling activity would give rise to harm to the occupiers of the proposed residential development due to noise and night time activities. Concern was also expressed at the number of additional HGV vehicle movements the proposals would generate. The Committee was requested to defer the application to enable the applicant to revisit the appropriate noise and traffic assessments to specifically consider the impact of the development on the proposed housing development. Mr Tunstall also suggested an amendment to Condition 8 to ensure noise levels emitted from the site did not exceed the levels stated in condition 30 and 31 when measured from the proposed housing development.

Officers responded to questions raised by the Members in relation to the retrospective nature of part of the application and reminded the committee that the current planning permission for the quarry was time limited until 2018. The committee was advised that should an application be made for a continuation of any quarrying and recycling beyond that date, there would be opportunity to review night-time working and noise limitations at that time.

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

**8. Preston City: application number. LCC/2016/0029
Application for the removal of condition 4 and the variation of
condition 5 of permission 06/12/0695 to remove the restriction on
opening hours of the visitor centre and to allow amplified music
within the building from 9am to 1am Mondays to Sundays.
Brockholes Nature Reserve, Preston New Road, Samlesbury**

A report was presented on an application for the removal of condition 4 and the variation of condition 5 of permission 06/12/0695 to remove the restriction on opening hours of the visitor centre and to allow amplified music within the building from 9am to 1am Mondays to Sundays at Brockholes Nature Reserve, Preston New Road, Samlesbury.

The report included the views of South Ribble Borough Council, Preston City Council, Samlesbury Parish Council and details of sixteen letters of representation received including one from Nigel Evans MP.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site and the nearest residential properties.

The officer reported orally that a further representation had been received objecting to the application. It was felt that playing amplified music was not conducive to a site that was meant to be a nature reserve. The noise and vehicle headlights would disrupt the wildlife and there were many underutilised venues elsewhere that would not present such risks.

The Committee was advised that similar issues had been made in other representations and were addressed in the committee report.

The applicant addressed the Committee and spoke in support of the application. It was explained that income from weddings and other celebrations was required to fund the management of the surrounding nature reserve. The current restrictions on the playing of amplified music limited the ability to attract this business. The applicant pointed out that they were willing to comply with the mitigation measures proposed, including the use of a noise limiter which would restrict outputs from a PA system to a pre-set level.

Following debate during which officers responded to questions raised by the Members in respect of the extension of working hours, it was:

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

**9. South Ribble Borough: application number LCC/2016/0035
Variation of condition 1 of permission 07/11/0739 to allow the
development to continue until 01 June 2031 and variation of
condition 26 of permission 07/11/0739 to allow site operations from
06.30am Mondays to Fridays, in relation to the extraction of sand
and restoration to agricultural land by the importation of waste at
Lydiat Lane Sand Quarry, Lydiat Lane, Farington, Leyland.**

A report was presented on an application for a variation of condition 1 of permission 07/11/0739 to allow the development to continue until 01 June 2031 and variation of condition 26 of permission 07/11/0739 to allow site operations from 06.30am Mondays to Fridays, in relation to the extraction of sand and restoration to agricultural land by the importation of waste at Lydiat Lane Sand Quarry, Lydiat Lane, Farington, Leyland.

The Development Management Officer advised that a site visit would provide the Committee with a clearer understanding of the development proposal, any issues raised, and the relationship of the site to the surrounding area before the application is determined.

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

- 10. Chorley Borough: Application number. LCC/2016/0037
Proposed new three form entry primary school for pupils aged 4-7 including single storey building, car parking area, hard surface play area, grass playing pitch and 1.5m and 2.4m high perimeter fencing.
Trinity CE Methodist Primary School, Brookwood Way, Buckshaw Village, Chorley**

A report was presented on an application for a proposed new three form entry primary school for pupils ages 4-7 including single storey building, car parking area, hard surface play area, grass playing pitch and 1.5m and 2.4m high perimeter fencing.

The Development Management Officer advised that the main planning issues raised by the proposal related to the traffic impacts on the highway network particularly on Buckshaw Avenue, Central Way and Brookwood Way. Given that this application was for the development of a new school, it was proposed that the Committee visit the site before considering the application.

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

- 11. Planning Applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.**

It was reported that since the last meeting of the committee, five planning applications had been granted planning permission by the Head of Service Planning and Environment in accordance with the County Council's Scheme of Delegation.

Resolved: That the report be noted.

- 12. Urgent Business**

There were no items of urgent business.

- 13. Date of Next Meeting**

Resolved: That the next meeting of the Committee be held on Wednesday 13 July 2016.

- 14. Update sheet**

I Young
Director of Governance, Finance
and Public Services

County Hall
Preston