

## Lancashire County Council

### Development Control Committee

**Minutes of the Meeting held on Wednesday, 13th July, 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	M Johnstone
B Dawson	N Penney
M Green	P Rigby
P Hayhurst	A Schofield
C Henig	K Sedgewick
S Holgate	D Westley
D Howarth	B Yates

County Councillors Stephen Holgate and Chris Henig replaced County Councillors K Snape and K Ellard on the Committee.

#### **1. Apologies for absence**

None Received.

#### **2. Appointment of Chair and Deputy Chair**

The committee was informed that the County Council had appointed County Councillors M Dad and K Ellard as Chair and Deputy Chair respectively of the committee for the ensuing year.

**Resolved:-** That the appointment of County Councillors M Dad and K Ellard as Chair and Deputy Chair of the committee be noted.

#### **3. Constitution, Membership and Terms of Reference of the Committee**

**Resolved:-** That the Constitution, Membership and Terms of Reference of the Committee be noted.

#### **4. Disclosure of Pecuniary and Non-Pecuniary Interests**

County Councillor P Hayhurst declared a non pecuniary interest in agenda Item 8 as a member of Fylde Borough Council.

County Councillor T Aldridge declared a non pecuniary interest in agenda item 9 as a member of West Lancashire Borough Council.

County Councillor Yates and Howarth and Green declared a non pecuniary interest in agenda item 10 as members of South Ribble Borough Council.

County Councillor Green also declared a non pecuniary interest in agenda item 10 as he is acquainted with two borough councillors who had raised objections to the application.

#### **5. Minutes of the last meeting held on 25 May 2016**

**Resolved:** That the Minutes of the meeting held on the 25 May 2016 be confirmed and signed by the Chair.

#### **6. Preston City: application number. LCC/2015/0070 Variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays) 7.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays. Recycling Lives, Longridge Road, Preston**

A report was presented on the variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays) 7.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays at Recycling Lives, Longridge Road, Preston.

The Committee was reminded that a report relating to this planning application was originally presented to the Development Control Committee on 2<sup>nd</sup> March 2016. At that meeting it was resolved to refuse planning permission with the application being brought back to the following meeting to confirm the precise reasons for refusal.

A report then followed to the meeting on 13<sup>th</sup> April 2016 which outlined possible reasons for refusal. However, following consideration of the report, it was resolved that the application be deferred in order to allow further discussions with the applicant as to the mitigation measures that might be employed to address the concerns of the committee regarding the environmental impacts of the additional hours of operation.

The committee was informed that following the Committee meeting on 13<sup>th</sup> April 2016, the applicant had submitted further information outlining the mitigation measures proposed to further address any noise, dust and other amenity impacts resulting from the operation of this site.

The Development Management Officer reported orally that the applicant had made a number of comments in relation to the list of recommended conditions

appended to the report. These were set out in the Update Sheet circulated at the meeting (copy set out at Annex A to the Minute Book and published as a supplementary report to the agenda).

The Officer advised that the proposed changes to the conditions set out in the Update Sheet were acceptable. The committee was also advised that the applicant had agreed to accept the recommended hours of operation of the pre-shredder as set out at Condition 2 to the planning permission.

Following questions to the officers with regard to the mitigation measures proposed it was:

**Resolved:** That planning permission be **Granted** subject to the conditions set out in the report to committee and the inclusion of the amended conditions as set out in the Update Sheet.

**7. Fylde Borough: Application number LCC/2016/0013  
Erection of a detached office building and an open sided extension to the existing waste transfer building to cover a conveyor belt and two outside storage bays. (Retrospective application). Land at Lidun Park Industrial Estate, Off Boundary Road, Lytham.**

A report was presented on a retrospective application for the erection of a detached office building, and an open sided extension to the existing waste transfer building to cover a conveyor belt and two outside storage bays 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, the Environment Agency, Natural England and details of two letters of representation received.

The Committee visited the site on the 8 July 2016.

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 viewpoints and an illustration of the site layout plan and landscaping scheme.

The officer reported orally that a number of comments had been received in relation to this and the linked planning application at agenda item 8. These included the response of the applicant to the comments of Fylde Borough Council's Environmental Health Officer, a further representation from a local resident and officer advice in relation to such. These were set out in the Update Sheet circulated at the meeting (copy set out at Annex A to the Minute Book and published as a supplementary report to the agenda).

A local resident addressed the committee in relation to this application and the linked planning application at agenda item 8. The committee was informed that local residents had complained about the noise levels created by the operations

on the site; that the development severely affected their amenity; and that further development on this site would only add to this. It was felt that the loading of skips onto the back of HGV's should be viewed as a waste transfer operation and should take place within the permitted hours of operation. It was claimed that the applicant was in breach of planning conditions by operating outside permitted hours and by sorting/processing materials outside of the buildings. The Committee was asked to protect residents from the noise generated by this development.

The applicant addressed the committee and advised that a dust suppression system was in place and that the company proposed to introduce further mitigation measures to reduce the noise levels created by the operations on site. Details of the proposed mitigation measures were set out in the Update Sheet.

Officers responded to concerns raised by the Members in relation to the noise levels following which it was:

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

**8. Fylde Borough: Application No. 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 a retrospective application for the 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 Committee was reminded that a report on this application was presented to their last meeting on the 25<sup>th</sup> May 2016. At that meeting it was resolved that consideration of the application be deferred to allow the Committee to visit the site.

The Committee visited the site on the 8 July 2016.

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 a number of comments had been received in relation to this and a linked planning application at agenda item 7. These included the response of the applicant to the comments of Fylde Borough Council's Environmental Health Officer, a further representation from a local resident and officer advice in relation to such. These were set out in the Update

Sheet circulated at the meeting (copy set out at Annex A to the Minute Book and published as a supplementary report to the agenda).

A local resident and the applicant addressed the committee in relation to this application and the linked planning application at agenda item 7. Details of the representations made in respect of both applications are set out in the Minute to item 7.

Officers responded to concerns raised by the Members in relation to the noise generated by the operations on the site, following which it was Moved and Seconded that:

"The application be granted subject to the imposition of additional conditions requiring:

- The access road to be resurfaced
- Covers to be fitted on lifting chains on all HGV skip wagons to reduce noise during movement".

On being put to the vote the Motion was Lost

Following further debate and advice from the Officers, it was Moved and Seconded that:

"The application be granted subject to the imposition of an additional condition requiring covers to be fitted on lifting chains on all HGV skip wagons to reduce noise during movement."

On being put to the vote the Motion was Carried

The additional condition is included in the Minutes for completeness:

- '11. Within two months of the date of this planning permission, details of measures to be employed to reduce noise arising from skip lifting chains fitted to HGV's shall be submitted to the County Planning Authority for approval in writing.

The measures contained in the approved scheme shall be fitted to all HGV's removing skips from the land subject to this permission and the land permitted for waste transfer uses by virtue of planning permission ref 5/08/0326. The approved measures shall be implemented within one month of the date of the approval of the details by the County Planning Authority and shall thereafter be employed and maintained in working condition at all times.

*Reason: To safeguard the amenities of adjacent properties and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

Conditions 11 and 12 to be renumbered accordingly'.

**Resolved:** That planning permission be **Granted** subject to the conditions set out in the report to the Committee and the additional condition as set out above.

**9. West Lancashire Borough: Application Number LCC/2016/0022  
Change of use of land and buildings to a waste transfer station and  
for the storage of skips, the provision of three metal corrugated  
cabins for use as staff toilets and a kitchen, and 25 car parking  
spaces. Units 11 - 13 Simonswood Industrial Estate, Stopgate Lane,  
Simonswood, Kirkby**

A report was presented on an application for a change of use of land and buildings to a waste transfer station and for the storage of skips, and the provision of three metal corrugated cabins for use as staff toilets and a kitchen, and 25 car parking spaces at Units 11 - 13 Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.

The report included the views of West Lancashire Borough Council, Simonswood Parish Council, the County Council's Highways Development Control and the Environment Agency.

It was reported that following the publication of the agenda report, further views had been received from Simonswood Parish Council. They indicated that whilst they still had concerns about the activities on the industrial estate as a whole, they had withdrawn their objection to the application.

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 a site layout plan.

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

**10. 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 the 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 report included the views of South Ribble Borough Council, the County Council's Highways Development Control, the County Ecological Service, the Environment Agency, Highways England, and details of 12 letters of representation received including letters from the borough councillors for Farington East in South Ribble.

The Committee visited the site on the 8 July 2016.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site, the nearest residential properties and the adjacent Cuerden Strategic Site. The committee was also shown photographs of the site and various site layout and site location plans.

The Officer reported orally that a number of comments had been received in relation to the Committee report and the applicant's slope stability assessment. The comments and the officer advice in relation to such and in relation to Public Footpath numbers 6, 7 and 9, Cuerden were set out in the Update Sheet. (Copy set out at Annex A to the Minute Book and published as a supplementary report to the agenda).

The Planning Director of Turley (planning consultants) addressed the Committee on behalf of his client. The Committee was informed that a time extension at the quarry could have a negative impact on the development of the adjacent Cuerden Strategic Employment Site. The Director reiterated the concerns raised in the report and in the Update Sheet with regard to slope stability. He requested that the Committee defer determination of the application until a full and detailed geo-technical assessment had been submitted by the applicant or preferably, until the applicant had agreed to carry out, on an annual basis, further assessment work including a topographical survey. It was hoped this would provide an appropriate level of certainty. It was suggested that this could be done through the imposition of the proposed additional conditions set out in the Update Sheet.

The agent for the applicant addressed the committee and spoke in support of the application. The Committee was advised that:

- The principle of quarrying and restoring the site had already been established.
- Topographical surveys were already carried out on an annual basis.
- The applicant had submitted a geo-technical assessment. This satisfactorily demonstrated that the previously approved and currently proposed extraction boundaries were not be likely to lead to any slope failure beyond the site boundary.

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

**11. 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 at Trinity CE Methodist Primary School, Brookwood Way, Buckshaw Village, Chorley.

The report included the views of the County Council's Specialist Advisor (Ecology), Sport England, Natural England, the County Council's Specialist Advisor (Landscape), the LCC Lead Local Flood Authority, the County Council's Developer Support (Highways) and details of one letter of representation received.

The Committee visited the site on the 8 July 2016.

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 viewpoints and an illustration of the site layout plan and the proposed buildings.

The officer reported orally that in response to issues raised by Members at the site visit, the applicant had submitted a plan showing an indicative location and design of a drop off area for parents at the front of the school facing Brookwood Way.

The Committee was advised that the drawing was indicative of the type of drop off facility that could be provided. It was considered that a condition should be imposed to require a plan to be submitted for approval showing the design of the drop off area as follows:-

9. No development apart from ground contouring works necessary to provide a development platform shall take place until a scheme and programme showing the layout and design of a drop off area for parents has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall show the following:-
  - a) The layout of the drop off / pick up area including number of spaces to be provided.
  - b) Details of pedestrian access and segregation
  - c) Details of the design of the vehicular access to and egress from the drop off / pick up area to / from Brookwood Way

The drop off / pick up area shall be constructed in accordance with the approved scheme and programme and made available for use prior to the school being brought into use.



*Reason: In the interests of highway safety and to conform with Policy 3 of the Central Lancashire Core Strategy*

It was proposed that Part a) of condition 6 could be deleted as it would be superseded by condition 9.

Officers responded to questions raised by the Members with regard to the drop off zone, the adjacent biological heritage site, the School Travel Plan and additional road safety measures.

Officers advised that traffic regulation orders relating to parking controls and pedestrian safety measures could not be imposed by way of a planning condition. However, a condition could be imposed requiring statutory consultation to be carried out on any proposed safety measures, which could then lead to the making of a traffic regulation order.

Following further debate, it was Moved and Seconded that:

"Planning permission be granted subject to inclusion of condition 9 above and an additional condition as follows:

The school building shall not be occupied until statutory consultation upon a proposal to make a traffic regulation order relating to parking controls and pedestrian safety measures on Brookwood Way has been completed.

On being put to the vote the Motion was Carried.

The additional condition is set out in full below for completeness:

10. The school building shall not be occupied until statutory consultation upon a proposal to make a traffic regulation order relating to parking controls and pedestrian safety measures on Brookwood Way has been completed.

*Reason: In the interests of highway safety and conform with Policy 3 of the Central Lancashire Core Strategy.*

**Resolved:** That planning permission be **Granted** subject to the conditions set out in the report to the Committee and the additional conditions as set out above.

- 12. Chorley Borough: Application Number LCC/2016/0039**  
**Single storey extension to provide 3 additional classrooms, a studio, a staff room, a new visitor reception and lobby area, storage space, two cloakroom/ toilet areas for the teaching areas and circulation corridors, a relocated and smaller 17 space car park with associated lighting columns, conversion of the existing grassed playing field into an all-weather pitch with 3.6m high weld mesh**

**fencing, and revised junior playground area and extended infant playground area. St. Georges Primary School, Carr Lane, Chorley.**

A report was presented on an application for a single storey extension to provide 3 additional classrooms, a studio, a staff room, a new visitor reception and lobby area, storage space, two cloakroom/ toilet areas for the teaching areas and circulation corridors, a relocated and smaller 17 space car park with associated lighting columns, conversion of the existing grassed playing field into an all-weather pitch with 3.6m high weld mesh fencing, and revised junior playground area and extended infant playground area at St. Georges Primary School, Carr Lane, Chorley.

The report included the views of the County Council's Highways Development Control, the Coal Authority, Sport England, the County Council's Specialist Advisors (Lighting, Landscape & Ecology) and details of two letters 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 access road and the site from various viewpoints and an illustration of the site layout plan and the proposed buildings.

The Officer reported orally that Sport England had now withdrawn their objection to the proposal and therefore condition 3 could be deleted and replaced with the following condition:

The all-weather pitch shall be constructed in accordance with drawing L102 – General External Works Proposals – Synthetic Grass Pitch and Car Parking and drawing L105 Detailed External Works Proposals – Synthetic Grass Pitch.

*Reason: To provide good quality school outdoor open space and sport and recreational facilities, and to protect the visual amenities of the area, and to conform with Policies BNE1 and HW2 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document, and Policies 14 and 24 of the Central Lancashire Adopted Core Strategy Local Development Framework.*

**Resolved:** That planning permission be **Granted** subject to the conditions set out in the report to the Committee and subject to the replacement of condition 3 with the condition set out above.

**13. Preston City: Application number. LCC/2016/0046  
Development of new highways including Preston Western  
Distributor, Cottam Link Road and East West Link Road.**

A report was presented on an application for a Development of new highways including Preston Western Distributor, Cottam Link Road and East West Link

Road. The proposals included a new motorway junction to the M55 together with temporary soil storage and contractor areas, cycle track alongside all highways, water attenuation ponds, diversion/stopping up of public rights of way, landscaping and ecology mitigation areas, construction of two bridges, two viaducts, two underpasses and a cattle creep on land in Lea, Cottam and Bartle and to the west and north of the existing built up area of Preston.

The Development Management Officer advised that the new highways would be a major piece of strategic transport infrastructure which would inevitably have some impacts on the local environment. In order to appreciate the location and design of the proposed routes as well as the local environmental impact, it was considered that Members should visit the route of the proposed highways before considering the planning application.

**Resolved:** That the Development Control Committee visits the route of the proposed highways before determining the applications.

**14. 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.

**15. Urgent Business**

There were no items of urgent business.

**16. Date of Next Meeting and timetable of meetings for 2016/17**

**Resolved:** That the scheduled of meetings for 2016/17 be noted.

**17. Update Sheet**

The Update Sheet contained information that was not available when the agenda was dispatched.

I Young  
Director of Governance, Finance  
and Public Services

County Hall  
Preston

