

## Lancashire County Council

### Development Control Committee

Wednesday, 18th January, 2017 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

#### Agenda

##### Part I (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 19 October 2016** (Pages 1 - 4)

The Committee are asked to agree that the Minutes of the last meeting held on 19 October 2016 be confirmed and signed by the Chair.
4. **Lancaster City: Application number LCC/2016/0065** (Pages 5 - 24)

**The erection of solar photovoltaic panels and associated works including switchgear housing, security fencing and integral connection to Lancaster Waste Treatment Works. Lancaster Waste Water Treatment Works, Stodday Lane, Lancaster. (Retrospective application)**
5. **Preston City: Application Number. LCC/2016/0085** (Pages 25 - 30)

**Change of use / conversion / extension of the former Park Hotel building from offices (Class B1) back to a hotel (Class C1) to include a new build single storey pavilion building and demolition of the existing JDO office building and its replacement with a 6-storey office building / extension to the hotel. Change of use / conversion / part demolition and rebuild of No.8 East Cliff from offices (Class B1) to health spa (Class D1) together with remodelling of existing car parking and landscaping works. Former Park Hotel Complex, East Cliff, Preston.**

- 6. Chorley Borough: application number. (Pages 31 - 34)**  
**LCC/2016/0090**  
**Single storey extension to allow expansion of admission numbers, additional playground/car parking areas, fenced MUGA and temporary single storey double classroom at Balshaw Lane Community Primary School, Bredon Avenue, Euxton**
- 7. Lancaster City: Application number LCC/2016/0092 (Pages 35 - 42)**  
**Erection of 2.4 metre high security fencing and pedestrian access gate to Gaisgill Avenue boundary of the school. Westgate Primary School, Langridge Way, Morecambe.**
- 8. South Ribble Borough: application number (Pages 43 - 46)**  
**LCC/2017/0001**  
**Construction of a new highway consisting of Penwortham Bypass (1.3 km long dual carriageway) together with temporary soil storage and contractor areas, acoustic fencing, the relocation of school playing fields, combined cycle track connecting to Howick Moor Lane, water attenuation pond, diversion/stopping up of public right of way, landscape and ecological mitigation areas on land from the A582 Broad Oak roundabout to the A59 between Howick C of E Primary School and Blackhurst Cottages**
- 9. Planning Applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation (Pages 47 - 50)**
- 10. North West Coast Connections Project: Proposed Route Alignment Stage (Pages 51 - 54)**
- 11. Fylde Borough: Application LCC/2016/0007 - The erection of photovoltaic panels and associated works including switchgear housing, security fencing and integral connection to the existing waste water treatment work substation. Clifton Marsh Waste Water Treatment Works, Preston New Road, Freckleton**
- 12. 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.

**13. Date of Next Meeting**

The next meeting of the Development Control Committee will be held on Wednesday 1<sup>st</sup> March 2017 at 10.00 a.m. in Cabinet Room B - the Diamond Jubilee Room, County Hall, Preston.

I Young  
Director of Governance,  
Finance and Public Services

County Hall  
Preston



## Lancashire County Council

### Development Control Committee

**Minutes of the Meeting held on Wednesday, 19th October, 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
M Green	A Schofield
P Hayhurst	K Snape
S Holgate	D Stansfield
D Howarth	D Westley
M Johnstone	B Yates

County Councillors S Holgate and D Stansfield replaced County Councillors K Ellard and K Sedgewick at the meeting respectively.

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

None received.

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

County Councillor Snape declared a non pecuniary interest in agenda item 5 as a member of Chorley Borough Council.

County Councillor Hayhurst declared a non pecuniary interest in agenda item 6 as the electoral division member for the area.

#### **3. Minutes of the last meeting held on the 7 September 2016**

**Resolved:** That the Minutes of the meeting held on the 7 September 2016 be confirmed and signed by the Chair

- #### **4. Wyre Borough: Application Number LCC/2016/0051 Amendments to existing air extraction and filtration system consisting of a 25 metre high steel vent stack to replace the existing 16.6 metre high stack, three dust collectors, three system fans, cyclones, steel ducting and relocated shipping container housing a carbon filter unit. Unit 8, Burn Hall Industrial Estate, Venture Road, Thornton.**

A report was presented on an application for amendments to the existing air extraction and filtration system consisting of a 25 metre high steel vent stack to replace the existing 16.6 metre high stack, three dust collectors, three system fans, cyclones, steel ducting and relocated shipping container housing a carbon filter unit at Unit 8, Burn Hall Industrial Estate, Venture Road, Thornton.

The report included the views of the County Council's Highways Development Control and Specialist Adviser (Ecology), Wyre Borough Council, the Environment Agency 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 a plan of the building, the proposed elevations and photographs of the site from the nearest residential properties on Springfield Terrace.

The Committee welcomed the proposed improvements to the working conditions within the waste transfer building but raised concerns with regard to the odour impacts of the proposal on the adjacent Cala Gran Holiday Park. Following further debate it was Moved and Seconded that:

"The application be deferred pending further consideration of odour abatement technology and in particular, a carbon filter system.

On being put to the vote, the Motion was **Lost**

Following further debate, the substantive Motion was put to the vote, following which it was:

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

**5. Chorley Borough: application number LCC/2016/0059  
Extension to the area of phased extraction of sand, gravel and clay,  
followed by infilling with inert waste for restoration purposes back  
to agriculture, woodland, and nature conservation including a 5m  
high screen bund at Sandons Farm, Sandy Lane, Adlington, Chorley**

A report was presented on an application for an extension to the area of phased extraction of sand, gravel and clay, followed by infilling with inert waste for restoration purposes back to agriculture, woodland, and nature conservation including a 5m high screen bund at Sandons Farm, Sandy Lane, Adlington, Chorley.

The report included the views of Adlington Town Council, the Environment Agency, the County Council's Ecology Service, the Canal and River Trust, Natural England and details of six 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 site from various viewpoints and an illustration of the location plan and development plan.

The Committee visited the site on Monday 17 October 2016.

The Officer advised the Committee that further representations had been received since the publication of the agenda report. These included a representation from Lindsay Hoyle MP and a local resident. The representations together with the officer's advice are set out in the Update Sheet. (Copy set out at Annex A to the Minute book and attached as a supplementary agenda item).

Chorley Borough Councillor Graham Dunn addressed the Committee on behalf of the Borough Council. Councillor Dunn reminded the Committee that the planning inspector had previously overturned the decision of the County Council and granted the original planning application having concluded that the quarry was too far away to impact on the visual amenity of the nearest residential properties. It was pointed out that this proposal would halve the distance between the quarry and the residential properties thereby increasing the visual impact on residents. In addition, the proposed bund was higher and closer to the properties, and would therefore, further impact on visual amenity. It was also pointed out that the proposal would exacerbate existing problems associated with wind-blown dust from the site.

Officers responded to concerns raised by the Committee with regard to outstanding enforcement issues at the site, the noise from the site, the need for the minerals, the proposed timescale for extracting and restoring the site and the proposed start time of the operations on Mondays to Fridays.

Following further discussion, and in order to mitigate the impact of the proposals on the nearest residential properties, it was proposed to amend condition 16 to ensure that no mining operations, landfilling or restoration would take place except between the hours of 0800 to 1800 hours Monday to Friday.

**Resolved:** That, subject to the applicant first entering into a s.106 Agreement for the extended management of landscaping, habitats and public access for a period of 10 years in addition to 5 years of aftercare controlled by condition (consistent with planning permission 09/05/0018), and an amendment to condition 16 to ensure that no mining operations, landfilling or restoration shall take place except between the hours of 0800 to 1800 hours Monday to Friday, planning permission be **granted** subject to the conditions set out in the report to the Committee.

**6. Fylde Borough: Application number LCC/2016/0060  
Construction of earth bunded lagoon to store digestate from  
anaerobic digester plant at Stanley Villa Farm. Field off Mythop  
Road, Weeton**

A report was presented on an application for the construction of earth bunded lagoon to store digestate from anaerobic digester plant at Stanley Villa Farm. Field off Mythop Road, Weeton.

The report included the views of Fylde Borough Council, Weeton-with-Preese Parish Council, the County Council's Highways Development Control, the Environment Agency, Network Rail, the County Council's Specialist Advisor (Ecology) and Specialist Advisor (Archaeology), LCC Lead Local Flood Authority, Ministry of Defence Lands – Safeguardings 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 viewpoints and an illustration of the site layout plan.

Officers responded to concerns raised by Members in relation to the location of the site and its proximity to Weeton Village. The views of the Council's Specialist Adviser (Ecology) were also discussed.

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

**7. 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, nine 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.

**8. Urgent Business**

There were no items of urgent business.

**9. Date of Next Meeting**

**Resolved:** That the next meeting of the Committee be held on Wednesday 7 December 2016.

I Young  
Director of Governance, Finance  
and Public Services

County Hall  
Preston



## Development Control Committee

Meeting to be held on 18<sup>th</sup> January 2017

Electoral Division affected:  
Lancaster Central

### Lancaster City: Application number LCC/2016/0065

**The erection of solar photovoltaic panels and associated works including switchgear housing, security fencing and integral connection to Lancaster Waste Treatment Works. Lancaster Waste Water Treatment Works, Stodday Lane, Lancaster. (Retrospective application)**

Contact for further information:

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### Executive Summary

Application - The erection of solar photovoltaic panels and associated works including switchgear housing, security fencing and integral connection to Lancaster Waste Treatment Works. Lancaster Waste Water Treatment Works, Stodday Lane, Lancaster. (Retrospective application)

### Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, landscaping, ecology, noise controls and layout of development.

### Applicant's Proposal

The application seeks retrospective permission for a ground mounted solar panel array covering an area of approximately 3 ha including associated switchgear housing, security fencing and new 11kv feeder cable. The purpose of the solar array is to provide electrical power to the adjacent waste water treatment works.

The solar panels are mounted in a series of rows which run east / west across the application site. The panels are mounted on metal frames which are fixed into the ground. The maximum height of the panels is around 2.2 metres above ground level sloping down to 600 mm above ground level on their lower edge.

Eighteen rows of panels have been installed with each row varying in length between 13 metres and 52 metres.

Inverters (equipment which converts DC current into AC current) are installed on 7 of the rows. The inverters are fixed to distribution boards and measure 665 mm x 755 mm and are fixed approximately 600 mm above ground level.

Two buildings are also included within the application. One is a shipping container type building measuring 2.9 metres by 2.4 metres by 2.5 metres in height which houses electronic switchgear. The other is a glass reinforced plastic kiosk building measuring 3 metres by 3 metres by 2.5 metres in height which houses a ring main unit.

The fencing runs around the boundaries of the solar panel site (a distance of 670 metres) and is comprised of 1.5 metre high mesh security fencing.

The solar panels would have a peak generating output of 1.5MW and an operational life of 25 years.

### **Description and Location of Site**

The application relates to an area of agricultural pasture measuring 100 metres by 100 metres located immediately north of Lancaster Waste Water Treatment Works. The works is 3km south west of Lancaster city centre and 700 metres northwest of Stodday. The treatment works is accessed via a number of minor roads that link with the A588.

To the west of the application site is the Condor Green to Lancaster Cycle path beyond which is the Lune Estuary which is designated as a SSSI and a Special Protection Area.

There are two residential properties at Low Wood which immediately adjoin the application site to the north east.

Part of the site lies with flood zone 2 and 3

### **Background**

The application site is located immediately to the north of Lancaster Waste Water Works where a number of permissions have been granted for waste water treatment infrastructure and ancillary development.

The solar panels were the subject of an application for a certificate of lawful development (ref CRT/2015/0096). However, the application was withdrawn to allow the present planning application to be submitted. An EIA screening opinion was undertaken at the time of the lawful use application which determined that the proposed development was not EIA development.

Lancaster City Council have also granted planning permission for a solar array covering an area of around 10 hectares on land at Arna Wood to the north of the application site. This permission has not yet been implemented.

### **Planning Policy**

National Planning Policy Framework

Paragraphs 7, 11-14, 58, 97 – 98, 118 - 119 of the NPPF are relevant with regards to the definition of sustainable development, core planning principles, the need for good design and landscaping, the need for renewable energy infrastructure and impacts on ecology.

Lancaster District Core Strategy

Policy SC1 – Sustainable Development

Policy SC5 – Quality in design

Policy ER7 – Renewable Energy

Lancaster District Local Plan (Development Management DPD)

Policy NPPF 1 – Presumption in favour of sustainable development

Policy DM7 – Economic Development in Rural Areas

Policy DM17 – Renewable Energy Generation

Policy DM27 – Protection and Enhancement of Biodiversity

Policy DM28 – Development and Landscape

Policy DM29 – Protection of Trees, Hedgerows and Woodland

Policy DM35 – Key design Principles

Policy DM38 – Development and Flood Risk

## **Consultations**

Lancaster City Council: No objection subject to the following:-

- additional planting being undertaken along the north western boundary of the site and between the development and the closest residential properties
- some enhancement to nature conservation should be considered as other similar sites have included the requirement for a habitat management plan.
- Consideration should be given to hours of maintenance in view of the proximity to properties.

Natural England: Advise that the potential impacts on the nearby designated wildlife sites are unlikely to have been significant or long term. The level of survey that has been undertaken was less than what might normally be expected but the development has already been undertaken and therefore no further information can be collected. There may have been some disturbance to wintering birds during construction operations. However, the development site is not located within an area of known use for birds associated with the Morecambe Bay SPA and the characteristics of the site mean that it is unlikely to be attractive to significant numbers of SPA birds. Natural England therefore advise that the development would not have had a likely significant effect on the designated sites.

County Ecology Service: The application area is generally of low biodiversity value comprising improved horse grazed grassland. The proposals do have potential for impacts on adjacent statutorily designated sites in Morecambe Bay and it is therefore the responsibility of the County Council as competent authority to consider whether the proposals would have a likely significant effect on the European wildlife site having regard to advice from Natural England. The application site is sub optimal to

support SPA birds and is not considered to be functionally linked to the SPA and therefore would not have resulted in the direct loss of any habitat required to sustain SPA birds. The site is screened from the SPA by the hedgerows alongside the Lancashire Coastal Way such that any impacts during operation are unlikely. However, it is possible that construction impacts may have occurred. Given the absence of full pre development wintering bird surveys, there remains a degree of uncertainty as to the absolute absence of effects but it does seem unlikely that there would have been impacts either alone or in combination with other development. Conditions should be imposed requiring landscaping and habitat management on the site to address any impacts on the biodiversity interests of the site itself.

LCC Highways Development Control: No objection. Conditions should be attached to any permission requiring a construction method statement to be approved detailing parking of vehicles, storage of plant and materials, working hours and temporary highway signage on access roads to the site during the construction phase.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Three representations have been received objecting to the proposal for the following summarised reasons:

- The applicant has ignored the planning process by commencing the development before planning permission has been obtained.
- The solar panels have been placed on the site with no consideration of the visual impact on neighbours
- The panels have impacted upon the use of a private access to the bridleway on the western boundary of the site
- The panels have a considerable visual impact and result in a loss of outlook from the dwellings at Low Wood and no landscaping is proposed to address such impacts.
- The separation distances between the panels and the property at Low Wood are inadequate.
- The inverter boards emit a high frequency buzzing noise during hot weather which is intrusive. The noise from the inverters is audible above the background noise at the nearest properties.
- The proposed solar farm at Arna Wood to the north is to be screened with new landscaping
- The applicant has not demonstrated that the development will not have an adverse impact on the wildlife interests of the Morecambe Bay SPA.

## **Advice**

The application seeks retrospective planning permission for a solar panel array covering an area of nearly 3 hectares. The adjacent waste water treatment works includes considerable quantities of pumps and other machinery that are powered by electricity. The solar panels would allow this plant to be powered by electricity that is generated on site rather than having to draw electricity from the national grid. The panels would allow the generation of around 1340 MWh of electricity per year which is equivalent to the annual demand of 320 residential properties.

Sewerage undertakers benefit from permitted development rights that allow them to undertake certain developments without the need to seek planning permission. These rights include development consisting of 'any other development in, on, over or under their operational land other than the erection of a building but including the extension or alteration of a building'. These permitted development rights would therefore extend to the erection of solar panels but only where they are proposed on the undertaker's operational land.

In order to determine whether the proposal would be authorised by permitted development rights and therefore would not need to be subject to a specific planning application, the applicant submitted an application to the County Council for a Certificate of Proposed Lawful Development. The application contained information to support his view that the site was operational land. However, the County Council considered that the application site did not meet the definition of operational land contained in s263 of the Town and Country Planning Act 1990 and therefore the permitted development rights did not apply to the proposed solar panel development and that a planning application was required.

During the time when the Lawful Development application was being considered, the applicant began construction of the development which was completed in spring 2017. As the County Council had determined that the permitted development rights did not apply, a planning application has been submitted to regularise the development which has been undertaken. Section 73A of the Town and Country Planning Act 1990 makes specific provision to allow an application to be made to regularise a development that has already been carried out.

Section 38(c) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the policies of the development plan unless material considerations undertaken otherwise. In this case the relevant development plan policies are contained in the Lancaster District Local Plan (Development Management Policies) DPD along with the Lancaster City Core Strategy. In particular, policy DM17 of the above local plan requires that proposals for renewable and low carbon energy will be supported where the impacts are or will be made acceptable having regard to a range of criteria including landscape impact, residential amenity and the balance of any local impacts against any wider environmental, economic, social or community benefits. Policy DM17 reflects the NPPF (paragraph 98) which states that applications for renewable energy development should be approved if impacts are (or can be made) acceptable.

The main planning issues to consider relate to the contribution of the development to meeting climate change objectives as balanced against the local environmental impacts including landscape, ecology and residential amenity.

In terms of climate change policy, the Climate Change Act 2008 sets out targets to reduce green house gas emissions to at least 80% below 1990 levels by 2050. To achieve these targets, an increase in the amount of electricity generated from non-fossil fuel (renewable) sources is required. The UK Renewable Energy Strategy sets a target of 30% of all electricity generation to be produced from renewable sources by 2020. In 2014, around 17% of energy was generated from renewable sources and

whilst this proportion is rising with increased deployment of wind turbines and solar farms, the rate of installation must be continued if the overall target is to be met.

The waste water treatment works has traditionally been powered using national grid electricity which is mainly generated using fossil fuels. The development would not totally replace electricity from the grid as the waste water treatment plant still operates at night when the panels would not produce any electricity. However, the electricity produced by the panels would substitute for at least part of the power from the grid and would therefore contribute towards meeting the overall targets in the Climate Change Act and the UK Renewable Energy Strategy.

In terms of planning policy and climate change issues, paragraph 98 of the National Planning Policy Framework states that local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and to recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions. Given the contribution that the proposal would make to reducing greenhouse gas emissions and increasing the proportion of electricity generated from renewable sources, it is considered that the need for the development is supported by the relevant Government policy and paragraph 98 of the NPPF.

#### Landscape Impact

The application site is located on land immediately to the north of the existing Lancaster Waste Water Treatment Works. Immediately to the west of the site is the Lancashire Coastal Path / Cycle Route beyond which is the River Lune estuary. On the other sides of the site, the land is comprised of the rolling drumlin topography with agricultural grazing that is typical of this part of Lancashire. Prior to development, the site was comprised of four small agricultural fields separated by fencing with some sparse hedgerow / trees on one field boundary on the eastern side of the site. These field boundaries have now been removed resulting in a single large field.

The applicant has undertaken a landscape assessment of the solar farm development. This identifies that the western part of the site lies within the Lune Marshes Landscape Character Area with the eastern part being within the Low Coastal Drumlins Landscape Character Area as set out in the Lancashire Landscape Character Assessment. The assessment includes a study of local viewpoints from local settlements, nearby properties and other viewpoints in order to allow consideration of the visual impacts of the development.

In general the site is well screened from local viewpoints. To the south and part of the eastern boundary are the screening mounds that surround the existing waste water treatment works. This mounding has been landscaped with trees and shrubs and which provides a high degree of screening to the application site given the limited height of the solar panels. Immediately to the west of the site, the bridleway / cycleway is approximately 5 metres from the nearest solar panels. The boundary with the bridleway / cycleway is formed by a tall hedge from where some filtered views of the solar panels are available particularly in winter. Beyond the cycleway is the Lune Estuary and therefore views from any viewpoints on the western side of the

river are at a considerable distance (at least 1km) from the application site and would not be significant given the relatively low height of the solar array and the presence of the vegetation along both sides of the cycleway. To the north of the site, is a hedgerow boundary which again provides screening for the development given the scale and height of the solar panels.

There are a number of dwellings located around the village of Stodday which are located around 700 metres to the south east of the site. However, the existing waste water treatment works occupies much of the intervening land and the screening and land levels around the works means that the solar panels have a very limited visual impact on Stodday. The main visual impacts on individual properties occur in relation to the two dwellings at Low Wood which immediately abut the northern boundary of the site and which are discussed in the section of this report headed 'residential amenity'.

Lancaster City Council have granted planning permission for a solar farm on land at Arna Wood immediately to the north of the waste water treatment work. This permission has not yet been implemented but is considerably larger (10 hectares) than the current application site and given its location there is some potential for cumulative landscape impacts. However, any consideration of cumulative visual impact has to take into account the inter - visibility between the two sites. The existing hedgerows and the restricted number of public locations from where both solar farms would be viewed means that the potential for significant cumulative visual impact is considered to be very limited and mainly restricted to the cycleway / bridleway to the west of the site from where views are limited to a few locations due to vegetation and the cutting slopes of the former railway line.

Whilst the existing waste water treatment works is a large industrial complex in a rural area, the solar panel site occupies a discrete area that is visually separate from the main treatment works complex. The solar panels do therefore introduce an urban form of development into the open countryside. However, the landscape impacts of the site are relatively restricted due to the contours of the surrounding landscape and the existing hedgerows that surround the site. The applicant has stated that the development would have a lifespan of 25 years and whilst this is a considerable duration, it would be possible to remove the solar panels and associated equipment at the end of their life and return the field to its previous condition. Provided that conditions are imposed relating to the retention and strengthening of the existing boundary hedgerows and the removal of the panels and restoration of the land at the end of their life, it is considered that the landscape impact of the development is acceptable and complies with Policy DM28 of the Lancaster District Local Plan.

### Highways Issues

The waste water treatment works is served by a number of minor roads which provide access onto the A583 south of Lancaster. The installation of the solar panels does not require considerable volumes of construction materials although the importation of the panels and supporting frameworks themselves will have generated a number of HGV movements. However, the development has already been constructed and these impacts have already occurred. The conditions requested by LCC Highways Development Control with regards to a construction management

plan are therefore considered to be unnecessary. There would also be some highway impacts upon decommissioning of the development but given the relatively low number of HGV movements that would arise, it is considered that there would not be a need for a specific condition controlling vehicle movements from these activities. The highway impacts of the development are therefore considered acceptable.

## Ecology

The solar farm is an area of agricultural pasture that is not subject to any nature conservation designations. However, it is located approximately 10 metres to the east of the Lune Estuary which is designated as a SSSI, Special Protection Area, Special Area of Conservation and Ramsar site. It is therefore important to consider the potential impacts of the solar farm development, particularly in terms of those birds for which the estuary is designated and which might use the application site as supporting habitat for grazing and feeding.

Planning applications for large scale solar farms would normally be supported by ecological surveys undertaken pre construction so that the ecological interests of the site can be fully recorded and potential impacts assessed. However, in this case the development has already been carried out and therefore it has not been possible to undertake full ecological surveys (particularly for birds) prior to the development commencing. However, the applicant did undertake an extended Phase 1 habitat survey prior to the commencement of the development. These surveys map broad types of habitat as well as an assessment of suitability and use by protected species and other species of conservation significance such as protected mammals, reptiles and amphibians. It also allows an assessment of the suitability of the habitat to support bird species for which the adjacent estuary is designated.

The majority of the birds associated with the adjacent estuary are restricted to wetland species. No such habitats were identified within the application site and therefore it is unlikely that there would be any impacts on these particular bird species. However, there are some birds for which the estuary is designated which use habitats outside of the estuary itself. Such supporting habitat can have an important role in maintaining bird populations and therefore development proposals affecting such areas may have the potential to affect the integrity of the European wildlife sites. The NPPF states that development likely to have a significant effect on a SSSI should not normally be permitted.

The phase 1 survey identified that the site was mainly characterised by short pasture grazed by horses. Such habitat does not provide optimal conditions for the types of wetland birds which may use land outside of the designated sites. It was also noted that the site is well enclosed by surrounding hedgerows which whilst providing visual screening to the development, does give the site an enclosed nature which is general unfavourable for wetland birds which prefer open sites. There are also survey works that were undertaken as part of the Arna Wood solar farm. Whilst these surveys did record a number of overwintering birds, the majority were recorded on the saltmarsh and estuarine areas to the west where favourable habitats are present.



Whilst the level of ecological survey falls below that which would normally be required, the development has already been undertaken and it is therefore not possible to collect any more information to inform determination of the planning application. Natural England note the limitations of the evidence but note the findings of the surveys that did not show significant usage of the site by SPA birds and that the physical characteristics of the site rendered it sub optimal for such species. Natural England therefore advise that it is likely that there has been no significant effect on the designated areas of the Lune Estuary.

The ecological surveys also contained information on the likely use of the site by other protected species such as bats, badgers, other mammals and breeding birds. The applicant has concluded that the nature of the habitats within the site was not particularly valuable for such species. The proposals have retained the existing hedgerows around the perimeter of the site and the vegetation that was removed to construct the development was not particularly extensive or high quality. It is therefore considered that the development will not have had particularly significant impacts on ecological interests.

As with landscape impacts, the development can be easily removed at the end of its life and the site returned to grazing pasture. However, in view of the proximity to the estuary, it is considered that any plant removal and site reinstatement works should only take place during the summer months and that a programme of planting works to reinforce the existing perimeter hedgerows be undertaken. These matters can be covered by planning conditions.

### Residential Amenity

The solar farm is located in a field immediately north of the existing waste water treatment works. In general the site is located distant from residential properties and it is considered that there would be no significant impacts on the amenity of any of the properties in Stodday itself. However, there are two properties at Low Wood which are located adjacent to the north east corner of the site which would be affected by the development. The two properties are located around a courtyard. One of the properties (Low Wood Barn) has views across the application site from the rear elevation whilst the other property (Low Wood Farm) is less affected as it overlooks the courtyard and does not directly have views across the application site. The nearest solar panels are located approximately 30 metres from the rear elevation of Low Wood Barn.

In the determination of planning applications, the impact on views from properties is not normally a material consideration. However, they can be a consideration where a development would have such an overbearing impact where it would make habitation of a property either impossible or unpleasant.

The residents of Low Wood Barn consider that the solar panels have been erected on the site with no consideration to the visual impact on neighbours and that the existing vegetation around the boundary of the garden does not screen the panels from the main living spaces in the property which are on the first floor and have an outlook to the west over the solar panel site. The residents are also concerned about

a buzzing noise that is emitted from the inverters during sunny weather and also from glare from certain of the panels particularly when the sun is low in the sky.

To address the objections of the resident, the applicant is proposing to implement a landscaping scheme around the southern and western sides of the property. The landscaping would be implemented on land within the applicant's control where there is sufficient space between the panels and the adjacent property to undertake planting. The planting would be comprised of a new evergreen hedgerow with individual trees immediately to the affected boundaries of the property and with two areas of 'thicket' planting to the south and west of the property. The exact design of the planting area has not been finalised but the applicant considers that it should consist of shrub type species that would be sufficient to provide some visual screening without growing to a height that would result in a total loss of outlook from the property.

The applicant's proposals to mitigate visual impact on the property are noted. However, the layout of the solar panels is such that there is limited room to undertake substantial planting along the whole of the rear boundary of the property. On the boundary closest to the panels, there would only be an evergreen hedge combined with a single line of feathered trees. It is considered that this level of landscaping would not be sufficient to address the impacts on the outlook and amenities of the property and that some of the panels should be relocated to provide further space for landscaping to allow better mitigation of the impacts of the panels on the amenities of the property. A condition is therefore recommended requiring the relocation of those panels that are closest to the property with a more comprehensive landscaping scheme being submitted for the land between the retained panels and the property boundary.

Even with these conditions, it would take some time until the screening is sufficiently high to provide an effective degree of screening to the development particularly given the arrangement of the living spaces at the affected property and there would continue to be some residual impacts. However, the landscaping would provide mitigation to the loss of outlook without completely removing the long distance views that are currently obtained from the house and would also have some benefit in reducing the glare problems that are currently experienced at certain times of the day

In relation to the noise from the inverters, it is understood that they incorporate fans which operate to keep the electrical equipment cool during warm weather. The nearest inverters are around 35 metres from the rear façade of the property which would account for the noise experienced during warm weather conditions. The condition discussed above relating to the relocation of the nearest panels would also have some benefits in terms of reducing noise impacts. The applicant states that it may also be possible to provide improved enclosure of the inverters to reduce the tonal noise impacts raised by the resident. To address the noise impacts of the development, it is considered that a condition should be imposed which restricts the noise levels from the development to a certain level above background and for the noise to be free of tonal characteristics.

Flooding

The application site is close to the River Lune and the southern part falls within Flood Zones 2 and 3 (medium to high probability of flooding). The application is therefore accompanied by a Flood Risk Assessment. The maximum flood level has been modelled and the design of the panels (supported above ground on a metal framework) means that the majority of the equipment would be above the maximum flood level. The nature of the supporting framework for the panels will mean that flood storage capacity or flow routes would not be significantly impeded. The ground below the panels would continue to be grassland which provides a high degree of infiltration. The development would therefore not be vulnerable to flooding or increase the risk of flooding elsewhere and is acceptable in terms of Policy DM38 of the Lancaster District Local Plan.

### Permitted Development Rights

As discussed above, sewerage undertakers benefit from certain permitted development rights for the construction of new plant and equipment on their operational land. The construction of the solar array brings the site within the definition of operational land and therefore it would be possible in future for all or part of the array to be removed to allow an extension of the waste water treatment works without the need for planning permission. Given the proximity of the properties, it is therefore considered that a condition should be imposed upon any new permission which withdraws the permitted development rights so that any future sewerage infrastructure on this land would need to be the subject of a specific planning application.

### Conclusions

The solar panels would contribute towards Government targets for increasing the amount of electricity that is generated from renewable sources. However, this has to be balanced against the local environmental impacts which in this case relate particularly to residential amenity. It must be recognised that some of the panels are very close to an existing residential property and therefore there will be some impacts on the amenity of this property arising from loss of outlook and glare. Whilst these impacts can to some extent be mitigated through the proposed landscaping and relocation of certain of the panels, the mitigation will take some time to be effective and some impacts will remain. It is therefore necessary to balance these impacts against the benefits of the development in terms of a supply of renewable energy and the support for such development that is provided within the NPPF and other legislation. On balance, it is considered that the development is acceptable in terms of the Policies of the NPPF and Development Plan subject to the following conditions.

### Human Rights

The Human Rights Act 1998 requires the County Council to take into account the rights of the public under the European Convention on Human Rights and not to act in a manner incompatible with those rights. Article 1 of the 1<sup>st</sup> Protocol states that an individuals peaceful enjoyment of their property shall not be interfered with except as is necessary, in accordance with law and as is proportionate.

This application were it to be approved would be unlikely to generate such an impact on neighbouring properties which would breach those rights. The condition requiring relocation of part of the development is required to protect the rights of local residents and would not have a disproportionate impact on the rights of the applicant.

## **Recommendation**

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

### **Time Limits**

1. The solar panels, supporting framework, all other electrical equipment and perimeter security fencing shall be removed from the site by not later than 30th June 2041. Within six months of the removal of the equipment, any land disturbed through the removal of the development shall be cultivated and graded to a condition suitable for agricultural grazing land.

*Reason: In the interests of the visual amenities of the area and to conform with Policy DM17 and DM35 of the Lancaster District Local Plan (Development Management DPD).*

### **Working Programme**

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
  - a) The Planning Application and supporting statement received by the County Planning Authority on 12th August 2016 as amended by the email from David Palmer of Savills dated 16th November 2016.
  - b) Submitted Plans and documents:
    - Drawing No. W-CLD01 Rev A - Site Location Plan
    - Drawing No. 209413-2200 Rev C - PV Layout
    - Drawing No. 01 39 60375 Rev B - String Inverter and Distribution Board Mounting Detail.
    - Drawing 01 39 60111 Rev A - Trench Detail Layout Drawing
  - c) All schemes and programmes approved in accordance with this permission.

*Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policies and policies DM17, DM27, DM28 and DM35 of the Lancaster District Local Plan (Development Management DPD)*

3. No maintenance works to the solar panels or other electrical equipment or decommissioning work shall take place outside the hours of:

08.00 to 17.30 hours, Mondays to Fridays (except Public Holidays)  
08.00 to 13.00 hours on Saturdays

No such maintenance work shall take place at any time on Sundays or Public Holidays.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM35 of the Lancaster District Local Plan (Development Management DPD).*

4. Decommissioning of the solar panels, other electrical equipment and perimeter security fencing shall not take place other than between 31st March and 1st October in any calendar year.

*Reason: In the interests of ecology and to conform with Policy DM27 of the Lancaster District Local Plan (Development Management DPD)*

5. The rating level of noise from fixed plant and machinery at the solar farm shall not exceed the background level by more than 3dB(A) when measured as a 15 minute LAeq at the boundary of the nearest property. The noise level shall be free from any distinguishable tones, hums and whines.

All noise measurements and recordings shall be undertaken in accordance with BS4142:2014.

*Reason: In the interests of the amenity of local residents and to conform with Policy DM17 and DM35 of the Lancaster District Local Plan (Development Management DPD)*

6. Within two months of the date of this planning permission, a scheme and programme of landscaping shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall contain details for tree and hedge planting to provide improved screening of the development from the properties at Low Wood and to reinforce the existing hedgerows on the boundary of the site.

The scheme and programme shall contain details on the location of planting areas, types, numbers and sizes of plants, planting methods and protection measures to be used.

The planting works contained in the approved scheme and programme shall be undertaken in the first planting season following its approval by the County Planning Authority and shall thereafter be maintained for a period of five years including replacement of failures, weed control and maintenance of protection measures.

*Reason: In the interests of the visual amenities of the area and the amenities of local residents and to conform with Policies DM28 and DM35 of the Lancaster District Local Plan (Development Management DPD).*

7. All trees and hedges on the boundaries of the site shall be maintained throughout the duration of the development.

*Reason: In the interests of the visual amenities of the area and the amenities of local residents and to conform with Policies DM28 and DM35 of the Lancaster District Local Plan (Development Management DPD).*

8. The provisions of Part 13 Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any amendment, replacement or reinactment thereof are excluded and shall not apply to this development. Any development referred to in that Part shall only be carried out pursuant to a planning permission granted under Part III of the Town and Country Planning Act 1990 or any amendment, replacement or reinactment thereof.

*Reason: In order to protect the amenities of local residents and to conform with Policies DM28 and DM35 of the Lancaster District Local Plan (Development Management DPD).*

9. Within two months of the date of this planning permission, a habitat management scheme shall be submitted to the County Planning Authority for approval in writing.

The habitat management scheme shall contain details for the management of the grassland habitats within the site including around the solar panel themselves so as to increase the habitat value of the site.

Upon approval of the scheme, the site shall thereafter be managed in accordance with the approved scheme until the solar panels are removed from the site under the requirements of condition 1 above.

*Reason: In the interests of ecology and to conform with Policy DM27 of the Lancaster District Local Plan (Development Management DPD)*

10. Within two months of the date of this planning permission, a panel relocation scheme shall be submitted to the County Planning Authority for approval in writing. The scheme shall show a revised layout for the development providing for the relocation of those solar panels located in rows 5 to 8 as shown on drawing LCC1 attached to this permission and which are located within 40 metres of the curtilage of Low Wood Barn. The scheme shall show a revised location for the panels that are relocated under the requirements of this condition.

The approved scheme shall be implemented within two months of the approval of the scheme by the County Planning Authority.

*Reason: In the interests of the amenity of local residents and to conform with Policy DM35 of the Lancaster District Local Plan (Development Management DPD)*

## **Definitions**

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

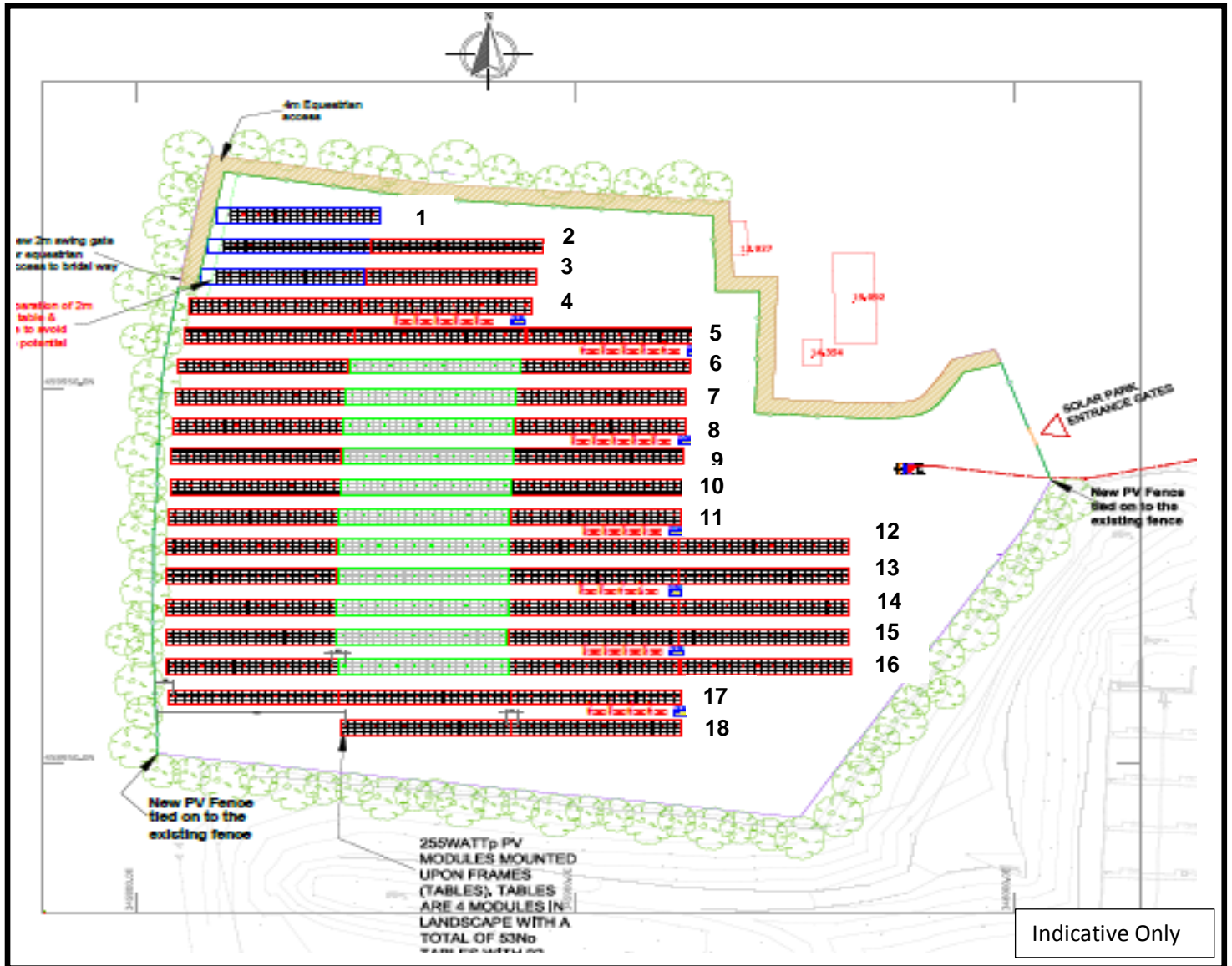
## **Local Government (Access to Information) Act 1985 List of Background Papers**

<b>Paper</b>	<b>Date</b>	<b>Contact/Ext</b>
LCC/2016/0065	12th August 2016	Jonathan Haine Planning and Environment 534130
Reason for Inclusion in Part II, if appropriate N/A		





**APPLICATION LCC/2016/0065 THE ERECTION OF SOLAR PHOTOVOLTAIC PANELS AND ASSOCIATED WORKS INCLUDING SWITCHGEAR HOUSING, SECURITY FENCING AND INTEGRAL CONNECTION TO LANCASTER WASTE TREATMENT WORKS (RETROSPECTIVE APPLICATION) LANCASTER WASTE WATER TREATMENT WORKS, STODDAY LANE, LANCASTER**

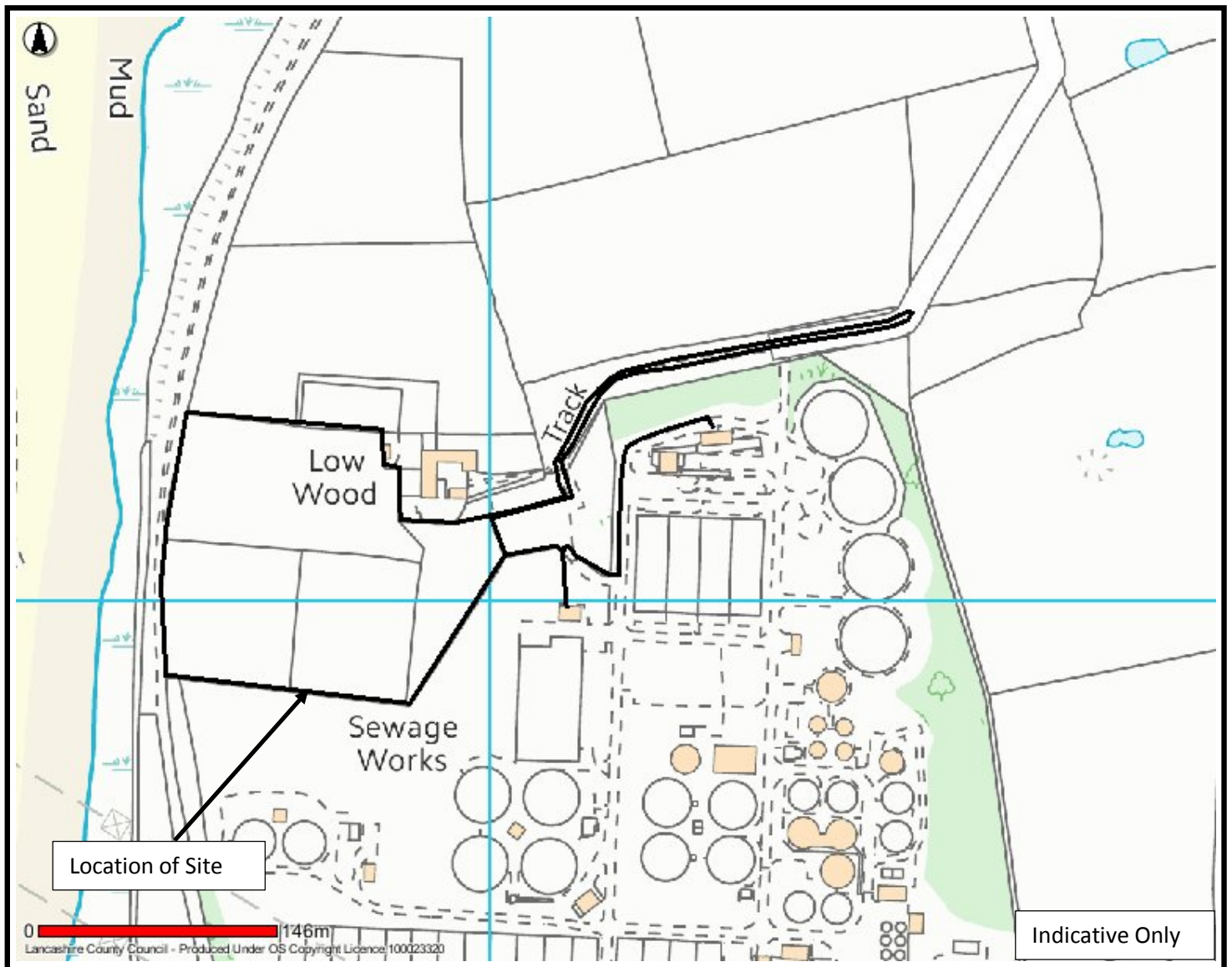


**PLAN LCC1**

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**APPLICATION LCC/2016/0065 THE ERECTION OF SOLAR PHOTOVOLTAIC PANELS AND ASSOCIATED WORKS INCLUDING SWITCHGEAR HOUSING, SECURITY FENCING AND INTEGRAL CONNECTION TO LANCASTER WASTE TREATMENT WORKS. LANCASTER WASTE WATER TREATMENT WORKS, STODDAY LANE, LANCASTER**



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**Development Control Committee**  
Meeting to be held on 18<sup>th</sup> January 2017

Electoral Division affected: Preston City
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**Preston City: Application Number. LCC/2016/0085**

**Change of use / conversion / extension of the former Park Hotel building from offices (Class B1) back to a hotel (Class C1) to include a new build single storey pavilion building and demolition of the existing JDO office building and its replacement with a 6-storey office building / extension to the hotel. Change of use / conversion / part demolition and rebuild of No.8 East Cliff from offices (Class B1) to health spa (Class D1) together with remodelling of existing car parking and landscaping works.**

**Former Park Hotel Complex, East Cliff, Preston.**

Contact for further information:  
Faiyaz Laly, 01772 538810  
[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

## **Executive Summary**

Application - Change of use / conversion / extension of the former Park Hotel building from offices (Class B1) back to a hotel (Class C1) to include a new build single storey pavilion building and demolition of the existing JDO office building and its replacement with a 6-storey office building / extension to the hotel. Change of use / conversion / part demolition and rebuild of No.8 East Cliff from offices (Class B1) to health spa (Class D1) together with remodelling of existing car parking and landscaping works.

Former Park Hotel Complex, East Cliff, Preston.

## **Recommendation - Summary**

That the Development Control Committee visit the site before considering the application.

## **Applicants Proposal**

Planning permission is sought for a number of development proposals relating to the site of the former Park Hotel and East Cliff Offices on East Cliff, Preston. The change of use application includes converting the former Park Hotel building from its existing use as offices (Class B1) back to a hotel use (Class C1) with 71 guest rooms. A change of use of no.8 East Cliff is also proposed from offices (Class B1) to a health spa (Class D1).

The planning application also includes demolition of the existing JDO office building and its replacement with a 6-storey office building in a similar location. It is proposed that the lower floors of the building would house Lancashire County Council's Pension Fund staff whilst the upper floors would provide additional accommodation to the Park Hotel with a total of 69 guest rooms. Due to the space constraints on the site the building would be 'L' shaped, with the longest sides measuring approximately 35m and 27m with a width of 15m. The building would have a maximum height of approximately 23m. The proposed building would have a link corridor connected to the Park Hotel building and would be 4m lower in height than the existing building.

Part of the proposal includes the erection of a pavilion building which would be located immediately east of the former Park Hotel building overlooking Avenham and Miller Park. This would be used as a banqueting suite and an additional kitchen area. The pavilion building would measure approximately 34m x 15m with a maximum height of 6.5m would provide additional internal floor space area of 869m<sup>2</sup> to the Park Hotel building. There would also be a link corridor which would connect the proposed pavilion building to the Park Hotel building.

There are currently 219 car park spaces available on the site but due to the location of the proposed pavilion building this would be reduced to 124 spaces.

A full description of the development will be provided when the application is reported to the Committee for determination.

### **Description and Location of Site**

The application site is situated at the end of East Cliff to the south west of Preston City Centre. The application site consists of the existing Grade II listed No 8 East Cliff building, the red brick former Park Hotel building, now known as East Cliff Offices and the JDO office building. The whole site lies within the Avenham Conservation area. All three buildings overlook Avenham and Miller Park which is Grade II\* listed on the Register of Historic Gardens. There is also a large surface car park north of the site.

The surrounding area at No 7 East Cliff contains a professional office building and a probationary hostel at No 6 East Cliff. Beyond this area, located off East Cliff are residential buildings and retail uses, with the West Coast Main Line to the west running from north to south through to Preston Railway Station. The nearest residential properties from the proposed site would be located 140m away on East Cliff Gardens.

### **Advice**

The application is for the redevelopment and reuse of the East Cliff complex through a combination of conversion and new build proposals. Due to its original use as a hotel, there are not many alterations proposed to the external appearance of the Park Hotel building. The external alterations needed in order to put the building back into hotel use are minor in scale with a new external fire escape and new staircase proposed. Also it is proposed that the doors to the existing external fire escapes would be removed and replaced with windows to match existing.

As the use of red brick work is prominent in the area this would be the key material used on the proposed pavilion building with stone cladding to other areas. It is proposed the recessed walls would be red brick with the piers and parapets in stone cladding. The key materials proposed on the new six storey building are stone cladding with projecting red brick panels. The main entrance to the building would be glazed to allow light into the entrance space. The proposed building would be 4m less in height than the existing JDO building. The new buildings have been designed to provide a contemporary look but also complement the existing Park Hotel building.

Four objections have been received to date regarding noise impacts from weddings / use of the function venue, noise impacts whilst construction works are taking place and traffic / parking impacts that would arise from the proposed development. Comments have also been received that a footpath should be retained that currently allows members of the public to walk to and from the Miller / Avenham Park towards the City Centre area through the proposed site.

### **Recommendation**

Due to the location of the site in a Conservation Area and adjacent to a listed park and garden, it is considered that it would be helpful for the Development Control Committee to visit the site prior to considering the application in order to appreciate the design issues and likely impacts of the development.

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

<b>Paper</b>	<b>Date</b>	<b>Contact/Ext</b>
LCC/2016/0085		

18th November 2019

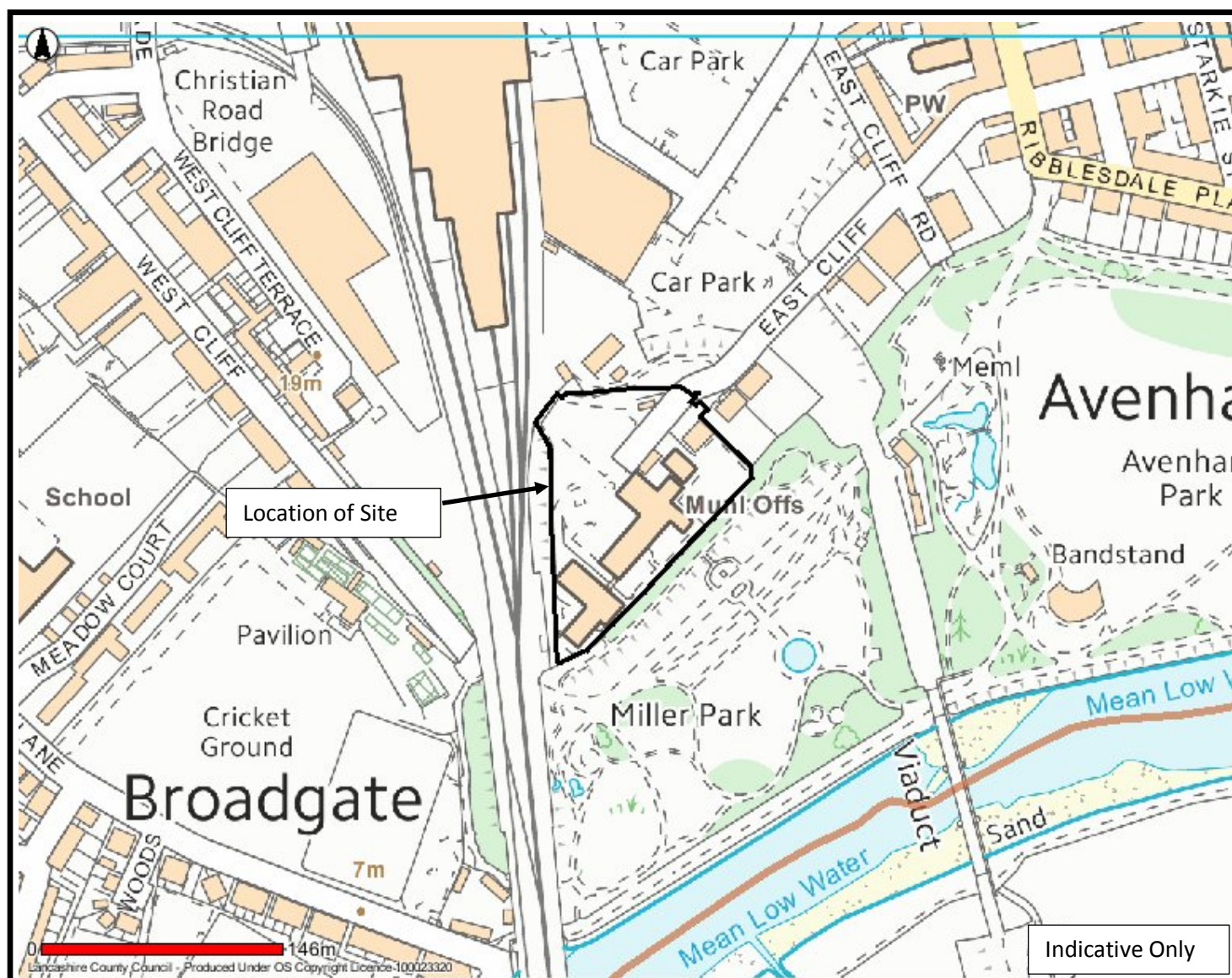
Faiyaz Laly  
Planning and Environment  
531942

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





**APPLICATION LCC/2016/0085 CHANGE OF USE / CONVERSION / EXTENSION OF THE FORMER PARK HOTEL BUILDING FROM OFFICES (CLASS B1) BACK TO A HOTEL (CLASS C1) TO INCLUDE A NEW BUILD SINGLE-STOREY PAVILION BUILDING AND DEMOLITION OF THE EXISTING JDO OFFICE BUILDING AND ITS REPLACEMENT WITH A 6-STOREY OFFICE BUILDING / EXTENSION TO THE HOTEL. CHANGE OF USE / CONVERSION / PART DEMOLITION AND REBUILD OF NO. 8 EAST CLIFF FROM OFFICES (CLASS B1) TO HEALTH SPA (CLASS D1). ALONGSIDE REMODELLING OF EXISTING CAR PARKING AND LANDSCAPING WORKS. FORMER PARK HOTEL COMPLEX, EAST CLIFF, PRESTON.**



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**Development Control Committee**  
Meeting to be held on 18<sup>th</sup> January 2017

Electoral Division affected: Chorley Rural West
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**Chorley Borough: application number. LCC/2016/0090**  
**Single storey extension to allow expansion of admission numbers, additional playground/car parking areas, fenced MUGA and temporary single storey double classroom at Balshaw Lane Community Primary School, Bredon Avenue, Euxton**

Contact for further information:  
Robert Hope, 01772 534159  
[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

## **Executive Summary**

Application – Single storey extension to allow expansion of admission numbers, additional playground/car parking areas, fenced MUGA and temporary single storey double classroom at Balshaw Lane Community Primary School, Bredon Avenue, Euxton.

## **Recommendation – Summary**

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

## **Applicant's Proposal**

This application is for a single storey extension at the eastern side of the main school building to allow expansion of admission numbers, additional playground/car parking areas, a fenced multi-use games area (MUGA) and a temporary single storey double classroom at Balshaw Lane Community Primary School, Bredon Avenue, Euxton.

A full description of the proposals will be provided to Members when the application is reported for determination.

## **Description and Location of Site**

The school site is located at the eastern side of Euxton, south of Balshaw Lane. The site is accessed off Bredon Avenue that forms part of a wider residential estate to the west of the school grounds. The main school building is surrounded by play areas and playing fields with limited on-site car parking. There is a building housing an independent nursery at the east side of the primary school grounds. There are a number of detached residential properties to the north east off Balshaw Lane and a cricket ground to the east and south located in the Green Belt.

## **Background**

The application relates to an existing school site.

## **Advice**

The application relates to the proposed expansion of an existing primary school. The school currently has 276 pupils on its roll and with the proposed new accommodation would eventually be able to accept up to 420 pupils. This has generated concern in relation to potential traffic impacts on the local highway network and the amenity of local residents. Consequently, it is considered that a site visit would provide the Committee with a clearer understanding of the development proposal and the relationship of the site to the surrounding area before the application is determined.

## **Recommendation**

That the Development Control Committee visits the site before considering the application.

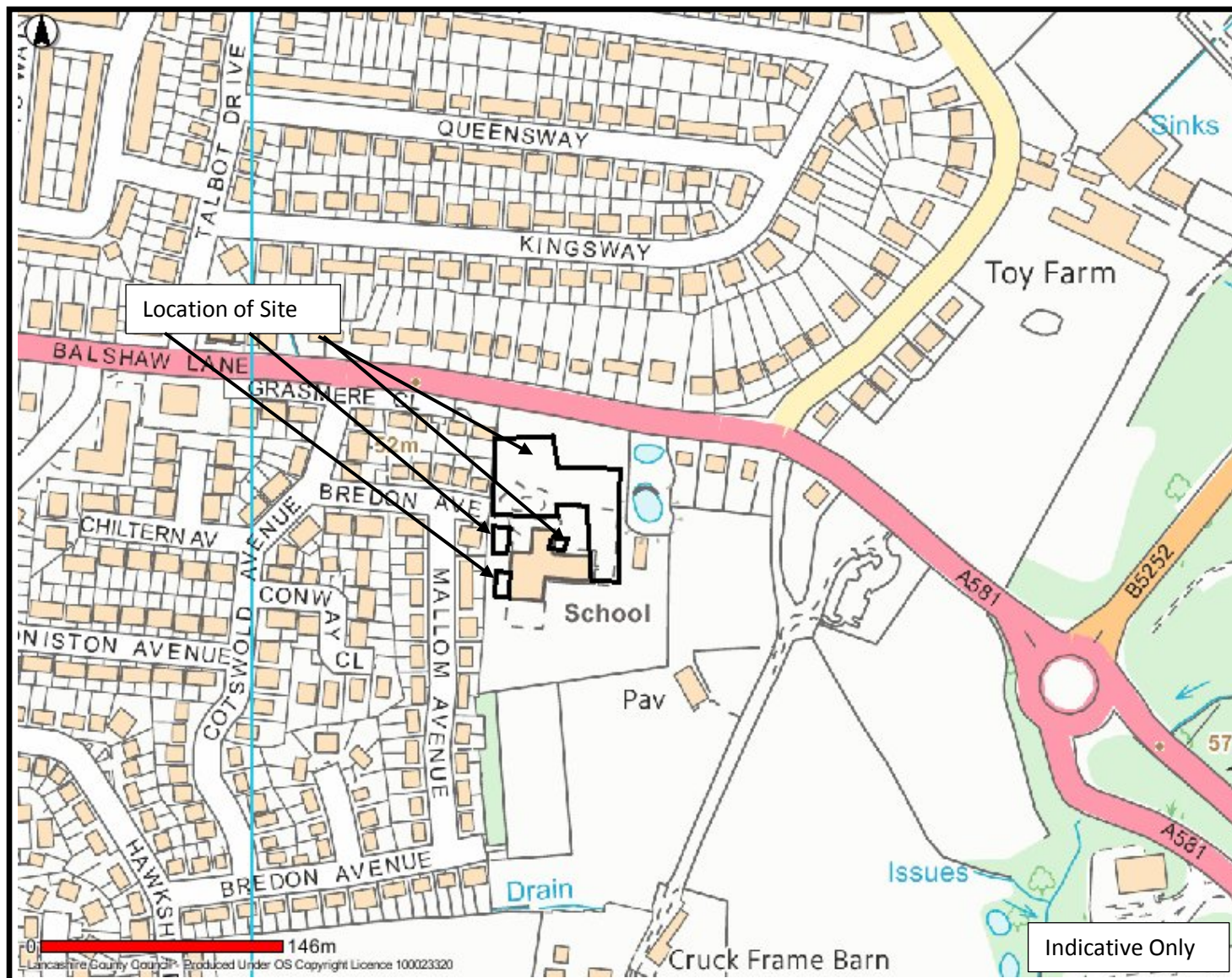
## **Local Government (Access to Information) Act 1985**

### **List of Background Papers**

<b>Paper</b>	<b>Date</b>	<b>Contact/Ext</b>
LCC/2019/0090		
Rob Hope		
Planning and Environment		
534159		

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

**APPLICATION LCC/2016/0090 EXPANSION FOR ADMISSION NUMBERS INCLUDING SINGLE STOREY EXTENSION, ADDITIONAL PLAYGROUND/CAR PARKING AREAS, FENCED MUGA AND TEMPORARY SINGLE STOREY DOUBLE CLASSROOM. BALSHAW LANE COMMUNITY PRIMARY SCHOOL BREDON AVENUE EUXTON**



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## Development Control Committee

Meeting to be held on 18th January 2017

Electoral Division affected:  
Morecambe South

**Lancaster City: Application number LCC/2016/0092**  
**Erection of 2.4 metre high security fencing and pedestrian access gate to Gaisgill Avenue boundary of the school. Westgate Primary School, Langridge Way, Morecambe.**

Contact for further information:

Rob Jones, 01772 534128

[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

### Executive Summary

Application - Erection of 2.4 metre high security fencing and pedestrian access gate to Gaisgill Avenue boundary of the school. Westgate Primary School, Langridge Way, Morecambe.

### Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, colour of fencing and gates, retention of vegetation, hours of construction, noise and dust.

### Applicant's Proposal

Planning permission is sought for the erection of a 100m length of 2.4m high Betafence Securifor 3D Weldmesh security fencing and associated pedestrian access gate to the Gaisgill Avenue boundary of the school. The fencing and gate would be coloured moss green (RAL 6005).

### Description and Location of Site

Westgate Primary School is located off Langridge Way in a residential area approximately 1km south of Morecambe town centre. The school is bound to the north by Gaisgill Avenue, to the east by houses on Riverview Court and by Morecambe Fire Station, to the south by Westgate and to the west by Langridge Way which includes a section of cycle path.

The school site extends over an area of approximately 2.5 hectares surrounded on all boundaries by 1.2m high metal railings, except for the northern boundary where there is a wooden post and rail fence approximately 1m high. Vehicular and pedestrian access to the school is from Langridge Way. An additional pedestrian access is from Gaisgill Avenue.

The existing single storey school buildings are located on the west side of the site. A Children's Centre adjoins the south side of the school. An existing 57 space car park is located in the north-west corner of the school separated from the northern boundary by a grassed area.

The proposed fencing and gate would be set back from the northern boundary by a distance of between 7.6m and 4m. The gate would be located across the pedestrian access from Gaisgill Avenue. Existing screen planting would separate the fencing and all boundaries.

The nearest residential properties are located on the opposite (north) side of Gaisgill Avenue and on Riverview Court.

## **Background**

The proposal is at an existing primary school.

A number of planning permissions have been granted at this school for educational development but none are directly relevant to the current application.

## **Planning Policy**

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17, 56 - 66, 69 and 123 are relevant with regard to the requirement for sustainable development, core planning principles, the requirement for good design, promoting healthy communities and noise.

National Planning Practice Guidance

Lancaster City Council – Core Strategy 2003 – 2021

Policy SC5                    Achieving Quality in Design

Lancaster City Council - A Local Plan for Lancaster District 2011 – 2031

Policy NPPF1                Presumption in Favour of Sustainable Development

Policy DM29                Protection of Trees, Hedgerows and Woodland

Policy DM35                Key Design Principles

## **Consultations**

Lancaster City Council – No observations received.

Morecambe Town Council - No observations received.

LCC Highways Development Control - No objection.

National Grid – No observations received.



Representations – The application has been advertised by site notice and neighbouring residents have been notified by letter. One objection has been received raising the following concerns:

- The height of 2.4m would be excessive and the lay of the land is such that from Gaisgill Avenue the fence would appear much higher as the land slopes from the school playing field to the road.
- The trees and vegetation inside the Gaisgill Avenue boundary of the school should be retained as they are and should not be cut down to ensure they help to obscure the proposed fence from view.
- How would rubbish and litter that accumulates by the current fence be collected and removed?
- The fence will not keep out people who want to gain access to the school grounds and building when it is closed as this can easily be done via the main entrance or over the much smaller fence on the main road side of the school (Westgate). The school would be better spending their money on educating children, not wasting it on a fence that is not necessary, and will be very offensive to neighbouring properties.

### **Advice**

The proposal is to erect a 100m length of 2.4m high Betafence Securifor 3D Weldmesh security fencing and associated 1.2m wide pedestrian access gate to the northern (Gaisgill Avenue) boundary of the school. The fence would join up with an existing security fence and run parallel to the northern boundary so that it terminates at the corner of 14 Riverview Court.

The applicant has advised that the fence is intended to prevent unauthorised access to the school grounds along the Gaisgill Avenue boundary that currently consists of a low post and rail fence and a pedestrian gate. This fencing provides the school site with no protection to unauthorised access which is a persistent problem for the school. Many use the school grounds as a short cut and young people gather on the site when the school is closed. The proposal is intended to eliminate these problems.

The main issues associated with the application are the need for the development and the visual impact.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development, it is not only necessary to take into consideration the relevant policies of the Development Plan but also the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process. The Development Plan for the site is made up of the Lancaster City Council – Core Strategy 2003 – 2021 (LDCS), and the Lancaster City Council - A Local Plan for Lancaster District 2011 – 2031.

The height and design of the proposed fencing and gate are similar to that installed elsewhere on this school site. The fencing would be coloured moss green (RAL 6005) and would be located in a position which would allow the existing bushes and trees adjoining Gaisgill Avenue to be retained and which would provide good visual screening of the new fencing. An area of grass would be retained between the trees and bushes and the fence which would be wide enough to allow the maintenance of this strip of grass. The size, colour and location of the fencing should ensure that it is not intrusive and that the visual impact would be acceptable whilst preventing unauthorised access to the school grounds. To protect visual amenity, conditions should require the retention of the vegetation along the Gaisgill Avenue boundary and to control the colour of the fencing and gate. Subject to the imposition of such conditions, it is considered that the development accords with the requirements of the NPPF, Policy SC5 of the Lancaster Core Strategy, and Policies NPPF1, DM29 and DM35 of the Lancaster City Council DPD.

In relation to the objection, the new fencing would not affect the collection of any litter within the school boundary. It is accepted that the school would still be vulnerable to trespassers via the southern and eastern boundaries on Westgate and Langridge Way where boundary treatments are 1.2m high metal railings. However, the school have understandably chosen to focus their attention on providing improved security along the northern boundary which is the easiest point of entry to the school grounds.

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 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 validated by the County Planning Authority on 7th December 2016.
  - b) Submitted Plans and documents validated by the County Planning Authority on 7th December 2016:

Supporting Statement

Drawing No. WPS/SF16/JH/1 - Location Plan and Plan showing position of Security Fencing

*Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policy SC5 of the Lancaster City Council – Core Strategy 2003 – 2021, and Policies NPPF1, DM29 and DM35 of the Lancaster City Council - A Local Plan for Lancaster District 2011 – 2031 Development Management Development Plan Document (DPD).*

### **Building Materials**

3. The fencing and gates shall be coloured Moss Green (RAL 6005) and shall thereafter be retained in that colour.

*Reason: To protect the visual amenities of the area and to conform with Policy SC5 of the Lancaster City Council – Core Strategy 2003 – 2021, and Policy DM35 of the Lancaster City Council - A Local Plan for Lancaster District 2011 – 2031 Development Management Development Plan Document (DPD).*

### **Landscaping**

4. No vegetation within the site shall be removed or damaged to accommodate the development. Any vegetation which is either removed or damaged, become diseased or which die at any time during the development, shall be replaced during the first available planting season, as defined in this permission.

Reason: In the interests of visual and local amenity and to conform with Policy SC5 of the Lancaster City Council – Core Strategy 2003 – 2021, and Policies DM29 and DM35 of the Lancaster City Council - A Local Plan for Lancaster District 2011 – 2031 Development Management Development Plan Document (DPD).

### **Definitions**

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

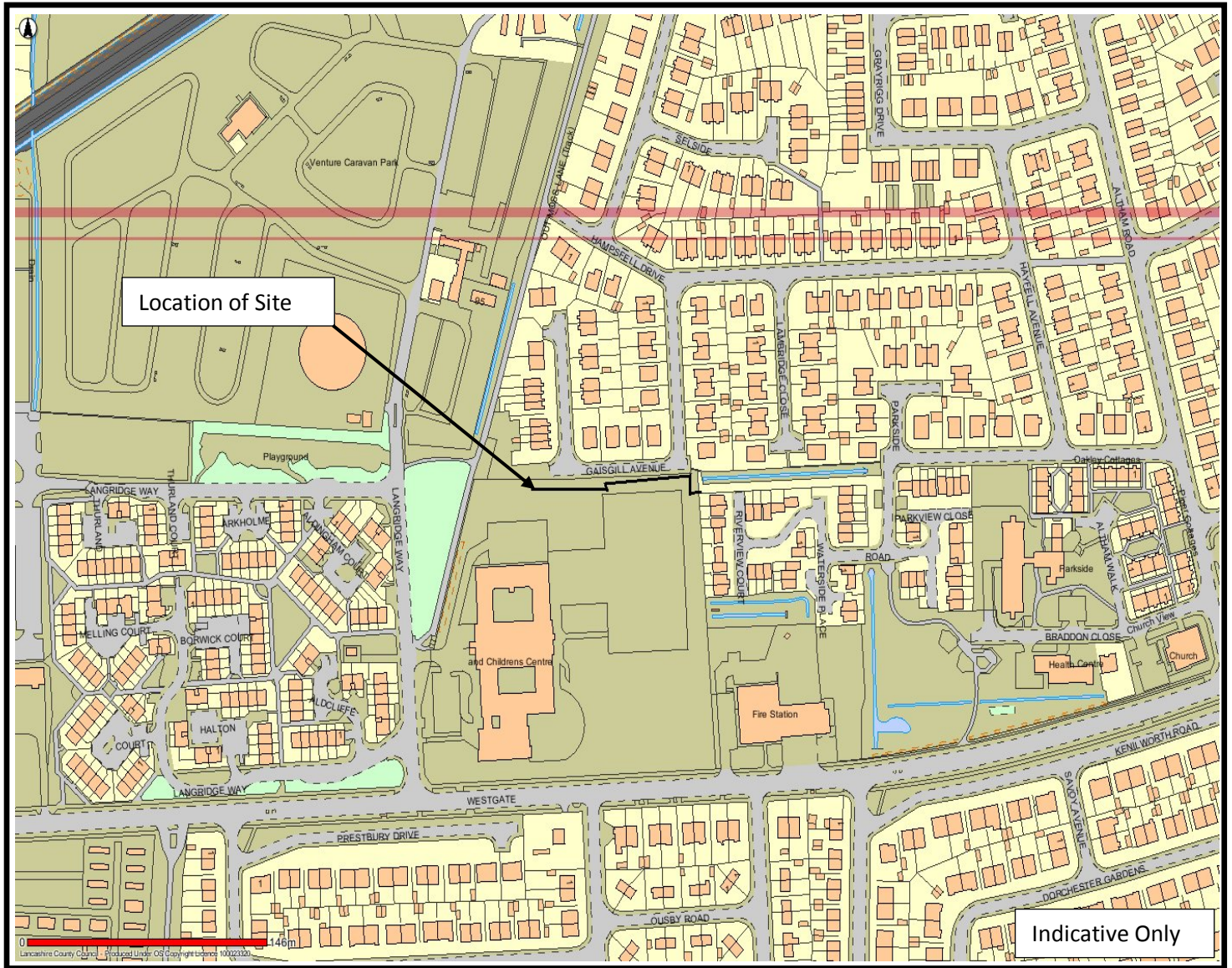
### **Local Government (Access to Information) Act 1985 List of Background Papers**

Paper	Date	Contact/Ext
LCC/2016/0092	07/12/2016	Rob Jones/34128

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



**APPLICATION LCC/2016/0092 INSTALLATION OF 2.4M HIGH SECURITY FENCING AND GATE TO GAISGILL AVENUE BOUNDARY OF THE SCHOOL. WESTGATE PRIMARY SCHOOL, LANGRIDGE WAY, MORECAMBE.**



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## Development Control Committee

Meeting to be held on 18th January 2017

Electoral Division affected: South Ribble Rural West, Penwortham North, Penwortham South
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### **South Ribble Borough: application number LCC/2017/0001**

**Construction of a new highway consisting of Penwortham Bypass (1.3 km long dual carriageway) together with temporary soil storage and contractor areas, acoustic fencing, the relocation of school playing fields, combined cycle track connecting to Howick Moor Lane, water attenuation pond, diversion/stopping up of public right of way, landscape and ecological mitigation areas on land from the A582 Broad Oak roundabout to the A59 between Howick C of E Primary School and Blackhurst Cottages**

Contact for further information:

Robert Hope, 01772 534159

[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

### **Executive Summary**

Application – Construction of a new highway consisting of Penwortham Bypass (1.3 km long dual carriageway) together with temporary soil storage and contractor areas, acoustic fencing, the relocation of school playing fields, combined cycle track connecting to Howick Moor Lane, water attenuation pond, diversion/stopping up of public right of way, landscape and ecological mitigation areas on land from the A582 Broad Oak roundabout to the A59 between Howick C of E Primary School and Blackhurst Cottages.

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 the Development Control Committee visits the site before determining the application.

### **Applicant's Proposal**

The proposal is for the construction of a new highway consisting of Penwortham Bypass (1.3 km long dual carriageway) together with temporary soil storage and contractor areas, acoustic fencing, the relocation of school playing fields, combined cycle track connecting to Howick Moor Lane, water attenuation pond,

diversion/stopping up of public right of way, landscape and ecological mitigation areas.

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.

### **Description and Location of Site**

The proposed bypass is located within agricultural land designated as Green Belt between the A582 Broad Oak roundabout and the A59 between Howick C of E Primary School and Blackhurst Cottages. The site contains trees and field boundary hedgerows. Land to the north of the site is characterised by the southern fringe of the Higher Penwortham urban area including All Hallows High School. Immediately to the south is the Mill Brook watercourse, which is classified as a main river. Beyond this is Lindle Lane along which are a number of farms, residential properties and a school.

### **Advice**

The application is for a major road scheme in the Green Belt and it is considered 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.

### **Recommendation**

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

### **Local Government (Access to Information) Act 1985**

#### **List of Background Papers**

<b>Paper</b>	<b>Date</b>	<b>Contact/Ext</b>
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LCC/2017/0001		
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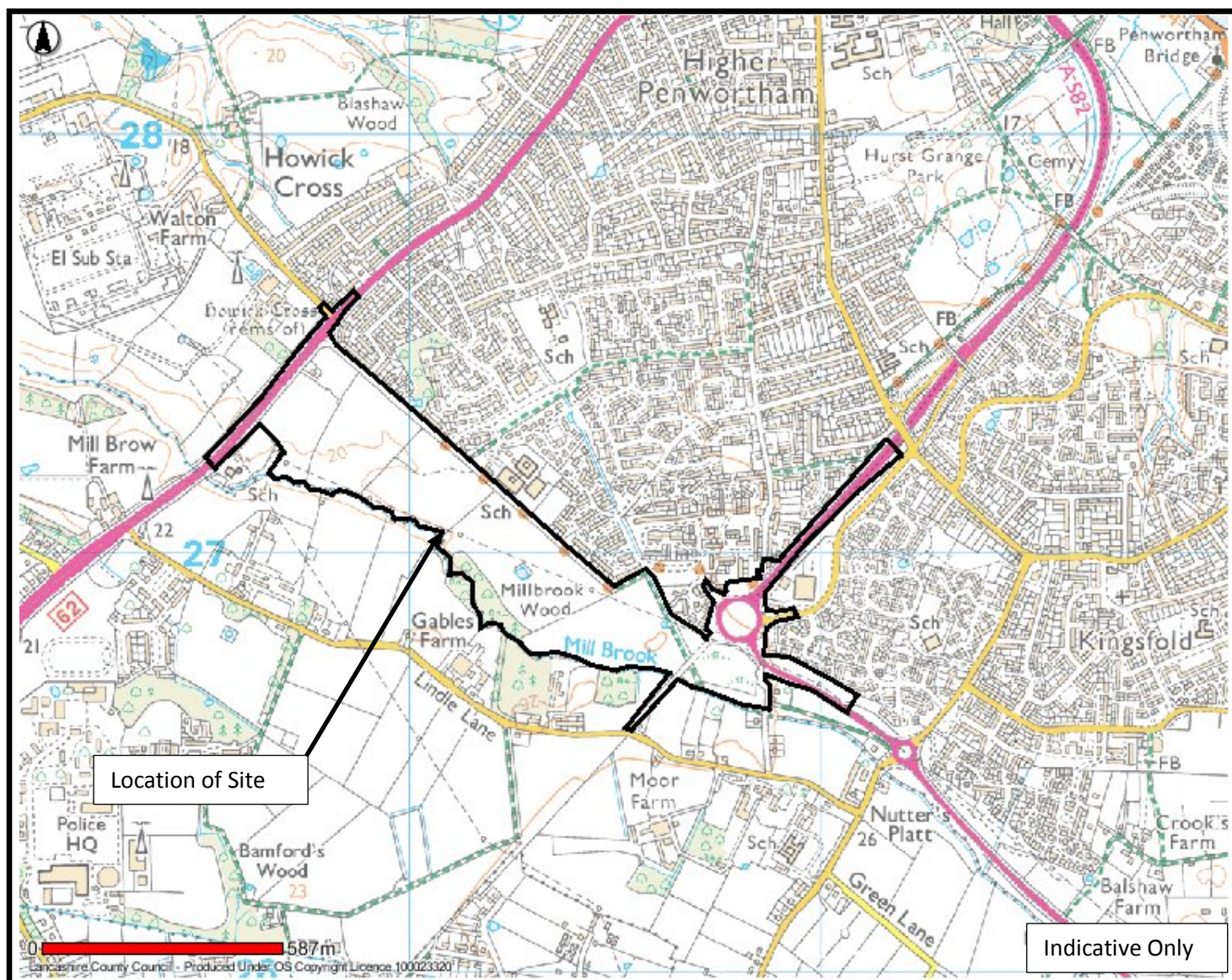
Rob Hope Planning and Environment 534159		
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Reason for Inclusion in Part II, if appropriate

N/A



**CONSTRUCTION OF A NEW HIGHWAY CONSISTING OF PENWORTHAM BYPASS (1.3 KM LONG DUAL CARRIAGEWAY) TOGETHER WITH TEMPORARY SOIL STORAGE AND CONTRACTOR AREAS, THE RELOCATION OF SCHOOL PLAYING FIELDS, COMBINED CYCLE TRACK CONNECTING TO HOWICK MOOR LANE, WATER ATTENUATION POND, DIVERSION/STOPPING UP OF PUBLIC RIGHT OF WAY, LANDSCAPE AND ECOLOGICAL MITIGATION AREAS. FROM A582 BROAD OAK ROUNDABOUT CONNECTING TO A59 BETWEEN HOWICK C OF E PRIMARY SCHOOL AND BLACKHURST COTTAGES.**



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## Development Control Committee

Meeting to be held on 18 January 2017

Electoral Division Affected: All
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### Planning applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation

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

#### Executive Summary

Planning applications determined by the Head of Planning and 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 19 October 2016, the following planning applications have been granted planning permission by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.

#### Wyre

Application: No. LCC/2016/0071

Wyre Side Farm, Rawcliffe Road, St Michael's On Wyre

Construction of a micro anaerobic digestion plant comprising of digester vessel and combined head and power unit fed by on farm waste (dairy slurry)

Application: No. LCC/2016/0021

Former Waste Transfer Station Site, Off Jameson Road, Fleetwood

Demolition of existing warehouse and erection of an energy from waste power plant including storage building, connection building, cooling towers, boiler house, energy centre, offices, visitor centre, weighbridge and associated access, hardstanding, parking, landscaping, fencing, ground works and other associated works

#### Lancaster City

Application: No. LCC/2016/0001

Ellel Crag Quarry, Bay Horse Road, Galgate, Lancaster

Retrospective change of use from restored landfill to inert recycling facility to include the recycling of wood products including installation of two arimax bioenergy 1mw boilers in existing building with associated wood recycling and drying for fuel

Application: No. LCC/2016/0053

Lower Broomfield, Kirby Lonsdale Road, Arkholme

Importation of waste concrete to stabilise and prevent erosion of the bank of the River Lune.

Application: No. LCC/2016/0061

Dunald Mill Quarry, Long Dales Lane, Nether Kellet.

Variation of condition 1 of planning permission 01/06/1004 to permit the use of the existing batching plant until 21 February 2022.

### **Preston**

Application: No. LCC/2016/0072

Western Apron of Preston Bus Station, Tithebarn Street, Preston

Development of a three storey youth zone with recreation facilities

Application: No. LCC/2016/0070

Sir Tom Finney School, Moor Park, Blackpool Road, Preston

Erection of 3 m high weldmesh security fencing and 3 m high close boarded timber fencing

Application: No. LCC/2016/0066

County Hall, Pitt Street, Preston

A stairwell construction, the footprint extending into an inner courtyard of the council offices serving five storeys

### **Chorley**

Application: No. LCC/2016/0081

Chorley Waste Water Treatment Works, Common Bank Lane, Chorley

Erection of four kiosks

### **Hyndburn**

Application: No. LCC/2016/0075

Hyndburn Park County School, Park Road, Accrington

Installation of a 2m high automated sliding gate with associated 2.4m high 2d protective pocket screen

Application: No. LCC/2016/0069

St Mary Magdalens C of E School, Devonshire Street, Accrington

Erection of two canopies at split levels

## **Pendle**

Application: No. LCC/2016/0076

Primet Works, Greenfield Road, Colne

Change of use from engineering to vehicle storage, vehicle dismantle, vehicle depollution and authorised treatment facility

Application: No. LCC/2016/0074

St Pauls Primary School, Hibson Road, Nelson

Erection of a new forest school building

## **Recommendation**

That the report be noted.

## **Local Government (Access to Information) Act 1985**

### **List of Background Papers**

Paper

Contact/ /Ext

Susan Hurst, Ext: 34181

LCC/2016/0071	LCC/2016/0066
LCC/2016/0001	LCC/2016/0075
LCC/2016/0069	LCC/2016/0081
LCC/2016/0061	LCC/2016/0076
LCC/2016/0070	LCC/2016/0074
LCC/2016/0021	LCC/2016/0072
LCC/2016/0053	



## Development Control Committee

Meeting to be held on the 18 January 2017

Electoral Division affected:  
Heysham

### North West Coast Connections Project: Proposed Route Alignment Stage

Contact for further information:

Richard Sharples, 01772 534294, Planning Officer

Richard.sharples@lancashire.gov.uk

#### Executive Summary

The County Council's interim response to a consultation by National Grid on its North West Coast Connections project, a nationally significant infrastructure project, linking the proposed new nuclear power station at Moorside in Cumbria to the national distribution network in Carlisle and in Heysham.

#### Recommendation – Summary

To note the County Council's interim response to the consultation and the concerns raised by the Cabinet Member for Environment, Planning and Cultural Services.

#### Background

The North West Coast Connections project (NWCC) is a nationally significant infrastructure project proposed by National Grid. It consists of 4 new 400kv transmission circuits (a series of power lines carried on a run of new pylons or underground) linking the proposed new nuclear power station at Moorside in Cumbria to the national distribution network in Carlisle and in Heysham. In Lancashire the project will consist of a tunnel carrying the cables under Morecambe Bay, a tunnel head building with cooling fans, and a substation extension.

The proposal is for this to be constructed over several years, expected to start in 2019. Construction will consist of the sinking of two tunnel heads, one on land north of Middleton and a smaller one just off Penrod Way, and the boring of a tunnel under Heysham and Morecambe Bay, together with the construction of an islet in the middle of Morecambe Bay. The tunnel head site at Middleton is likely to see a significant level of construction works and vehicle movements, albeit for a temporary period of time.

Under Section 42 of the Planning Act 2008 (the Act) National Grid is required to

consult with local authorities on their proposal before they submit their application to the Planning Inspectorate. National Grid is also consulting with the public and land owners at this stage, under Section 47 of the Act.

On the 5 January 2017, the Cabinet Member for Environment, Planning and Cultural Services considered a report setting out the County Council's interim response to the North West Coast Connections consultation. A copy of the report is available to view via the following link:

<http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=9594>

The Cabinet Member approved the recommendations set out in the report but in doing so, raised the following concerns:

- Insufficient attention has been given to construction and operational design at the tunnel heads to ensure impacts can be sufficiently mitigated particularly given that construction work may last up to six years.
- No meaningful mitigation is proposed to address noise, vibration, air quality, light, ecology or residential amenity impacts at the tunnel head;
- Residential/school receptors should be classed as 'high' sensitivity for a range of impacts. This has not been accepted in the submitted assessments and impacts on all the predictions and outcomes;
- There is incomplete workforce planning and accommodation proposals at the tunnel-heads;
- The level of construction materials and tunnel spoil generated will place extensive pressure on existing transport infrastructure. A multi-modal option is the only acceptable solution.

Cabinet Member decisions are not usually reported to the Development Control Committee; however, as this is a nationally significant infrastructure project, it is felt appropriate to do so. It is also considered appropriate to highlight the concerns raised by the Cabinet Member which also reflect those raised by the Council's Officers.

This consultation ran from 28 October 2016 to 6 January 2017.

### **Consultations**

A bite size briefing for County Councillors was held on 3 November 2016 where National Grid briefed County Councillors on the North West Coast Connections project. Several points were raised by County Councillors on skills training and the use of local contractors. These points have been incorporated into initial officer feedback, and will be incorporated into the final response.

### **Implications:**



This item has the following implications, as indicated:

**Risk management**

N/A

**Financial**

There are no financial risks associated with this proposal.

**List of Background Papers**

Paper	Date	Contact/Tel
North West Coast Connections Project: Proposed Route Alignment Stage	8 December 2016	Richard Sharples (01772 534294
PPA Group Authorities Technical Appraisal response	5 December 2016	Richard Sharples (01772 534294)
North West Coast Connections Project: Stage 2 Consultation on Outline Route Corridors/Substation Siting	5 November 2014	Phil Megson (01772) 534162

Reason for inclusion in Part II, if appropriate

N/A

