

## Lancashire County Council

### Development Control Committee

**Minutes of the Meeting held on Wednesday, 13th September, 2017 at 10.00 am in Committee Room 'B' - The Diamond Jubilee Room, County Hall, Preston**

#### **Present:**

County Councillor Barrie Yates (Chair)

#### **County Councillors**

P Rigby	P Hayhurst
S Clarke	S Holgate
M Dad	J Marsh
K Ellard	M Pattison
D Foxcroft	

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

Apologies for absence were received on behalf of County Councillors Barron and Schofield.

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

County Councillors B Yates and J Marsh declared a non-pecuniary interest in agenda items 4 & 5 as members of South Ribble Borough Council.

#### **3. Minutes of the last meeting held on 19 July 2017**

**Resolved:** That the Minutes of the meeting held on 19 July 2017, be confirmed and signed by the Chair of the Committee.

#### **4. South Ribble Borough: Application number LCC/2017/0055 Change of use of unit 116 to waste processing and storage facility including new canopy, development of external tank farm (16 tanks), proposed new building on unit 118, raising of roof height on unit 117 and relocation and consolidation of car parking spaces at units 116 to 118, Clydesdale Place, Moss Side Industrial Estate, Leyland.**

A report was presented on application for a change of use of unit 116 to a waste processing and storage facility including a new canopy, development of external tank farm (16 tanks), a proposed new building on unit 118, raising of roof height on unit 117 and relocation and consolidation of car parking spaces at units 116 to 118, Clydesdale Place, Moss Side Industrial Estate, Leyland.

The report included the views of South Ribble Borough Council, the Environment Agency, the Health & Safety Executive, the County Council's Highways Development Control, the Lead Local Flood Authority and details of representations received from a local business and landowner.

The Development Management Officer presented a PowerPoint presentation showing an aerial photograph of the site and the nearest residential properties. The Committee was also shown illustrations showing the proposed site layout plans and the proposed development, together with photographs of the site from various viewpoints.

The Officer reported orally that an additional representation had been received on behalf of two neighbouring businesses raising concerns in relation to changes to details set out in the applicant's transport statement. The original transport statement made reference to the use of a business premises elsewhere on the industrial estate as a HGV holding area yet a supplementary information note that was prepared to address a number of traffic and transport related matters indicated that the off-site holding area was not intended as an integral component of the planning application, merely to provide further improvements to existing transport arrangements. It was felt that this represented a material change to what was proposed and that the Highways Authority should be required to provide further comments. Furthermore, they felt that should the applicant not be prepared to provide the off-site holding area, then the application should be refused.

The Officer also reported that the further views of the County Council's Development Control Highways had been received. They commented that when the application was first considered, it was noted that the holding area/ layover facility for HGV's arriving at the site as mentioned in the planning submission, was not included in the red edge of development. When visiting the site in June no traffic congestion was witnessed. They advised that the proposal provides additional parking and in accord with a condition of the previous planning variation, (obtained in May 2016) there is a requirement to have sufficient space within the site to enable HGVs to enter and exit the site in forward gear. And in light of on-site observations they concluded that the proposed development is unlikely to have a severe impact on highway conditions. The officer advised that the Highway Officers had since re-visited the site and had not observed any congestion, consequently, their opinion remains that irrespective of the off-site holding area not being available, there are no objections to the application

Sarah Dickman addressed the committee on behalf of the owners and occupiers of the two adjacent business units and objected to the application for the following summarised reasons:

- The application does not comply with the Council's own Joint Minerals and Waste Core Strategy and local plan as the application site is not allocated for waste development.

- The proposal is contrary to paragraph 7 of the NPPF in that it would not seek to minimise pollution and waste and would not reduce CO2.
- The potential adverse impacts on residential amenity and on the adjacent catering business. These include the potential for the emission of pungent odours and traffic issues associated with large HGVs visiting the site.
- The proposal would affect the health and wellbeing of other business users and the residents of the proposed new housing development. It would be the wrong type of development in the wrong place.
- The proposal would result in significant over development of the site.
- No consideration has been given to the proximity of the new hazardous waste proposal in relation to the adjacent food processing and distribution firm – this must surely be an environmental health issue.
- The proposal would have a negative impact on the business park and other businesses in the area. Weight must be given to the economic contribution these businesses make to employment in the area.
- HGVs from the applicant's business currently cause traffic issues by queuing on the road. The applicant has now withdrawn the mitigation measures it had proposed to address this problem. This was a material change to the application and the application should be refused.

Officers responded to concerns raised by the Committee with regard to the traffic issues and the potential impact on the new housing development, following which it was:

**Resolved:** That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, planning permission be **granted** subject to the conditions set out in the report to the Committee.

5. **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, 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, Penwortham, Preston.**

A report was presented on 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, 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, Penwortham, Preston.

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

The Committee visited the site on Monday 11 September 2017.

The report included the views of Hutton Parish Council, Penwortham Town Council, the County Ecology Service, the Environment Agency, the County Council's Highways Development Control, National Grid, the County Archaeology Service, Natural England, Sport England, the Lead Local Flood Authority and details of 20 letters of representation received.

The Development Management Officer presented a PowerPoint presentation showing an aerial photograph of the site and the nearest residential properties. The Committee was also shown illustrations of the proposed road layout plans, landscaping and acoustic fencing together with photographs of the site from various viewpoints.

The Officer reported that the following drawings referred to in Condition 3 and 19:

Drawing no. CLM03-DEV-010-24, Rev H (sheet 1) - Proposed Environmental Masterplan.

Drawing no. CLM03-DEV-010-24, Rev H (Sheet 2) - Proposed Environmental Masterplan.

Drawing no. CLM03-DEV-010-24, Rev H (sheet 3) - Proposed Environmental Masterplan.

Should be replaced by the following drawings to account for an error regarding sports pitch fencing heights:

Drawing no. CLM03-DEV-010-24, Rev J (sheet 1) - Proposed Environmental Masterplan.

Drawing no. CLM03-DEV-010-24, Rev J (Sheet 2) - Proposed Environmental Masterplan.

Drawing no. CLM03-DEV-010-24, Rev J (sheet 3) - Proposed Environmental Masterplan.

Mr Herbert, a local resident, addressed the Committee and objected to the proposal. He informed the Committee that the new highway would increase traffic noise and vibration for residents whose properties back onto the A582 and called for an acoustic noise barrier to be installed behind the houses affected on

Wingates, Hill Road South, Corncroft and Farfield. It was pointed out that acoustic noise barriers were proposed for properties on Moorbrook Way which were a greater distance from the road. Mr Herbert maintained that during the consultation period, residents had been assured that quiet road surfacing would be laid along this stretch of road however, this was not the case. The road had been resurfaced but not with the materials previously proposed and this had resulted in residents experiencing even higher noise levels.

Councillor Hancock, spoke on behalf of Penwortham Town Council and reiterated the concerns set out in the committee report with regard to the loss of the protected Green Belt, the impact on the flood plain, the lack of parking provision for visitors to the sports pitches and the removal of the true route of the numbered footpaths FP38 and FP63. The Town Council also felt that the County Council should look again at the blue route in preference to the brown route which would bring further traffic movements and the associated noise and air pollution closer to the residential properties and the nearby school. It was pointed out that there were no noise attenuation measures proposed to protect the primary school and the residential properties identified by Mr Herbert above. It was also maintained that the sports pitches were a new addition to the scheme and should therefore be the subject of a separate planning application.

County Councillor Howarth, the electoral division member for the area, addressed the Committee and made the following summarised comments:

- The by-pass would only provide the desired outcome with a corresponding proposal to build a road link across the River Ribble. This would take traffic away from the A59 and to the motorway and Lea.
- In order to reduce traffic noise, the whole length of the highway from Howick to Middleforth should be reduced to 50 mph.
- Consideration should also be given to the speed limits on adjoining roads and in particular Lindle Lane which for safety reasons, should be reduced from 40mph to 30mph.
- Noise attenuation measures should also be available to residents whose properties back onto the A582 on Wingates, Hill Road South, Corncroft and Farfield.
- A noise reducing surface should be used on the full length of the new highway.
- Adequate fencing should be installed at the Broadoak roundabout to protect pedestrians walking from Bank Top Road to the Booths Store.
- Modifications should be made to the T junction at Liverpool Rd/Leyland Road to ensure that east - west traffic is routed back onto the by-pass.

The officer responded to the issues raised in the presentations and referred members to the advice provided in the Committee report. In respect of the noise issues raised, the officer advised that the noise assessment had been based on standard asphalt and that the resurfacing of the road on the A582 as identified by Mr Herbert above, was not deemed necessary or practical as it would require the complete reconstruction of the road. In respect of the flood plain, members were

advised that the area was not in the flood zone and that the Environment Agency had raised no objection, subject to conditions relating to flood risk measures. The Officer advised that the proposed sports pitches were a 'like for like' replacement rather than a new development.

Following further debate, Members suggested that Cllr Howarth's advice above, should be taken into account when officers finalise the details of the scheme.

**Resolved:** That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and subject to the Secretary of State not calling in the application for determination, planning permission be **granted** subject to conditions set out in the report to the Committee.

#### **6. 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 on 19 July 2017, ten 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.

The officer reported that application LCC/2017/0029 should be excluded from the list as the application had been approved by the Committee and not under delegated powers.

**Resolved:** That, subject to the above amendment, the report be noted.

#### **7. Urgent Business**

There were no items of urgent business.

#### **8. Date of Next Meeting**

It was reported that an additional meeting of the Committee had been arranged. Members were advised that the next meeting of the committee would therefore be held on Wednesday 4 October and not 25 October as previously advised.

**Resolved:** That the next meeting of the Committee be held on Wednesday 4 October 2017.

I Young  
Director of Governance, Finance  
and Public Services

County Hall  
Preston

