

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 7th March, 2018 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
M Barron	S Holgate
S Clarke	J Marsh
M Dad	M Pattison
K Ellard	A Schofield
D Foxcroft	

1. Apologies for absence

None received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor P Hayhurst declared a non pecuniary interest in agenda items 4 & 5 as a member of Fylde Borough Council.

3. Minutes of the last meeting held on 24 January 2018

Resolved: That the Minutes of the meeting held on 24 January 2018, be confirmed and signed by the Chair of the Committee.

4. Fylde Borough: Application number LCC/2017/0074 Erection of solar photo voltaic panels, 2 housings for switchgear, transformers and inverters, 2m high security mesh fencing and integral connection to Preston Waste Water Treatment works. Field adjacent to north-east side of Preston Waste Water Treatment Works, Clifton Marsh, off Lytham Road, Freckleton

A report was presented on an application for the erection of solar photo voltaic panels, 2 housings for switchgear, transformers and inverters, 2m high security mesh fencing and integral connection to Preston Waste Water Treatment works in the field adjacent to north-east side of Preston Waste Water Treatment Works, Clifton Marsh, off Lytham Road, Freckleton.

The application was accompanied by an Environmental Statement and Non-Technical Summary prepared under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The report included the views of Fylde Borough Council, LCC Highways Development Control, the Environment Agency, LCC Specialist Advisor (Ecology), LCC Specialist Advisor (Archaeology), the Lead Local Flood Authority (LLFA), Natural England, the RSPB, the Health and Safety Executive, the Canal and River Trust, National Air Traffic Services and details of one letter of representation received.

The Committee was informed that a separate area of proposed solar panels (Site A) was the subject of Planning Application No. LCC/2017/0090 at item 5 of the agenda.

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 a site layout plan showing details of the solar panels, switchgear housing and fencing and photographs of the site taken from various aspects.

The officer reported that the RSPB had confirmed that the Black Godwit Core Area had been revised so that it no longer covers either application area. However, Site A (LCC/2017/0090) was still directly adjacent to the Core Area.

It was also reported that a revised Construction Environmental Management Plan had been submitted by the applicant. The Committee was advised that Conditions 13 and 17 should therefore be reworded to make reference to the Construction Environmental Management Plan received on 23rd February 2018.

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 and the inclusion of the amended wording to conditions 13 and 17 as set out above.

**5. Fylde Borough: Application number LCC/2017/0090
Erection of a solar photo voltaic array, 2 housings for switchgear, transformers and inverters, 2m high security mesh fencing and integral connection to Preston Waste Water Treatment works. Field adjacent to north-east side of Preston Waste Water Treatment Works, Clifton Marsh, off Lytham Road, Freckleton.**

A report was presented on an application for the erection of a solar photo voltaic array, 2 housings for switchgear, transformers and inverters, 2m high security mesh fencing and integral connection to Preston Waste Water Treatment works in the field adjacent to north-east side of Preston Waste Water Treatment Works, Clifton Marsh, off Lytham Road, Freckleton.

The application was accompanied by an Environmental Statement and Non-Technical Summary prepared under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The report included the views of Fylde Borough Council, Freckleton Parish Council, Newton with Clifton Parish Council, LCC Highways Development Control, the Environment Agency, LCC Specialist Advisor (Ecology), LCC Specialist Advisor (Archaeology), the Lead Local Flood Authority (LLFA), Natural England, the RSPB, the Health and Safety Executive, the Canal and River Trust and BAE Systems. It was noted that no letters of representation had been received in respect of the application.

The Committee was informed that a separate area of proposed solar panels (Site B) was the subject of Planning Application No. LCC/2017/0074 at item 4 of the agenda.

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 a site layout plan showing details of the solar panels, switchgear housing and fencing and photographs of the site taken from various aspects.

The officer reported that the RSPB had confirmed that the Black Godwit Core Area had been revised so that it no longer covers either application area. However, this site was still directly adjacent to the Core Area.

It was also reported that it was proposed to amend the 'Recommendation' as the applicant now proposes to deal with the management issues and establishment of the steering group through the submission of a unilateral undertaking rather than a section 106 agreement.

It was proposed that the revised recommendation should be reworded as follows:-

'That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment Regulations 2017 and subject to receipt of an acceptable unilateral undertaking under section 106 of the Town and Country Planning Act 1990 relating to the establishment, funding and working arrangements of a biodiversity steering group, planning permission be granted subject to conditions controlling time limits, working programme, hours of working, building materials, site operations, noise, dust, lighting, highway matters, safeguarding of watercourses and drainage, landscaping, ecology and restoration'.

It was also proposed to amend Condition 8 as the applicant had submitted a drawing showing the design and location of perimeter fencing to be erected around the site. It was reported that Natural England was satisfied with the design of the fencing but still wished the seasonal restriction within condition 9 to be retained.

It was therefore proposed to reword Condition 8 as follows:

- '8. Prior to the commencement of development, acoustic fencing shall be erected to the design and in the positions shown on drawing CLIFT/L0000000/ARRAY'A'SITE Revision B. The acoustic fencing shall be retained in position throughout the duration of construction works and shall be removed within one month of the completion of construction works.'

It was proposed to retain the seasonal restriction on works contained in condition 9 as requested by Natural England.

It was noted that the applicant had submitted a revised Construction Environmental Management Plan. The Committee was therefore advised that Conditions 16 and 20 should be reworded to make reference to the Construction Environmental Management Plan received on 23rd February 2018.

Resolved: That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment Regulations 2017 and subject to receipt of an acceptable unilateral undertaking under section 106 of the Town and Country Planning Act 1990 relating to the establishment, funding and working arrangements of a biodiversity steering group, planning permission be granted subject to conditions set out in the report to the committee and the inclusion of the amended wording to conditions 8, 16 and 20 as set out above.

**6. Burnley Borough: application number LCC/2018/0004
New building to house biomass boilers including 2 x 9m high flues
at Hapton Valley Colliery Site, Accrington Road, Hapton**

A report was presented on an application for a new building to house biomass boilers including 2 x 9m high flues at Hapton Valley Colliery Site, Accrington Road, Hapton.

The report included the views of Burnley Borough, Hapton Parish Council, the Coal Authority, the Environment Agency, LCC Highways Development Control and details of two 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 a site layout plan, illustrations showing the elevation and design of the proposed buildings and photographs of the existing site.

The Officer reported that due to uncertainties over the extent of the existing Environmental permit at the wider Hapton Valley waste management site to control surface water management associated with the biomass boiler building, an additional condition was recommended as follows:

'Within 3 months of the date of this permission details of a surface water sustainable drainage system for the biomass building shall be submitted to the County Planning Authority for approval in writing. The details shall include:

- a) Information about design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), surface water discharge point(s) and the methods employed to delay and control surface water discharged from the building.
- b) Demonstration that the surface water run-off will not exceed greenfield runoff rate.
- c) Details of flood water exceedance routes, both on and off site.

The approved surface water sustainable drainage system shall be implemented in accordance with the approved details within 6 months of approval by the County Planning Authority and thereafter operated and maintained while the building is present on site.

Reason: To seek to ensure that drainage from the site can be adequately controlled and to minimise flood risk and to conform with Policy GP3 of the Burnley Local Plan.'

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

**7. Chorley Borough: Application Number. LCC/2017/0094
Extension to the car park. Astley Park School, Harrington Road,
Chorley**

This item was brought forward and considered after item 3 of the agenda.

A report was presented on an application for an extension to the car park at Astley Park School, Harrington Road, Chorley.

The Committee was reminded that at their last meeting held on 24 January 2018, they had deferred consideration of the application pending a site visit.

The Committee visited the site on 5 March 2018.

The report included the views of Chorley Borough Council, LCC Highways Development Control, Sport England, the Coal Authority and details of four 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 photographs of the existing car park, the

proposed car park extension and vehicles parked on the surrounding residential roads.

The Officer reported that a letter had been received from a resident of Harrington Road raising the following points:-

- The school has reached capacity in terms of the numbers of staff now required to support pupil numbers
- There has been a significant increase in the numbers of vehicles providing transport for children including in parent's vehicles which is leading to unacceptable levels of congestion at either end of the school day, the flouting of parking restrictions and blocking of resident's drive ways
- The parking issues cause problems for emergency vehicle access.

The same resident addressed the Committee at the meeting and reiterated the above points. She also felt that if the proposed school car park extension were to include a significantly improved traffic management scheme which allowed the mini buses and taxis to park and wait on school premises, this may alleviate many of the concerns expressed by the residents.

Following debate with regard to the size and the location of the proposed car park, the proposed landscaping and traffic congestion on the surrounding residential roads, it was:

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

8. 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 24 January 2017, four 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.

9. Amendments to the Constitution - Development Control Committee

It was reported that at their meeting held on 22 February, 2018, the Full Council had agreed changes to the Council's Constitution to enable:

- i) Cabinet Members to speak at meetings of the Development Control on issues of local interest (Standing Order 19(2)); and
- ii) To make training on Development Control matters mandatory for any member of the Development Control Committee.

The Committee was advised that until the first mandatory training session has taken place, all Members remain entitled to continue to serve on the committee.

Resolved:- That the changes as set out in the report, to Standing Order 19(2) and to the Terms of Reference of the Development Control Committee be noted.

10. Urgent Business

There were no items of urgent business.

11. Date of Next Meeting

Resolved: That the next meeting of the Committee be held on Wednesday 18 April 2018.

L Sales
Director of Corporate Services

County Hall
Preston