

# **Lancashire County Council**

## **Development Control Committee**

**Minutes of the Meeting held on Wednesday, 19th June, 2019 at 10.30 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston**

### **Present:**

County Councillor Barrie Yates (Chair)

### **County Councillors**

S Clarke	D Foxcroft
M Barron	P Hayhurst
C Crompton	A Kay
M Dad	M Pattison
J Eaton	

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

Apologies were received on behalf of County Councillors K Ellard and A Schofield.

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

The Committee was informed that County Councillors B Yates and S Clarke had been appointed as Chair and Deputy Chair respectively of the Committee for the ensuing year.

**Resolved:-** That the appointment of County Councillors B Yates and S Clarke as Chair and Deputy Chair of the Committee be noted.

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

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

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

None declared.

#### **5. Minutes of the last meeting held on 8 May 2019**

The Development Management Officer reported orally that it was proposed to amend resolution 4 of the Minutes to more accurately reflect the decision of the Committee by including reference to a Section 106 agreement. The amended resolution is set out below:

**'Resolved:** That subject to the inclusion of the amended wording to condition 9 as set out above and to the applicant entering into a section 106 agreement providing for an extended aftercare period of 15 years following the completion of restoration, provision of a footpath across the restored site and provision of two bird hides for a period of 99 years following restoration of the site, planning permission be **granted** for the variation of conditions 1, 2 and 25 of planning permission 02/99/0704 to allow the period for landfilling operations to continue until 31 December 2033 with a further 12 months to restore the site, subject to planning conditions as set out in the report to committee'.

**Resolved:** That subject to the above amendment, the Minutes of the meeting held on 8 May 2019 be confirmed and signed by the Chair of the Committee.

**6. Lancaster City: Application number LCC/2018/0045  
Variation of condition 1 of planning permission 1/98/29 to extend the period for mining operations to 31st December 2036 with final restoration of the site by 31st December 2038. Claughton Moor Quarry, Claughton, Lancaster.**

A report was presented on an application for the variation of condition 1 of planning permission 1/98/29 to extend the period for mining operations to 31st December 2036 with final restoration of the site by 31st December 2038 at Claughton Moor Quarry, Claughton, Lancaster.

The report included the views of Lancaster City Council, the Environment Agency, Lancashire County Council's Specialist adviser (Ecology), Natural England, Lancashire County Council's consultants on Landscape (Jacobs) and the Health and Safety Executive. It was noted that no letters of representation had been received.

The Development Management Officer presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown a site plan, and photographs of the site including the aerial ropeway system.

Following questions to the Officers by the Members with regard to the aerial ropeway 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, and subject to the signing of a section 106 agreement relating to extended aftercare and removal of the aerial ropeway system, planning permission be **granted** subject to conditions set out in the report to the committee.

**7. Lancaster City: Application number LCC/2018/0044  
Variation of condition 1 of planning permission 1/88/955 to extend the period for the manufacture of bricks to 31 December 2036 with**

**the final restoration of the site by 31 December 2037. Claughton Manor Brickworks, Hornby Road, Claughton, Lancaster**

A report was presented on an application for the variation of condition 1 of planning permission 1/88/955 to extend the period for the manufacture of bricks to 31 December 2036 with the final restoration of the site by 31 December 2037 at Claughton Manor Brickworks, Hornby Road, Claughton, Lancaster.

The report included the views of Lancaster City Council, Claughton Parish Council, the Environment Agency, Natural England, the Health and Safety Executive and Lancashire County Council's Highways Development Control, Specialist adviser (Ecology) and Landscape consultants (Jacobs). It was noted that no letters of representation had been received.

The Development Management Officer presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown a site plan, and photographs of the site and access roads.

**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 conditions set out in the report to the committee.

**8. Preston City: Application number LCC/2018/0048  
Amendment of condition 3 of planning permission LCC/2017/0017 to extend the hours of operation of the fragmentising plant to between 07.00 - 20.00 Mondays to Fridays (except public holidays) with no change to the working hours on Saturdays. Recycling Lives, Longridge Road, Preston**

A report was presented on an application for an amendment to condition 3 of planning permission LCC/2017/0017 to extend the hours of operation of the fragmentising plant to between 07.00 – 20.00 Mondays to Fridays (except public holidays) with no change to the working hours on Saturdays at Recycling Lives, Longridge Road, Preston.

The report included the views of Preston City Council, Grimsargh Parish Council, the Environment Agency, Lancashire County Council's Highways Development Control and details of two letters of representation received.

The Development Management Officer presented a PowerPoint presentation which included an aerial photograph of the site and the nearest residential properties. The committee was also shown photographs of the site, the fragmentiser and the access road.

The agent for the applicant, Mr Alexis De Pol, addressed the committee and spoke in support of the application. He advised that the additional working hours

of the fragmentiser would contribute towards continued delivery of economic, social and environmental benefits arising from their overall recycling operations both locally and nationally such as the creation of additional jobs. The company provided employment opportunities for vulnerable people with many of the employees being from marginalised or disadvantaged backgrounds. Mr De Pol also advised that the applicant had undertaken the required noise survey that specified a method for the rating of industrial noise affecting mixed residential and industrial areas. It was therefore suggested that the concerns raised by the Environment Agency as to the acceptability of the amended noise assessment, were unfounded. The Committee was urged to approve the application.

Officers responded to concerns raised by the Members with regard to the noise and dust leading to amenity impacts on residents. It was explained that the main issue associated with the application was the potential impact upon nearby residents by noise from the use of the fragmentiser over the extended working hours. The officer referred to the report and in particular, the views of the Environment Agency who had expressed a number of concerns as to the adequacy of the submitted noise assessment.

Following further discussion, it was:

**Resolved:** That planning permission be **refused** for the following reason:

The proposed extension to the hours of operation would allow the fragmentiser plant to be operated for an additional 3 hours per day, Mondays to Fridays, between 0700 to 0730 hours, and 1730 to 2000 hours. It is considered that the applicant's noise assessment has not satisfactorily demonstrated that there would be no unacceptable adverse impact by reason of noise from the proposed extended hours of operation of the fragmentiser on the amenity of residents of the nearby The Hills Estate. The risk of an unacceptable adverse impact on the public is contrary to Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies AD1 (a) of the Preston Local Plan 2012 - 2026.

**9. Lancaster City: application number LCC/2019/0021 Proposed site visit**

**The development of an energy recovery facility comprising: the erection and operation of an energy from waste building including offices, workshop and visitor/education facilities; air cooled condensers; internal access roads; car, cycle and coach parking; perimeter fencing; electricity sub-stations; weighbridges; weighbridge office; contractors office; water and diesel tanks; lighting; heat offtake pipe; hardstandings; earthworks; landscaping**

**and other ancillary infrastructure on land at Imperial Road, Heysham  
- Site Visit**

A report was presented on an application for the development of an energy recovery facility on land at Imperial Road, Heysham.

The Development Management Officer explained that as this was a major development, it was proposed to visit both the site at Imperial Road, Heysham and a similar existing facility at Cannock, near Wolverhampton. This would hopefully 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 determining the application.

The Officer also advised that the applicant's proposal should refer to '*...the combustion of up to 330,000 tonnes per annum...*' not 300,000 tonnes per annum as set out in the report.

**Resolved:** That the Development Control Committee visit the site at Imperial Road, Heysham and the existing facility at Cannock, near Wolverhampton prior to determining the application.

**10. Lancaster City: application number. LCC/2019/0027  
Single storey extension to create a new class base and wheelchair  
store facing existing courtyard. Bleasdale House School, Emesgate  
Lane, Silverdale**

A report was presented on an application to create a new class base and wheelchair store facing the existing courtyard at Bleasdale House School, Emesgate Lane, Silverdale.

The Committee was reminded that at their meeting on 8 May 2019, they had resolved to defer consideration of a separate planning application for a wheel chair store. However, since that meeting, the school had submitted a different proposal for the classroom and wheel chair store.

The report included the views of Lancaster City Council and Lancashire County Council's Highways Development Control. It was noted that no letters of representation had been received in respect of the application.

The Development Management Officer presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown a location plan, an illustration of the development and photographs of the site from various aspects.

Following discussion with regard to the visual impact of the proposal, it was Moved and Seconded:

"That the application be deferred pending a site visit"

On being put to the vote the Motion was Lost.

The Substantive Motion was then put to the vote and it was:

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

**11. Preston City : Application number LCC/2019/0006  
Variation of condition 2 of permission 06/13/0528 for the amendment  
of the approved drawings to regularise departures from the  
approved design. Broughton Bypass, Preston**

It was reported that the above application had been withdrawn from the agenda and would be determined at a future meeting of the Committee.

**12. 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 8 May 2019, two 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.

**13. Urgent Business**

There were no items of urgent business.

**14. Date of Next Meeting**

**Resolved:** That the next meeting of the Committee be held on Wednesday 24 July 2019 at 10.30am.

L Sales  
Director of Corporate Services

County Hall  
Preston