

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 11th July, 2018 at 10.00 am in Committee Room 'B' (The Diamond Jubilee Room) - County Hall, Preston

Present:

County Councillor Barrie Yates (Chair)

County Councillors

M Barron	P Hayhurst
S Clarke	J Marsh
C Crompton	M Pattison
M Dad	J Rear
J Eaton	A Schofield
K Ellard	

County Councillors Jimmy Eaton and Jayne Rear replaced County Councillors David Foxcroft and Paul Rigby on the committee respectively.

1. Apologies for absence

None received.

2. Appointment of Chair and Deputy Chair

The Committee was informed that the County Council had appointed County Councillors B Yates and P Rigby as Chair and Deputy Chair respectively of the Committee for the ensuing year.

Resolved:- That the appointment of County Councillors B Yates and P Rigby as Chair and Deputy Chair of the Committee be noted.

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

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

4. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor P Hayhurst declared a non pecuniary interest in agenda item 6 as a member of Fylde Borough Council and Elswick Parish Council.

5. Minutes of the last meeting held on 23 May 2018

Resolved: That the Minutes of the meeting held on 23 May 2018, be confirmed and signed by the Chair of the Committee.

6. **Fylde Borough: Application number. LCC/2014/0101**
Construction and operation of a site for drilling up to four exploratory wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells and restoration, including provision of access roads and improvement of accesses onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land west, north and east of Roseacre Wood and between Roseacre Road, Roseacre and Inskip road, Wharles.

Agricultural land that forms part of Roseacre Hall, to the west, north and east of Roseacre Wood, and land that forms part of the defence high frequency communications service (DHFCS) site between Rosacre Road and Inskip Road, off Roseacre Road and Inskip Road, Roseacre and Wharles, Preston

A report was presented on an updated Environmental Statement and Planning Statement Addendum in relation to the above application.

The Committee was reminded that at their meeting held on 24 June 2015, the Development Control Committee had resolved to refuse the application due to unacceptable highway impacts. The decision was the subject of an appeal to the Secretary of State who determined that he was minded to allow the appeal subject to the highways concerns identified being addressed.

Following the decision, the appellant produced revised traffic proposals and an updated Environmental Statement and Planning Statement addendum. It was noted that both were the subject of consultation and that the Secretary of State would take all consultation responses into account prior to determining the appeal.

The Development Management Officer reported orally that the views of Public Health England had been received. These were set out in the Update Sheet circulated at the meeting and attached at Annex A to the Minutes.

The Committee was informed that other consultation responses in respect of the revised Environmental Statement and Planning Statement addendum were outstanding. Given the timescales involved, the Committee was asked to give officers delegated authority to prepare a response to the Secretary of State taking into account any further observations received subsequent to the meeting of the Committee.

Following debate, it was Moved and Seconded that the recommendation set out in the report be amended to include:

"A draft of the officer's response be sent to members of the Committee before it is sent to the Secretary of State".

On being put to the vote the amendment was Carried it was therefore:

Resolved:

- 1) That the conclusions of the report be noted.
- 2) That officers be given delegated authority to respond to the Secretary of State taking into account any further observations that are received subsequent to the meeting of the Committee.
- 3) A draft of the officer's response be sent to members of the Committee before it is sent to the Secretary of State.

**7. Wyre Borough: Application number. LCC/2017/0040
Application for the variation of conditions 1 and 2 of permission
02/13/0342 to allow the duration of sand and gravel extraction to be
extended to 31 March 2027 and to amend the working scheme and
water management proposals.
Tarnacre Quarry, Tarnacre Lane, St Michaels on Wyre.**

A report was presented on an application for the variation of conditions 1 and 2 of permission 02/13/0342 to allow the duration of sand and gravel extraction to be extended to 31 March 2027 and to amend the working scheme and water management proposals at Tarnacre Quarry, Tarnacre Lane, St Michaels on Wyre.

The Committee was reminded that a report on the planning application had been presented to the last meeting of the Development Control Committee on 23 May 2018. At that meeting it was resolved to defer consideration of the application to allow a site visit to take place. The site visit took place on 9th July 2018.

The report included the views of Wyre Borough Council, Kirkland Parish Council, the Environment Agency, Cadent Gas, Natural England, United Utilities, the county council's Specialist Advisor (Ecology), the county council's Highways Development Control and details of six representations received including representations received from the St Michaels Flood Action Group and from the occupier of Brook House Farm, located adjacent to the quarry. The report also included the further views of the county council's Flood Authority and details of presentations made to the Committee by Mr Flintoff of Brook House Farm and the agent for the applicant.

The Officer reported orally that since the publication of the agenda, further representations had been received from Upper Rawcliffe with Tarnacre Parish Council and from Mr Flintoff of Brook House Farm. Details of the representations together with the advice of the officer in relation to such was set out in the Update Sheet circulated at the meeting. (Copy attached at Annex A to the Minutes).

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 an illustration of the working scheme and

photographs of the site entrance, plant site and stockpile area and phases 1 to 4 of the site.

Mr Nickols addressed the Committee on behalf of St Michael's Flood Action Group. He objected to the application on the grounds that there was potential for flooding from the development to Tarnacre and other parts of St Michaels. He referred to the serious flooding which had occurred in the area in December 2015 and August 2016 and to a recent review by the Environment Agency which contained evidence of increasing river levels in the Wyre catchment area.

It was felt that the quarrying activities and various bunds and other alterations to the site may impede the flow of flood water across the site, leading to an increased flood risk elsewhere. This was of particular concern to residents as ground levels run downhill from the site. It was maintained that these concerns had not been addressed properly in the applicant's flood risk assessment which was now on its 4th version. Mr Nickols called for the additional conditions as recommended by the Council's Flood Authority, to be included verbatim in the conditions to the proposed planning permission.

In response to questions raised by the Committee, the officers advised that the conditions set out in the proposed planning permission and in particular condition 2 and conditions 41(a) and 42(a), addressed the concerns raised by the council's Flood Authority.

In response to further concerns raised by the Committee in relation to flood risk, it was agreed that officers would write to the regulators and bring these concerns to their attention.

Resolved: That after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, planning permission be **granted** subject to the conditions set out in the report to the Committee.

**8. West Lancashire Borough: Application number LCC/2018/0023
Erection of detached vehicle repair/maintenance workshop and
office accommodation building with the provision of photovoltaic
solar panels on the southern half of the roof of the building, and an
associated five space car park. City Centre Commercials, Tower
House, Simonswood Industrial Estate, Stopgate Lane, Simonswood,
Kirkby.**

A report was presented on an application for the erection of detached vehicle repair/maintenance workshop and office accommodation building with the provision of photovoltaic solar panels on the southern half of the roof of the building, and an associated five space car park at City Centre Commercials, Tower House, Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.

The report included the views of West Lancashire Borough Council, the Environment Agency and United Utilities. The Committee noted that no representations had been received in respect of this 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 an illustration of the proposed development and a photograph of the site.

The officer reported orally that the views of Knowsley Council and Simonswood Parish Council had been received. Details of the representations received together with officer advice in relation to such was set out in the Update Sheet circulated at the meeting. (Copy attached at Annex A to the Minutes).

In order to address concerns raised by Knowsley Council, Officers recommended that condition 4 be amended to include the following text in italics.

4. The building shall only be used as a vehicle repair / maintenance workshop and office accommodation. *Only vehicles and machinery used in connection with the waste transfer and waste processing activities undertaken within the land edged blue on the submitted Site Location Plan shall be maintained or repaired within the proposed building.*

Resolved: That planning permission be **granted** subject to conditions set out in the report to the committee and the inclusion of the amended condition as set out above.

**9. Rossendale Borough: Application number 14/13/0515
Application for determination of conditions for permission
14/94/0355 (as amended by 14/95/0506) for the winning and working
of minerals at Hutch Bank Quarry, Haslingden**

A report was presented on an application for the determination of conditions for permission 14/94/0355 (as amended by 14/95/0506) for the winning and working of minerals at Hutch Bank Quarry, Haslingden.

The application was accompanied by an Environmental Statement and Non-Technical Summary for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The Committee was informed that the county council was required to undertake a periodic review of all mineral planning permissions to ensure the existing conditions reflect modern environmental standards. The applicant had therefore provided a new schedule of conditions and details of a proposed development scheme for the future working and restoration of the quarry.

The report included the views of the Environment Agency, Natural England, the County Ecology Service, the County Archaeology Service and details of four representations 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 illustrations of the proposed development and various working phases together with photographs of the site.

The Officer reported orally that following further consultation and discussion with the applicant, a number of minor changes were proposed to conditions 4, 5, 10 and 20 as set out in the Update Sheet circulated at the meeting. (Copy set out at Annex A).

Resolved: That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, for the purposes of Section 96 and Schedule 14 of the Environment Act 1995, the conditions set out in the report to the Committee and the inclusion of the amended conditions 4, 5, 10 and 20 as set out in the Update Sheet, be imposed on planning permission 14/94/0355 (as amended by 14/95/0506).

10. 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 23 May 2018, five planning applications had been granted planning permission by the Head of Service Planning and Environment in accordance with the county council's Scheme of Delegation.

Resolved: That the report be noted.

11. Urgent Business

There were no items of urgent business.

12. Date of Next Meeting

That the next meeting of the Development Control Committee be held on Wednesday 12 September 2018.

L Sales
Director of Corporate Services

County Hall
Preston