

## **Lancashire County Council**

### **Development Control Committee**

**Minutes of the Meeting held on Wednesday, 15th January, 2014 at 10.00 am  
in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston**

#### **Present:**

County Councillor Kevin Ellard (Chair)

#### **County Councillors**

T Aldridge	M Otter
P Buckley	N Penney
M Dad	P Rigby
P Hayhurst	K Sedgewick
D Howarth	D Westley
M Johnstone	B Yates
R Newman- Thompson	

County Councillors Mike Otter, Richard Newman-Thompson and David Westley replaced County Councillors Michael Green, Ron Shewan and Tony Jones respectively.

The Chair announced that County Councillor Niki Penney had replaced County Councillor Carl Crompton as a member of the Committee.

The Chair welcomed Councillors Otter, Penney, Newman-Thompson and Westley to the Committee. He also thanked Councillor Crompton for his contribution to the Committee.

#### **Standing Order 19**

County Councillor Alan Schofield attended the meeting under Standing Order 19.

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

None received.

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

County Councillor Newman-Thompson declared a non pecuniary interest in agenda item 4 as a member of Lancaster City Council.

County Councillor P Hayhurst declared a non pecuniary interest in agenda item 6 as the local member for the area concerned and as a member of Fylde Borough Council.

County Councillor P Buckley declared a non pecuniary interest in agenda item 6 as his wife is a member of the Borough Council for the area concerned.

County Councillors T Aldridge and D Westley declared a non pecuniary interest in agenda items 7, 8 and 13 as members of West Lancashire Borough Council.

County Councillor B Yates declared a non pecuniary interest in item 12 as a member of South Ribble Borough Council and as a parish councillor for the area concerned.

County Councillors D Howarth and M Otter declared a non pecuniary interest in agenda item 12 as members of South Ribble Borough Council.

County Councillor M Johnstone declared a non pecuniary interest in agenda item 14 as the local member for the area concerned.

### **3. Minutes of the last meeting held on 27 November 2013**

**Resolved:** That the minutes of the meeting held on the 27 November 2013 be confirmed and signed by the Chair.

### **4. Lancaster City: Application ref 01/13/0700 Variation of condition 2 of planning permission 01/03/1591 to retain existing offices until 7 March 2030. Back Lane Quarry, Nether Kellet, Carnforth**

A report was presented on an application for the variation of condition 2 of planning permission 01/03/1591 to retain existing offices until 7 March 2030 at Back Lane Quarry, Nether Kellet, Carnforth.

The report included the views of Lancaster City Council, the Lancashire County Council's (LCC) Assistant Director (Highways), LCC Specialist Adviser (Ecology), the Environment Agency. The committee noted that no letters of representation had been received.

The committee was informed that the application had been considered by the Development Control Committee at their meeting held on 4 September 2013. The committee had resolved to grant planning permission subject to the applicant first entering into a Section 106 Agreement.

Since the determination of the application there had been changes to the policies against which the application was assessed. The Section 106 Agreement had not yet been completed and consequently the decision notice had not yet been issued. As the application was still 'live' it was necessary to re-assess the application against the revised policies.

The report presented to the Development Control Committee meeting on 4 September, 2013 was attached at Appendix A to the report. The report had been

updated to reflect the changes to policy only and a further assessment of the application against such had been carried out. All other matters remained as set out in the appended report.

The Group Head, Development Management, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the office building and a view of the nearest residential property.

**Resolved:** That subject to the applicant first entering into a Section 106 agreement restricting the occupation of the building to the operator of the adjacent limestone quarry, planning permission be granted subject to conditions relating to time restrictions, removal of the buildings, maintenance of the access visibility splays, maintenance of the colour of the building and restoration of the site and a review of staff travel plan as set out in the report to the committee.

**5. Wyre Borough: Application No. 02/13/0788  
Variation of Condition 2 of permission 02/08/1116 to allow the importation and treatment of waste wood, Iron House Farm, Lancaster Road, Out Rawcliffe.**

A report was presented on an application for the variation of Condition 2 of permission 02/08/1116 to allow the importation and treatment of wood waste at Iron House Farm, Lancaster Road, Out Rawcliffe.

The report included the views of Wyre Borough Council, the Environment Agency and the LCC Assistant Director (Highways). The committee noted that no letters of representation had been received.

The Group Head, Development Management, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown a map of the proposed vehicle route, the subject of the Section 106 agreement and photographs of the site.

**Resolved:** That subject to the applicant first entering into a Section 106 agreement relating to the routing of heavy goods vehicles and tractors and trailers to and from the site being via Lancaster Road and Rawcliffe Road (other than from within a defined area referred to within the legal agreement), planning permission for the change of use of land to be used for composting and the treatment of waste wood be **granted** subject to the conditions set out in the report to the committee.

**6. Fylde Borough: Application 05/13/0715  
Construction of a new pumping station consisting of motor control kiosk, GRP water dosing unit, meter box, pressure relief column, hardstanding, new access road, hedgerow removal, fencing and associated landscaping. Land off Pool Foot Lane, Little Singleton, Poulton le Fylde**

A report was presented on an application for the construction of a new pumping station consisting of motor control kiosk, GRP water dosing unit, meter box, pressure relief column, hardstanding, new access road, hedgerow removal, fencing and associated landscaping at land off Pool Foot Lane, Little Singleton, Poulton le Fylde.

The report included the views of Fylde Borough Council, the Environment Agency, Natural England and details of two letters of representation received.

The Deputy Group Head, Development Management, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown the proposed site layout and photographs of Pool Foot Lane.

The Deputy Group Head reported orally that the LCC Assistant Director (Highways) had raised no objection subject to conditions relating to wheel cleaning and the completion of highway works before the other parts of the development commenced.

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

**7. West Lancashire Borough: Application ref 08/13/1302  
Change of use of land to construct a new waste water pumping station, comprising modification of existing access, temporary access off school lane, erection of up to 2.5m high security fencing enclosing a control kiosk, pressure relief column and areas of hardstanding including access track with turning area and creation of car parking area. Land north of Tawd Vale Public House, Berry Street, Chapel House, Skelmersdale**

A report was presented on an application for the change of use of land to construct a new waste water pumping station, comprising modification of existing access, temporary access off school lane, erection of up to 2.5m high security fencing enclosing a control kiosk, pressure relief column and areas of hardstanding including access track with turning area and creation of car parking area on land north of Tawd Vale Public House, Berry Street, Chapel House, Skelmersdale.

The report included the views of the Environment Agency, the LCC Assistant Director (Highways) and details of two letters of representation received.

The Deputy Group Head, Development Management, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the proposed site from Berry Street.

The Deputy Group Head reported orally that Sport England had raised no objection to the proposal.

It was also reported that an amended plan had been submitted providing for a smaller kiosk than initially proposed to 2.75m x 0.75m x 2.0 m high and that the applicant had agreed to undertake some landscaping along the eastern boundary of the site. It was therefore proposed to amend condition 2b) and 12 as follows:

'Condition 2b)

Delete reference to:

Drawing no DG119//80029738/00/97/20002 Rev A

Insert:

DG119/80029738/01/08/20001 Rev C.

Condition 12

Insert e) and text as follows:-

e) Details for hedge and shrub planting works including location of planting, details of the numbers, sizes and species of plants, spacing, planting techniques and protection measures.

The approved planting works shall be undertaken in the first planting season following the completion of the development and shall thereafter be maintained for a period of five years including replacement of failures, weed control and maintenance of protection measures'.

**Resolved:** That planning permission be **granted** subject to the conditions set out in the report presented to the committee with amendments to conditions 2b and 12 as set out above.

**8. West Lancashire Borough: Application No. 08/13/0151  
Variation of Condition 10 of planning permission 08/09/0494 to allow the exportation of 25,000 tonnes of sandstone per year for general sale. Dalton Quarry, Lees Lane, Dalton.**

A report was presented on an application for the variation of Condition 10 of planning permission 08/09/0494 to allow the exportation of 25,000 tonnes of sandstone per year for general sale at Dalton Quarry, Lees Lane, Dalton.

The committee was informed that the application had been considered by the Development Control Committee at their meeting held on 17<sup>th</sup> April 2013. The committee had resolved to grant planning permission subject to the applicant first entering into a Section 106 Agreement.

Since the determination of the application there had been changes to the policies against which the application was assessed. The Section 106 Agreement had not yet been completed and consequently the decision notice had not yet been issued. As the application was still 'live' it was necessary to re-assess the application against the revised policies.

The report presented to the Development Control Committee meeting on 17<sup>th</sup> April 2013 was attached at Appendix A to the report. The report had been updated to reflect the changes to policy only and a further assessment of the application against such had been carried out. All other matters remained as set out in the appended report.

The Group Head, Development Management, presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown a map of the agreed vehicle route and photographs of the site.

**Resolved:** That subject to the applicant first entering into a Section 106 Agreement to forgo the working of minerals within that part of Rams Wood Close Biological Heritage Site that falls within this planning permission boundary, the routing of HGVs, to work under permissions 08/13/0151 and not 8/09/0494 and to provide for an annual inspection as part of the aftercare of the site following restoration, planning permission be **granted** subject to the conditions set out in the report to the committee.

**9. Rossendale Borough: Application no. 14/11/0108  
Application for Determination of Conditions for Permissions  
14/94/0010 14/94/0452 and 14/93/0514 for the Winning and Working  
of Minerals at Whitworth Quarry Complex**

A report was presented on an application for the determination of Conditions for Permissions 14/94/0010 14/94/0452 and 14/93/0514 for the Winning and Working of Minerals at Whitworth Quarry Complex.

The report included the views of Rossendale Borough Council, Whitworth Parish Council the LCC Assistant Director (Highways), LCC Landscape Service, LCC Ecology Service, LCC Archaeological Service, United Utilities, the Environment Agency, the Coal Authority, Natural England, the Ramblers' Association and details of 6 letters of representation received.

The Group Head 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 hydrogeology of the site, the outline development scheme and photographs of the site and the access roads.

**Resolved:** That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, for the purposes of Section 96 and Schedule 14 of the Environment Act 1995 the conditions set out in the

report to the committee be imposed on planning permissions 14/94/0010 14/94/0452 and 14/93/0514 within one composite permission.

**10. Wyre Borough: Application No. 02/13/0787  
Single storey infill extension to school kitchen and conversion of existing enclosed play area to a classroom. The Breck County Primary School, Fouldrey Avenue, Poulton-le-Fylde.**

A report was presented on an application for a single storey infill extension to the school kitchen and conversion of existing enclosed play area to a classroom at the Breck County Primary School, Fouldrey Avenue, Poulton-le-Fylde.

The report included the views of Wyre Borough Council, the LCC Assistant Director (Highways), the Environment Agency and details of one letter of representation received.

The Group Head presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the site and an illustration of the proposed site layout and elevations.

**Resolved:** That planning permission be **granted** subject to the conditions set out in the report to the committee:

**11. Wyre Borough: Application ref 02/13/0893  
Erection of a detached building to form a classroom.  
Breck Primary School, Foundrey Avenue, Poulton-Le-Fylde**

A report was presented on an application for the erection of a detached building to form a classroom at Breck Primary School, Foundrey Avenue, Poulton-Le-Fylde.

The committee noted that no letters of representation had been received.

The Group Head presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the site and an illustration of the proposed site layout and elevations.

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

**12. Ribble Valley and South Ribble Boroughs: Application Nos. 03/13/0852 and 07/13/0660  
Creation of new signalised junction on the A59 and access road to form entrance to Samlesbury Enterprise Zone. Land at A59/ Samlesbury Enterprise Zone, Samlesbury.**

A report was presented on an application for the creation of new signalised junction on the A59 and access road to form an entrance to Samlesbury Enterprise Zone.

The application had been considered at the last meeting of the committee on the 27 November 2013. The committee had resolved to defer the application to allow officers to look into the alternative for creating a new access further west nearer to the junction of the M6 and to investigate whether the proposed junction could be designed in such a way that would provide traffic light access for residents at Sykes Holt and Carter Fold.

The committee visited the site on Monday 13 January 2014.

The original report was appended at Appendix A and included the views of South Ribble Borough Council, the County Council's Assistant Director (Highways), the Highways Agency, the Ramblers Association, the County Council's Public Rights of Way Officer and details of three letters of representation received.

The Deputy Group Head presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown a site layout plan of the proposed and alternative site and photographs of the site from various aspects.

The Deputy Group Head reported orally that Balderstone Parish Council had raised no objection to the proposal. They welcomed the investment in the development of the Enterprise Zone (EZ) and appreciated the need for the two new accesses to the site. However, they had misgivings regarding the location of the proposed A59 entrance and fully endorsed the views already expressed by Ribble Valley Borough Council and Samlesbury & Cuerdale Parish Council. The Parish Council could see the merit in the access from the A677 being opened from the outset of the development of the EZ with a road connecting it to a new junction off the A59 and were of the view that this should help alleviate the volume of traffic on Branch Road. It was also felt that a weight limit should be imposed on Branch Road and that the siting of traffic lights at its junction with the A677 would be beneficial.

It was also reported that County Councillor Schofield had expressed further concerns relating to the reliability of the proposed inductive-loop traffic detector system at the junction of the entrance to the residential property known as Sykes Holt and the A59 and had questioned if there will be any recognition or commitment to additional screening and sound attenuation for the properties of Sykes Holt and Carter Fold on the north side of the A59.

Three additional representations had also been received objecting to the proposal for the following summarised reasons:

- Both of the A59 and A677 entrances should be opened at the same time and linked by a road through the EZ so as to reduce and disperse traffic from Branch Road.



- The presence of an entrance only from the A59 would create additional danger for pedestrians and other road users on the surrounding roads of the nearby villages and countryside as motorists would use rat runs and narrow lanes to avoid the heavy build up of traffic created by the Enterprise Zone (EZ).
- Traffic calming measures will be required on Branch Road.
- There should be a ban on HGV's accessing the site from Branch Road.
- The traffic impacts contradict the Consultation Draft Samlesbury EZ Master Plan that states that it wishes to minimise disruption to the community.

The committee was advised that:

Access into the EZ was investigated as part of the Transport Assessment (TA) submitted with the planning application and had been addressed in the report and update sheet to the Development Control Committee on the 27 November 2013 and in the current report.

The proposed inductive-loop traffic detector system at the junction of the entrance to Sykes Holt and the A59 would be the standard detector system that was used in traffic lights throughout the county. The operation of such detector systems were monitored via a control centre that would alert as to their failure. Traffic lights were designated a level of importance, in terms of their location and the implications, should they fail. The higher the level of importance, the quicker was the response time to react to and address a failing traffic light system. The proposed traffic detector system at the junction of the entrance to Sykes Holt would be designated the highest level of importance and hence would be prioritised in the event of failure.

The report to the Development Control Committee on the 27<sup>th</sup> November 2013 advised that the construction of the proposed junction would necessitate the removal of some of the screen bunding and associated tree planting on the north side of the A59 where it was proposed to be widened. To minimise the impact of the proposed junction the height of the screen bunding would be retained. Details of landscaping and replacement planting for the vegetation to be removed were required to be submitted under the provisions of condition 10.

The concerns expressed in the three additional representations were addressed on the update sheet to the Development Control Committee on the 27 November 2013.

Traffic calming measures on Branch Road were proposed as part of the EZ Master Plan and would be delivered through such and Traffic Regulation Orders rather than as a conditional requirement of this planning application.

It was proposed to reword the start of conditions 4, 6, 10 and 14 to include:

'No development shall commence until a scheme and programme for .....

It was also proposed to amend conditions 4, 10b and 14 as follows:

Condition 4 - Delete reference to Assistant Director of Transport and Environment and substitute with County Planning Authority.

Condition 10 b) – add 'to offset the loss of any semi improved grassland'.

Amend Heading to Condition 14 – Delete 'Floodlighting' and insert 'Street Lighting'

Amend Condition 14 as follows:

'No development shall commence until a scheme and programme for street lighting associated with the junction has been.....'

An additional condition was also proposed:

'No development shall commence until details of the traffic light layout and associated loop systems including details of the central turning reservations into and out of Sykes Holt have been submitted to the County Planning Authority for approval in writing.

Thereafter the junction shall be constructed in accordance with the approved details.

*Reason: In the interests of Highway Safety and to conform with Policies G1, G8 and ENV13 of the Ribble Valley Local Plan.'*

Mr Greaves, a local resident, addressed the committee. Mr Greaves maintained that the proposal before the committee was seriously flawed and circulated a map identifying an alternative location for the access (copy set out at Annex A to the Minute Book). He acknowledged that both proposals would have cost implications and impact on the greenbelt but pointed out that unlike the proposed access, the alternative access would not encroach on woodland. He also pointed out that the County Council had explored the option of providing a site access on the A677 in 2006 and considered that it was not a viable option. No traffic assessment had been undertaken since.

Mrs Young of Sykes Holt and Chair of Balderstone and Mellor Parish Councils addressed the committee. Mrs Young informed the committee that Sykes Holt had been required to give up one of its two entrances in 1991 due to highway safety concerns. It was pointed out that a junction and access road in this location and the expected increase in traffic associated with the EZ would further add to these concerns. Mrs Young was of the view that Mellor Parish Council should have been consulted on the proposal given the impact of the proposal on the residents of the parish, especially those living on Branch Road.

Following concerns raised by the Members with regard to the potential impact on the amenity of the residents of Sykes Holt and Carter Fold, it was agreed that officers be asked to:

- investigate whether it would be possible to minimise the loss of the existing planting on the mound during construction;
- draw up an additional condition in respect of noise attenuation matters; and
- amend the wording of Condition 10c of the planning permission in relation to the height and contours of the landscaped mounding.

The additional and amended conditions are included in the minutes for completeness as follows:

Condition 7 – additional condition under the existing heading of 'control of noise':

'No development shall commence until a noise survey has been undertaken to establish the background noise levels at Sykes Holt and Carter Fold and the need or otherwise for noise attenuative fencing along the boundary of the highway to the frontage of the properties to address any predicted increase in noise generated by the new junction by more than 5dB (A). Details of any noise attenuative fencing including height, design and proposed alignment shall be submitted to the County Planning Authority for approval in writing. The fencing shall be erected in accordance with the approved details before the junction is brought into use and shall thereafter be maintained.

*Reason: To safeguard the amenity of local residents and adjacent property/landowners and to conform with Policy G8 of the Ribble Valley Local Plan'.*

Condition 10c) – to be amended as follows:

'details of the works to be carried out to the existing landscaped mounding on the northern side of the A59 including the revised contours of the southern side of the mounding to ensure that the crown of the mounding is retained at its present height'.

**Resolved:** That planning permission be **granted** subject to the conditions set out in the report to the committee with amendments to conditions 4, 6, 7, 10 and 14 and the inclusion of the additional conditions as set out above.

- 13. West Lancashire Borough: Application 08/13/1307  
Erection of modular building with access ramp to provide nursery accommodation. Cobbs Brow Primary School, Manfield, Ashurst,**

## **Skelmersdale**

A report was presented on an application for the erection of a modular building with access ramp to provide nursery accommodation at Cobbs Brow Primary School, Manfield, Ashurst, Skelmersdale.

The report included details of one letter of representation received.

The Deputy Group Head presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the site and an illustration of the proposed site plan and elevations.

The Deputy Group Head reported orally that the LCC Assistant Director (Highways) had raised no objection in principle but would object if adequate parking provision could not be provided within the boundary of the existing site due to any on street parking having a negative impact on the local highway network. The roads in the immediate vicinity were residential and additional on-street parking would cause difficulty for vulnerable road users, particularly young children, especially for those having to cross the roads.

The committee was advised that no additional parking was proposed as part of the planning application and no parking spaces would be lost as a consequence of it. The provision of additional parking should it be required would have to be the subject of a separate planning application and assessed against the County Council's parking standards. Whilst there would be an increase in pupil numbers and consequently teaching staff, it was considered that such an increase would not give rise to any greater problems on the public highway than may already exist.

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

**14. Burnley Borough: application no 12/13/0435  
Erection of a single storey four classroom extension, including enclosed link corridor, new site entrance, new pedestrian access path, staff parking, a new playground and relocation of existing play equipment at St Leonards C of E Primary, Moor Lane, Padiham, Burnley**

A report was presented on an application for the erection of a single storey four classroom extension, including enclosed link corridor, new site entrance, new pedestrian access path, staff parking, a new playground and relocation of existing play equipment at St Leonards C of E Primary, Moor Lane, Padiham, Burnley.

The report included the views of Burnley Borough Council, the LCC Assistant Director (Highways) and details of two letters of representation received.

The Group Head presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the site and access road and an illustration of the proposed site layout and elevations.

The Group Head reported orally that a further letter of representation from the same resident had been received expressing concern that the revised plans did not show the position of his property in relation to the road. However, Drawing no. 3054/02 Rev B entitled 'Proposed site plan/external works did detail the location of the neighbouring property in relation to the revised access route and the resident had been advised accordingly.

It was proposed to amend condition 2 – 'Working Programme' as follows:

Delete: Drawing number 3054/01 Rev D 'Existing site, elevation and location plan'

Insert: Drawing number 3054/01 Rev E entitled 'Existing site elevation and location plan.'

**Resolved:** That planning permission be **granted** subject to the conditions set out in the report to committee with an amendment to condition 2 as set out above.

**15. Pendle Borough: Application ref 13/13/0568  
Development of a four classroom single storey extension, link corridor, extension to existing courtyard areas to create new hall and enlarged main office area with extension to existing playground areas. Reedley CP School, Reedley Road, Burnley**

A report was presented on an application for the development of a four classroom single storey extension, link corridor, extension to existing courtyard areas to create new hall and enlarged main office area with extension to existing playground areas at Reedley CP School, Reedley Road, Burnley.

The report included the views of Pendle Borough Council, the LCC Assistant Director (Highways) and details of two letters of representation received together with a petition with 30 names.

The Deputy Group Head presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the site and access road and an illustration of the proposed site layout and elevations.

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

**16. Planning Applications determined by the Executive Director for Environment in accordance with the County Council's Scheme of**

### **Delegation.**

It was reported that since the last meeting of the Development Control Committee on the 27 November, seven planning applications had been granted planning permission by the Executive Director for Environment in accordance with the Council's Scheme of Delegation.

**Resolved:** That the report be noted.

### **17. Urgent Business**

There were no items of urgent business.

### **18. Date of Next Meeting**

**Resolved:** That the date of the next meeting be noted.

I M Fisher  
County Secretary and Solicitor

County Hall  
Preston