

## **Lancashire County Council**

### **Development Control Committee**

**Minutes of the Meeting held on Wednesday, 26th February, 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	N Penney
P Buckley	P Rigby
M Dad	K Sedgewick
S Holgate	R Shewan
D Howarth	B Yates
M Johnstone	A Schofield

County Councillor Alan Schofield replaced County Councillor Michael Green on the Committee.

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

Apologies for absence were received on behalf of County Councillor Tony Jones.

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

County Councillor R Shewan declared a non pecuniary interest in agenda item 5 as the local member for the area concerned.

County Councillor P Buckley declared a non pecuniary interest in agenda items 7 and 8 as his wife is a member of the Borough Council for the area concerned.

County Councillor P Rigby declared a pecuniary interest in agenda items 7 and 8 as the applicant had been allowed to access his land for testing purposes.

County Councillor M Johnstone declared a non pecuniary interest in agenda item 9 as the local member for the area concerned.

County Councillor B Yates declared a non pecuniary interest in item 10 as a member of South Ribble Borough Council and as a parish councillor for the area concerned.

County Councillors D Howarth declared a non pecuniary interest in agenda item 10 as a member of South Ribble Borough Council.

County Councillor A Schofield declared a non pecuniary interest in item 10 as the local member for the area concerned.

County Councillor M Dad declared a non pecuniary interest in agenda item 12 as the local member for the area concerned.

County Councillor K Sedgewick declared a non pecuniary interest in item 13 as his grandson attends Queens Drive CP School.

County Councillor T Aldridge declared a non pecuniary interest in agenda item 14 as a member of West Lancashire Borough Council.

### **3. Minutes of the last meeting held on 15 January 2014**

**Resolved:** That the Minutes of the meeting held on the 15 January 2014 be confirmed and signed by the Chair.

### **4. Lancaster City: Application 01/13/1267 Erection of three kiosks, transformer compound and landscaping. Lancaster Waste Water Treatment Works, Old Aldcliffe Lane, Stodday, Lancaster.**

A report was presented on an application for the erection of three kiosks, a transformer compound and landscaping at Lancaster Waste Water Treatment Works, Old Aldcliffe Lane, Stodday, Lancaster.

The report included the views of Lancaster City Council, Lancashire County Council's (LCC) Developer Support (Highways) LCC Specialist Advisor (Ecology), LCC Specialist Advisor (Landscaping), the Environment Agency, National Grid Gas and Electricity and details of one letter of objection 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 access roads to the site.

It was reported orally that Lancaster City Council's Environmental Health Officer had recommended that further information should be provided regarding noise emissions from kiosks and transformers and the likely impact on the nearest residential properties.

The committee was advised that Condition 4 requires that equipment shall be fitted with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

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

**5. Wyre Borough: Application No. 02/13/0786  
Erection of odour control unit, control kiosk, underground storage tank and associated connecting shaft, access road, ground re-profiling works, temporary construction access and compounds.  
Fleetwood Waste Water Treatment Works, Jameson Road, Fleetwood.**

A report was presented on an application for the erection of an odour control unit, control kiosk, underground storage tank and associated connecting shaft, access road, ground re-profiling works, temporary construction access and compounds at Fleetwood Waste Water Treatment Works, Jameson Road, Fleetwood.

The report included the views of Wyre Borough Council, the LCC Developer Support (Highways) and the Environment Agency. The committee noted that no letters of representation had been 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 an illustration of the site layout and proposed landscape plan and a photograph of the access road to the site.

Members welcomed the proposals especially the proposed odour control unit which it was hoped would mitigate any odours emanating from the site.

**Resolved:** That subject to the applicant first entering into an amended Section 106 Agreement in relation to the landscaped ecological mitigation area, planning permission be **granted** subject to the conditions set out in the report to the committee.

**6. Ribble Valley Borough: Application ref 03/12/0940  
Variation of condition 13 of planning permissions 03/96/0772, 03/96/0773 and 03/96/0774 to allow part of Lanehead Quarry to be deepened to minus 31 metres AOD (above ordnance datum).  
Lanehead Quarry, Ribblesdale Cement Works, Clitheroe**

A report was presented on an application for the variation of condition 13 of planning permissions 03/96/0772, 03/96/0773 and 03/96/0774 to allow part of Lanehead Quarry to be deepened to minus 31 metres AOD (above ordnance datum). Lanehead Quarry, Ribblesdale Cement Works, Clitheroe.

The application was accompanied by an Environmental Statement that examined the impacts of the proposed quarry deepening on the water environment and the impacts on local amenity due to the increased duration of quarrying activities.

The report included the views of Ribble Valley Borough Council, Natural England, Network Rail, LCC's Developer Support (Highways), the Environment Agency and details of five 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 a photograph of the site and illustrations showing the geology of the site, the groundwater impacts and a cross section of the site.

Officers responded to concerns raised by the members in relation to the proximity of nearby residential properties and the effects of blasting vibration on those properties. Officers also responded to concerns raised with regard to the impact of the proposals on the local highway network.

In response to further concerns raised by the Members, it was agreed that condition 28 to the planning permission be amended to ensure that the discharge pipeline to the Chatburn/Heys Brook was in place prior to the quarry being deepened below 17m AOD. It was agreed that the wording of such condition be delegated to the Executive Director for the Environment in consultation with the Chair and Deputy Chair of the Development Control Committee.

**Resolved:** That having taken into account the environmental information as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 submitted in connection with the application, planning permission be granted, subject to the conditions set out in the report to the committee and subject first to:

- i) the signing of a section 106 agreement relating to the implementation of a water monitoring and mitigation scheme; and
- ii) an amendment to the wording of Condition 28 to ensure that the discharge pipeline is in place prior to the quarry being deepened below 17m AOD. Such amendment to be delegated to the Executive Director of Environment in consultation with the Chair and Deputy Chair of the Development Control Committee.

**7. Fylde Borough: Application ref 05/12/0729  
Variation of Condition 2 of planning permission 05/10/0634 to extend the time limits for the restoration of the site to 31 July 2014 and excluding any drilling or hydraulic fracturing. Annas Road Exploration Site, Annas Road, off Peel Road, Westby, Blackpool.**

County Councillor Rigby left the room during consideration of this item as he had declared a pecuniary interest.

A report was presented on an application for the variation of Condition 2 of planning permission 05/10/0634 to extend the time limits for the restoration of the

site to 31 July 2014 and excluding any drilling or hydraulic fracturing at Annas Road Exploration Site, Annas Road, off Peel Road, Westby, Blackpool.

The report included the views of Fylde Borough Council, Weeton-with-Plumpton Parish Council, the LCC Developer Support (Highways), the LCC Specialist Advisor (Ecology), the Environment Agency, National Air Traffic Services Limited and Natural England. It was noted that no letters of representation had been received from local residents.

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 site layout plan, a vehicle routing plan and a map showing biological heritages site designations together with photographs of the site from various aspects.

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

**8. Fylde Borough: Application No. 05/13/0800  
Variation of Condition 1 of planning permission 05/11/0431 to extend the period of time for the restoration of the site to 31 July 2014.  
Preese Hall Exploration Site, Preese Hall Farm, Weeton, Kirkham, Preston.**

County Councillor Rigby left the room during consideration of this item as he had declared a pecuniary interest.

A report was presented on an application for the variation of Condition 1 of planning permission 05/11/0431 to extend the period of time for the restoration of the site to 31 July 2014 at Preese Hall Exploration Site, Preese Hall Farm, Weeton, Kirkham, Preston.

The report included the views of the LCC Developer Support (Highways), the Environment Agency and details of one representation received from Friends of the Earth (FOE) on behalf of two local pressure groups.

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 site layout plan, a vehicle route plan and photographs of the site and access road.

It was reported orally that the Health and Safety Executive (HSE), the Environment Agency (EA) and the LCC Specialist Advisor (Ecology) had submitted additional comments in response to the representation from Friends of the Earth. These were set out in the Update Sheet circulated at the meeting. (Copy set out at Annex A to the Minute book).

The committee was advised that the additional comments made by the EA and the HSE demonstrated that there was sufficient regulation in place to ensure the well was abandoned in a way that was safe and prevented contamination and that the risks associated with such would be properly managed. On this basis it was considered reasonable for the County Council to defer to such regulations and be satisfied that the risks associated with such did not need to be addressed by an Environmental Impact Assessment.

To avoid impacts on the adjacent Lucas Flash Wood and areas of vegetation such as hedges, the following additional conditions were proposed requiring the implementation of protection measures and the restriction of vehicle movements and the storage of materials only to those areas within the red edge of the planning application.

'All hedges and trees forming part of the boundaries of the red edge of the application site shall be protected from any damage and maintained throughout the restoration of the site.

*Reason: In the interests of visual and local amenity and the local environment and to conform with Policies SP2 and EP12 of the Fylde Borough Local Plan.'*

'Vehicle movements and the storage of materials shall be restricted only to those areas within the red edge of the planning application.

*Reason: In the interests of local amenity and the local environment and to conform with Policies SP2 and EP12 of the Fylde Borough Local Plan.'*

The following advice note was also proposed:

'Note: The developer should be aware of the possibility of encountering protected and priority species and of the correct procedure to follow in the event that any such species are found to be present during works including the possibility of the presence of amphibians in the open drainage ditch along the west side of the drilling platform.'

In response to questions raised by the Members, the Group Head confirmed that the HSE had confirmed that the Offshore Installations and Wells (Design and Construction etc) Regulations 1996 were applicable to both onshore and offshore wells/installations. In terms of liability for any potential failure of plugged boreholes, it was confirmed that the plugging and abandonment of any well were matters for the HSE, the Department for Energy and Climate Change and the Environment Agency and their respective regulatory regimes.

**Resolved:** That planning permission be **granted** subject to the conditions set out above and the inclusion of the additional conditions and note as set out above.

## 9. Burnley Borough: Application 12/13/0509

**Retrospective application for change of use from B2 Industrial use to a vehicle recycling centre, Green Lane Mill, Stockbridge Road, Padiham, Burnley.**

A report was presented on a retrospective application for the change of use from B2 industrial use to a vehicle recycling centre at Green Lane Mill, Stockbridge Road, Padiham, Burnley.

The report included the views of Burnley Borough Council, the Environment Agency and details of one letter 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 a photograph of the access road to the site.

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

**10. South Ribble Borough: application 07/13/0660/1  
Compliance with condition 4, site layout, condition 6, contractors compound, condition 7 noise, condition 10, traffic light layout and condition 12 landscaping of permissions 07/13/0660 and 03/13/0852.  
Land at A59/Samlesbury Enterprise Zone, Samlesbury**

The committee was reminded that at their last meeting they had granted planning permission for the creation of a new signalised junction on the A59 and access road to form an entrance to Samlesbury Enterprise Zone subject to the submission of details for the purposes of conditions 4, 6, 7, 10 and 12 to the planning permission.

By application dated 7 February 2014 details were submitted for the purposes of these conditions. The details included:

Condition 4 – a series of plans showing general arrangements of the road scheme,; site clearance plans; drainage plan; typical cross sections; construction plans; road marking plan; road signs plans; sign schedule; traffic signals; and details of road lighting and illuminated traffic sign cabling works.

Condition 6 – details of the contractor's compound, its construction, illumination, parking and restoration and plans identifying vehicle routing during the construction phase of the development to ensure vehicles avoid the use of Branch Road.

Condition 7 – a noise survey and associated calculations and results concluding that there would be no discernable increase in noise levels at Sykes Holt and Carter Fold that would be sufficient to necessitate additional noise mitigation measures.

Condition 10 – details of traffic tight loop system and turning reservations to ensure the safe egress and ingress to Sykes Holt.

Condition 12 – details of landscape and ecology specification.

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 site and an illustration of the site layout, the contractor's compound, the traffic light loop indicator system, proposed vehicle routing and proposed landscaping.

The Group Head reported orally that the submitted details for the lighting of the contractor's compound for the purposes for condition 6 were acceptable and could be approved.

Officers responded to concerns raised with regard to a recent noise survey that had been undertaken to assess the predicted increase in noise levels at the two properties, Sykes Holt and Carter Fold. Following debate it was agreed that the Executive Director for Environment be asked to undertake further noise monitoring following the construction of the junction should complaints relating to noise be received from the two properties concerned.

Councillor Schofield pointed out that noise levels at the properties could be mitigated further by replacing the current fencing to the frontage of the properties with solid fencing.

The committee welcomed the proposed footpath improvements and proposed signage for contractor's vehicles on Branch Road.

**Resolved:** That the details submitted for the purposes of conditions 4, 6, 7, 10 and 12 to planning permission 07/13/0660 and 03/13/0852 be approved.

**11. Pendle Borough: Application 13/13/0571  
Two new access points to rear building elevation to Leonard Street  
and existing wall to be removed to form a level play area at Gisburn  
Road Primary School, Gisburn Road, Barnoldswick**

A report was presented on an application for the two new access points to the rear building elevation to Leonard Street and existing wall to be removed to form a level play area at Gisburn Road Primary School, Gisburn Road, Barnoldswick

The report included the views of Pendle Borough Council, the LCC Developer Support (Highways), the LCC Archaeology Service and details of three letters of representation 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 photographs of the access roads to the site.

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

**12. Hyndburn Borough Council: Application Number: LCC/2014/0004  
New single storey extension to provide additional nursery and office accommodation including the relocation and extension to the existing canopy. Fairfield Children's Centre, Fairfield Street, Accrington**

A report was presented on an application for a new single storey extension to provide additional nursery and office accommodation including the relocation and extension to the existing canopy at Fairfield Children's Centre, Fairfield Street, Accrington.

The report included the views of the LCC Developer Support (Highways) and details of thirteen letters of representation 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 an illustration of the proposed extension and photographs of the site, the entrance to the Centre and Fairfield Street.

The Group Head reported orally that a further representation had been received showing three photographs, two photographs taken during mid-week showing parked cars on Fairfield Street and the third photograph taken on a Saturday with no parked cars.

The Head Teacher of the Children's Centre, Liz Klavins, addressed the committee and spoke in support of the application. She explained that the school was not seeking to increase the number of children attending the Centre but to reorganise the delivery of service to provide nursery school places split over two sessions, morning and afternoon. This would lead to a small reduction in pupil numbers and possibly two full time staff. It was also proposed to decrease the number of weeks the nursery would open from 52 to 38 in line with school term time. It was acknowledged that the parking situation on the surrounding residential streets was unsatisfactory however; some of the vehicles were associated with the industrial factory across the road from the school and nearby community building and church. It was hoped that changing from a day care provider to a term time provider would help improve the traffic situation.

County Councillor Dad informed the committee that as the local member for the area, he had raised concerns with regard to the traffic situation and had worked

with the school and local businesses to bring about some improvements including the imposition of a 20 mph speed limit on Fairfield Street.

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

**13. Preston City: application no. LCC/2014/0012  
Detached 30 pupil classroom at Queens Drive Community Primary,  
Black Bull Lane, Fulwood, Preston**

A report was presented on an application for the construction of a detached 30 pupil classroom at Queens Drive Community Primary, Black Bull Lane, Fulwood, Preston.

The report included the views of the Environment Agency and United Utilities.

The Group Head, Development Management, reported orally that since the publication of the committee report, the views of Preston City Council, the LCC – Developer Support (Highways) and one letter of representation which included a petition of 20 signatures had been received. Details of the representations together with the officer's response were set out in the Update Sheet and circulated at the meeting (copy set out in the Minute Book at Annex A).

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 an illustration of the proposed building in situ and a photograph of the site.

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

**14. West Lancashire Borough: application LCC/2014/0015  
Extension to car park to create an additional 11 car parking spaces  
and the erection of 4x6m high lighting columns at Whiteledge  
Centre, Spencer Lane, Skelmersdale**

A report was presented on an application for the extension to a car park to create an additional 9 car parking spaces and an additional 2 disabled parking spaces and the erection of 4x6m high lighting columns at Whiteledge Centre, Spencer Lane, Skelmersdale.

The report included the views of the LCC Lighting Engineer and details of one letter 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 a site layout plan and a photograph of the access road to the site.

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

**15. Rossendale Borough: application LCC/2014/0016  
30 pupil classroom extension and additional tarmac area at  
Britannia Community Primary, Rochdale Road, Bacup**

A report was presented on an application for a 30 pupil classroom extension and additional tarmac area at Britannia Community Primary, Rochdale Road, Bacup.

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 an illustration of the proposed extension and photographs showing the location of both the extension and tarmac area.

The Group Head reported orally that Rossendale Borough Council had raised no objection to the proposal.

**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 15 January, 2014 fourteen 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 next meeting of the committee be held on Wednesday 9 April 2014 at 10.00 am.

I M Fisher  
County Secretary and Solicitor

County Hall  
Preston