

## Lancashire County Council

### Development Control Committee

**Minutes of the Meeting held on Wednesday, 2nd September, 2015 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston**

#### **Present:**

County Councillor Munsif Dad (Chair)

#### **County Councillors**

T Aldridge	M Johnstone
B Dawson	N Penney
M Devaney	P Rigby
K Ellard	A Schofield
M Green	K Sedgewick
P Hayhurst	K Snape
D Howarth	B Yates

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

None received.

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

County Councillor T Aldridge declared a non pecuniary interest in agenda items 4 and 5 as a member of West Lancashire Borough Council.

County Councillor K Snape declared a non pecuniary interest in agenda item 6 as members of Chorley Borough Council.

County Councillor Green declared a non pecuniary interest in agenda item 6 as a member of the same political party as the West Lancashire Borough councillor speaking on this application.

#### **3. Minutes of the last meeting held on 16 July 2015**

**Resolved:** That the Minutes of the last meeting held on 16 July 2015 be confirmed and signed by the Chair.

#### **4. West Lancashire Borough: application number. LCC/2014/0008 Application under the Environment Act 1995 for review of working and restoration conditions to an old mining permission at Ravenhead Brickworks, Up Holland, Skelmersdale**

A report was presented on an application under the Environment Act 1995 for a review of working and restoration conditions to an old mining permission at Ravenhead Brickworks, Up Holland, Skelmersdale.

The report included the views of West Lancashire Borough Council, the Environment Agency, the Coal Authority, Natural England, United Utilities and seven letters of representation received.

The Development Management Officer presented a PowerPoint presentation which included 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 landscaping scheme.

It was reported orally that an amendment was proposed to condition 2b of the recommendation as follows:-

Drawing 66721.SS.007 should read Drawing 66721.SS.007 Rev A  
Drawing 66721.SS.007 – delete Rev A

A local resident addressed the committee and raised concerns at the noise emanating from the site and in particular, the reversing alarms associated with the mobile plant in the stockpiling area, the hours of working and the proposed permitted noise levels set out in the conditions to the report.

Officers responded to questions raised by the Members in respect of the noise issues raised by the resident and the proposed landscaping for the restoration area to the west of the houses adjacent to the site.

Following further debate, it was agreed that condition 21 of the recommendation be amended to allow for a scheme and programme detailing the specification of any reversing alarms fitted to mobile plant used on the site to be submitted to the County Planning Authority for approval.

The revised condition is set out below:

21. Within three months of the date of this permission, a scheme and programme detailing the specification of any reversing alarms fitted to mobile plant used on the site shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall contain details of the types of reversing alarms fitted to each item of plant including that plant used to transport shale between the stockpiles and the brickworks and shall contain a specification of the alarms to be fitted. The alarms shall be of a low noise type or shall adjust the alarm volume with changes in the background noise level.

The approved alarm types shall be fitted to all mobile plant used on the site within three months of the date of approval of the scheme and programme and thereafter be used at all times.

**Resolved:** That having first taken into consideration the environmental information as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 submitted in connection with the application Old

Mining Permission ref 9/10/26 be subject to the conditions set out in the report to the Committee and the inclusion of the amended conditions as set out above.

**5. West Lancashire Borough: Application No. LCC/2015/0026  
Retrospective change of use of land and existing building from light industrial (Class B1) to a mixed use for light industrial (Class B1) and storage and distribution (Class B8) uses and the recycling of non-hazardous waste plastics together with the erection of a warehouse building for the storage and distribution of materials associated with the uses. Unit 1, Station Yard Factory, Station Road, Rufford**

A report was presented on a retrospective application for the change of use of land and existing building from light industrial (Class B1) to a mixed use for light industrial (Class B1) and storage and distribution (Class B8) uses and the recycling of non-hazardous waste plastics together with the erection of a warehouse building for the storage and distribution of materials associated with the uses at Unit 1, Station Yard Factory, Station Road, Rufford.

The report included the views of West Lancashire Borough Council, Rufford Parish Council, the Environment Agency, Network Rail, the County Council's Developer Support (Highways), the LCC Lead Local Flood Authority and details of one letter of representation received. The views of County Councillor Dereli were also received.

The Development Management Officer presented a PowerPoint presentation which included an aerial view of the site and the nearest residential properties and photographs of the site and access road.

The Officer reported orally that the applicant had confirmed that the external elevations of the warehouse would be coloured Olive Green (BS 12B27).

It was also reported that the County Council's Specialist Advisor (Ecology) had raised no objection to the proposals subject to the imposition of conditions to require the following:

- Tree protection measures in accordance with best practice (*BS5837:2012 Trees in relation to design, demolition and construction - Recommendations*).
- The replacement of trees along the site boundaries for any that have been removed to facilitate the development, or that subsequently fail as a consequence of the development.
- The avoidance of any light spill to the surrounding area.
- The checking of trees for nests during the bird nesting season that may be affected by the erection of the warehouse.

It was also recommended that consideration should also be given to installation of bat boxes/ bird boxes on external building elevations/ retained trees.

In response to the above, the Committee was advised that the proposed colour of the building was considered acceptable and that Condition 2 should be replaced with the following:

*'The external elevations of the warehouse building shall be coloured Olive Green (BS 12B27) and thereafter maintained in the approved colour throughout its presence on the site.'*

In relation to the conditions requested by LCC Specialist Advisor (Ecology), the committee was informed that the applicant had submitted a tree constraints plan and survey with the application which demonstrated that the new building could be constructed without affecting the trees on the boundaries of the site. Condition 15 in the report sought to ensure that this was the case. It was considered that as no trees should be affected by the development, there should be no requirement to provide for replacement planting or for the protection of any nesting birds that use these trees. The conditions requested on landscaping and the provision of replacement bird/ bat habitats were therefore considered unnecessary.

The committee heard representations from a local resident, the Clerk to Rufford Parish Council and the West Lancashire Borough Council ward councillor who all objected to the proposal. They reiterated the concerns raised in the committee report in relation to:

- The retrospective nature of the application,
- The frequency and size of HGV's visiting the site,
- Highway safety concerns in relation to HGV's queuing and manoeuvring on the access road to the site and nearby level crossing.
- Surface and waste water drainage and the lack of a foul water assessment.
- The adequacy of the proposed turning circle for vehicles within the site.
- The location of the site within the Green Belt

It was felt that consideration should be given to the proximity of the site in relation to the River Douglas, the canal, the level crossing and residential properties. The committee was asked to defer consideration of the application until they had visited the site and until a foul water drainage assessment had been completed.

In response to the concerns raised above, the Officer advised that:

- The applicant had been asked to demonstrate that vehicles would be able to turn around within the site.
- The current storage area would be relocated further from the entrance. This would mitigate the visual impact for residents living nearby.
- A condition was proposed to require a foul water drainage scheme for the site.
- Welfare facilities on the site had their own separate foul water drainage system.

- The site was bordered by mature trees which would help minimise the impact of the new building on the Green Belt.

Following debate during which councillors raised questions with regard to vehicle movements and the drainage scheme, it was Moved and Seconded that:

"The application be deferred to allow the Development Control Committee visit the site prior to determining the application."

Upon being put to the vote the Motion was Carried whereupon it was:

**Resolved:** That the application be deferred to allow the Development Control Committee to visit the site prior to determining the application.

**6. Chorley borough: application number LCC/2015/0069  
Revised working scheme including amended levels and extension of  
the mineral extraction and landfill areas at Clayton Hall Landfill Site,  
Dawson Lane Whittle Le Woods**

A report was presented on an application for a revised working scheme including amended levels and extension of the mineral extraction and landfill areas at Clayton Hall Landfill Site, Dawson Lane Whittle Le Woods.

The Development Management Officer advised that a site visit would 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 the application was determined.

**Resolved:** That the Development Control Committee visits the site before determining the application.

**7. Preston City: Application number 6/13/0528/1  
Application for approval of details reserved by condition to planning  
permissions 6/13/0528 and LCC/2014/0122 relating to the  
construction of the Broughton Bypass, Preston.**

A report was presented on an application for approval of details reserved by condition to planning permissions 6/13/0528 and LCC/2014/0122 relating to the construction of the Broughton Bypass, Preston.

The report included the views of Broughton-in-Amounderness Parish Council, the Environment Agency, the County Council's Street Lighting Officer and Broughton Bypass Review Group.

The Development Management Officer presented a PowerPoint presentation which showed the landscaping details, ecological mitigation measures, water attenuation measures and car park layout.

**Resolved:** That the details submitted for the purposes of conditions 3, 4, 5, 6, 7, 9, 19, 20 and 24 of planning permission 6/13/0527 and condition 3 of planning permission LCC/2014/0122 be approved.

**8. Pendle Borough: Application number LCC/2015/0073  
Retention of existing demountable classroom and new timber  
cladding and access ramp. Reedley County Primary School, Reedley  
Road, Brierfield.**

A report was presented on an application for the retention of the existing demountable classroom and new timber cladding and access ramp at Reedley County Primary School, Reedley Road, Brierfield.

The report included the views of Pendle Borough Council and Reedley Hallows Parish Council.

The Development Management Officer presented a PowerPoint presentation which included an aerial view of the site and the nearest residential properties and photographs of the classroom.

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

**9. 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 meeting of the Development Control Committee on the 16 July 2015, eight 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.

**10. Urgent Business**

The Chair informed the committee that he had agreed that the following report should be considered at the meeting as item of urgent business. The special circumstances for the use of the urgent business procedure were set out under the heading to the report.

- a. **Preston City: Application number. LCC/2015/0020  
Variation of condition 9 of planning permission 06/07/0984 to allow  
plastics recycling to take place within the building on a 24 hours per  
day basis on Mondays to Fridays and between 06.00 - 22.00 hours  
on Saturdays and Sundays. Gaskell House, 45-49 Rough Hey Road,  
Preston**

*Special circumstances for use of urgent business procedure:*

*It was reported that the report for this application was prepared to meet the closing date for the 2<sup>nd</sup> September Committee agenda. However, the report was not placed on the agenda due to an outstanding objection from the Environment Agency. An updated response from the EA has now been received confirming that their concerns could be addressed.*

A report was presented on an application for the variation of condition 9 of planning permission 06/07/0984 to allow plastics recycling to take place within the building on a 24 hours per day basis on Mondays to Fridays and between 06.00 - 22.00 hours on Saturdays and Sundays at Gaskell House, 45 – 49 Rough Hey Road, Preston.

The report included the views of Preston City Council, the Environment Agency, Grimsargh Parish Council and details of eight letters of representation received.

The Development Management Officer presented a PowerPoint presentation which included an aerial view of the site and the nearest residential properties. The committee was also shown photographs of the site from Rough Hey Road, Longridge Road and 'The Hills' and from within the building.

In response to concerns raised by the Committee, the Officer advised that noise attenuation measures to the building were proposed to reduce noise to acceptable levels and that those works including the replacement of existing glazing and doors, would also improve the visual appearance of the eastern side of the building.

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

#### **11. Date of Next Meeting**

**Resolved:** That the next meeting of the Committee be held on Wednesday 14 October 2015.

I Young  
Director of Governance, Finance  
and Public Services

County Hall  
Preston