

Lancashire County Council

Development Control Committee

**Minutes of the Meeting held on Wednesday, 14th October, 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	N Penney
B Dawson	P Rigby
M Devaney	A Schofield
K Ellard	K Sedgewick
M Green	K Snape
P Hayhurst	B Winlow
M Johnstone	B Yates

1. Apologies for absence

None received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillors M Dad and B Dawson declared a non pecuniary interest in agenda items 5 and 6 as members of Hyndburn Borough Council.

County Councillor T Aldridge declared a non pecuniary interest in agenda items 4 and 8 as a member of West Lancashire Borough Council.

County Councillor K Snape declared a non pecuniary interest in agenda items 7 and 9 as a member of Chorley Borough Council.

County Councillor Green declared a non pecuniary interest in agenda item 4 as he is acquainted with the ward councillor for the area who had previously addressed the committee objecting to the application.

3. Minutes of the last meeting held on 2 September 2015

Resolved: That the Minutes of the last meeting held on 2 September 2015 be confirmed and signed by the Chair.

4. 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, and the proposed 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 Committee considered the report at their last meeting on 2 September 2015 and resolved to defer consideration of the application pending a site visit.

The Committee visited the site on Monday 12 October 2015.

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

The report also included details of the presentations made at the last meeting of the committee, a response to the issues raised in the presentations and additional information from the applicant.

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

It was reported that a resident of Station Road had submitted a series of photographs showing the highway impacts of the development. These photographs had been circulated by email to members of the Committee. An email from the same resident was circulated at the meeting.

It was also reported that an additional condition was proposed as follows:

8. Within one month of the date of this permission, the entirety of the HGV turning area shown on the 'Proposed HGV turning area and parking layout' plan shall be surfaced in tarmacadam, concrete or other hard surfacing materials.

Reason : In the interests of highways safety and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policies GN3 and EC2 of the West Lancashire Local Plan.

County Councillor Dereli, the local member for the area addressed the committee. Councillor Dereli reiterated the concerns raised in the report with regard to surface and foul water drainage issues and drew attention to the comments of Network Rail on page 22 of the report. She also questioned whether the expansion of the site would lead to an increase in traffic and whether the site could accommodate such without impacting on the highway. It was felt that careful management of the site was important.

In response to the concerns raised by Councillor Dereli, the officer advised that there was capacity within the site to accommodate more than one HGV and that conditions were in place to ensure that the turning area for HGV's was available for use at all times.

In response to questions raised by the Committee, the Officer advised that it was not considered necessary to impose a condition to regulate the number of vehicles accessing the site. However, in order to address concerns raised in respect of possible pollution risks, an additional condition was proposed.

The additional condition is set out below:

11. Any chemical, oil or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container or containers' total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. There must be no drain through the bund floor or walls. Double skinned tanks may be used as an alternative only when the design and construction has been approved, in writing, by the County Planning Authority.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

Following further debate and questions to the officer it was:

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

5. **Hyndburn Borough: Application No. LCC/2015/0050**
Application for the continuation of stone quarrying and restoration of the site by backfilling with inert waste without complying with conditions 2 and 5 of planning permission 11/13/0264 in order to remove the requirement to construct the inert waste bund along the southern boundary of the extension.
Whinney Hill Quarry, Whinney Hill Road, Accrington.

A report was presented on an application for the continuation of stone quarrying and restoration of the site by backfilling with inert waste without complying with conditions 2 and 5 of planning permission 11/13/0264 in order to remove the requirement to construct the inert waste bund along the southern boundary of the extension at Whinney Hill Quarry, Whinney Hill Road, Accrington.

The report included the views of Hyndburn Borough Council, the National Grid, Highways England, the Environment Agency, the County Council's Developer Support (Highways) and details of one letter of representation received from the operator of the adjacent brickworks site supporting the application.

The Development Management Officer presented a PowerPoint presentation showing aerial photographs of the site and of the cliff forming the face of the boundary. The committee was also shown an illustration of the phasing arrangements of the application site.

Following brief debate it was:-

Resolved: That subject to the applicant first entering into a section 106 agreement relating to surface water management and the payment of financial contributions towards highways maintenance, planning permission be **granted** subject to the conditions set out in the report to the committee.

6. Hyndburn Borough: application number LCC/2015/0077 Change of use of land to storage and distribution of raw and recycled uPVC material, siting of static caravan for site security, and 2.4m high security fencing at the former NIPA Laboratories Site, Nook Lane, Oswaldtwistle

A report was presented on an application for the change of use of land to allow for the open storage and distribution of baled and bulk bagged raw and recycled uPVC material, the siting of a static caravan for site security and 2.4m high security fencing at the former NIPA Laboratories Site, Nook Lane, Oswaldtwistle.

The report included the views of Hyndburn Borough Council, the County Council's Developer Support (Highways), the Environment Agency and details of three letters of representation received. The views of County Councillor Britcliffe were also reported.

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 an illustration of the site layout plan and photographs of the site and the access road.

Following brief debate, it was:

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

- 1 The proposed development would be inappropriate development in the Green Belt and no 'very special circumstances' exist to outweigh the potential harm to the Green Belt by reason of inappropriateness. The proposed development would therefore be contrary to Green Belt policy as set out in the National Planning Policy Framework.
- 2 The use of Nook Lane as an access to the site would give rise to unacceptable impacts on highway safety and the safety of pedestrians contrary to Policies WM2 and WM3 of the Joint Lancashire Minerals and Waste Local Plan.
- 3 The proposed development by virtue of the visual impacts arising from the open storage of plastic materials and the movement of heavy goods vehicles along Nook Lane would give rise to unacceptable loss of local amenity contrary to Policy Env7 of the Hyndburn Core Strategy.

**7. Chorley Borough: application number LCC/2015/0081
Importation of soils to meet stability requirements for approved residential development at Little Quarry, Hill Top Lane, Whittle-le-Woods**

A report was presented on an application for the importation of soils to meet stability requirements for approved residential development at Little Quarry, Hill Top 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.

**8. West Lancashire Borough: application number LCC/2015/0078
Modular building with decking area and access ramp. Burscough Village Primary School, Colburne Close, Burscough.**

A report was presented on an application for a modular building with decking area and access ramp at Burscough Village Primary School, Colburne Close, Burscough.

The report included the views of West Lancashire Borough Council and details of one letter of objection received.

The Development Management Officer presented a PowerPoint presentation showing an aerial photograph 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 committee raised concerns with regard to the siting of the building. Following questions to the officers, it was Moved and Seconded that the Committee visit the school to view the proposed location of the building.

On being put to the vote the Motion was Lost

Following further discussion it was Moved and Seconded that the application be deferred until the next meeting of the Committee to allow alternative site locations to be investigated with the school.

On being put to the vote the Motion was Carried, whereupon it was:

Resolved: That the application be deferred until the next meeting of the Committee to allow alternative site locations to be investigated with the school.

9. Chorley Borough: application number. LCC/2015/0063 Single storey extension to provide 8 new classrooms, new hall, storage and toilet/cloakroom areas, infill to existing building to provide extended teaching area and office, new playground, multiuse play area including 2m high fence, extension to car park and formation of new playing field area with 2m high fencing. Primrose Hill Primary School, Primrose Hill Road, Euxton

A report was presented on an application for a single storey extension to provide 8 new classrooms, new hall, storage and toilet/cloakroom areas, infill to existing building to provide extended teaching area and office, new playground, multi-use play area including 2m high fence, extension to car park and formation of new playing field area with 2m high fencing at Primrose Hill Primary School, Primrose Hill Road, Euxton.

The Development Management Officer advised that a number of representations had been received from local residents concerned about the traffic impacts of the proposed extension and expansion of the school. It was proposed that the Committee visit the site before considering the application.

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

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 meeting of the Development Control Committee on the 2 September 2015, six 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

It was reported that following the publication of the agenda papers, an additional meeting of the committee had been arranged. It was proposed that the additional meeting would be held on Wednesday 25 November 2015.

Resolved: That the next meeting of the committee be held on Wednesday 25 November 2015 at 10.00am.

I Young
Director of Governance,
Finance and Public Services

County Hall
Preston

