

## **Lancashire County Council**

### **Development Control Committee**

**Minutes of the Meeting held on Wednesday, 20th January, 2016 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
K Ellard	A Schofield
M Green	K Sedgewick
P Hayhurst	R Shewan
D Howarth	D T Smith
M Johnstone	D Westley

County Councillors R Shewan, D Smith and D Westley replaced County Councillors K Snape, M Devaney and B Yates on the Committee respectively.

County Councillor A Barnes attended the meeting under Standing Order 19(1).

#### **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 Westley declared a non pecuniary interest in agenda item 4 as a member of the West Lancashire Borough Council. He advised that he had previously given his views on the application as a member of the borough council planning committee.

#### **3. Minutes of the last meeting held on 9 December 2015**

**Resolved:** That the Minutes of the last meeting held on 9 December 2015 be confirmed and signed by the Chair.

#### **4. West Lancashire Borough: application number. LCC/2015/0061 Erection of two windturbines and ancillary works. Hillhouse Waste Water Treatment Works, Wood Lane, Great Altcar**

County Councillor Westley had previously given his views on this application as a member of the West Lancashire Borough Council Planning Committee and therefore left the room during consideration of the application.

A report was presented on an application for the erection of two wind turbines and ancillary works at Hillhouse Waste Water Treatment Works, Wood Lane, Great Altcar.

The committee had considered the application at their last meeting on 9 December 2015 and resolved that further consideration of the application be deferred to allow the committee to visit the site.

The site visit took place on the 14 January 2016.

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 the location of the proposed turbines, a map showing the results of the consultation exercise and photographs of the site from several viewpoints.

It was reported orally that since the last meeting, Members had received a letter from the agent on behalf of the applicant to address several points which were raised in debate at the last Committee as follows:

- Pre application consultation – the applicant had produced details of the pre application consultation that was carried out, the address points from where responses were received and the comments that were made.
- An overview of the responses that have been received from consultees in relation to some of the key planning issues.
- Comments on shadow flicker including an explanation of why the shadow flicker issues that were raised in relation to the wind turbine in Skelmersdale would not occur at this site.

The officer advised that the comments contained in the applicant's letter were covered in the committee report.

Officers responded to questions raised by the Members in relation to the June 2015 Ministerial Statement relating to wind energy development and the community response to the consultation. The Officer pointed out that those residents living nearest the site either supported or raised no objection to the proposals.

The Committee was also mindful of other concerns including the impact on wildlife and the cumulative impact of the proposed turbines with another windfarm proposal nearby.

Following further debate with regard to the community response and the proposed mitigation measures, it was:

**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.

**5. West Lancashire Borough: Application number LCC/2015/0067 Change of use of land to storage and blending of soils, sand / minerals and green and organic compost together with the erection of a building, car park to provide 10 spaces and improvement to vehicular access from the A570 Rainford Road. Jubilee Wood, A570 Rainford Road, Bickerstaffe.**

A report was presented on an application for the change of use of land at Jubilee Wood to storage and blending of soils, sand / minerals and green and organic compost together with the erection of a building, car park to provide 10 spaces and improvement to vehicular access from the A570 Rainford Road, Bickerstaffe.

The report included the views of West Lancashire Borough Council, Bickerstaffe Parish Council, the Environment Agency, the County Council's Developer Support (Highways), Specialist Advisors (Ecology and Archaeology) and Environment and Community Projects, National Grid Gas and Electricity, the Coal Authority and three letters of representation received.

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 proposed site layout and vehicular access and photographs of the existing site entrance, the access road and the application site.

The Officer reported orally that the applicant had submitted further information to support and justify the location of the development within the Green Belt and had provided a plan of a proposed alteration to the central reservation located opposite the site entrance. The comments of the LCC Developer Support Highways in relation to the alteration were also reported together with details of two further letters of representation received and the officer advice. (Details set out on the update sheet at Annex A to the Minute Book).

A local resident addressed the committee and objected to the proposals for the following summarised reasons:

- No detailed information had been provided about the processes to be carried out on the site.
- No impact assessment had been carried out on the potential detrimental effects from noise, dust pollution and contamination.
- There were highway safety issues associated with the proposal which had the potential to impact on nearby residential properties, businesses and users of the cycle trail.
- The appropriate notices had not been served in relation to the access to the site which forms part of the Bickerstaffe Cycle Trails and which has been designated as an Asset of Community Value.
- The site is unsuitable for the proposed industrial use due to the potential impacts on health and safety.

Following discussion on the impacts of the proposal on highway safety and on the Green Belt it was:

**Resolved:** That planning permission be **refused** for the reasons set out in the report to the committee.

- 6. West Lancashire Borough: Application Number LCC/2015/0088 Pyrolysis plant to convert low worth waste plastic into diesel and gasoline, and to comprise a fuel reception hall, conveyors, chemical treatment plant, fractionation columns, fuel storage tanks, a generator set and offices. West Quarry Railway Pad, Appley Lane North, Appley Bridge.**

The Committee was advised that this application had been withdrawn.

- 7. Rossendale Borough: application number LCC/2015/0106 Demolition of existing crematorium, office building and stable block and replacement with new crematorium building at Rossendale Pet Crematorium, Co-operation Street, Crawshawbooth**

A report was presented on an application for the demolition of the existing crematorium, office building and stable block and replacement with new crematorium building at Rossendale Pet Crematorium, Co-operation Street, Crawshawbooth.

The report included the views of Rossendale Borough Council, the Council's Developer Support (Highways) and Ecology Service, the Environment Agency, the Coal Authority, Natural England, the lead Local Flood Authority and details of one letter of representation received.

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 a site location plan, illustrations of the proposed building and photographs of the site from several viewpoints.

It was reported orally that the applicant had submitted a bat survey to seek to address the recommended reason for refusal in relation to bats. However, the survey identified that further investigation would be required to reasonably demonstrate the presence/absence of bats. It was further reported that where there is a likelihood of protected species being present and affected, surveys should be complete, and mitigation in place through planning condition/ obligation, prior to determination of the application. The committee was advised that without this further survey work, the reasons for refusal remained the same as set out in the committee report.

It was also reported that one additional representation had been received raising the same issues to those referred to in the committee report.

County Councillor Alyson Barnes, the local Member for the area, addressed the Committee. Councillor Barnes felt that the proposed development would have an adverse impact on the area and on the local countryside; would be highly visible in

the area despite attempts to mitigate it; would be detrimental to residential amenity; and was inappropriate in an open countryside location. She also pointed out that it was also contrary to the Local Plan.

A representative of CBS UK Ltd spoke on behalf of the applicant and raised the following summarised points in support of the application:

- Cemeteries and crematoriums were generally located outside of the urban boundary so this should not be a reason for refusal;
- The development would create a further 9 jobs;
- The proposed development was in keeping with other buildings in the area and the designs materials were comparable with a barn at nearby farm;
- The applicant would be happy to carry out further bat surveys;
- The proposal would result in higher environmental standards;
- It was not feasible to relocate the crematorium to an industrial area;
- The LCC Highways officer and the borough council's Environment Health Officer had raised no objection to the proposal.

During lengthy debate during which arguments both for and against the application were put, it was Moved and Seconded:

"That planning permission be granted subject to a further bat survey".

On being put to the vote the Motion was Lost.

Following further debate and advice from officers with regard to the bat survey it was:

**Resolved:** That planning permission be refused for the reasons set out in the report to the committee.

#### **8. 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, seven 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

#### **9. Urgent Business**

There were no items of urgent business.

**10. Date of Next Meeting**

**Resolved:** That the next meeting of the Committee be held on Wednesday 2 March 2016.

I Young  
Director of Governance, Finance  
and Public Services

County Hall  
Preston