

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 13th April, 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	M Johnstone
B Dawson	N Penney
M Devaney	P Rigby
M Green	A Schofield
P Hayhurst	K Sedgewick
S Holgate	K Snape
D Howarth	B Yates

1. Apologies for absence

None received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor M Devaney declared a non pecuniary interest in agenda item 4 as the local member for the area.

County Councillor K Snape declared a non pecuniary interest in agenda Item 4 as a member of Chorley Borough Council.

County Councillor P Hayhurst declared a non pecuniary interest in agenda Item 6 as a member of Fylde Borough Council.

3. Minutes of the last meeting held on 2 March 2016

Resolved: That the Minutes of the last meeting held on 2 March 2016 be confirmed and signed by the Chair.

4. Chorley Borough: application number 09/13/1075 Environment Act 1995 - application for the determination of conditions for permission 09/98/0049 for the winning and working of minerals at Clayton Hall Landfill Site, Dawson Lane, Whittle le Woods

A report was presented on the application for the determination of conditions for permission 09/98/0049 for the winning and working of minerals at Clayton Hall Landfill Site, Dawson Lane, Whittle le Woods.

The Committee was reminded that at their last meeting on 2 March 2016 they had resolved to defer determination of the application until officers had explored the opportunity to formulate an additional condition to more closely control the phased restoration of the site. The additional condition is set out below:

'There shall be no deposit of waste in the area of cell 4B as shown on drawing no. 08469/99 – Working Plan until final capping and restoration has been completed in cell 3A of drawing no. 08469/99 – Working Plan in accordance with condition 19 to this permission.

Reason: To enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.'

Resolved: That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, for the purposes of Section 96 and Schedule 14 of the Environment Act 1995 conditions be imposed on planning permission 09/98/0049 controlling time limits, working programme, hours of working, site operations, highway matters, noise, restoration and aftercare as set out at Appendix A to the report now presented and including the additional condition referred to above.

- 5. Preston City: application number LCC/2015/0070
Variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays) 7.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays. Recycling Lives, Longridge Road, Preston.**

A report was presented on an application for the variation of condition 3 of permission 06/10/0169 to vary the hours of operation of the shredder to 07.30 to 17.30 Monday to Friday (except bank holidays) 07.30 to 13.00 on Saturdays with no metal processing operations to be undertaken by the shredder recycling plant at any time on Sundays and public holidays.

The Committee was reminded that at their meeting on the 2 March 2016, they had resolved to refuse the application having concluded that the proposal would be likely to result in unacceptable harm to the amenities of the area. The Committee further resolved that the application should be reported back to the next available committee to confirm the full reasons for refusal.

The Development Management Officer reported orally that the County Council had received a request from the applicant to speak at the Committee to explain

that a further package of mitigation measures was being developed to address the impacts of the operation and that further consideration of the application should therefore be deferred. An email from the applicant requesting such and containing further details of the mitigation measures was circulated at the meeting (copy set out at Annex A to the Minute Book).

The Committee was reminded that the applicant had addressed the Committee at the 2nd March meeting and therefore, under public speaking rules, was not able to make a further presentation. However, the officer advised that the request to defer consideration of the application should be considered.

The committee was also advised that if the application was refused, the applicant would be able to appeal and could resubmit the application providing details of the further mitigation measures that could be employed. Alternatively, if the County Council considered that there was some merit in considering further mitigation measures, it could reasonably defer consideration of the application to allow such further measures to be developed and submitted for consideration.

Following debate and questions to the officers with regard to the additional mitigation measures, it was Moved and Seconded:

"That the application be deferred for a period of 3 months to allow the Officers to explore with the applicant, a further package of mitigation measures to address the impacts of the operation.

On being put to the vote it the Motion was carried whereupon it was:

Resolved: That the application be deferred for a period of 3 months to allow the Officers to explore with the applicant, a further package of mitigation measures to address the impacts of the operation.

**6. Fylde Borough: Application number. LCC/2016/0024
Single storey extension, new pedestrian entrance, widening of existing vehicle entrance and 7 no. new car parking spaces to replace spaces lost due to new pedestrian footpath. Mayfield Primary School, St Leonard's Road East, Lytham St Annes.**

A report was presented on an application for a single storey extension, new pedestrian entrance, the widening of existing vehicle entrance and creation of 7 new car parking spaces to replace spaces lost due to new pedestrian footpath at Mayfield Primary School, St Leonard's Road East, Lytham St Annes.

The report included the views of St Annes on the Sea Parish Council, the County Council's Developer Support (Highways) 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 an illustration of the extension and photographs of the site.

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

7. The Housing and Planning Bill - Technical Consultation on implementation of planning changes. Implications for Development Management.

A report was presented on the Housing and Planning Bill published in October 2015 and currently passing through Parliamentary procedures.

The Bill included a number of measures that would have implications for development management and other planning procedures. The Committee was advised that the Government had launched a technical consultation on how the provisions in the Bill would be implemented. The report detailed these provisions and explained possible implications for development management practice.

The Committee raised concerns with regard to a number of proposed changes and in particular the proposed planning application fees process, the expansion of the approach to planning performance, the introduction of competition in the processing of planning applications and the relaxation of permitted development rights for schools. It was felt that the proposals would affect the fundamentals of the planning system and reduce the quality of the planning process.

Following further debate it was Moved and Seconded that:

"The Head of Service be requested to write to the Government to oppose the introduction of competition in the processing of planning applications and the relaxation of existing permitted development rights for schools".

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

Resolved: The Head of Service be requested to write to the Government to oppose the introduction of competition in the processing of planning applications and the relaxation of existing permitted development rights for schools.

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 25 May 2016.

I Young
Director of Governance, Finance
and Public Services

County Hall
Preston