

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 6th March, 2019 at 10.30 am in Committee Room 'B' (The Diamond Jubilee Room) - County Hall, Preston

Present:

County Councillor Barrie Yates (Chair)

County Councillors

P Rigby	D Foxcroft
S Clarke	P Hayhurst
M Dad	A Kay
B Dawson	M Pattison
J Eaton	A Schofield
K Ellard	

County Councillor B Dawson replaced Cllr C Crompton at this meeting.

1. Apologies for absence

None received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None declared.

3. Minutes of the last meeting held on 23 January 2019

Resolved: That the Minutes of the meeting held on 23 January 2019 be confirmed and signed by the Chair of the Committee.

4. West Lancashire Borough: Application number LCC/2018/0050

Erection of wash plant facility for processing of inert waste materials to produce recycled aggregates. City Centre Commercials, Tower House, Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.

A report was presented on an application for the erection of a wash plant facility for processing of Inert waste materials to produce recycled aggregates at City Centre Commercials, Tower House, Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.

The report included the views of West Lancashire Borough Council, Knowsley Metropolitan Borough Council, the Environment Agency, the Health and Safety Executive, the county council's Highways Development Control and details of one letter of representation received.

The Development Management Officer presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown a site location plan and photographs of the site from various aspects.

The Officer reported orally that the applicant had submitted further correspondence advising that the proposed wash plant would not include a crushing process. All material would be crushed as a separate process prior to being put into the proposed plant.

The Officer also reported that the local resident, who had objected to the proposals on the grounds of noise levels, dust and hours of operation, had now withdrawn their objection following the submission of the noise assessment and the subsequent withdrawal of objections from West Lancashire Borough Council and Knowsley Metropolitan Borough. The committee was also advised that the same resident had noted the proposed conditions relating to the control of noise, dust and hours of operation.

Following questions to the Officers by the Members with regard to the opening times it was:

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

**5. Wyre Borough: Application Number. LCC/2019/0001
Variation of condition 8 of permission LCC/2015/0082 to allow
extended delivery hours of green waste up to 5pm on Saturdays,
Sundays and bank holidays. Iron House Farm, Lancaster Road, Out
Rawcliffe.**

A report was presented on an application for the variation of condition 8 of permission LCC/2015/0082 to allow extended delivery hours of green waste up to 5pm on Saturdays, Sundays and bank holidays at Iron House Farm, Lancaster Road, Out Rawcliffe.

The report included the views of Out Rawcliffe Parish Council and the county council's Highways Development Control. It was noted that no letters of representation had been received.

The Development Management Officer presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown a location map and photographs of the site from various aspects.

The officer reported orally that a new version of the Wyre Local Plan had been adopted on 28th February 2019 and consequently the planning policies in the report should be updated.

The officer advised that the wording of the new policies would not have any material effect on the determination of the application. However, it was necessary to change the wording of the reasons for conditions 2, 4 and 7 so that they refer to the updated policies.

The committee agreed that the Head of Service Planning and Environment be given delegated authority to amend the wording of the reasons for these conditions. The amended wording is set out below for completeness:

Condition 2:

Reason: For the avoidance of doubt and 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 Lancashire Minerals and Waste Local Plan and Policy SP2 of the Wyre Local Plan 2011 – 2031.

Condition 4 reason:

Reason: In the interests of the visual amenity of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policies SP2 and CDMP3 of the Wyre Local Plan 2011 – 2031.

Condition 7:

Reason: To safeguard the amenity of local residents and adjacent properties / landowners and landusers and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy CDMP3 of the Wyre Local Plan 2011 – 2031.

Mr Salisbury, the agent for the applicant, addressed the committee and spoke in support of the application. He advised that the proposal would allow the operator to cater for demand and accept more green waste; that no complaints had been received in the last 5-6 years of operation; and that the LCC Highways Officer had raised no objections to the proposals. The Committee was urged to approve the application.

Following questions to the officers by the Members with regard to traffic impacts and concerns about the additional HGV movements at the weekend and Bank Holidays it was:

Resolved: That subject to the inclusion of the amended wording of the reasons for conditions 2, 4 and 7 as set out above, planning permission be **granted** subject to the conditions set out in the report to committee.

6. 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 on 23 January 2019, five 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.

The Head of Service Planning and Environment responded to questions raised by the Members with regard to the scoping request for a proposed energy recovery facility at Red Scar Industrial Estate and the authorisation to allow longer working hours at Whinney Hill Quarry Landfill Site at Altham.

Resolved: That the report be noted.

7. 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 in the report.

- a. **Fylde and Wyre Boroughs: application number. LCC/2014/0101
Construction and operation of a site for drilling up to four exploratory wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells and restoration, including provision of access roads and improvement of accesses onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land west, north and east of Roseacre Wood and between Roseacre Road, Roseacre and Inskip Road, Wharles.**

Agricultural land that forms part of Roseacre Hall, to the west, north and east of Roseacre Wood, and land that forms part of the defence high frequency communications service (dhfcs) site between Rosacre Road and Inskip Road, off Roseacre Road and Inskip Road, Roseacre and Wharles, Preston

A report was presented on the Secretary of State's decision to refuse the above application for the construction and operation of a site for drilling of up to four exploratory wells including hydraulic fracturing, testing and site restoration on land at Roseacre Wood near Elswick.

Members were reminded that the committee had refused planning permission for this development in 2015 on the grounds that it would generate an increase in traffic, particularly HGV movements, that would result in an unacceptable impact on the rural highway network and on existing road users, particularly vulnerable road users and a reduction in overall highway safety that would be severe.

This decision was the subject of an appeal which was determined by way of a public inquiry held in February and March 2016. Although the Inspector at the Inquiry agreed with the council's decision, the then Secretary of State, ruled that he was "minded" to allow the appeal if the applicant could address concerns over highways safety.

A second public inquiry into that single issue was re-opened in April 2018 and heard additional highway evidence. The county council maintained its opposition to the planning application on the basis that the revised traffic management proposals did not address the highway safety issues on the local road network. The Planning Inspector presiding over the Inquiry concurred with this view as did the Secretary of State who concluded that the highway impacts were such that overall, planning permission should be refused.

Members welcomed the decision and joined with the Chair in congratulating officers both past and present for recommending that the application be refused, a decision which had proved to be the right decision. Officers were also thanked for their part in preparing the council's case in respect of the two public inquiries.

In response to questions raised by committee members, the Officers advised that despite winning the appeal, the council would not be awarded its costs for the public inquiry as costs were awarded as a result of unreasonable behaviour and did not automatically follow a favourable decision.

Resolved: That the report be noted.

8. Date of Next Meeting

Resolved: That the next meeting of the Committee be held on Wednesday 8 May 2019 at 10.30am.

L Sales
Director of Corporate Services

County Hall
Preston