

Lancashire County Council

Development Control Committee

Wednesday, 9th September, 2020 at 10.30 am

Agenda

Part I (Open to Press and Public)

No. Item

1. Apologies for absence

2. Disclosure of Pecuniary and Non-Pecuniary Interests

Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.

3. Minutes of the extraordinary meeting held on 12 August 2020 (Pages 1 - 4)

The Committee are asked to agree that the Minutes of the extraordinary meeting held on 12 August 2020 be confirmed and signed by the Chair.

4. Update Sheet

Officers to present an update in relation to matters under consideration on the Agenda.

5. Fylde Borough: Application Number. LCC/2020/0041 (Pages 5 - 24)
Erection of a modular building for new external classroom. St Michaels C of E Primary School, Church Road, Weeton with Preese

6. Planning decisions taken by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation (Pages 25 - 26)

7. Urgent Business

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

8. Date of Next Meeting

The next virtual meeting of the Development Control Committee will be held on Wednesday 23 September 2020 at 10.30 a.m.

County Hall
Preston

L Sales
Director of Corporate Services

Agenda Item 3

Lancashire County Council

Development Control Committee

Minutes of the Virtual Meeting held on Wednesday, 12th August, 2020 at 10.30 am

Present:

County Councillor Barrie Yates (Chair)

County Councillors

S Clarke	P Hayhurst
C Crompton	A Kay
M Dad	M Pattison
J Eaton	J Rear
K Ellard	C Towneley
D Foxcroft	

County Councillor J Rear replaced County Councillor P Rigby at this meeting.

1. Apologies for absence

None received.

2. Appointment of Chair and Deputy Chair

The Committee was informed that County Councillors B Yates and S Clarke had been appointed as Chair and Deputy Chair respectively of the Committee for the ensuing year.

Resolved:- That the appointment of County Councillors B Yates and S Clarke as Chair and Deputy Chair of the Committee be noted.

3. Constitution, Membership and Terms of Reference of the Committee

Resolved:- That the Constitution, Membership and Terms of Reference of the Committee be noted.

4. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor M Dad declared a non-pecuniary interest in Item 7 of the agenda as a member of the Planning Committee at Hyndburn Borough Council.

5. Minutes of the last meeting held on 15 July 2020

Resolved: That the Minutes of the meeting held on 15 July 2020 be confirmed and signed by the Chair of the Committee.

6. Update Sheet

The Update Sheet was circulated prior to the meeting and attached as a supplementary agenda item.

7. Hyndburn Borough: application number LCC/2020/0026 Provision of a new single storey building to provide an overnight short - break unit for adult with disabilities, vehicle parking, external lighting columns and landscaping following demolition of existing school. North Cliffe School site, Blackburn Old Road, Great Harwood

A report was presented on an application for the provision of a new single storey building to provide an overnight short break unit for adults with disabilities, together with vehicle parking, external lighting columns and landscaping following the demolition of the existing school at North Cliffe School site, Blackburn Old Road, Great Harwood.

The report included the views of Hyndburn Borough Council, LCC Highways Development Control, United Utilities, LCC Ecology Advisor and details of two letters 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 an illustration of the proposed buildings and elevations and photographs of the site from various aspects including the access roads.

The Officer reported orally that it was proposed to add the following additional condition to the proposed planning permission as follows:-

- '12. The building shall only be used as a short break unit and no residents shall reside in the building on a permanent basis. The requirements of this condition shall not apply to any staff.

Reason: In the interests of the amenity of local residents and to comply with policy DM26 of the Hyndburn Borough Local Plan'.

It was also proposed to add an amendment to the end of condition 6:

'The car parking spaces belonging to the adult and children's unit shall be separately identified by means of markings on the surface of the car park or other form of signage'.

Officers responded to concerns raised by the Members with regard to the car park, the access roads, the bat roost potential survey and the proposed surface water lagoon, following which it was:

Resolved: That planning permission be granted subject to the conditions set out in the report to the Committee and the inclusion of the amendments to condition 6 and the additional condition 12 above.

8. Urgent Business

None.

9. Date of Next Meeting

Resolved: That the next virtual meeting of the Committee be held on Wednesday 9 September 2020 at 10.30am.

L Sales
Director of Corporate Services

County Hall
Preston

Agenda Item 5

Development Control Committee

Meeting to be held on 9th September 2020

Electoral Division affected: Fylde West
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Fylde Borough: Application Number. LCC/2020/0041
Erection of a modular building for new external classroom.
St Michaels C of E Primary School, Church Road, Weeton with
Preese.

Contact for further information:

Faiyaz Laly, 01772 538810

DevCon@lancashire.gov.uk

Executive Summary

Application - Erection of a modular building for new external classroom. St Michaels C of E Primary School, Church Road, Weeton with Preese.

Recommendation - Summary

That planning permission be **granted** subject to conditions controlling time limits, commencement, duration of development, working programme and details of external heating equipment.

Applicant's Proposal

Planning permission is sought for the erection of a modular building at St Michaels C of E Primary School, Church Road, Weeton with Preese. The modular building would be constructed from timber cedar cladding, a monopitch felt roof and finished with aluminium double glazed windows and doors. The development would be single storey measuring approximately 8.5m x 5.5m with a maximum height of 2.8m, covering a total area of approximately 72m².

The proposed development is required to accommodate 24 nursely infant children, as the existing school building is nearing full capacity for these pupils. The applicant has confirmed the proposed development would not be for accommodating an increased number of pupils at the school.

Description and Location of Site

St Michaels C of E School is located on the west side of Church Road between Weeton and Great Plumpton, just south of the M55 motorway. The school is located approximately 0.4km south of the centre of Weeton. To the east and west of the site are fields and woodland areas, to the south is the St Michaels Church which is a Grade II listed building. To the north of the development is Weeton Manor which is a

residential property located approximately 12m from the proposed development and to the east is another residential property which was the Former School house located approximately 10m from the proposed development.

The whole school site covers an area of approximately 0.2ha and consists of an existing school building to the front of the school site, hardstanding playground area to the south east and a grassed area to the north. The proposed development would be located to the northern boundary of the school site on an existing grassed area to the front of the school site. The boundary between the school site and Weeton Manor consists of a 1.8m high hedge.

Background

The site is an established educational facility.

There is no relevant planning history.

Planning Policy

National Planning Policy Framework

Paragraphs 11 - 14, 94, and 124 - 132 are relevant with regard to the definition of sustainable development, importance of a sufficient choice of school places to meet the needs of existing communities and the need for good design.

Fylde Local Plan

Policy GD7 - Good Design

Policy HW2 - Community Facilities

Policy GD4 - Countryside Area

Consultations

Fylde Borough Council - Objection raised that the proposed development with its scale, height, massing, and close proximity to the boundary to the adjacent dwellings and their gardens would introduce an overbearing and oppressive form of development to their occupiers. This will create a substantial sense of enclosure and have a harmful impact on their amenity through loss of outlook and overshadowing. Accordingly, the proposed development would have an adverse impact on the living conditions of neighbouring occupiers in conflict with the requirements of the Fylde Local Plan.

Weeton-with-Preese Parish Council - No objection.

Lancashire County Council Highways Development Control - No objection and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Lead Local Flood Authority - No observations received.

Representations - The application has been advertised by site notice and neighbouring residents informed by individual letter.

One objection has been received from the occupier of Weeton Manor raising concerns that the proposed development would have an adverse effect in terms of visual amenity and loss of privacy on their property. Comments are also raised that as the structure of the building is not made from sound proofing materials and as the windows and doors would be open regularly the proposed development would cause adverse noise impacts from the 24 nursery / infant children and teaching staff that this building would accommodate. Concerns are also raised as to why the development has to be sited in this location as there are other areas around the school, which would better suited to the development and surrounding landscape. Comments are also raised that the development would cause a loss of light to the garden of the property and have an adverse impact on the drainage of the surrounding area.

Advice

Weeton St Michaels C of E Primary School offers education for children from pre-school age to eleven years. The school currently has 13 members of staff to facilitate the learning and welfare needs of up to 50 pupils. At present children from different classes are having to share teaching space which can result in classrooms being partitioned in order to accommodate them leading to overcrowded conditions. The school now propose to address this matter for the long term in the form of additional teaching space so that pupils can have greater space which is particularly important given Covid 19 considerations.

Paragraph 94 of the National Planning Policy Framework states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities and Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education. It also states that great weight should be given to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

The County Council's general strategy towards providing education provision is to provide additional space at existing schools rather than construct new schools in order that this provision can be delivered quickly and to achieve best value for money by reducing infrastructure and land acquisition costs. However, it is also important to balance the need for the proposal against the impacts of the development.

The main issue relates to the impacts on the amenity of the adjacent properties at Weeton Manor and the School House building.

Policy GD7 of the Fylde Local Plan states that development will be expected to be of a high standard of design, taking into account the character and appearance of the local area also ensuring that development is sympathetic to surrounding land uses and occupiers and that buildings make a positive contribution to the character and local distinctiveness through high quality design.

In terms of general design, the building would be constructed from materials which would not match the existing school buildings. However, due to the proposed development being located on an existing grassed area away from existing school buildings it would be acceptable in terms of design and materials. The proposed development would provide an additional teaching area at the school but is not intended to facilitate an increase in pupil numbers. LCC Highways Development Control were consulted on the application and are of the opinion that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

The occupier of Weeton Manor has raised concerns that the proposed development would have an adverse effect in terms of visual amenity and loss of privacy of their property. Their comments also state that as the structure of the building is not made from sound proofing materials and the windows and doors would be open regularly, the proposed development would cause adverse noise impacts. Concerns are also raised as to why the development has to be sited in this location as there are other areas around the school where the development could be sited.

The applicant has confirmed consideration was originally given to extending the existing school building but this option was not viable due to limited funding and the impact that such an extension would have on the existing playground. The school state that they are only just complying with the standards for school hard playground area per pupil as per Department for Education Guidelines for Mainstream Schools. The table within this guidance shows that primary schools should have a base play area of 400m² with an additional 1.5m² per child attending at the school. The school currently has 50 pupils in attendance therefore the requirement of hard standing play area should be at 475m² which leaves an excess of 25m² which is less than the proposed development.

The boundary between the school and Weeton Manor is comprised of a hedgerow measuring approximately 1.8m high. The proposed building is a maximum of 2.8m high and would be approximately 10 metres from the rear elevation of Weeton Manor at its nearest point. Whilst it is considered that there would be no shadowing issues to the house itself given the separation distances and height of the building and the existing hedge, it must be acknowledged that the new building would be very close to the existing properties therefore raising concerns about loss of privacy and general impact on residential amenity.

To help mitigate the impacts on Weeton Manor, the applicant has slightly moved the location of the proposed building eastwards towards Church Road. However, the distance from the property boundary would be very similar to the original location. To mitigate overlooking, the windows on the elevations facing the School House building and Weeton Manor would be positioned at a higher level on the building and would use opaque glazing to negate overlooking impacts. It is considered that noise levels would not be unacceptably increased given the application site is already used as an outdoor play area and that the building would have a degree of sound insulation arising from the need to meet thermal performance requirements. Nevertheless, it is accepted that the proposal would have some impacts on the amenity of the property by reason of its location close to the property boundary and therefore potentially conflicts with policy GD7 of the Local Plan.

The occupiers of the properties at Weeton Manor and the School House have been reconsulted given the amended location of the proposal. No representations have been received from the occupier of the School House. However, the occupier of Weeton Manor reiterates their original objections on the grounds of visual amenity, noise and privacy and disputes that the classes are cramped and in fact have more space than most state schools. The occupier considers that the school needs to spend the allocated money by February resulting in the school not being prepared to move the building to another location further from the property. They also raise concerns about the floor levels of the building and noise impacts from a heating / air conditioning system that would be attached to the façade of the building. Most of these issues are covered above and the issue raised about the school's budgeting is not a planning matter. With regard to the location of the heating / air conditioning unit, this can be the subject of a planning condition to ensure that this unit is not located on the side of the building closest to the property. The submitted drawings show that the building would sit on 100mm high bearers so there is no risk that the floor level of the building, when constructed, would be substantially higher than shown on the elevation drawings.

In conclusion, whilst the impacts of the building have been slightly reduced by relocation and careful design of the building, it is still considered that there would be some residual effect on residential amenity. These impacts have to be balanced against the National Planning Policy Framework requirement that great weight should be attributed to the need to expand existing schools, the need to reduce overcrowding in the school and to meet recommended space requirements for primary and pre-school pupils. There does not appear to be any other location in the school further from the adjacent properties that can be immediately brought forward to meet this requirement. In view of this, it is considered that there is some justification for the proposal. However, in view of the concerns about residential amenity, it is considered that any permission should be restricted to a temporary period of five years which would provide opportunity to review the ability to extend the existing school building. With such a condition, on balance it is considered that the proposal would accord to the Fylde Local Plan and National Planning Policy Framework.

Human Rights

The Human Rights Act 1998 requires the County Council to take into account the rights of the public under the European Convention on Human Rights and not to act in a manner incompatible with those rights. Article 1 of the 1st Protocol states that an individual's peaceful enjoyment of their property shall not be interfered with except as is necessary, in accordance with law and as is proportionate.

This application were it to be approved would have some impact on neighbouring properties due to the development's proximity and scale. The condition requiring that the development should be given a temporary permission for 5 years is required to protect the rights of local residents and would not have a disproportionate impact on the rights of the applicant.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

2. Written notification of the date of commencement of the development shall be sent to the County Planning Authority within 7 days of such commencement.

Reason: To enable the County Planning Authority to monitor the development to ensure compliance with this permission and to conform with Policy GD7 of the Fylde Borough Local Plan.

3. The building authorised by this permission including all foundations and services shall be removed from the site by not later than 5 years from the date of commencement as notified to the County Planning Authority under the requirements of condition 2.

Reason: To provide for the removal of the building within the approved timescale and in the interest of local and visual amenities and to conform with Policy GD7 of the Fylde Borough Local Plan.

Working programme

4. The development shall be carried out in accordance with the following documents:

a) The Planning Application received by the County Planning Authority on 22nd June 2020.

b) Submitted Plans and documents:

Drawing Number - B02 / Rev D5 - Ground Floor Plans and Elevations

Reason: To minimise the impact of the development on the amenities of the local area, and to conform with policy GD7 of the Fylde Borough Local Plan.

4. No development shall commence until details for the location, design and noise levels of the external heating unit have first been submitted to and approved in writing by the County Planning Authority. The external heating unit shall thereafter be installed and maintained in accordance with the approved details

Reason: In the interests of residential and local amenity and to conform with Policy GD7 of the Fylde Local Plan.

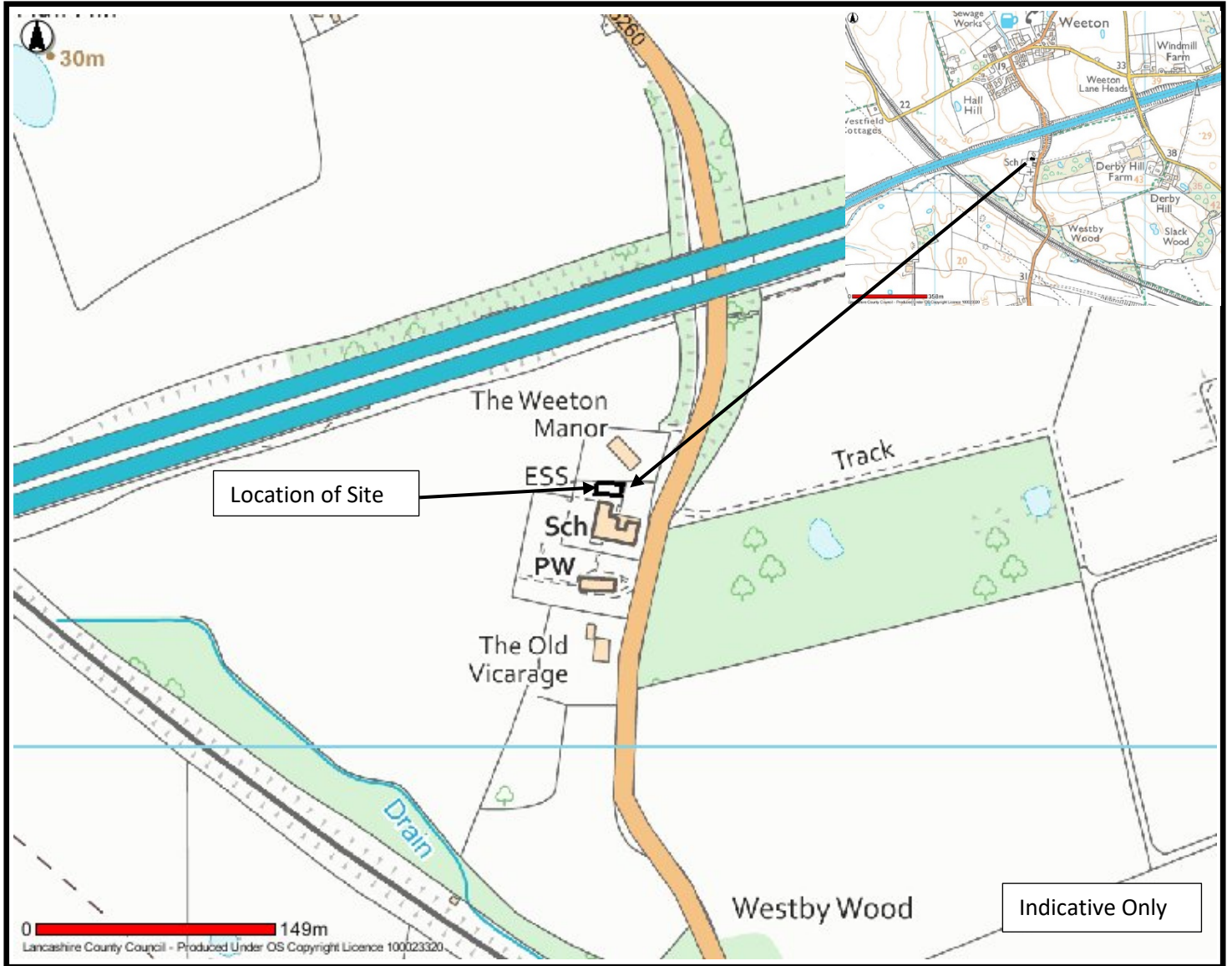
Local Government (Access to Information) Act 1985 List of Background Papers

None

Reason for Inclusion in Part II, if appropriate

N/A

APPLICATION LCC/2020/0041 ERECTION OF A MODULAR BUILDING FOR NEW EXTERNAL CLASSROOM AT ST MICHAELS C OF E PRIMARY SCHOOL CHURCH ROAD WEETON WITH PREESE



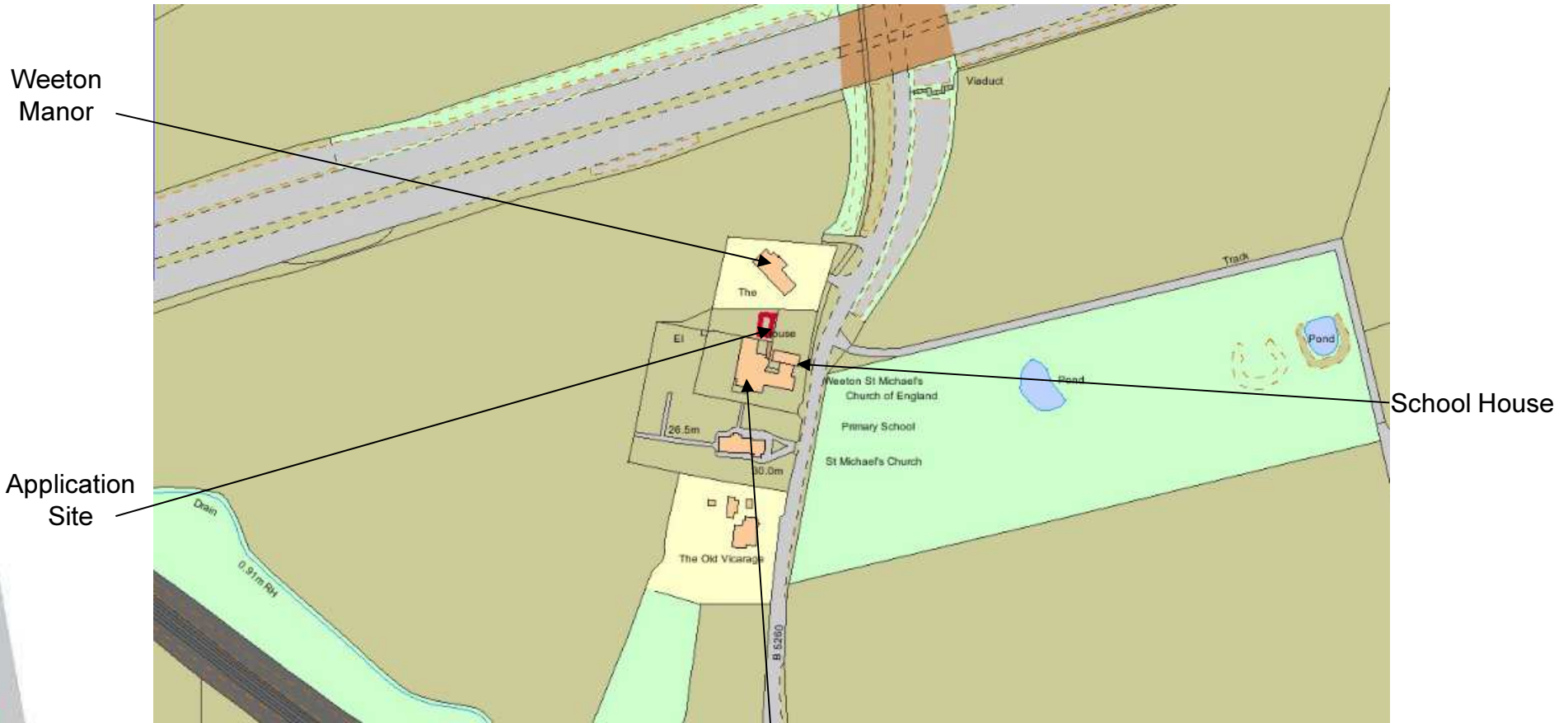
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Planning Application LCC/2020/0041

Erection of a modular building for new external classroom.

St Michaels C of E Primary School, Church Road,
Weeton with Preese.

Planning Application LCC/2020/0041 - Location Plan



Weeton Manor

Application Site

School House

Existing St Michaels building

Planning Application LCC/2020/0041 - Air photograph

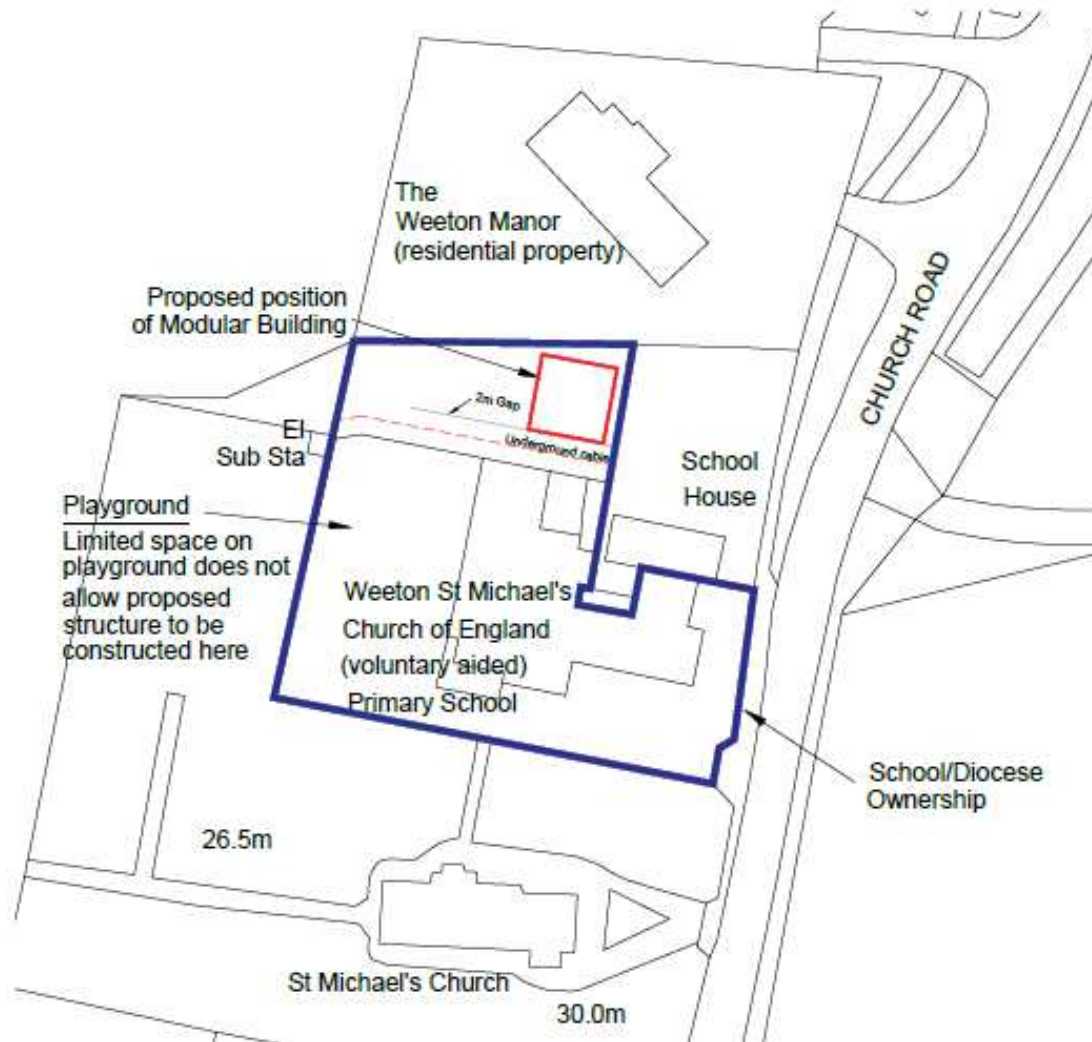
Application Site

M55 Motorway

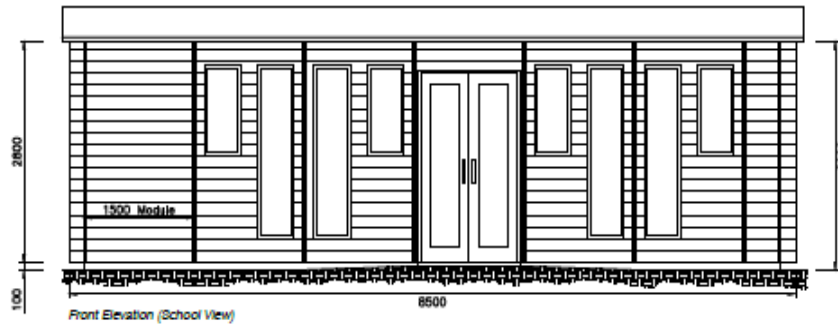
Existing School Building



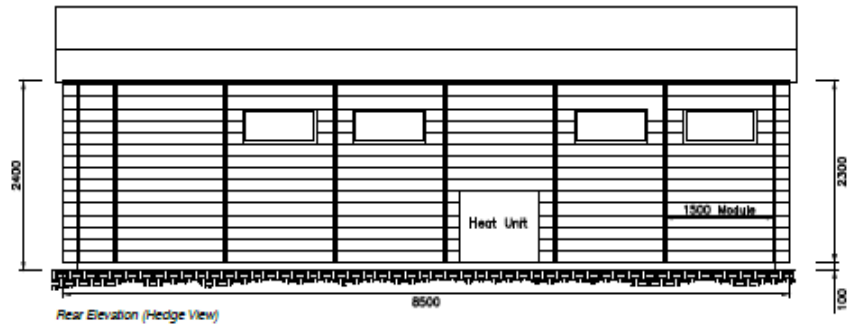
Planning Application LCC/2020/0041 - Site Location



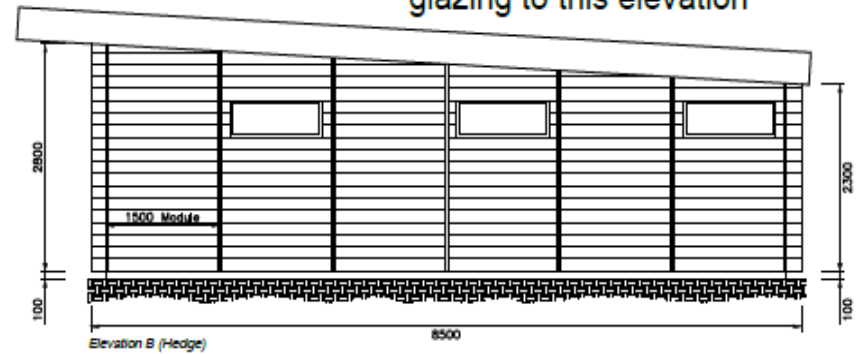
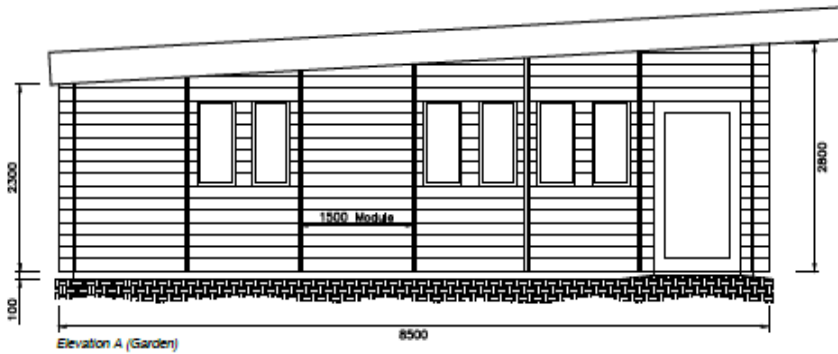
Planning Application LCC/2020/0041 - Proposed Elevations



High level windows with opaque glazing to rear elevation



High level windows with opaque glazing to this elevation



Modular Building Rear & Side Elevations - NTS

View of application site



View from school towards Weeton Manor



View towards application site from Weeton Manor





Development Control Committee

Meeting to be held on 9 September 2020

Electoral Division Affected: All

Planning decisions taken by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation

Contact for further information:

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Executive Summary

Planning decisions taken by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.

Recommendation – Summary

That the report be noted.

Since the last ordinary meeting of the Development Control Committee on the 15 July 2020, the following decisions on planning matters have been taken in accordance with the County Council's Scheme of Delegation.

Lancaster

Application: No. LCC/2020/0037
Lancaster Museum, Market Square, Lancaster
Replacement of existing flue with 2no. new flues, to be installed at rear of building

Application: No. LCC/2020/0029
Former Hanson Plc Site, Whitegate, White Lund Industrial Estate
Change of use of land to a waste transfer station as an extension to the existing waste management site/ waste transfer station and skip business.

Preston

Application: No. LCC/2020/0036
Ashton Community Science College, Aldwych Drive, Preston
Provision of tarmac hardstanding

South Ribble

Application: No. LCC/2020/0032
Blackburn Waste Water Treatment Works, Cuerdale Lane, Samlesbury
Construction of new outfall overflow chamber and outfall headwall structure including bank reinforcement works.

Application: No. LCC/2020/0027
Nabs Head Waste Water Treatment Works
Construction of a control kiosk

Chorley

Application: No. LCC/2019/0054/1
The Laurels at Charnock, Charnock Richard Golf Course, Preston Road, Charnock Richard
Compliance with condition 10 - wheel cleaning, condition 11 – highways, condition 12 - temporary access road, condition 13 - great crested newts and condition 14 - habitat enhancement works of permission LCC/2019/0054

Application: No. LCC/2015/0069/1
Clayton Hall Landfill Site, Dawson Lane Whittle Le Woods
Compliance with condition 19 and condition 1.2 schedule 3 of S106 agreement for permission LCC/2015/0069 - landscape, restoration 5 year and 10 year aftercare plan

Burnley

Application: No. LCC/2020/0025
Quicker Demolition and Skips Ashfield Road Burnley
Retrospective change of land use from industrial to a waste facility, including the erection of a single-storey structural steel frame building and extension to contain an elevated trommel screen and picking station.

Recommendation

That the report be noted.

Local Government (Access to Information) Act 1985 List of Background Papers

None

Reason for Inclusion in Part II, if appropriate:

N/A