

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 8th December, 2021 at 10.30 am in Committee Room 'C' - The Duke of Lancaster Room, County Hall, Preston

Present:

County Councillor Matthew Maxwell-Scott (Chair)

County Councillors

P Rigby	G Mirfin
L Cox	M Pattison
M Dad BEM JP	E Pope
A Kay	B Yates
H Khan	S Clarke

1. Apologies for absence

Apologies were received from County Councillor Potter.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor Kay declared a non-pecuniary interest in Item 7 as she was a Wyre Borough Councillor.

3. Minutes of the last meeting held on 20 October 2021

Resolved: That the minutes of the last meeting held on Wednesday 20 October 2021 be confirmed and signed by the Chair.

4. Update Sheet

The Update Sheet was circulated prior to the meeting (copy attached).

5. West Lancashire Borough: application number LCC/2021/0044 Provision of three double classroom temporary units, temporary pedestrian access and fencing, Asmall County Primary School, Tennyson Drive, Ormskirk

A report was presented on an application for three double classroom temporary units, temporary pedestrian access, playground area and fencing at Asmall County Primary School, Tennyson Drive, Ormskirk (retrospective application).

A fire at Asmall Primary School in summer 2021 had rendered six areas of the school inoperable, including the areas used for the nursery classes. There had

therefore been an urgent requirement to install these temporary classroom units in August 2021, to ensure continuity of teaching accommodation until the existing school could be rebuilt. It had been estimated that the rebuilding works would take approximately 18 months and these were already underway. Once the damaged areas of the school had been rebuilt, the temporary units would be removed.

The report included the views of Sport England and United Utilities. No observations had been received from West Lancashire Borough Council and LCC Highways Development Control. Four representations had been received in relation to this being a retrospective application and concerns around the visual impact of the building/loss of view and impact on house prices. County Councillor Hennessy had indicated her support for the application.

The Development Management Officer presented a Powerpoint presentation showing a location plan of the site, the location of the three classroom blocks and the nearest residential properties. Photographs were also shown providing an aerial view of the site, the fire damaged area of the school building and the view of new classroom units, in addition to elevation diagrams.

Committee expressed concern around the proposed reduction in hours of use of the buildings. The school had requested they be used from 06.00 – 22.00 Monday to Friday and 09.00 – 14.00 Saturdays and Sundays. However, the condition proposed in the report was to reduce these hours to 07.30 – 18.30 Mondays to Fridays (except Public Holidays) and that the building should not be used on Saturdays, Sundays or Public Holidays.

County Councillor Pope asked why the school had not been asked to confirm whether it was happy with the reduced hours. It was reported that the school had been contacted about this but that a response had not been received. The reduced hours allowed for pre-school and after-school provision and took into account the objections of local residents as several houses on Tennyson Drive and Wordsworth Close backed onto the school site and had views of the units.

County Councillor Kay pointed out that if the school provided nursery provision in the temporary classrooms, then they may need to use them from 6.30am in order to prepare for children arriving. Also, the buildings may be used by the community in the evenings so a response from the school was required as to whether they were happy with the reduced hours. County Councillor Kay also asked what would happen if the temporary buildings were not removed by 30th March 2023, as stated in the conditions. County Councillor Clarke added that school buildings were often used for community activities at weekends.

Andy Mullaney pointed out that the proposed reduction in hours of use only related to the three temporary classrooms and that other parts of the school building could be used outside of these restricted hours. The proposed hours for the temporary buildings were consistent with similar projects across the county although the hours could be adjusted to suit the school's needs. As this was a retrospective application, the school were already operating within the proposed

reduction in hours. It was confirmed that another application would need to be considered by Committee, should the duration of the development need extending. Should the school request longer opening hours for the 3 temporary classrooms, consultation would need to take place with local residents. If there were any objections, these would need to be considered by Committee.

The Committee requested that officers contact the school to check whether they were happy with the proposed operating hours as set out in Condition 3, and requested to have sight of the school's response.

Resolved: That planning permission be **granted**, subject to conditions controlling the duration of the development, working programme, hours of use of the building and restoration of the site, as set out in the Committee report.

6. Pendle Borough: application number LCC/2021/0003 Extension to the existing recycling building, EWR Skips, Eden Works Industrial Estate, Colne Road, Kelbrook

A report was presented on an application for the extension to the existing recycling building at EWR Skips, Eden Works Industrial Estate, Colne Road, Kelbrook.

Planning permission had been granted at the site in September 2004, for the change of use of land to a waste transfer station, erection of a building to house waste sorting operations and the construction of three external storage bays.

The current application was for an extension to the existing building within the operational area of the site, and was required to provide cover for external waste storage, to improve the sorting process and to help to keep material dry from adverse weather conditions.

The report included the views of Pendle Borough Council, the Environment Agency and LCC Highways Development Control and one objection from the landowner of adjacent areas of the industrial estate in relation to pedestrian safety. No comments had been received from Kelbrook and Sough Parish Council or the Lead Local Flood Authority.

The Development Management Officer presented a Powerpoint presentation showing a location plan and aerial photograph of the application site, site access and existing waste transfer building, proposed site plan and car parking area, elevations diagram and photographs of the site of the proposed building. In relation to the objection which had been received, it was confirmed that the proposed development would not facilitate an increase in vehicle numbers. In addition, Committee were informed that there was limited scope for vehicles to attain a considerable speed on the internal site roads and that there was an existing speed bump over the access into the site.

Mr Steven Hartley, on behalf of the applicant, addressed the Committee. EWR Skips had been established for over 25 years. Skips from construction sites and

site clearance works were imported to the site where hardcore materials, wood, plastic and metals were sorted from the waste stream. The current application proposed to enclose areas of the site currently used for external storage.

County Councillor Cox raised a question in relation to vehicle movements and whether the times of the vehicles arriving on site would be monitored. It was confirmed that the current planning permission contained controls on hours of working and that there would not be an increase in vehicle movements.

County Councillor Clarke commented that the new building was open-fronted and asked whether allowances had been made in relation to machinery noise and dust. It was reported that the activities currently took place outside so the new building would provide much more containment even though it was open-fronted.

In response to a question from County Councillor Kay, it was confirmed that types of materials being processed at the site would not change.

Resolved: That planning permission be **granted**, subject to conditions controlling time limits, working programme, highways matters and drainage, as set out in the Committee report.

7. Wyre Borough: application number LCC/2021/0042 Permanent vehicular access from Bilsborrow Lane for operational access to below ground wastewater infrastructure and associated landscaping, and off Bilsborrow Lane, Bilsborrow, Preston (Retrospective application)

A report was presented on an application for permanent vehicular access from Bilsborrow Lane for operational access to below ground wastewater infrastructure and associated landscaping, at land off Bilsborrow Lane, Bilsborrow, Preston. The access track and underground works had been undertaken in Winter 2020 so the application was therefore retrospective.

It was reported that there was a historical issue of properties on Garstang Road being affected by flooding from the sewer network during high rainfall events. This was due to the local sewer having insufficient capacity during storms. The proposal at this site involved the construction of a below ground storm tank which would accept excess flows during storm periods and then return them to the network once the storm had subsided. The development would reduce the flood risk to a 1 in 20 year storm return period.

The report included the views of Wyre Borough Council (objecting to the application), LCC Ecology Service, LCC Historic Environment Service and LCC Highways Development Control. Representations had been received comprising one objection and one letter of support. No response had been received from Bilsborrow Parish Council.

The Development Management Officer presented a Powerpoint presentation showing a location plan and an aerial view of the application site and the nearest residential properties, and diagrams of the site layout and landscaping proposals.

The Officer drew attention to the Update Sheet which referred to the replacement Drawing 80061558-01-ADP-52604-XX-DR-L-00003. The drawing had been revised to include extra landscaping proposals to improve the visual impact of the site.

The Borough Council had objected to the application saying it was contrary to Policy SP2, which required green infrastructure to be protected and enhanced. It was reported that locations for the underground tank were very limited in the local area due to the need to link with existing sewers and that the conflict with the Policy was outweighed by other factors.

County Councillor Yates appreciated that the works needing carrying out but asked how the loss of green belt land was being compensated for.

County Councillor Pope asked why the application was retrospective and what controls the county council had over the work being done by United Utilities. In addition, CC Pope queried why there was no condition stating that archaeological work need to be undertaken.

Committee were informed that a survey had been undertaken by United Utilities on the site to determine what impact the proposed works would have on trees, hedgerows and habitats. The site was an agricultural site with one tree which had been retained and extra tree and hedgerow planting had been undertaken. It was considered that the landscaping measures provided adequate compensation to outweigh the loss of open space and that the conflict with Policy CDM4 was outweighed by the benefits of the scheme in reducing flooding.

It was reported that the application was retrospective as, at the stage when United Utilities had commenced the work, it was not known that a permanent access road would be required to service the underground infrastructure. The Chair pointed out that it would have been helpful for United Utilities to have made the county council aware of this sooner, to avoid having to seek retrospective approval. Committee noted that this issue had previously been raised with United Utilities as they sometimes started work before considering whether planning permission would be required.

County Councillor Pope requested that details be sent to Committee in relation to the archaeological work that had been carried out.

In relation to comments about housing developments still going ahead and drainage infrastructures not being able to cope with this, Committee were informed that when sites were being looked at for possible housing development, the county council needed to check if there were enough school places and whether the highway network could cope and that these issues needed to be

addressed in the District Councils local plans, along with whether the sewage infrastructure was satisfactory.

In response to a query from County Councillor Mirfin, it was agreed that a briefing note be sent out to Committee Members detailing how the retrospective applications process works and in what instances this may occur.

County Councillor Clarke informed Committee that both the Regional Flood & Coastal Committee and the Strategic Flood Partnership were currently looking into the current rule of housing developers having an automatic right to connect to existing sewage systems, as this sometimes created flooding due to capacity issues, although it was noted that this would require a change in law.

County Councillor Mirfin pointed out that water supply infrastructure was also affected by new housing developments and suggested that United Utilities, Electricity North West and other providers attend External Scrutiny Committee to answer questions regarding infrastructure.

Resolved: That planning permission be **granted** subject to conditions controlling working programme and landscaping, as set out in the Committee report.

8. Planning decisions taken 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 Development Control Committee on 20 October 2021, eleven planning applications had been granted planning permission by the Head of 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 19 January 2022 at 10.30am, County Hall, Preston.

L Sales
Director of Corporate Services

County Hall
Preston

Minute Item 4

Development Control Committee – 8th December 2021

Update Sheet

Item 7 – Application LCC/2021/0042 – Bilsborrow

Recommendation

Proposed amendment to condition 1

Drawing 80061558-01-ADP-52604-XX-DR-L-00003 Rev PO6 is replaced by
80061558-01-ADP-52604-XX-DR-L-00003 Rev PO6 version S2

