

Lancashire County Council

Development Control Committee

**Minutes of the Meeting held on Wednesday, 23rd January, 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
C Crompton	S Holgate
B Dawson	A Kay
J Eaton	A Schofield
K Ellard	

County Councillors S Holgate and B Dawson replaced County Councillors M Dad and M Pattison on the Committee.

1. Apologies for absence

None.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor C Crompton declared a non-pecuniary interest in agenda item 5 as a member of the Planning Committee at Preston City Council.

County Councillor P Rigby declared a non-pecuniary interest in agenda item 5 as his brother may have a business interest in the development.

County Councillor A Schofield declared a non-pecuniary interest in agenda item 5 as Vice-Chair of the LCC Pension Fund Committee and as a LCC shareholder representative Non-Executive Director on the board of Local Pensions Partnership Ltd.

County Councillors K Ellard and S Clarke declared a non-pecuniary interest in agenda item 5 as Members of the LCC Pension Fund Committee.

3. Minutes of the last meeting held on 12 December 2018

Resolved: That the Minutes of the meeting held on 12 December 2018 be confirmed and signed by the Chair of the Committee.

4. **West Lancashire Borough: Application number. LCC/2018/0055**
Construction of an electricity generating facility of up to 5MW from five generators powered by mains gas, and associated plant and equipment consisting of five radiators, five transformers, a high voltage (HV) client building, a gas kiosk, a distribution network operator (DNO) building, an oil tank, an amenity cabin and three no. closed-circuit television cameras (CCTV) posts all enclosed by 2.4m high palisade fencing to form a compound area. West Quarry Railway Pad, Appley Lane North, Appley Bridge.

A report was presented on an application for the construction of an electricity generating facility of up to 5MW from five generators powered by mains gas, and associated plant and equipment consisting of five radiators, five transformers, a high voltage client building, a gas kiosk, a distribution network operator building, an oil tank, an amenity cabin and three no. closed-circuit television cameras posts all enclosed by 2.4m high palisade fencing to form a compound area at West Quarry Railway Pad, Appley Lane North, Appley Bridge.

The report included the views of West Lancashire Borough Council, Wroughton Parish Council, the county council's Highways Development Control, the Environment Agency, Network Rail, the Health and Safety Executive and details of four representations 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 site plan and photographs of the site.

The officer reported orally that a further response had been received from the Environment Agency advising that in order for the facility to operate, they would have to issue a Medium Combustion Plant permit which covers air emissions only. Any other environmental/amenity issues (such as noise or odour) would not be covered by the permit.

In response, the officer referred to Paragraph 183 of the National Planning Policy Framework (NPPF) which states that the focus of planning policies and decisions should be on whether proposed development was an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.

It was therefore considered that there was no need to impose any controls on any planning permission for the proposal as the controls on air emissions would be via this permit. The committee was therefore advised that Condition 6 was not required and should be deleted.

Resolved: That subject to the omission of Condition 6, planning permission be **Granted** subject to the conditions set out in the report to the committee.

5. **Preston City: Application Number. LCC/2016/0085**
Change of use / conversion / extension of the former Park Hotel building from offices (Class B1) back to a hotel (Class C1). Erection of a new build single storey pavilion building and demolition of the existing JDO building and its replacement with an office building / extension to the hotel. Change of use / conversion / part demolition and rebuild of No 8 East Cliff from offices (Class B1) to health spa (Class D1) and remodelling of existing car parking and landscaping works. Former Park Hotel Complex, East Cliff, Preston.

A report was presented on an application for the change of use / conversion / extension of the former Park Hotel building from offices (Class B1) back to a hotel (Class C1). The erection of a new build single storey pavilion building and demolition of the existing JDO building and its replacement with an office building / extension to the hotel. The change of use / conversion / part demolition and rebuild of No 8 East Cliff from offices (Class B1) to health spa (Class D1) and remodelling of existing car parking and landscaping works at the former Park Hotel Complex, East Cliff, Preston.

The report included the views of Preston City Council, The Victorian Society, Historic England, Network Rail and the county council's County Ecology Service, Lancashire Archaeological Advisory Service, County Landscape Service, Highways Development Control and Lead Local Flood Authority. The report also included details of four representations 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 illustrations of the proposed development and photographs of the site from various aspects.

The Officer reported orally that further representations had been received in respect of the application. A summary of the representations together with advice from the officers, was set out in the Update Sheet (copy set out at Annex A to the Minutes).

The officer also advised that Condition 14 should be reworded as follows:

'The playing of amplified music within any part of the hotel or pavilion shall not take place between the hours of 12.00 am midnight and 10.00 hrs on Mondays to Sundays'.

Mr Isaac and Mr Richardson both residents of East Cliff, addressed the committee reiterating the concerns set out in the report and the Update Sheet with regard to the potential for noise and the impact on traffic and parking in the area.

Mr Isaac called on the committee to ensure that the end walls of the pavilion were constructed out of suitable acoustic material to mitigate the impact of noise. He also called for mitigation measures to be incorporated into the design such as an

acoustic lobby to ensure that noise from the interior of the pavilion would be better contained.

Mr Richardson maintained that the surrounding highway network would not be able to cope with the additional traffic that would arise from the proposed development. He also raised concerns about parked vehicles along Winckley Square and Ribblesdale Place which made access to East Cliff difficult particularly in the evenings and on Sundays. It was felt that the proposed development would only exacerbate matters.

In response to the above concerns, the officer advised that in order to mitigate the impacts of noise from the pavilion building, the applicant proposed to incorporate a sound ceiling as part of the design. The sound ceiling and directional speakers located over the dance floor would help minimise noise escaping the room and that the installation of a sound limiter would prevent the break out of noise into the parks and nearby residential areas.

With regard to the traffic concerns, the officer advised that the site had a previous office use and it was considered that the total volume of traffic associated with the new hotel / office use would not be dissimilar to that occurring previously albeit that the times when the vehicle movements occur would be different. The committee was also advised that a scheme of traffic calming measures would be implemented which would include measures to reduce vehicle speeds on East Cliff and to control on street parking on East Cliff between its junctions with Ribblesdale Place and East Cliff Road.

Following questions to the officers by the Members with regard to the number of car parking spaces associated with the new development and the proposed noise mitigation measures, it was Moved and Seconded that:

"The conditions to the proposed planning permission be amended to require that the end walls of the pavilion be constructed out of suitable acoustic material."

On being put to the vote the amendment was Carried it was therefore:

Resolved: That subject to an amendment to condition 14 above and an amendment to the existing conditions requiring the end walls of the pavilion to be constructed out of suitable acoustic material, planning permission be **granted** subject to conditions set out in the report to the committee.

- 6. Ribble Valley Borough: application number LCC/2018/0047**
Single storey extension to rear, new canopy and non-floodlit multi-use games area (MUGA) at Barrow Primary School, Old Row, Whalley Road, Barrow, Whalley

A report was presented on an application for a single storey extension to rear, new canopy and non-floodlit multi-use games area (MUGA) at Barrow Primary School, Old Row, Whalley Road, Barrow, Whalley.

The report included the views of Ribble Valley Borough Council, Barrow Parish Council, Lancashire County Council Ecology Service, Lancashire County Council Highways Development Control, Sport England, Lancashire Archaeological Advisory Service and details of one 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 extension and photographs of the site from various aspects.

The Head Teacher of Barrow Primary School, Janet Pays, addressed the committee and spoke in support of the application. The committee was advised that the proposal was required to address a shortage of primary school places due to significant levels of planned housing development combined with higher birth rates in the area. The application formed phase 1 of expansion proposals which would eventually allow an increase in the number of pupils at the school from 140 to 210. The committee was also advised that the proposal would provide a much needed new kitchen, an extension to the school hall and that the proposed multi use games area would provide a new sporting facility for the school to enhance the quality and availability of usable open space.

Following discussion by the Members with regard to parking issues and the school travel plan it was:

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

7. 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 12 December 2018, 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.

Resolved: That the report be noted

8. Urgent Business

There were no items of urgent business.

9. Date of Next Meeting

Resolved: That the next meeting of the Committee be held on Wednesday 6 March 2019 at 10.30am.

L Sales
Director of Corporate Services

County Hall
Preston

Development Control Committee Update – 23rd January 2019

Item 4 - Application LCC/2018/0055 – West Quarry Railway Pad

Consultations

Further response from the Environment Agency – To operate, the proposal will require a Medium Combustion Plant permit that is issued by the Environment Agency. The permit covers air emissions only. Any other environmental/amenity issues (such as noise or odour) will not be covered by the permit.

Advice

Paragraph 183 of the National Planning Policy Framework (NPPF) states that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.

There is therefore no need to impose any controls on any planning permission for the proposal as the controls on air emissions will be via this permit. Condition 6 is therefore not required and should be deleted.

Item 5 – Application LCC/2016/0085 – Former Park Hotel, East Cliff, Preston

Applicant's proposals (page 26): The replacement hotel office building would be a five storey structure. However, the lower three floors would provide office space whilst the upper two floors would provide 44 hotel rooms.

Representations

A further representation has been received from a resident on East Cliff. The resident accepts that the development is necessary and will be of benefit to the area. However, the resident is concerned about:

- Parking on Chapel Street which makes access to East Cliff difficult particularly in the evenings and on Sundays when vehicles are parked along Chapel Street which makes entry and exit to / from East Cliff difficult particularly for coaches
- The Fishergate bus lane has made access to this area of Preston very difficult and leads to driver frustration around Winckley Square.
- The hotel will lead to large increases in traffic around Winckley Square.
- Speeds on East Cliff will be excessive
- Better street lighting on East Cliff is needed
- The access from the railway station is via a number of steps and therefore taxi transfers for guests with luggage will lead to more traffic.
- Demolition of the building will lead to noise and air quality issues. What conditions will be put in place to protect residents?

- Concern that there is to be a pub on the site – what measures are proposed to protect residents from disturbance especially at closing time?

Advice

Highways issues : The site does has a previous office use and it is considered that the total volume of traffic associated with the new hotel / office use will not be dissimilar to that occurring previously albeit that the times when the vehicle movements occur will be different. The highway network in the area has also changed since the site was last used as an office due to the introduction of the Fishergate bus lane. However, the Fishergate bus lane does not apply after 6pm so after this time, guests would still be able to exit the site via Fishergate.

The eastern side of Chapel Street has double yellow lines along its eastern side along its full length past the junction with East Cliff. Any cars parked on that side of the highway are therefore parking illegally. It is considered that even where cars are parked on the western side of the road (as they are able to) there is still sufficient room for two cars to pass on Chapel Street.

The issues in relation to parking on East Cliff are noted. Condition 7 requires details of a traffic calming scheme to be implemented on East Cliff.

Noise / Air Quality from Demolition / Construction; these issues are dealt with through conditions 9 and 10.

A public bar is proposed within the hotel. There are no controls proposed within the planning permission on opening hours for the bar. However, the bar would also require a licence from the city council which could include a condition on opening hours if required to protect local amenity

Conditions

Condition 14 – should be reworded to read

The playing of amplified music within any part of the hotel or pavilion shall not take place between the hours of 12.00 am midnight and 10.00 hrs on Mondays to Sundays.