

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 16th June, 2021 at 10.30 am in Council Chamber, County Hall, Preston

Present:

County Councillor Matthew Maxwell-Scott (Chair)

County Councillors

P Rigby	G Mirfin
L Cox	M Pattison
A Cullens	J Potter
M Dad BEM JP	E Pope
A Kay	B Yates
H Khan	

1. Apologies for absence

None received.

2. Appointment of Chair and Deputy Chair

That the appointment by the County Council on the 27 May 2021 of County Councillors Maxwell-Scott and P Rigby as Chair and Deputy Chair of the Committee, respectively, for 2021/22, be noted.

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

A report was presented on the Constitution, Membership and Terms of Reference of the Development Control Committee.

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

4. Disclosure of Pecuniary and Non-Pecuniary Interests

No pecuniary or non-pecuniary interests were disclosed.

5. Minutes of the last meeting held on 21 April 2021

Resolved: That the minutes of the last meeting held on 21 April 2021 be confirmed and signed by the Chair.

6. Update Sheet

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

7. Rossendale Borough: application number LCC/2021/0008 Erection of new building and formation of hardstanding area for use as a site for the sorting and recycling of skip waste. Height Side Farm, Todmorden Road, Bacup

A report was presented on an application for the erection of a new building and formation of hardstanding area for use as a site for the sorting and recycling of skip waste at Height Side Farm, Todmorden Road, Bacup.

It was reported that this proposal would assist in the recycling and recovery of waste materials as supported by national and local planning policy. However, this had to be balanced against the policies in the Development Plan that were concerned with the proper location of industrial development. It was considered that the applicant had not demonstrated that there was a particular locational need for a site outside of the urban boundary, and that the character of the use would be detrimental to the amenities and visual character of the countryside. On balance, it was therefore considered that the proposal was contrary to the policies of the Development Plan.

The report included the views of Rossendale Borough Council, the Environment Agency, the Coal Authority, LCC Highways Development Control and United Utilities, and details of 28 representations received comprising 26 objections and 2 letters of support.

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 new building and hardstanding area, site layout plan and access arrangements.

The officer drew attention to a letter received on behalf of the applicant asking for various points to be taken into account by Committee when considering the application, a copy of which had been circulated to Committee Members. The Committee were advised that the points raised had been noted, particularly the measures to control litter which would have had some positive benefit although these would not address the planning policy issues contained in Reason 1 for the refusal of the planning application, as set out in the report.

Resolved: That the application be **refused** for the following reasons:

- (i) The proposal is located outside of the urban boundary in a rural agricultural location. The applicant has not demonstrated a requirement for a rural location and the development by reason of its requirement for outside storage of HGVs and skips and difficulty in controlling litter would have a detrimental impact on the visual quality and amenities of the countryside contrary to Policies 1, 10 and 21 of the Rossendale Core Strategy and policies WM3 and DM2 of the Lancashire Minerals and Waste Local Plan.

(ii) The access to the site is by way of an existing unsurfaced track which is shared with a public footpath. The proposal would increase the use of this track by HGVs which would have an unacceptable impact on the safety and amenity of footpath users contrary to paragraph 98 of the National Planning Policy Framework and Policies WM3 and DM2 of the Lancashire Minerals and Waste Local Plan.

8. Fylde Borough: application number LCC/2020/0043 Extension of timescales in condition 6 of permission LCC/2016/140 to allow grading and restoration of bund by 31 December 2021. Ream Hills Farm, Mythop Road, Weeton

A report was presented on an application for the extension of timescales in condition 6 of permission LCC/2016/140, to allow the completion of grading and restoration operations on a bund feature that had been formed from imported inert waste by 31 December 2021, at Ream Hills Farm, Mythop Road, Weeton.

It was noted that the bund construction operations should have ceased by mid-February 2020, but that the bund had not yet been completed to its approved dimensions. The applicant was therefore seeking to extend the end date for the completion of the bund construction operations until 31 December 2021.

It was reported to Committee that the bund would be used as a shelter for the camping site and that the county council had initially opposed the application but this had been overruled by the Planning Inspectorate.

The report included the views of Fylde Borough Council, Weeton-with-Preese Parish Council, Staining Parish Council, LCC Highways Development Control, the Environment Agency, Natural England and the LCC Specialist Advisor (Ecology) and details of three representations received comprising two objections and concerns about noise and disruption in Weeton Village and issues in relation to Mythop Road. The observations of the Lead Local Flood Authority were awaited.

The Development Management Officer presented a Powerpoint presentation showing an aerial view of the site and site access, and photographs of the bund under construction.

It was reported to Committee that comments in relation to HGV movements, issues of mud and debris and a stipulation that no vehicles should operate before 10.00am and no later than 4.00pm had been considered but, as importation of material to the site had been completed, these issues should no longer occur and Condition 3 prohibited any further importation of waste to the site. In addition, monitoring activity had picked up that some conditions of planning permission had been breached but the regrading works that were now proposed should result in the final form of the mound complying with the approved drawings.

In response to a query in relation to damage to highways, it was reported that a condition could be included for those applications involving a substantial number

of HGVs, to have a video camera survey on a highway to be repeated at regular intervals so the condition of the highway could be monitored over time. However, it would be difficult to differentiate between damage from HGVs from a particular site to all other vehicles using the highway.

County Councillor Potter referred to Condition 12 – Control of Noise and queried if it was standard practice for works to commence at 7.30am. It was reported that 7.30am until 16.30pm was the normal working hours although the option to restrict these hours was available if, for example, the works were being carried out close to residential properties.

Resolved: That planning permission be **granted** subject to planning conditions controlling time limits, working programme, site operations, water courses, hours of operation, control of noise and dust, final restoration levels, landscaping and aftercare, as set out in the Committee report.

9. Pendle Borough: application number LCC/2020/0073 Planning application to vary condition 1 of planning permission 13/12/0585 to extend the period of time to process the stone and restore the site to 31/12/2028 at Catlow East Quarry, Catlow Fold Farm, Southfield Lane, Nelson

A report was presented on an application to vary condition 1 of planning permission 13/12/0585 to extend the period of time to process the stone and restore the site to 31/12/2028 at Catlow East Quarry, Catlow Fold Farm, Southfield Lane, Nelson.

It was reported that the proposed time extension for Catlow East quarry would allow for the continuation of stone working, and give time for the completion of restoration works in tandem with the planning permission that was already in place at Catlow West quarry.

The report included the views of the Environment Agency, LCC Highways Development Control and details of three representations objecting to the application. No comments had been received from Pendle Borough Council and Nelson Town Council.

The Development Management Officer presented a Powerpoint presentation showing a location plan and aerial view of the site. The Committee was also shown a restoration plan and photographs of the site, including the cutting shed at Catlow East, Crawshaw Lane access and the Catlow East quarry entrance.

The Committee were informed that the representations received regarding traffic and other local environmental impacts were currently being addressed by the operator and mainly related to the Catlow West Quarry for which a separate planning permission existed.

Concern was expressed that the application was retrospective as the extension was from 31 December 2020. However, it was reported that the application had been received prior to the expiration of the planning permission.

In relation to concerns about the control of noise and dust, it was reported that this was a small scale activity and that it was important to consider the distance between the site and the nearest properties which were quite some distance away.

Resolved: That planning permission be **granted**, subject to conditions controlling working programme, site operations, noise, dust, hours of operation, highway matters, drainage and water resources, landscaping, restoration and aftercare as set out in the Committee report.

**10. Ribble Valley Borough: application number LCC/2021/0004
Construction of a new waste water treatment works, access track, bridge, three culverts, new outfall, partial demolition of existing works and landscaping four kiosks and widening/modifications to access road. Land adjacent to Chipping Waste Water Treatment Works, Longridge Road, Chipping**

A report was presented on an application for the construction of a new wastewater treatment works, access track, bridge, 3 culverts, outfall, partial demolition of existing works and landscaping at Chipping Waste Water Treatment Works, Longridge Road, Chipping, Preston.

It was reported that this proposal would replace existing aging infrastructure and would ensure that waste water was treated to modern standards therefore meeting legal requirements for water quality in the surface water courses.

The Committee were informed that although the site was located in the Area of Outstanding Natural Beauty and Flood Risk area 3 where major development would not normally be supported, it was considered that the development was in the public interest. In addition, there were no sites outside of the above areas that were reasonably available that could support the development.

The report included the views of Ribble Valley Borough Council, the Environment Agency, the County Archaeology Service, LCC Ecology Service and LCC Highways Development Control, and details of two representations received objecting to the application. No comments were received from Chipping Parish Council and the County Landscape Service.

The Development Management Officer presented a Powerpoint presentation showing maps and an aerial view of the application site and the nearest residential properties. The Committee were also shown illustrations of the applicant's proposals, cross sections through new works and photographs of the site, existing treatment works, the proposed site for new works and the access location.

The officer drew attention to the Update Sheet which contained advice in relation to the Environment Agency's response saying that they still required more time to validate the applicant's flood risk model. It was therefore requested that Committee grant delegated powers to enable the planning permission to be issued in the event that the Environment Agency confirmed that they were satisfied with the flood risk model. However, if further changes to the model were required that would affect the design of the development, the application would be brought back to Committee on 21 July 2021.

A question was asked in relation to whether the improvements in the water quality would offset the damage being done to trees and local ecology. It was confirmed that although only 3 trees and some hedgerows were being cut down, there would be some loss of ground nesting bird habitat. However, as more trees and hedgerows would be planted in a different area of the site, this would bring overall benefits in terms of ecology along with the general improvement to water quality.

Concerns were raised about the large number of HGV movements on Longridge Road going to and from the site, and a request was made for the condition of the road to be monitored, in order to identify required improvements and maintenance.

Following debate, it was therefore proposed to add an additional condition to the proposed planning permission to cover this issue. The Committee delegated authority to officers to draft a condition relating to this matter.

Resolved: That subject to no objection from the Environment Agency, planning permission be **granted**, subject to conditions controlling time limits, working programme, highway matters, site preparation and construction works, landscaping and management, as detailed in the Committee report, and an additional condition relating to highway maintenance as detailed above.

11. 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 Committee on 21 April 2021, the following decisions had been taken by the Head of Planning and Environment, in accordance with the County Council's Scheme of Delegation to Chief Officers:

Ribble Valley

Ribblesdale High School, Queens Road, Clitheroe - erection of 2m highball-stop netting on top of the existing 3.0m high ball-stop fence, to the perimeter of the existing multi-use games area pitch no 4 (adjacent to the eastern boundary of the site).

Preston

Former Park Hotel Complex, East Cliff, Preston - compliance with condition 9 and 12 of permission LCC/2016/0085 - construction management plan and details of the sound ceiling.

Chorley

Gillibrand Primary School, Grosvenor Road, Chorley - single storey extension to create a nurture room.

Hyndburn

Rhyddings Business and Enterprise College, Haworth Street, Oswaldtwistle - to re-clad the existing sports hall.

Rossendale

Alder Grange High School, Calder Road, Constable Lee, Rawtenstall - provision of 2.8 metre high ball court fence to replace the existing fence to the multiuse pitch and new 2.2 metre security fence and gates within the school grounds.

Resolved: That the report be noted.

12. Urgent Business

There were no items of Urgent Business.

13. Date of Next Meeting

Resolved: That the next meeting of the Committee be held on Wednesday 21 July 2021 at 10.30am.

L Sales
Director of Corporate Services

County Hall
Preston

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Update Sheet

Item 10 – Application LCC/2021/0004- Chipping Waste Water Treatment Works

Consultations

Environment Agency : The Environment Agency have responded to the County Council to say that they still require more time to validate the applicant's flood risk model.

Advice : Although the EA confirm that they have no objections in principle to the development, the modelling is important in calculating the exact impact of the development on the flood plain. Therefore as a result of the validation of the model, the EA may consider that the flood plain effects would be greater than assessed by the applicant. The applicants are wishing to commence this development as soon as possible given the regulatory timescales that they have to comply with to achieve the improvements to the works. Therefore, it is requested that the Committee grant delegated powers to enable the permission to be issued in the event that the EA confirm that they are satisfied with the flood risk model. If further changes to the model are required that would affect the design of the development, the application would be brought back to Committee on 21st July

