



## Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 3 November 2021 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

---

### **Planning Committee members present:**

Councillors Moon, Ballard, I Amos, Lady D Atkins, Catterall, Holden, Ingham, Le Marinel, Orme, Stirzaker, D Walmsley and O'Neill

### **Apologies for absence:**

Councillors R Amos and Raynor

### **Other councillors present:**

Councillor Henderson (left at 14:32)

### **Officers present:**

Daine Banks, Corporate Apprentice  
Amy Collier, Corporate Apprentice,  
Daphne Courtenage, Assistant Democratic Services Officer  
Lyndsey Hayes, Planning Development Manager  
David Thow, Head of Planning Services,  
Karl Glover, Senior Planning Officer,  
Ryan Arrell, Tree and Woodland Officer (present for Item 6)  
Carmel White, Solicitor

Five members of the public attended the meeting.

---

### **PA.35      Declarations of interest**

None.

### **PA.36      Confirmation of minutes**

The minutes of the meeting held on 06 October 2021 were **approved** as a correct record by those in attendance at that meeting.

### **PA.37      Appeals**

The committee **noted** the Schedule of Appeals lodged and decided between 15 September 2021 – 15 October 2021 as set out on pages 3-14 of the agenda. Any member requiring any further details or clarification on any

appeal should contact the relevant Case Officer.

**PA.38 Planning applications**

**PA.39 Application A - Former Movern Care Home Centre (21/00502/FULMAJ)**

The application was brought before members of the committee for determination at the request of Councillor Rob Fail and as there have been previous applications at 31 Coronation Road which have previously been considered by the committee.

A site visit occurred to enable members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

An update sheet with additional information was published on the Council's website, this information only having become available after the original agenda had been published. The committee considered the update sheet, which contained a removal of the Lead Local Flood Authority objections and an amendment to condition 11 on drainage.

There were no speakers in attendance on this item.

Several members noted the fact that they had seen previous applications for this site and were content with improvements made by the applicant on issues of parking spaces. They expressed their disappointment on the reduction in financial contributions but were eager to see the building improved and put to use.

The Head of Planning Services clarified points raised by members, particularly on the fact that this application was not a revised application as previously seen, but a new application seeking to bring forward a residential development proposal by change of use of an existing building which would not involve any new build additions to the site.

Following discussion, a motion to approve the application was proposed by the Chairman, Cllr Moon, and seconded by Cllr Orme and the application was **approved**, as per the officer recommendation subject to the conditions and a section 106 agreement to secure off-site financial contributions towards green infrastructure and affordable housing, with an amendment to condition 11 as set out below and in the update sheet. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 agreement.

**Conditions: -**

1. The development must be begun before the expiration of three years beginning with the date of this permission.

**Reason:** This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 30.04.2021 including the following plans/documents:

Site Location Plan - A)21/019/S/100 revE  
Proposed Ground & Lower Ground Floor Plans - A020/179/P/01 revB  
Proposed 1st, 2nd & 3rd Floor Plans - A020/179/P/02 revB  
Proposed Elevations - A020/179/P/03 revD  
Proposed Basic Sections - A020/179/P/05  
Proposed Street Scene - A020/179/P/10  
Proposed Car Park GA - A021/179/P/100 revG.

The development shall be retained hereafter in accordance with this detail.

**Reason:** For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

3. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of the building (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

**Reason:** To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

4. No apartment hereby approved shall be first occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, areas of soft landscaping (including any retained trees, hedgerows and other planting and any replanted or transplanted hedgerows), hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

The landscaping works shall be carried out in accordance with the approved details prior to first occupation of any apartment hereby approved or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 7 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

**Reason:** To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with Policies CDMP3 and CDMP4

of the Wyre Local Plan (2011-31)

5. Prior to the commencement of development a scheme to demonstrate how at least 20% of the dwellings shall be of a design suitable or adaptable for older people and people with restricted mobility shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, retained and maintained thereafter in accordance with the approved details.

**Reason:** To meet the needs of the ageing population and people with restricted mobility in the borough in accordance with Policy HP2 of the Wyre Local Plan (2011-31) and the provisions of section 5 of the NPPF.

6. An electric vehicle recharging (EVCP) scheme shall be submitted unless it is demonstrated that such provision of EVCP is not practical in communal parking areas or due to other identified site constraints. No dwelling shall be first occupied until the approved EVCP scheme has been provided, and such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

**Reason:** To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

7. Prior to the first occupation of any apartment hereby approved, a plan indicating the positions, design, materials and type of boundary treatment to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be completed before the apartments hereby permitted are first occupied and shall thereafter be maintained and retained.

**Reason:** In the interests of the appearance of the locality and the residential amenity of neighbours in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

8. No apartment hereby approved shall be first occupied until the parking / turning area(s) shown on the approved plans (Proposed Car Park GA - A021/179/P/100 revG and Proposed Ground & Lower Ground Floor Plans - A020/179/P/01 revB) has been laid out, surfaced and drained. The parking / turning area(s) shall not thereafter be used for any purpose other than for the parking and manoeuvring of vehicles for the occupants of the approved apartments only, with spaces unallocated and available as communal use.

**Reason:** To ensure that adequate off road parking is provided to serve the development in the interests of highway safety and in accordance with the provisions of Policy CDMP6 of the Wyre Local Plan (2011-31).

9. Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment shall be submitted to and

approved in writing by the Local Planning Authority. The assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 (or any subsequent replacement guidance).

The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

**Reason:** To safeguard residential amenity and in the interests of public safety in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

10. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Flood Risk Assessment revA June 2021) and the following mitigation measures detailed within the FRA:

- Electrical services, wiring and switches/outlets will be positioned at a minimum height of 1200mm above the finished floor levels. Incoming main services are to be terminated at a minimum of 1.2m above floor level.
- Heating and ventilation equipment including boilers and cylinders will be installed at a minimum of 1.2m above ground floor level or at first floor level.
- Where practicable ovens and other electrical appliances will be positioned on raised floor levels or individual plinths
- Ground floors should be of a solid construction and to be 150mm thick with a screed finish.
- All drainage and waste water systems should be designed and installed with non-return valves to prevent surcharge backup in the case of flooding to the surrounding sewage network.
- Surface water discharge will be discharged to the existing network.
- Removable flood water entry barriers will be considered at all entrance doors and windows 1.0m above floor level.
- Removable stanking boards are to be provided for all external doors.
- Low porosity brick with two coat plaster to be 1.2m above finished floor levels.
- All manhole covers shall be lockable.
- Residents to be given access to the Environment Agency's existing flood early warning system; Occupiers will also be issued with guidance on what actions to take in the event of a warning including the closest area of high ground.

The mitigation measures shall be fully implemented prior to first occupation of the development or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the Local Planning Authority.

**Reason:** To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

11. (A) No apartment shall be first occupied until the drainage works for the building have been completed in accordance with the approved scheme (as set out in Drainage Strategy April 2021). Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

(B) Prior to commencement of development relating to the formation of the carpark hereby approved, a surface water drainage scheme for the approved carpark, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan. No apartment shall be first occupied until the drainage works for the car park have been completed in accordance with the approved scheme. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

**Reason:** To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

12. The cycle and refuse storage areas shown on the approved plans shall be provided in accordance with the approved details prior to first occupation of any apartment and shall thereafter be maintained and retained.

**Reason:** In the interests of the appearance of the site, the residential amenity of occupants and neighbours, and to ensure appropriate sustainable transport provision is being made, in accordance with Policies CDMP1, CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

**Notes:**

1. Advice from the Environment Agency is that the future occupants should sign up to the Environment Agency flood warning scheme. Further information can be found on the GOV.UK website at: <https://www.gov.uk/sign-up-for-flood-warnings>.

**PA.40      Application B - 34-37 High Street Garstang (21/00940/FUL)**

The application was brought to the committee for determination at the request of Cllr Lady Atkins. A previous application had also been considered by the

committee in June 2021.

A site visit occurred to enable members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

The Planning Development Manager gave a verbal presentation to the committee. She explained, as the members had seen on the site visit, that the applicant had recently acquired land to the south of the application site and had bricked up a kitchen window in a neighbouring property facing the application site since the previous application had been determined. It was the impact of the development on this window which formed the basis of the refusal reason on the previous application.

Jane Cross spoke in objection to the application.

Claire Stubbs spoke in objection to the application, representing her mother who was a local resident.

Members raised concerns on the issues of privacy, refuse collection and the proposed flat roof area as well as parking.

The Head of Planning Services responded to members' concerns. He explained to members that condition 3 in the report stated that boundary treatments would have to be applied for and approved before occupation of any dwelling. He also pointed members to condition 14, which stipulated that no new access can be created onto the flat roof area without planning permission being obtained, and although this would not stop a potential future application at least the planning committee would be able to consider the merits of the proposal. He also reminded members that this was an almost identical application to the previous scheme they considered, with the one change being the bricked up window facing the site, and therefore this was no longer an issue. Any other concerns raised by members at this meeting had not been previously identified as reasons for refusal.

Following discussion, a motion to approve the application was proposed by Cllr Ballard and seconded by Cllr Holden and the application was approved as per the officer recommendations, subject to conditions, as set out below.

**Conditions:-**

1. The development must be begun before the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 22 July 2021 including the following plans/documents:

Location plan 1:1250  
Proposed site plan 2021-PSP-01C  
Site plan with interface distances 2020-PR-03C  
Proposed site plan and balustrading detail 2020-PR-05  
Proposed elevational plans 2021-PR-02D  
Proposed elevations 2020-PR-06  
Proposed floor plans 2021-PR-01C

The development shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

3. Prior to the first occupation of any apartment hereby permitted, a plan indicating the positions, design, materials and type of boundary treatments to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be completed before the apartments are first occupied and shall thereafter be maintained and retained in accordance with the approved details.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants/neighbours in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

4. Prior to the commencement of development, a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, with evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates to be submitted. For the avoidance of doubt, surface water must drain separate from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

No part of the development shall be occupied or brought into first use until the drainage works and levels have been completed in accordance with the approved scheme. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework. The condition is required to be approved prior to



commencement of development to ensure that full details are provided, that have not been forthcoming with the application, to ensure a suitable form of drainage is provided in that specific area taking into consideration land conditions and proximity to existing services.

5. No apartment hereby approved shall be first occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, areas of soft landscaping (including any retained trees, hedgerows and other planting and any replanted or transplanted hedgerows), hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

The landscaping works shall be carried out in accordance with the approved details prior to first occupation of any apartment hereby approved or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 7 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and sustainable development, in accordance with Policies CDMP3 and SP2 of the Wyre Local Plan (2011-31).

6. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of the development (including the external walls, roof, balustrades, windows and external bin store) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: To safeguard the visual amenities of the locality including the Conservation Area in accordance with Policies CDMP3 and CDMP5 of the Wyre Local Plan (2011-31).

7. The refuse storage area(s) shown on the approved plans shall be provided in accordance with the approved details prior to first occupation of any apartment and shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the site and locality and the residential amenity of occupants and neighbours, in accordance with Policies CDMP1 and CDMP3 of the Wyre Local Plan (2011-31).

8. Prior to the first occupation of any apartment hereby approved, an Open Space Management Plan, including long term design objectives, management

responsibilities and maintenance schedules for the area of open space, shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall be implemented in accordance with the approved details during the lifetime of the development.

Reason: To ensure the long term management and maintenance of amenity space within the site in the interests of visual amenity and the health and wellbeing of occupants in accordance with Policies SP8 and HP9 of the Wyre Local Plan (2011-31).

9. Prior to the first occupation of any apartment hereby approved, the following noise mitigation measures shall be implemented:

- All apartment windows shall be fitted with 10mm/16mm argon/8.8mm Pilkington Optiphon glazing unit offering 44(-2;-6) dB Rw or similar; and
- All apartment windows shall have Titen SF Xtra TA5225 (V75) + TA5206 (C75) 2500EA trickle vents fitted that will achieve a level of Dnew (C;CTr) of 44(- 2;-3) dB

These noise mitigation measures shall thereafter be retained and maintained.

Reason: To ensure there is no adverse effect on the health and quality of life of future occupants and to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

10. Prior to the first occupation or use of the development hereby approved, the floor window(s) in the north elevation(s) serving the stairwell and plant room shall be:

- i) obscure glazed at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured), and
- ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The window(s) (including any subsequent repaired or replacement window) shall be maintained and retained thereafter in accordance with this detail.

Reason: To safeguard the privacy of adjoining residents and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

11. Prior to first occupation of any part of the development hereby approved, the secure cycle storage provision shown on the approved plans (Proposed floor plans 2021-PR-01C) shall be provided and thereafter maintained and retained.

Reason: To enable access to and from the property by sustainable transport mode, in accordance with policy CDMP6 of the Wyre Local Plan

(2011-31).

12. Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority.

The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

Reason: To safeguard residential amenity in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

13. Prior to the first occupation of any of the residential units hereby approved, a 0.9m parapet wall (from floor level) and 1.2m high obscure glazing screening above this, shall be provided to the rear flat roof as shown on the approved plans (Proposed site plan and balustrading detail 2020-PR-05 and Proposed elevational plans 2021-PR-02D). The obscure glazing shall be at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured). The glazing (including any subsequent repaired or replacement glazing) shall be maintained and retained thereafter in accordance with this detail).

Reason: To protect residential amenity in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), there shall be no new first floor openings created with direct access onto the rear rooftop area nor shall there be any alterations to the existing first floor windows with direct outlook onto the rear rooftop area without express planning permission from the Local Planning Authority.

Reason: To ensure that the Local Planning Authority have control over any future development to prevent access to the flat roof at the rear of the building in order to protect adjoining properties from overlooking and noise disturbance and to comply with Policy CDMP3 of the Wyre Local Plan (2011-31).

**Notes: -**

1. This permission does not relate to the display of any advertisements which may require consent under the Town and Country Planning (Control of Advertisements) Regulations 1989.

2. If any part of the proposed development encroaches onto neighbouring property the approval of the adjoining owners should be obtained before the development is commenced.

3. The grant of planning permission does not authorise any closure, obstruction or diversion of a public right of way. Any proposed stopping-up or diversion of a public right of way should be the subject of an Order under the appropriate Act and Lancashire County Council should be contacted for advice in the first instance.

**PA.41      Application C - 43 Hathaway Road Fleetwood (21/00881/FUL)**

The application was brought to the committee for determination at the request of Cllr Fairbanks, who had sent written representations to the committee via email.

A site visit occurred to enable members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

The Planning Development Manager informed members that there were no updates to the application, and reminded members that whilst this was a retrospective application because the balcony was in situ, the application also proposed additional glass screening on the balcony at the front and additional privacy screens on the balcony at the sides.

Many members stated how useful the site visit had been, with many explaining that seeing the site in person was very different to just examining the plans and photos. Members were happy with how the balcony looked, and felt that it was in keeping with the area, contrary to the officer report. Members commended the investment done on the property, and felt that additional glass and privacy screen inserts were appropriate.

The Head of Planning Services explained to the committee that as this was a retrospective application, conditions could not be attached in relation to the additional works proposed, and would have to rely on the applicant to do so in a short space of time; if not, an enforcement notice would be needed.

Following discussion, a motion to approve the application contrary to officer recommendation, was proposed by the Chairman and seconded by Cllr Ballard; this was **agreed** by members. They came to this decision as they believed that the retention of the first floor balcony and alterations to the existing fenestration and balustrade were in keeping with the area and had no harmful visual impact on the property or the street scene, and was in fact of good design.

**PA.42      Tree Preservation Order**

The Corporate Director Environment submitted a report to enable members to consider the objections to the making of Wyre Council Tree Preservation Order No5 of 2021: Land to the north east of The Iron Horse Public House, Fleetwood Road North, Thornton Cleveleys, FY5 4LH.

A site visit was conducted that day to help members in making their decision.

The Tree Officer confirmed that the outline planning application 21/01152/OULMAJ in respect of this allocated site had been validated since the report was published and clarified his report and methodology to the members. He confirmed that application and validation did not reduce the expediency assessment in the TEMPO. The committee accepted the

reasoning in the report as updated.

The committee **agreed** to confirm the Wyre Council Tree Preservation Order No5 of 2021, concerning land to the south of The Iron Horse Public House, Thornton Cleveleys without modification.

The meeting started at 2.00 pm and finished at 2.51 pm.

**Date of Publication:** 05 November 2021