



Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 1 June 2022 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

Planning Committee members present:

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

Apologies for absence:

Councillors Catterall and Holden

Other councillors present:

Councillors Henderson and S Turner

Officers present:

Daphne Courtenage, Assistant Democratic Services Officer

Carmel White, Solicitor

David Thow, Head of Planning Services

Steve Smith, Planning Policy and Economic Development Manager

Rob McKillop, Senior Planning Officer

Nine members of the public attended the meeting.

PA.1 Election of Chairman

Agreed that Councillor Paul Moon be appointed Chairman of the Planning Committee for the municipal year 2022/23.

PA.2 Election of Vice Chairman

Agreed that Councillor Howard Ballard be appointed Vice Chairman of the Planning Committee for the municipal year 2022/23.

PA.3 Declarations of interest

Councillor Raynor expressed an interest in item 7b, as she was a member of Fleetwood Town Council and the newly elected Chairman. She made the committee aware that although the town council had submitted a

representation of support to the application, she had not taken part in its deliberations on this application.

Councillor Stirzaker also declared an interest in item 7b as she was a member of Fleetwood Town Council. She confirmed that she had not taken part in its deliberations on this application.

Councillor Orme expressed an interest in item 7b as he knew a resident of the street next to the application site, but told the committee that this would not impact on his decision on the application.

PA.4 Confirmation of minutes

The minutes of the meeting of the Planning Committee held on the 6 April 2022 were **approved** as a correct record.

PA.5 Appeals

The committee noted the Schedule of Appeals lodged and decided between 15 March – 15 May 2022, as set out on pages 3-8 of the agenda pack. Any member requiring any further details or clarification on any appeal was invited to contact the relevant case officer.

PA.6 Planning applications

PA.7 Application A - Braeden, Bleasdale Lane, Claughton-On-Brock, Preston, Lancashire, PR3 1UR (22/00074/FUL)

The application was before members for determination at the request of Councillor Turner.

A site visit occurred to enable members to understand the proposal beyond the plans submitted and the photographs 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 was published

The Senior Planning Officer introduced the report. He explained to members that this was a retrospective application for equine buildings and the change of use for a car park. He explained to members that the site had been originally granted planning permission for a horse trekking site in 2009, and was situated in an Area of Outstanding Natural Beauty (AONB).

Francis Fitzherbert-Brockholes, the Chairman of the Claughton-on-Brock parish council, spoke in objection to the application.

Wyre Borough Councillor for Brock with Catterall ward, Shaun Turner, spoke in objection to the application.

The following points/issues were raised by the committee:

- The site of the application being situated within an AONB, and the potential harmful impact of it
- The sustainability of the site
- The welfare of the horses in accordance with para 9.3, which gave details of the recommendations of the British Horse Society for one horse per 1-1.5 acres of land
- The change of use for the area to be used as the car park which was, as of the date of the meeting, not completed.

Members also raised their concerns over retrospective applications and the potential issues that could arise from these.

The Head of Planning Services responded to the comments and issues raised by both the committee and the representations. He clarified to members that the fact that the development was applied for retrospectively was not a material consideration, and that they had to consider the application in front of them regardless if it had already been completed; likewise, the potential for further future development to be carried out, whether authorised or not, and the character of applicants were not material considerations. He explained to members that any allegations of breach of planning control were not a material consideration; he said that there was existing authorisation for some accommodation on the site, but any additional issues on this would be a matter for investigation and monitoring by planning enforcement officers and was not a material consideration.

He responded to a query from Cllr Le Marinel that the guidance on welfare of horses had been issued by the British Horse Society not the council but that it fell within policy EP10 of the local plan and was a material consideration.

Following discussion, it was proposed by Councillor Orme, and seconded by Councillor Le Marinel, that the application be **refused**, contrary to officer recommendations and the application was **refused** for the following reasons: for

1. The proposed development of the building and car park area would, by reason of the scale of the proposed extension and resultant cumulative scale of buildings on the site, together with the extended car parking area, have a detrimental impact on open and rural character of the countryside area and would harm the character and appearance of the Forest of Bowland Area of Outstanding Natural Beauty (AONB) contrary to the provisions of Policies SP4 and SP5 of the adopted Wyre Borough Local Plan.

2. The proposed development would lead to an intensification of the use which is considered to be in a remote location and only reasonably accessible by private motor vehicles. As such the development would be unsustainable and would fail to contribute to the creation of sustainable communities in terms of its location and accessibility, contrary to the provisions of Policy SP2 of the adopted Wyre Borough Local Plan.

3. The development would result in an increased number of horses at the site which would exceed the number that the land holding can reasonably support

having regard to the British Horse Society guidance, contrary to the provisions of Policy EP10 of the adopted Wyre Borough Local Plan.

PA.8 Application B - Land Rear of St Nicholas Church, Broadway, Fleetwood, Lancashire, FY7 7DJ (21/00910/FUL)

The application was brought before members for determination at the request of Councillor Fairbanks.

A site visit occurred to enable members to understand the proposal beyond the plans submitted and the photographs 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 was published. The committee considered the update sheet, which contained additional consultation responses from United Utilities and the council's Head of Engineering Services on drainage issues and neither had objections to the application. There had also been a revised Flood Risk Assessment and surface water attenuation plan submitted by the applicant, and thus additional conditions agreed by officers on drainage and a flood risk assessment.

The Senior Planning Officer introduced the report. An application for a similar development had previously been refused in 2020, and had been re-submitted with revised plans regarding concerns over the position of the building.

Anthony Kelly spoke in objection to the application.

Councillor Orme asked the speaker to clarify the demography of the local area.

Councillor Kay asked the speaker to clarify the amount of anti-social behaviour the residents had experienced.

Colin Newton spoke in objection to the application.

Laurance Hancock, on behalf of the applicant, spoke in favour of the application.

The Chairman asked the speaker to clarify the opening times of the youth centre.

Councillor Lady Atkins asked the speaker to clarify the amount of staff that would be employed by the youth centre.

Councillor Le Marinel asked the speaker to clarify their noise mitigation strategy for when children went home.

Councillor O'Neill asked the speaker to clarify their behaviour practices and policies.

Councillor Stirzaker asked the speaker to explain their relationship with Children and Adolescent Mental Health Services (CAHMS).

The Chairman asked the speaker to clarify their plans regarding external lighting.

Members expressed their agreement with the need for more youth centres in the area, and were satisfied with the plans proposed.

The Head of Planning Services responded to queries raised by members. He told members that condition 11 in the report made it a requirement for a lighting scheme to be submitted to officers for approval prior to any installation of external lighting. He also responded to the question of whether this was the most appropriate location for the development, in which he replied that the consideration of the most appropriate location was not a planning consideration. He also reminded members that the potential future issue of anti-social behaviour, and the volume of objections were also not planning considerations, but the grounds of objection could be a planning consideration if they were material.

Following discussion, it was proposed by Councillor Kay, and seconded by Councillor I Amos, that the application be **approved**, as per officer recommendation, and the application was **approved** subject to the following conditions.

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 24 February 2022 including the following plans/documents:

- Tree protection plan Drawing No. PD/04651/013 Rev E
- Proposed cycle store plans and elevations Drawing No. PD/04651/012
- Proposed foul drainage plan Drawing No. PD/04651/010 Rev F
- Proposed bin store plans and elevations Drawing No. PD/04651/009
- Proposed Floor Plans Drawing No. PD/04651/005 Rev F
- Proposed roof plan with solar panels Drawing No. PD/04651/004 Rev F
- Proposed site plan Drawing No. PD/04651/003 Rev G
- Planting plan Drawing No. 210.4.02 Rev A
- Soft landscape proposal plan Drawing No. 210.4.01 Rev A
- Location plan Drawing No. PD/04651/001
- Proposed elevations Drawing No. PD/04651/007 Rev J
- **Proposed surface water attenuation Drawing No. PD/04651/011 Rev I**
- Proposed site levels Drawing No. PD/04651/020 Rev A

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 buildings (including the external walls, roof, staircase and windows) cycle and bins stores, and areas of hardstanding (including details of any permeable paving) 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 to ensure suitable drainage, in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31).

4. Prior to the commencement of development a Landscape and Habitat Creation and Management Scheme, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall identify the opportunities for biodiversity enhancement on site including (but not limited to):

- Bird Boxes

The Landscape and Habitat Creation and Management Scheme shall be carried out in accordance with the approved details.

Reason: Such a scheme was not submitted with the application but is necessary to secure opportunities for the enhancement of the nature conservation value of the site in the interests of ecology and biodiversity in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

5. Prior to the first use of the development hereby approved, an electric vehicle recharging (EVCP) scheme shall be submitted and agreed in writing with the Local Planning Authority, unless it is demonstrated that such provision of EVCP is not practical in communal parking areas or due to other identified site constraints.

The agreed electric vehicle recharging point scheme shall be provided prior to the first use of the development, and 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).

6. Full details (fixtures, fittings and external finishes) of the proposed solar panels shall be submitted to, and approved in writing by, the Local Planning Authority prior to their installation.

The development shall be carried out in accordance with the approved

details. After completion, only the approved details shall be subsequently used as a repair or replacement.

Reason: To preserve or enhance the appearance of the building or the area in which it is situated, in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

7. Prior to the first use of the development hereby permitted, 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. A 2m high (from ground level) solid boundary treatment shall be provided to the southern and eastern boundaries of the application site.

The approved boundary treatment shall be completed before the development hereby permitted is first used. The approved details 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). The details are required prior to the commencement of the development because they were not submitted with the application.

8. Prior to the first use of any part of the development hereby approved the secure cycle storage provision shown on the approved plans (Proposed cycle store plans and elevations Drawing No. PD/04651/012) 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).

9. No part of the development shall be brought into first use until the drainage works and levels have been completed in accordance with the approved plans (Proposed foul drainage plan Drawing No. PD/04651/010 Rev F and **Proposed surface water attenuation Drawing No. PD/04651/011 Rev I**) and **Flood Risk Assessment (GWK Structural Solutions Ltd Consulting Engineers issue C 25.05.22)**. 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 runoff to reduce the risk of flooding in accordance with policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

10. The development hereby permitted shall be carried out in accordance with the approved **Flood Risk Assessment (FRA) [GWK Structural Solutions Ltd Consulting Engineers issue C 25.05.22]** and the mitigation measures detailed within the FRA. 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. 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).

12. A watching brief shall be undertaken during the course of the development works. The watching brief shall be undertaken by a suitably qualified person, with any significant contamination discovered reported immediately to the Local Planning Authority. The findings of the watching brief shall be reported in writing and submitted to and approved in writing by the Local Planning Authority prior to first use of the development.

Reason: In order to safeguard human health and the environment against potential contamination and in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

13. The development hereby approved shall not be brought into use until the parking / turning area(s) shown on the approved plan [Proposed site plan Drawing No. PD/04651/003 Rev G] has been laid out, surfaced and drained. The parking / turning area(s) shall thereafter be retained and maintained and not used for any purpose other than for the parking and manoeuvring of vehicles without express planning consent from the local planning authority first being obtained.

Reason: To ensure that adequate off road parking is provided and retained 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).

14. The use hereby permitted shall not operate outside the hours of 09:00 to 22:00 Monday to Saturday. The development shall not operate at any time on Sundays, and Bank Holidays and Public Holidays.

Reason: In the interests of the amenity of occupiers of neighbouring and nearby residential properties in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

15. The measures contained within the approved Tree Protection Plan [Tree protection plan Drawing No. PD/04651/013 Rev E] with respect to those trees shown as being retained shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: In order to protect trees from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981.

16. The ground and finished floor levels shall be constructed and completed in accordance with the approved details [Proposed site levels Drawing No. PD/04651/020 Rev A].

Reason: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31).

17. The landscaping works shall be carried out in accordance with the approved details [Planting plan Drawing No. 210.4.02 Rev A and Soft landscape proposal plan Drawing No. 210.4.01 Rev A] prior to first use of any part of the development 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) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

18. The premises shall be used as a youth centre only and for no other purpose.

Reason: The use of the premises for any other purpose would require further consideration by the Local Planning Authority in accordance with Policies SP2, CDMP2 and 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. Each individual unit will require a separate metered supply at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. The level of cover to the water mains and sewers must not be compromised either during or after construction. Should this planning application be approved, the applicant should contact United Utilities by telephoning 03456 723 723 or writing to Warrington North WwTW, Gatewarth Industrial Estate, off Liverpool Road, Sankey Bridges, Warrington, WA5 1DS.

3. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities' offer a fully supported mapping service and recommend the applicant contact the Property Searches Team by telephoning 0870 751 0101 to obtain maps of the site. Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

4. It is an offence to disturb, harm or kill any species specifically protected under the Wildlife and Countryside Act 1981. In the event of any such species being unexpectedly encountered before and during site clearance or development work, then work shall stop immediately until specialist advice has been sought from a suitably qualified Ecologist regarding the need for additional survey(s), a license from Natural England and/or the implementation of necessary mitigation measures.

5. 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.

PA.9 Wyre Council Tree Preservation Order No 3 of 2022: Land at Little Poulton Lane, Poulton le Fylde

The Corporate Director Environment submitted a report for the committee to consider the objection to the making of Wyre Council Tree Preservation Order No 3 of 2022: Land at Little Poulton Lane, Poulton-le-Fylde.

A site visit occurred to enable members to understand the details of the report.

It was proposed by Councillor Le Marinel, and seconded by Councillor Moon, that the Wyre Council Tree Preservation Order No 3 of 2022 be **confirmed with modification**, the modification being the addition to the Schedule of the following: "Woodland comprising ash, oak, alder, silver birch, and wild cherry" for the reasons set out in the report.

The meeting started at 2.00 pm and finished at 3.09 pm.

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