

## Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 6 July 2022 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

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

Councillors I Amos, Lady D Atkins, Ballard, Catterall, Kay, Le Marinel, Moon, Orme, Stirzaker and D Walmsley

### **Apologies for absence:**

Councillors Holden, Ingham, O'Neill and Raynor

### **Other councillors present:**

None.

### **Officers present:**

Daphne Courtenage, Assistant Democratic Services Officer  
Karl Glover, Acting Planning Development Manager  
Steve Smith, Planning Policy and Economic Development Manager  
Carmel White, Solicitor

Two members of the public attended the meeting.

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### **PA.10      Declarations of interest**

None.

### **PA.11      Confirmation of minutes**

The minutes of the meeting of the Planning Committee held on the 01 June 2022 were **approved** as a correct record.

### **PA.12      Appeals**

The Head of Planning and Regeneration gave the details to the committee of the five appeals decided as listed in the agenda pack. Two appeals had been dismissed by the Inspector and an enforcement notice quashed.

The committee noted the Schedule of Appeals lodged and decided between 15 May – 15 June 2022, as set out on pages 3-40 of the agenda pack. Any member requiring any further details or clarification on any appeal was invited

to contact the relevant case officer.

**PA.13 Planning applications**

**PA.14 Application A - Crofters Garstang Bypass Road, Garstang Preston, Lancashire, PR3 1PH (21/01502/FULMAJ)**

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

A site visit occurred to enable members to understand the proposal and its setting beyond the plans submitted.

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 an updated consultation response from the Lead Local Flood Authority, Lancashire County Council, which maintained its objection on surface water drainage. It also contained additional neighbour responses, amendments to the report (paragraphs 3.6 and 9.19), additional and revised plans to satisfy a number of drafted conditions, and amendments to conditions 2, 4, 5, 9, 10, 11, 15, 18, 21, and 24.

The Acting Planning Development Manager introduced the report. He also gave a verbal update to the committee, information which had only been submitted the morning of the meeting. He told the committee that the applicant had conducted a search for the unknown surface water culvert, and had found its location. This therefore meant that Condition 12 was still relevant, requiring the applicant to submit a full detailed drainage strategy which would need officer approval before any work was carried out. He also informed the committee that there had been a third bat survey, as was referenced in the report, and they had received the confirmation of this final survey indicating there were no bats in the building.

Claire Howes, the agent, spoke in favour of the application. She was asked to clarify the staffing numbers for the care home, car parking spaces and issues and the ground heat source location.

Members raised the following points:

- The response from the town council
- Car parking, including the ratio of beds to parking spaces and Wyre's own policy on this
- Visiting hours
- Electric charging points

The Head of Planning and Regeneration responded to the points raised. He explained that the car parking proposal was in accordance with the council's transport and accessibility policy and indeed the 25 proposed spaces were in excess of the policy requirement, and that the Highway authority had no comments on this matter. It would therefore be unsubstantiated in this case to use the matter of car parking as a reason for refusal, particularly as a

previous decision relying on this reason without sufficient substantiation had been overturned on appeal.

Following discussion and a proposal by Councillor Le Marinel, seconded by Councillor Ballard, it was resolved that the application be **approved in principle**, subject to the conditions scheduled below and to a section 106 agreement to secure financial contributions towards health care provision and sustainable travel and that the Head of Planning Services and Regeneration be authorised to issue the decision following the completion of a S106 agreement to his satisfaction.

### Schedule

#### 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 hereby approved 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 22.12.2021 including the following plans/documents:
  - Drawing No. PR3 1PH - A-01, Location Plan
  - Drawing No. PR3 1PH - A-03-D, Proposed Site Plan (received 28 June 2022)
  - Drawing No. PR3 1PH - A-04-A, Proposed Floor Plans, and Roof Plan
  - Drawing No. PR3 1PH - A-05- A, Proposed Elevations
  - Drawing No. PR3 1PH - A-05.1-A, Internal Elevations
  - Drawing No. 106402-PEL-ATR-DR-01-0004 Rev P01, Refuse Vehicle Tracking Layout 4

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. The premises hereby approved shall be used for Use Class C2 'Residential care homes' and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)

Reason: For the avoidance of doubt, and as the use of the premises for any other purpose would require further consideration by the Local Planning Authority in accordance with Policies SP1, SP2, CDMP1, CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

4. The care home building and meter house shall be carried out strictly using those roof, wall, door, window, curtain walling, and weatherboarding materials specified on the supporting document titled 'Proposed Care Home for Older People Crofter's Hotel, Garstang, PR3 1PH Materials Schedule' Rev A by LNT Construction received 20th June 2022, unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

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

5. Notwithstanding the submitted drawing PR3 1PH - A-03-D Proposed Site Plan and Materials Schedule Rev A, prior to the commencement of development full details of the design and height (including elevations), materials and type of boundary treatments to be erected (fencing and railings), in the locations indicated on this submitted plan, shall be submitted to and approved in writing by the Local Planning Authority.

The approved boundary treatments shall be completed before the use hereby permitted is first occupied, and shall be maintained and retained thereafter.

Reason: In the interests of the appearance of the locality and the residential amenity of both the occupants and 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 acceptable details were not submitted with the application.

6. Notwithstanding the submitted materials schedule and PV battery housing plan, prior to the commencement of development full details of the design, appearance, scale, and materials of the cycle store, the bin store, the meter building, and the PV battery housing building, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and all of these buildings shall be installed prior to first occupation of any part of the approved development, unless an alternative schedule is otherwise agreed. The buildings shall be maintained and retained for their intended purposes and in accordance with the approved details thereafter.

Reason: In the interests of the appearance of the site and locality, to enable access to and from the development by sustainable transport modes, and to ensure that waste is properly managed within the site in the interests of visual and residential amenity, in accordance with the provisions of section 9 of the NPPF and Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31). 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.

7. Prior to first use of any care home hereby approved, the off-site works of highway improvement [namely, reinstatement of existing accesses as footway, changes to the right turn lane for the new access, re-siting of the pedestrian refuge, tactile paving provision, and quality bus stop kerbing to two bus stops on Lancaster Road (B6430)] shall be carried out, unless an

alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority. The off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation.

Reason: In order to ensure the timely delivery of the necessary off-site highway works in the interests of highway safety / to encourage sustainable travel in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

8. Prior to the commencement of development, including any demolition works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include and specify the provision to be made for the following:

- (a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays
- (d) contractors' compounds and other storage arrangements
- (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period
- (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)
- (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
- (h) external lighting of the site during the demolition / construction period
- (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) recycling / disposing of waste resulting from demolition / construction work
- (k) measures to protect watercourses against spillage incidents and pollution
- (l) measures to ensure that construction and delivery vehicles do not impede access to nearby properties. The construction of the development including any demolition works shall be carried out in accordance with the approved CEMP.

Reason: Such details were not submitted with the application and need to be in place throughout the demolition / construction period in the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

9. The new access into the site from the A6 as shown on Drawing No. PR3 1PH - A-03-D (Proposed Site Plan) received 28th June 2022, shall be provided *prior to the first use of any part of the development*, and at no time thereafter shall the visibility splays for this access be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

Reason: To ensure the safe, efficient and convenient movement of all highway users during the construction phase and beyond, for the free flow of traffic, in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

10. The construction phase of the development shall use the existing access as shown on submitted plan titled 'EARLY CONSTRUCTION PHASE ACCESS' received 1<sup>st</sup> July 2022 unless otherwise first agreed in writing by the Local Planning Authority.

The existing accesses into the development site shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Specification for Construction of Estate Roads prior to the first occupation of any part of the development hereby approved.

Reason: For the avoidance of doubt and to limit the number of access points and to maintain the proper construction of the highway in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

11. Prior to the first use of any care home hereby approved the parking / turning area(s) shown on the approved Drawing No. PR3 1PH - A-03-D (Proposed Site Plan) received 28th June 2022, shall be 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.

Reason: In order to ensure that adequate off-street car parking provision is available to meet the needs of the development in the interests of visual and residential amenity and highway safety in accordance with the provisions of section 9 of the NPPF and Policy CDMP6 of the Adopted Wyre Local Plan (2011-31).

12. Prior to the commencement of development, a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, 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. The scheme details shall include, as a minimum:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change as set out within the Environment Agency's advice on Flood risk assessments: climate change allowances' or any subsequent replacement EA advice note), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) Demonstration that the surface water run-off would not exceed the pre[1]development greenfield runoff rate;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable. 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 first 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 and to ensure that any proposed raising of levels can be assessed and that a coherent approach is taken with regard to the design of drainage and housing layout.

13. Prior to the commencement of development details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, this shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Residents' Management Company
- b) Arrangements concerning appropriate funding mechanisms for the on-

going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

- i. on-going inspections relating to performance and asset condition assessments
- ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable. The development shall subsequently be completed, maintained and managed in accordance with the approved sustainable drainage management and maintenance plan.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance; and to identify the responsible organisation/ body/ company/ undertaker for the sustainable drainage system in accordance with policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

14. No development shall commence until details of how surface water and pollution prevention will be managed during the construction phase have been submitted to and approved in writing by the local planning authority. Those details shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged, details of the discharge rate shall be proposed.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance. The development shall be constructed in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere; and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

15. The development hereby approved shall be constructed and completed in full accordance with the approved ground, slab and finished floor levels as shown on Drawing No. PR3 1PH - A-03-D received 28th June 2022 unless minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

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



16. Notwithstanding the submitted Preliminary Geoenvironmental Survey, prior to the commencement of development a desk study to investigate and produce an assessment of the risk of the potential for on-site contamination shall be undertaken and submitted to and approved in writing by the Local Planning Authority. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to the development of the site, and validation of the approved measures shall be submitted to, and approved by, the Local Planning Authority in writing on completion of the works. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive end use and insufficient information has been submitted with the application as to the potential contamination risks of the site. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011- 31).

17. Prior to first use of the development hereby approved, the noise mitigation measures set out in the supporting Report of Sound Measurements and Recommendations by S. & D. Garritt Ltd dated 5th January 2022 submitted with the application shall be implemented. The approved 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).

18 No development shall take place until full details of hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include the hard surfaced areas and materials (type, colour and finish, bound or porous), and shall show how account has been taken of any underground services.

The soft landscaping works for the development shall be carried out in full accordance with the approved soft landscaping details as shown on drawing No.s 22\_228\_101 (Detailed Soft Landscape Proposals (North) Sheet 1 of 2), and No. 22\_228\_102 (Detailed Soft Landscape Proposals (South) Sheet 2 of 2), and the Overall Soft Landscaping Proposals Plan received 28<sup>th</sup> June 2022, prior to first use of the care home, 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.

19. No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any clearance, has been submitted to and approved in writing by the Local Planning Authority, demonstrating that nesting / breeding birds have been shown to be absent.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

20. Prior to the commencement of development a Scheme of ecological enhancement (otherwise referred to as a Landscape and Habitat Creation and Management Plan), 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 nesting boxes
- Bat boxes

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.

21. The three electric vehicle recharging points (EVCP's) shown on spaces 23-25 on approved drawing Proposed Site Plan Rev D received 28<sup>th</sup> June 2022, shall be installed within these delineated parking spaces as a minimum of Mode 3 charging speed charging points, and shall be installed prior to the first use of the care home to which the EVCP's relate. Such electric vehicle recharging points 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 Policies CDMP3 and CDMP6 of the Wyre Local Plan 2011-31 and the National Planning Policy Framework.

22. Notwithstanding the submitted Ecology Survey, prior to the installation of any external lighting associated with the development, a scheme for the provision of external lighting together with an Artificial Lighting Assessment shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate that artificial lighting will be designed so that it is not intrusive to visual amenity, residential amenity, or illuminate potential habitat for bats (e.g. hedgerow, trees) and or/ bird breeding places. 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 and the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009 (or any subsequent replacement guidance). For the avoidance of doubt the light intrusion into the windows of any residential premises shall not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3). The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

Reason: In order to safeguard visual amenity and biodiversity and residential amenity and in the interests of public safety in accordance with Policies CDMP1, 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.

23. Prior to the installation of any solar panels on the care home shown on Drawing No.s PR3 1PH - A-03-C (Proposed Site Plan), PR3 1PH - A-05- A (Proposed Elevations) and PR3 1PH - A-05.1-A (Internal Elevations), full details of the design of the solar panels (including number, size and type), shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the solar panels shall be installed as flush to the roof slopes of the building unless it is first demonstrated that this is not practical. The solar panels shall thereafter be installed and retained in accordance with the approved details, unless any variation to the details is first agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development in accordance with Policy CDMP3 of the Adopted Local Plan 2011-2031.

24. Prior to the installation of any solar panels on the care home shown on Drawing No.s PR3 1PH - A-03-D (Proposed Site Plan), PR3 1PH - A-05- A (Proposed Elevations) and PR3 1PH - A-05.1-A (Internal Elevations), full details of the design of the solar panels (including number, size and type), shall be submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt the solar panels shall be installed as flush to the roof slopes of the building unless it is first demonstrated that this is not practical.

The solar panels shall thereafter be installed and retained in accordance with the approved details, unless any variation to the details is first agreed in

writing with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development in accordance with Policy CDMP3 of the Adopted Local Plan 2011-2031.

**PA.15      Application B - 22 Alston Avenue, Thornton-Cleveleys, Lancashire FY5 2NE (22/00339/FUL)**

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

A site visit occurred to enable members to understand the proposal and its setting beyond the plans submitted.

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 and amended floor plans, and additional neighbour responses.

The Acting Planning Development Manager introduced the report. He indicated to members that the report referenced a recent appeal on a similar change of use application, and emphasised to members that officers were assessing these types of applications on their own merits. The application referenced in the report had been refused on the grounds that the timing of the shift changes would result in unacceptable harm; however, for this application, the timing of the shift changes were at peak hours and therefore more acceptable to officers.

Adrian Rose, the agent, was granted permission by the Chair to speak in favour of the application.

Members asked questions of the agent to clarify the timing of shift changes and whether any staff meetings would occur on the property.

Members discussed the size of the house and number of bedrooms in relation to the proposed occupancy of up to two children and maximum of three members of staff.

The Head of Planning and Regeneration responded to the matters raised by members. He advised the committee that some of the concerns raised were matters for other regulatory authorities and that they were non-material considerations and could not be relied upon to substantiate a reason for refusal.

Following discussion, and as proposed by Councillor Ballard, seconded by Councillor Moon, it was resolved that the application be **approved**, subject to the conditions scheduled below.

## Schedule

### **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 26.04.2022 including the following plans/documents:

- Location plan received on 31.03.22
- Revised site plan received on 30.05.22
- Floorplan drawing received on 31.03.22

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. The premises shall be used for a children's residential home (C2 use) only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The use of the premises for any other purpose would require further consideration by the Local Planning Authority in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

4. The number of children to be cared for at the premises shall be limited to 2 at any one time.

Reason: To enable the Local Planning Authority to retain a measure of control over the development thereby safeguarding the amenities of the area including neighbouring properties in accordance with Policy CDMP3 of the adopted Wyre Local Plan 2011-31.

5. 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. The approved electric vehicle recharging point shall be provided prior to the first use of the development hereby permitted, and 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).

6. The parking area as shown on the approved site plan shall be laid out and provided as shown in the approved site plan before first use of the property as a childrens home and not be used for any purpose other than for the parking and manoeuvring of vehicles.

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).

7. The development hereby permitted shall be carried out in accordance with the conclusions of the approved Flood Risk Assessment (FRA) received on 26.04.22

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.

The meeting started at 2.00 pm and finished at 2.58 pm.

**Date of Publication:** XXX