

## Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 7 September 2022 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

---

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

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

### **Apologies for absence:**

Councillor O'Neill

### **Other councillors present:**

None.

### **Failure to attend:**

Councillor Holden

### **Officers present:**

Daphne Courtenage, Assistant Democratic Services Officer  
Karl Glover, Acting Planning Development Manager  
Steve Smith, Head of Planning and Regeneration  
Carmel White, Solicitor

Two members of the public attended the meeting.

---

### **PA.16      Declarations of interest**

Cllr Orme declared a non-pecuniary interest in item 5a in that he was a member of Preesall Town Council, and attended the meeting at which they discussed their consultation response to the application but that he had taken no part in deliberations on the application. Accordingly he could continue to participate in this meeting.

Cllr Moon declared a pecuniary interest in item 5a. He told the committee that he was a shareholder and member of the Knott End Golf Club, and that he would leave the room for this item.

### **PA.17      Confirmation of minutes**

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

**PA.18 Appeals**

The Head of Planning and Regeneration brought the costs decision in appeal 19/00615/OULMAJ to the committee's attention.

The committee noted the Schedule of Appeals lodged and decided between 15 June – 15 August 2022, as set out on pages 3-114 of the agenda pack. Any member requiring any further details or clarification on any appeal was invited to contact the relevant case officer.

**PA.19 Planning applications**

**PA.20 Application A - Spring Bank Cottages, Wyre Side, Knott End-on-sea, Poulton-le-Fylde, Lancashire FY6 0AA (22/00510/FUL)**

Councillor Moon, the Chair, left the room as he had declared a pecuniary interest in this item and in his absence the Vice Chair assumed chairship.

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

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 additional consultation response from Lancashire County Council Highways, stating that they had no objection to the application but requested a condition that a Traffic Management Plan (TMP) be submitted to and approved by the council prior to the commencement of development. Officer response was that the applicant had already submitted a construction route plan and that this had been included in the proposed condition 01. Further the officers did not consider that a TMP was necessary in this case due to the small scale nature of the development. Officer view was that proposed condition was sufficient for the development to be ancillary to the main dwelling to be used only as part of the accommodation of the existing dwelling as also requested by Highways.

The Acting Planning Development Manager introduced the report.

David Settle spoke in objection to the application.

John Tootill, the applicant, spoke in favour of the application. Councillors asked questions of clarification to the applicant.

The following points were raised during debate:

- Questions around the change of use to ancillary living and the requirements to designate a dwelling as ancillary
- Heritage building designation
- Placement of the balconies and the appearance of the buildings
- Transport on the public right of way

The Head of Planning and Regeneration addressed the questions and concerns raised by members. He stated that the development would use the existing means of access as provided in the construction route plan which was proposed to be conditioned, with no requirement for additional parking and that in terms of the alterations to the existing dwelling, all changes proposed would be of benefit to residential amenity. In terms of the change of use, he responded that the change to ancillary living was referred to in the description of development and was also proposed to be conditioned. He added that accommodation was not required to be joined to the established dwelling to be capable of being ancillary. Finally, addressing the concerns over the heritage designation, he referred to policy CDMP5, which concerned non-designated heritage assets and to the officer view that the proposed development would not be contrary to this policy.

Councillors asked the Head of Planning and Regeneration for clarification of applications for changes to ancillary residential use of buildings which had not been joined to established dwellings and had been refused permission. He responded that all planning applications on their own merits, and that he could not comment on other unspecified applications. In response to a further question regarding the construction route, he stated that other than as to be conditioned, the issue was a private matter between the applicant and the Knott End Golf Club.

Following discussion, it was proposed by Councillor Ballard, and seconded by Councillor I Amos, that the application be approved subject to the conditions and for the reasons set out in the report. This motion was lost.

The Vice Chair then asked if there were an alternative proposal. It was proposed by Councillor Orme, and seconded by Councillor Kay, that the application be **refused**, contrary to officer recommendations. It was resolved that planning permission be refused for the following reason:

The development proposed would by reason of its design and size of the balcony and windows and the removal of the storm porches have a detrimental impact on the significance of the non-designated heritage asset and would not comply with the provisions of Policy of CDMP5 of the Wyre Local Plan 2011-2031 and the National Planning Policy Framework.

**PA.21      Application B - Helmsdeep, Long Lane, Barnacre with Bonds, Preston, Lancashire PR3 1RN (21/01454/FUL)**

The Chair re-entered the room for this item.

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

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 amendments to conditions 2-6, 8 and 12 to ensure the wording was more precise.

The Acting Planning Development Manager introduced the report. He informed the committee that this was a resubmission of a previous application, which had been dismissed at appeal. However, the comments made by the Inspector had been included in the report, highlighting that though the plans submitted were unacceptable in principle, the fact was that the location of the site could be acceptable.

Wye Borough Councillor for Calder Ward, John Ibison, asked for a written representation to be circulated to committee members prior to the meeting.

Susan Gutierrez-Inostroza, the applicant, spoke in favour to the application.

Members asked questions of clarification to the applicant.

Points raised during discussion:

- Concerns over 1 metre depth of graves and the type of coffin or covering of the bodies
- 
- Conditions on types of coffins/coverings for government sites

The Head of Planning and regeneration responded to the points raised during discussion. He told members that they did not have the ability to condition the depth of the graves as this was not a planning consideration and was part of government guidelines. There would also have to be a separate license for burials and exhumations, and this application was to determine the approval for the principal of the development. Similarly, they could not condition types of coffins or coverings.

Following discussion and a proposal by Councillor I Amos, seconded by Councillor Lady Atkins, it was resolved that the application be **approved**, subject to the conditions scheduled below including the amended conditions set out in the update sheet.

### 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 23.3.22 including the following plans/documents:

- Proposed storage container elevations (received 26.8.22)
- Site plan 1:200 (received 26.8.22)
- Location plan (received 26.8.22)

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. Prior to the change of use of the land to natural human burial ground, 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 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. The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development.

4. Prior to the change of use of the land to natural human burial ground, a Tree Protection Plan for the retained tree(s) shall be submitted to and approved in writing by the Local Planning Authority. This shall indicate the

methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing and details of any specialist demolition or construction methods if appropriate.

The measures contained within the approved Tree Protection Plan 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. The details are required to be approved prior to commencement of development to ensure timely tree protection measures are in place.

5. Prior to the change of use of the land to natural human burial ground, details of the location and appearance of cycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, prior to first use of any part of the approved development and thereafter maintained and retained.

Reason: In the interests of the appearance of the site and locality and to support sustainable transport, in accordance with Policies SP2, SP4, 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.

6. Prior to the commencement of the car park development, a drainage scheme for the proposed car park, which shall detail measures for the attenuation and the disposal of surface waters, together with details of existing and proposed ground levels to achieve the drainage scheme, 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 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, in the interests of visual 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.

7. Prior to the first use of the development hereby approved, an electric vehicle recharging (EVCP) scheme shall be submitted and approved in writing by 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 use shall not be first implemented until the agreed electric vehicle recharging point scheme has been provided, and such electric vehicle recharging point/s 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).

8. Prior to the change of use of the land to natural human burial ground, details of the materials, appearance and dimensions to be used in the construction of the grave markers have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved details.

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

9. The development hereby approved shall be implemented in full accordance with the Ecological Appraisal submitted with the planning application [Bowland Ecology 2019 BOW17/1033] including all the mitigation measures set out in that report.

Reason: To ensure compliance 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.

10. The development hereby approved shall not be brought into use until the parking/turning area(s) shown on the approved plan (site plan 1:200 (received 26.8.22)) 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).

11. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

Reasons: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users, to protect highway safety in accordance with Policy CDMP6 of the Adopted Local Plan.

12. Prior to the first use of the development hereby approved, the car parking and manoeuvring areas shall be marked out in accordance with the approved plan (site plan 1:200 (received 26.8.22)), and permanently maintained thereafter.

Reasons: To allow for the effective use of the parking areas, and to protect highway safety in accordance with Policy CDMP6 of the Adopted Local Plan.

-

13. A watching brief shall be undertaken during the course of the car park construction. 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).

14. The application site shall be used for a burial ground (sui generis) and agriculture only and for no other purpose.

Reason: The use of the site for any other purpose would require further consideration by the Local Planning Authority in accordance with Policies SP1, SP2, SP4 and EP8 of the Wyre Local Plan (2011-31).

15. The use of the storage container shall be restricted to purposes which are ancillary to the main use of the site being a burial ground (sui generis) and shall not be used as a separate unit or for any other use.

Reason: To prevent the over-development of the site in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).



16. No external lighting, monuments, furniture or structures shall be erected or sited on the land, nor shall there be any external storage of any machinery or equipment, within or around the application site without planning permission.

Reason: In the interests of the visual amenity of the area in accordance with Policies CDMP3 and SP4 of the Wyre Local Plan (2011-31).

**PA.22 Application C - 50 Wentworth Drive, Thornton-Cleveleys, Lancashire FY5 5AR (22/00734/FUL)**

This application was brought before members because it had been submitted by an employee of the council and normally would have been determined under delegated powers.

The Acting Planning Development Manager introduced the report. He explained to members that this was a retrospective application for the replacement of a flat roof with a sloping roof to the existing front dormer.

Following discussion, it was proposed by Councillor Moon, and seconded by Councillor Ballard, that the application be **approved** for the reasons set out in the report subject to the following condition:

1. 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 15 July 2022 including the following plans:

Proposed front elevations  
Proposed side extension

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.

The meeting started at 2.00 pm and finished at 3.04 pm.

**Date of Publication:** 14 September 2022