

Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 2 November 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, Rendell, Stirzaker and D Walmsley

Apologies for absence:

Councillor O'Neill

Other councillors present:

None.

Officers present:

Lyndsey Hayes, Planning Development Manager
Karl Glover, Acting Planning Development Manager
Mary Grimshaw, Legal Services Manager (and Monitoring Officer)
Daphne Courtenage, Assistant Democratic Services Officer

Two members of the public attended the meeting.

PA.23 Declarations of interest

Cllr Orme declared a non-pecuniary interest in items 5c and 5d, in that he was a member of Preesall Town Council and attended the meeting at which they discussed their consultation response to the original, joint application seen in September. He stated that he had taken no part in deliberations on the application, and so would continue to participate in this meeting.

Cllr Moon declared a pecuniary interest in items 5c and 5d, due to his status as a member and shareholder of the Knott End Golf Club. He would leave the room for these items.

PA.24 Confirmation of minutes

The minutes of the meeting of the Planning Committee held on the 07 September 2022 were **approved** as a correct record.

PA.25 Appeals

The committee noted the Schedule of Appeals lodged and decided between 15 August – 15 October 2022, as set out on pages 3-38 of the agenda pack. Any member requiring any further details or clarification on any appeal was invited to contact the relevant case officer.

Cllr D Walmsley thanked the planning team for their assistance with a case in his ward.

PA.26 Planning applications

PA.27 Application A - 191 Fleetwood Road South, Thornton Cleveleys, FY5 5NS (22/00773/FUL)

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

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 neighbour representations and an additional condition (6) requiring the proposed windows to be obscure glazed on the northern elevation. The acting Planning and Development Manager also gave a verbal update to members on condition 5, relating to the window in the proposed dormer. He told members that they had confirmed that morning that it was not proposed to be a window, and recommended that condition 5 be replaced by a condition preventing permitted development for a window.

Kathryn Ward spoke in objection to the application.

Robert Hayden, the applicant, spoke in favour of the application.

Points raised by members centred around questions on the proposed extension and the surrounding properties. As there had not been a site visit on this application, due to its nature as a householder application, they agreed that it was difficult to completely understand the concerns raised in the objections. They were also unclear as to the comments made by the Head of Engineering Services.

It was proposed by Councillor Le Marinel and seconded by Councillor Stirzaker that the item be deferred to the next meeting. This was resolved to be deferred to the meeting agreed for the 7 December 2022 so that the committee could undertake a site visit to understand the proposal beyond the site plans and photographs submitted by the case officer.

PA.28 Application B - 33 Market Place, Poulton-le-Fylde, FY6 7BS (22/00766/FUL)

The application was brought before members for determination at the request

of Councillor Henderson.

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

The acting Planning Development Manager introduced the report. He explained to members that it was not a listed building, and was situated within the Poulton conservation area.

Cllr Henderson submitted a written representation to express his objections to the application. This was read out by the Chair.

Points raised during discussion:

- The committee were surprised about the lack of an objection from both the Historical Society as well as the Conservation Officer
- The lack of surrounding businesses with bi-folding doors
- Concerns surrounding traffic/fumes
- The alteration to the street scene and the protrusion of the doors onto the path
- Closeness to residential properties
- Materials used for the windows
- The removal of the fan lights

The Planning Development Manager responded to these points. She said that the committee could not issue a split decision on planning applications, and they could only approve or refuse the development in its entirety. In response to a point raised in the written representation submitted, she said that the address listed for the building as 33 Market Place was correct.

In terms of the bi-fold doors, she told members that they were required to look at the application in front of them, and could not propose alternatives to the bi-folding doors; the officers were unaware as to whether the doors would open internally or externally, but this could be conditioned. However, the applicant was restricted from obstructing the highway with protruding doors, and this could be controlled by the enforcement team at LCC Highways.

In response to the concern over nearby residential properties, she reminded members that they were not considering the use of the premises, and that there was existing proposed condition to close the bi-folding doors at 7pm. In response to concerns over the removal of the fan lights, she said that the plans do not suggest that they were going to be kept.

In response to general concerns over heritage, she told members that the relevant test was policy CDMP5, which was that proposals were required to protect, conserve and where appropriate enhance the historic environment. The materials proposed for the new windows were to be aluminium coated.

Finally, in response to concerns over traffic and fumes going into the premises from the bi-fold doors, she said that members would have to find a reason to explain the harm from this, and that it was not just a case of deciding the premises would be unpleasant to be in. Officers did not identify

any harm from the proposal on this matter, and did not believe there would be any significant adverse effect on safety, including pollution.

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

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

1. The development proposed would by reason of the design of the bi-folding doors and the removal of the existing traditional frontage including fanlights and stall riser have a detrimental impact on the significance of the non-designated heritage asset, the conservation area and the streetscene and would not comply with the provisions of Policy CDMP5 of the Wyre Local Plan 2011-31 and the National Planning Policy Framework.

PA.29 Application C - Spring Bank Cottages, Wyre Side, Knott End-on-Sea, FY6 0AA (22/00976/FUL)

The Chair left the room for the last two items.

This application was brought before members for determination as it was a follow-on application to a previous application which had a call-in request from Councillor Moon and was decided by Members at the September 2022 Planning Committee (22/00510/FUL).

The acting Planning and Development Manager explained to the committee that the previously refused application had been resubmitted as two separate applications; this application was relating to the proposed erection of a front balcony and changes to external finishings and window openings.

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 the Greater Manchester Ecological Unit, and an additional representation by the applicant with the submission of a Heritage Statement in support of the application. The acting Planning Development Manager also updated members that they had received further correspondence from the applicant, highlighting matters relating to parking and delivery of construction materials, with the aim of resolving any issues relating to these matters.

Points raised during discussion:

- Members raised concerns over the future use of the dwelling
- They discussed previous improvements to the cottages
- They asked for clarification on the difference to the last submitted application

- Questions relating to the submitted Heritage Statement.

Following discussion, it was proposed by Councillor D Walmsley, and seconded by Councillor Amos that the application be approved. It was resolved that planning permission be approved in line with officer recommendations and subject to conditions as set out in the schedule below.

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 9 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 27.09.22 including the following plans/documents:

- Revised Location plan received on 17.10.22
- Revised Proposed site plan, floorplans and elevation drawing LF/JT3 received on 17.10.22
- Construction route plan drawing received on 21.09.22

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

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

3. The development shall be carried out strictly using those materials specified on the approved revised plan LF/JT3720 received on 17.10.22 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).

4. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) received on 21.09.22 and the following mitigation and access/egress measures detailed within the FRA.

The mitigation/access/egress measures shall be fully implemented prior to the first occupation of the ancillary/annex living accommodation in the detached building north of 1 Spring Bank Cottage or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or with 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.

5. Before first use of the development hereby approved the sparrow nesting terrace to the rear of the dwellings as shown on drawing LF/JT3720 received on 17.10.22 shall be positioned and thereafter retained on the building.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 and Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

6. Prior to first use of the front balcony hereby approved a 1.8m high obscure glazed privacy screen at a scale of 5 [where 1 is hardly obscured and 5 is totally obscured] as shown on drawing LF/JT3720 shall be installed between 1 and 2 Spring Bank Cottages and thereafter retained. Any subsequent repaired or replacement glazing shall be fitted with obscure glass to the same level of obscurity.

Reason: To protect neighbouring amenity in accordance with NPPF and Policy CDMP3 of the Adopted Wyre Local Plan.

PA.30 Application D - The Old Sea Centre, Wyre Side, Knott End-on-Sea, FY6 0AA (22/00975/FUL)

This application was brought before members for determination as it was a follow-on application to a previous application which had a call-in request from Councillor Moon and was decided by Members at the September 2022 Planning Committee (22/00510/FUL).

The acting Planning and Development Manager explained to the committee that the previously refused application had been resubmitted as two separate applications; this application was relating to the change of use of existing classroom to form ancillary living accommodation in association with no.1 Spring Bank Cottage.

Points raised:

- Issues of connection between annex and original property
- Refusals for previous application
- Proportion of bedrooms to parking spaces
- Use of the annex

The Planning Development Manager responded to concerns raised by members.

She explained that there was no policy defining an annex, and that members were required to look at the application on face value and so could not speculate as to its future use. Its use could be controlled by a condition (condition 4), which that it must be used as ancillary living accommodation and therefore would be a matter for planning enforcement to consider should it be used as a holiday let. It being physically separate and having its own

facilities did not constitute a reason to not define it as an annex, and it did in fact meet relevant ancillary tests.

In response to questions around sustainability, she said that if the application had proposed the dwelling to be independent, it would have failed the policy SP2 test due to its detached location. However, as an annex this was not an issue. This was the same for parking provisions, as in theory it would not generate additional traffic movements or households, and did not warrant its own parking space.

Following discussion, it was proposed by Councillor Amos, and seconded by Councillor D Walmsley that the application be approved. It was resolved that planning permission be approved in line with officer recommendations and subject to conditions as set out in the schedule below:

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 9 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 27.09.2022 including the following plans/documents:

- Revised Location plan received on 17.10.22
- Revised Proposed site plan, proposed floorplan and elevation drawing LF/JT/3720 received on 17.10.22

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

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

3. The development shall be carried out strictly using those materials specified on the approved plan LF/JT/3720 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).

4. The single storey detached building to the north of Spring Bank Cottages hereby permitted shall be used for purposes incidental or ancillary to the residential use of the dwelling known as 1 Spring Bank Cottage V Side, Knott End, FY6 OAA, and for no other purpose.

Reason: The use of the extension (building) as a separate dwellinghouse.

would require further consideration in accordance with Policies CDMP3 SP4 of the Wyre Local Plan (2011-31)

5. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) received on 21.09.22 the following mitigation and access/egress measures detailed within the FRA.

The mitigation/access/egress measures shall be fully implemented prior to first occupation of the ancillary/annex living accommodation in the detached building north of 1 Spring Bank Cottage or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or with 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.

The meeting started at 2.00 pm and finished at 3.30 pm.

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