

Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 1 March 2023 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:

Councillors O'Neill

Failed to attend or tender apologies for absence

None.

Other councillors present:

Councillor Ibison.

Officers present:

Karl Glover, Planning Development Manager
Daphne Courtenage, Democratic Services Officer (Temporary)
Carmel White, Solicitor
Steve Smith, Head of Planning and Regeneration
George Ratcliffe, Assistant Democratic Services Officer
Amy Collier, Corporate Apprentice

Nine members of the public attended the meeting.

PA.51 Declarations of interest

None.

PA.52 Confirmation of minutes

The minutes of the meeting of the Planning Committee held on the 01 February 2023 were confirmed as a correct record.

PA.53 Appeals

The committee noted the Schedule of Appeals lodged and decided between the 15 January – 15 February 2023. The Chair invited any Member requiring

any further details or clarification on the appeal to contact the relevant case officer.

The Chair informed members that there had been an email circulated regarding an application, but that this would be included in the schedule at the next meeting.

PA.54 Planning applications

The Head of Planning and Regeneration told the committee and those in attendance, for the avoidance of doubt, that there was an error on the agenda frontsheet in regards to the background papers for planning applications. As the Local Plan Partial Review had been approved by Full Council, the frontsheet should have included the Wyre Borough Local Plan (2011-2031) (incorporating partial update of 2022).

Housekeeping rules

The Chair informed the members of the public in attendance of the housekeeping rules for that meeting. He asked if there were any members of the public in attendance who would like to record or film the meeting. One member of the public requested to record the meeting while it considered Application A so that she could inform others who could not attend of the proceedings. The Chair went through the procedural requirements for recording meetings.

PA.55 Application A - Land off Castle Lane, Barnacre with Bonds, Lancashire (22/00669)

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

A site visit occurred to enable members to understand the site context beyond the plans submitted and site photographs taken by the case officer.

The Planning Development Manager informed members that though there had not been a written update sheet published for this meeting, officers had received a late neighbour objection the evening prior to the meeting that raised concerns over the lack of an archaeological investigation undertaken on the site as well as concerns over the lack of supporting information relating to the impact on heritage. He responded that, as set out within the report, the Lancashire County Council Archaeological Department had been consulted and had raised no objections as they found that the proposed development would not affect any known site of archaeological interest and that it had negligible archaeological potential.. Wyre Council's Conservation Officer had also been consulted and he did not consider that the development would have an impact on nearby heritage assets.

The Planning Development Manager introduced the report. He highlighted that the development was within the settlement boundary, but was not an allocated site.

Matthew Nickson spoke in objection to the application.

Councillors Le Marinel and Catterall asked questions of the speaker.

Robert Graham Jolliffe spoke in objection to the application.

Norman Howell, on behalf of Barnacre with Bonds Parish Council, spoke in objection to the application.

Councillor Lady Atkins asked a question of the parish councillor.

Wyre Borough Councillor for Calder ward, John Ibison, spoke in objection to the application.

Stuart Booth, the agent, spoke in favour of the application.

Councillor Catterall asked a question of the agent.

The Head of Planning and Regeneration, Steve Smith, responded to questions and concerns raised during the public speaking portion of the meeting.

He referred to the point raised on the sequential test, explaining that all evidence documents were on the council's website. This test allowed for some flexibility, as clearly set out in the documents, and the proposed site had passed this test with the flexibility factors.

Regarding highways, he reminded members that they had the opinion of the local highway authority in the report, who had made it clear that they did not believe the development would have a significant impact on Castle Lane. The committee would need to adduce evidence of harm in the meeting should they take a different view.

Finally, he explained that with the site allocations specified in the Local Plan were minimum numbers, not maximums. The proposed site was within the settlement boundary and conformed to policy SP1 and so the proposed number of 9 dwellings was acceptable in principle.

The Chair ended the public speaking portion of the meeting and opened up the members' debate.

Councillors raised the following questions/concerns:

- Concerns over the lack of objections from LCC Highways
- Issue of traffic on what they considered a narrow road with little space for pedestrians and disabled road users
- Concerns over drainage and potential flooding
- A question was raised on the removal and potential replacement of a hedge
- Questions over the site allocations and housing numbers
- Concerns over lack of objection from LCC Archaeological Department and the historical nature of the area within the borough
- Loss of a potential passing place
- Location near to a primary school
- Questions raised over how the Highways Authority came to their

judgement of no objection and whether this could be grounds for a refusal

The Head of Planning and Regeneration responded to the questions and concerns raised by members.

In relation to highways, he stated that the local highway authority had responded and set out the works that it required to its network, and it was not the committee's role to ask for additional works. They could only assume that the Highway Authority required no further investigations or mitigations other than those stated within the report. He also told members that what was being referred to as a "passing place" site was soft field access, rather than a formal passing place.

In terms of the site allocation, he explained to members that it was not an allocated site but was "white land" in that it fell within the settlement boundary, and was not allocated as countryside or green infrastructure or for any other purpose. It was therefore developable land within the settlement boundary in principle. He explained that the Local Plan contained an allowance for windfall sites.

He reminded the committee that evidence of harm was necessary to justify refusal of a planning permission.

Discussions continued over the issue of road safety and the committee's concern over the narrowness of the road and potential dangers to residents. Councillor Lady Atkins asked whether the committee could defer the application in order to request LCC Highways to review the application again, with their and residents' concerns in mind. Councillor Le Marinel echoed this. Councillor Kay raised a question over whether consideration had been made for any potential accidents on the road.

Some members of the public in attendance informed the committee that there had been a fatal accident on the road in July 2022.

The Head of Planning and Regeneration responded to these concerns. He told the committee that should they wish to defer the application, they would need to be specific about any additional information they felt they did not have before them. He informed the committee that the application had now been considered twice, as it had previously been refused by officers in January 2022, and both considerations had included a response from the local highway authority. He said that he could not confirm that highway officers had conducted a site visit but that it was understood that they will have visited the site

He also responded to the question over disability access, and said the site was compliant with CDMP6 on accessibility and transport, and addressed the criteria for improvements on this matter. Anything beyond this would be decided at the reserved matters stage. He re-stated that the local highway authority had considered the application and had made its request for highway works external to the site. However, he confirmed that the consultation response referenced an accident in which a "slight injury" had been sustained but that it did not refer to an accident that had led to a fatality.

Following discussion, the Chair asked for a proposer and a seconder for the recommendation to approve the application. It was proposed by Councillor Le Marinel and seconded by the Chair, Councillor Moon, to grant outline planning permission subject to conditions as per the officers' recommendations. The motion was lost.

The Chair asked for an alternative proposal. It was proposed by Councillor Kay, and seconded by Councillor Lady Atkins, that the application be deferred to a future meeting of the committee due to concerns over the recent fatality on Castle Lane, and requested that the local highway authority review the application for a third time on the grounds of road safety.

It was resolved that the application be deferred so that Lancashire County Council Highways could consider the impact of a serious/fatal accident on Castle Lane (July 2022) on matters of highway safety. This accident had not been included within the road safety record section of the highways consultation response dated 24/08/2022.

PA.56 Wyre Council Tree Preservation Order No 13 of 2022: Land at former Moy Veterinarian Surgery, Chapel Lane, Out Rawcliffe, PR3 6TB

The Corporate Director Environment submitted a report for the committee to consider the objection to the making of the Wyre Council Tree Preservation Order No 13 of 2022: Land at former Moy Veterinarian Surgery, Chapel Lane, Out Rawcliffe, PR3 6TB.

The committee had visited the site and had no questions on the report.

The Chair asked the committee to consider the recommendation. It was proposed by Councillor Ballard and seconded by Councillor Stirzaker that the tree preservation order be approved in accordance with the recommendation. It was resolved to **confirm** the Tree Preservation Order, No 13 of 2022: Land at former Moy Veterinarian Surgery, Chapel Lane, Out Rawcliffe, PR3 6TB without modification for the reasons set out in the officer report.

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

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