

## Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 1 August 2018 at the Council Chamber, Civic Centre, Poulton-le-Fylde.

---

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

Councillors Rita Amos, Ian Amos, Lady Dulcie M Atkins, Howard Ballard, Emma Ellison, Ron Greenhough, Terry Lees, Paul Moon, Phil Orme, Cheryl Raynor and Ron Shewan

### **Apologies:**

Councillor(s) Sue Catterall, Graham Holden and Tom Ingham

### **Other councillors present:**

Councillor Val Wilson

### **Officers present:**

David Thow, Head of Planning Services  
Lyndsey Hayes, Planning Development Manager  
Carmel White, Solicitor  
Carole Leary, Democratic Services Officer

Two members of the public attended the meeting.

---

### **PA.16      Declarations of Interest**

None.

### **PA.17      Confirmation of Minutes**

The minutes of the Planning Committee meeting held on Wednesday 6 June, 2018 were confirmed as a correct record.

### **PA.18      Appeals**

The Head of Planning Services submitted a report on appeals lodged and decided between 15 May 2018 – 15 July 2018 (three months included, due to there being no scheduled meeting in July 2018).

### **Resolved**

That the position regarding the appeals, as set out on pages 1 – 18 of the

report be read and noted and that any Member requiring any further details or clarification on any Appeal, should contact the relevant Case Officer.  
It was clarified that the appeal decision for 17/00069/FUL was not the 12<sup>th</sup> June 2018, as published on page 1, but the 20<sup>th</sup> July 2018 due to The Planning Inspectorate issuing a corrected decision (and it is the corrected decision published in the committee agenda).

**PA.19 Planning Applications**

The Head of Planning Services submitted applications and report to be considered:-

18/00424/FUL – Middle Holly Field, Middle Holly, Forton, Lancashire, PR3 1AH

**PA.20 Report of the Head of Planning Services on the planning application to be determined at this meeting**

**a) Application Approved**

**RESOLVED** that the undermentioned application be **APPROVED** under the provisions of the Town and Country Planning Act 1990, as set out below:

**PA.21 Item 1 - Application No: 18/00424/FUL - Middle Holly Field, Middle Holly, Forton, Lancashire, PR3 1AH**

**18/00424/FUL**

Mr Latham. Change of use of an existing agricultural building to storage & distribution (B8) including the creation of associated parking/turning area. Middle Holly Field, Middle Holly, Forton, Lancashire, PR3 1AH.

This application was brought to Committee at the request of Councillor Val Wilson. Committee Members had the benefit of a site visit before the public meeting, to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

The Agent spoke to the Committee, supporting their application.

Cllr Wilson explained that she had attended on behalf of the Parish Council, but as no-one was present to join her in objecting to the application, she was foregoing her right to speak upon it.

The Committee gave consideration to the information on an update sheet, which was produced and posted on the internet a day prior, Tuesday 31 July, 2018. *This information was the newly published National Planning Policy Framework (NPPF) which had been published by the Government on Tuesday 24 July, 2018 and which, forms a material consideration in determining this planning application. The new NPPF was sent out via email to all the Councillors who sit on Planning Committee, and also to all members of Wyre Council.*

The Committee gave consideration to the relevant sections / policies of the new NPPF in relation to the application, including the change to the wording of the reason given on Condition 6.

The application was approved as per the recommendation in the report of the Head of Planning Services subject to the conditions for the reasons set out within the report as updated, including the **revised Condition number 6**, which are all set out below:

**Conditions and Reasons:-**

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 April 2018 including the following plans/documents:

- Location plan (Drawing No. GA3155-LP-01-A)
- Proposed plan and elevations (Drawing No. GA3155-002)
- Proposed site plan (Drawing No. GA3155-PSP-01-B)

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. All areas of hardstanding (as shown on the approved site plan) shall be constructed using pervious materials, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of their construction. The development shall be carried out in full accordance with the approved details and thereafter retained and maintained.

Reason: To ensure a sustainable form of urban drainage in accordance with Policy ENV15 of the Adopted Wyre Borough Local Plan (July 1999).

4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development (England) Order 2015 (or any order revoking or re-enacting or amending that Order with or without modification), the building shall be used for B8 storage and distribution only and for no other purpose without the prior express planning consent of the local planning authority.

Reason: To ensure that inappropriate uses do not occur within the locality in accordance with saved Policies EMP12, EMP13, SP13 and SP14 of the

Adopted Wyre Borough Local Plan.

5. No external lighting shall be erected within or around the application site or on the building without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenity of occupiers of neighbouring properties and the visual amenity of the area in accordance with Policies SP13 and SP14 of the adopted Wyre Borough Local Plan (July 1999).

6. 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 to nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework (July 2018).

7. There shall be no external storage or display for sale of any materials, products or waste within the site.

Reason: In order to prevent the potential for harm to the visual amenity of the area in accordance with Policy SP14 of the adopted Wyre Borough Local Plan (July 1999).

8. No development shall take place until full details of the replanted hedgerow have been submitted to and approved in writing by the Local Planning Authority. These details shall include, planting plans specifications and schedules (including plant size, species and number/ densities), and existing landscaping to be retained.

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 5 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 protect visual amenity and biodiversity in accordance with NPPF and Policy SP14 of the Adopted Wyre Local Plan.

9. No deliveries to the site shall be taken at or despatched from the site outside the hours of 7.00am - 6.00pm Monday to Fridays, 8.00am-13.00pm

Saturdays and not at any time on Sundays and Bank/Public Holidays.

Reason: To protect neighbouring amenity in accordance with NPPF and Policy SP14 of the Adopted Wyre Local Plan.

10. The visibility splays shown on plan reference drawing no. GA3155-PSP-01-B shall be provided prior to first occupation of the development and shall not at any time thereafter 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, for the free flow of traffic, in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

11. The development hereby approved shall not be brought into use until the dropped crossing required to facilitate the site access (to be constructed in accordance with an agreed scheme with LCC as Local Highway Authority as part of a section 184 agreement under the Highways Act 1980) has been provided.

Reasons: To enable all end user traffic to enter and leave the site in a safe manner without causing a hazard to other road users or damage to the existing highway in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

12. The development hereby approved shall not be first occupied or brought into use until the parking/turning area(s) shown on the approved plan [Drawing No. GA3155-PSP-01-B] has been 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: 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 SP14 of the Adopted Wyre Borough Local Plan (July 1999).

13. Prior to the commencement of the development, a plan indicating the positions, design, materials and type of boundary treatment to be erected to the field boundaries, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed before the use hereby permitted is first commenced. The approved details shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the locality in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). The details are required prior to the commencement of the development because they were not submitted with the application.

**Notes: -**

1. Whilst the building to be converted has been assessed as low risk for bats, the applicant is reminded that under the 'The Conservation of Habitats and Species Regulations 2017' it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

2. 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.

3. 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.

4. Due to the proximity of the site to a Major Accident Hazard Pipeline, the pipeline operator should be contacted prior to any development commencing.

5. The vehicular access, within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (Vehicle crossings over footways and verges); The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Community Services before works begin on site. Further information and advice can be found at [www.lancashire.gov.uk](http://www.lancashire.gov.uk) and search for vehicle crossings and then fill in the information at "Get a vehicle crossing quotation".

The meeting started at 2.00 pm and finished at 2.13 pm.

**Date of Publication:** Thursday 9 August, 2018