

Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 1 November 2023 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

Planning Committee members present:

Councillors Lady D Atkins, Amos, Belshaw, Catterall, Fielding, Higginson, Higgs, Preston, Raynor, Rendell and Rimmer

Absent- apologies received:

Councillor Livesey

Other councillors present:

Councillor Robinson

Officers present:

George Ratcliffe, Assistant Democratic Services Officer

Karl Glover, Development Manager

Carmel White, Solicitor

Steve Smith, Head of Planning and Regeneration

Jane Collier, Human Resources Manager and Deputy Monitoring Officer

One member of the public attended the meeting.

PA.36 Declarations of interest

Councillor Higgs declared a Non-Registrable Interest on Item 1 (23/00520/FUL) in that a neighbouring objector to the application was a personal friend and accordingly he considered that his participation in Item 1 may give rise to the perception that he had conflict of interest and/or that his view of the application was affected and raise issues of bias and/or predetermination. Therefore he left the room before the item was being discussed and had no involvement in the decision making on that item.

PA.37 Confirmation of minutes

The minutes of the meeting of the Planning Committee held on Wednesday 4 October 2023 were **confirmed** as a correct record by those who were in attendance.

PA.38 Appeals

The committee noted the Schedule of Appeals lodged and decided between 15 September 2023 and 15 October 2023. The Chair invited any Member requiring any further details or clarification on the appeal to contact the relevant case officer.

PA.39 Planning applications

PA.40 Application 1 - White House Residential Park Lancaster New Road Cabus 23/00520/FUL

Councillor Higgs left the room.

The application was brought before members for consideration at the request of Councillor Lady Atkins due to the applications potential impacts upon neighbouring residential amenity in particular from noise and disruption.

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 introduced the report. The application was for the change of use of the existing land to accommodate the siting of 5 holiday caravans. He highlighted that the application site was an existing residential park which provided residential accommodation but did include one dwelling house. He clarified that the site was located within a defined area of countryside with a few commercial businesses and a caravan park located to the west.

Members raised concerns over the disruption to existing residents and steepness of the access road.

The Planning Development Manager confirmed that due to the nature and scale of the proposal it was considered that granting permission as recommended would be acceptable in terms of amenity impacts on the existing development. He highlighted that condition 11 required that no development should take place until full details of both hard and soft landscaping works had been submitted to and approved in writing by the Local Planning Authority.

Councillor Catterall proposed the recommendation to approve the application to the committee, and Councillor Amos seconded the proposal. It was resolved to approve the application as per the Officers recommendation subject to the conditions set out below.

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 24.05.2023 including the following plans/documents:

- Access Plan. Drawing Number Ga3521-ap-01. (Received 13.07.2023)
- Proposed Site Plan. Drawing Number Ga3521-pp-001a. (Received 03.07.2023).
- Site location plan.
- Proposed plans and elevations. Drawing Number Ga351-pp-002 (Received 14.06.2023).
- Kelso proposed floor plan. (Received 16.06.2023).
- Proposed elevations and floor plan - 40ft x 12ft. Drawing Number Gga3521-pp-001 (Received 16.06.2023).

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

3. No caravan shall be installed until details of the external surfaces of that caravan (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

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

4. The caravans shall be used for the purposes of holiday accommodation only and not as a person's sole or permanent residence.

Reason: The development is approved for holiday use only and occupation on a permanent basis would be contrary to the provisions of Policy SP4 of the adopted Wyre Local Plan (2011- 2031) and would also require further consideration against Policy CDMP2 of the adopted Wyre Local Plan (2011-2031).

5. Each caravan hereby approved shall not be used as a unit of permanent accommodation and shall be solely used for holiday accommodation and not be used at any time as sole or principal residence by any occupant.

The owner shall maintain a register of all guests of each unit of accommodation hereby approved at all times and shall be made available for inspection by the Local Planning Authority on request. For the avoidance of doubt the register shall contain:

- the name and address of the owner's permanent residence (where

- they pay Council tax and/or are registered to vote and keep the majority of their possessions);
- the name and address (permanent residence) of main guest who made the booking together with dates of occupation.

For the avoidance of doubt permanent residence is where the owner/guest pay Council tax and/or are registered to vote and keep the majority of their possessions.

Reason: The permission relates to the provision of holiday accommodation. The condition is necessary to define the scope of the permission hereby approved and to ensure that the development promotes sustainable tourism and contributes to the area's economy in accordance with Policy SP4 of the Wyre Local Plan (2011-31).

6. 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, 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 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 layout.

7. 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).

8. The proposed access from the site to shall be constructed to a (minimum) width of 4.8m and this width shall be maintained for a minimum distance of 10m measured back from the rear of the adopted highway.

Reason: To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

9. The development hereby approved shall be first occupied until the parking / turning area(s) shown on the approved Proposed Site Plan [As submitted on the 03.07.2023] has been laid out, surfaced and drained. The parking / turning areas 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).

10. An electric vehicle recharging (EVCP) scheme shall be submitted for the development unless it is demonstrated that such provision of EVCP is not practical in communal parking areas or due to other identified site constraints. No unit shall be occupied until the electric vehicle recharging point has been provided for the unit to which it relates, and

such electric vehicle recharging point 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).

11. No development shall take place until 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.

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.

12. Prior to the commencement of development, a Landscape and Habitat Creation and Management Scheme, 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):

- * Native tree and shrub planting
- * Hedgerow planting
- * Bird Boxes
- * Bat Boxes

The Landscape and Habitat Creation and Management Scheme shall be carried out in accordance with the approved details.

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 Wyre Local Plan (2011-31).

13. Prior to occupation, a "lighting design strategy for biodiversity" for areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: Such a scheme was not submitted with the application but is necessary to in order to minimise impacts on protected species and in the interests of ecology and biodiversity in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of Wyre Local Plan (2011-31).

15. No more than five static caravans shall be sited on the land at any time and each static caravan shall be compliant in all respects with the definition of caravan in s29(1) of the Caravan and Control of Sites Act 1960 and section 13 (1) and (2) of the Caravan Sites Act 1968 as those sections provide at the date of this planning permission.

Reason: An increase in the number of units other than approved would require further consideration by the Local Planning Authority in line with Policies EP9, SP2, SP4 and CDMP6 of the adopted Wyre Local Plan (2011-2031).

PA.41 Application 2 - The Willows Highgate Lane Stalmine-with-staynall Poulton-Le-Fylde 23/00598/FUL

Councillor Higgs returned to the room.

The application was brought before members for consideration at the request of Councillor Robinson who was in support of the proposal citing that the rural

location would be more sustainable and have less impacts upon neighbouring amenity and the proposal would have no greater impacts upon the open countryside.

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 introduced the report. The application sought planning permission for a change of use from existing outbuilding (Building B) from ancillary residential accommodation (storage and a gym) to ancillary residential accommodation and commercial dog kennels to house up to 8 dogs. He highlighted that there were no changes to external elevations and all of the works would be internal. He clarified that the site was located outside of the rural settlement of Stalmine in a Countryside Area as designated in the adopted Wyre Local Plan (WLP 31).

Wyre Borough Councillor for Hambleton & Stalmine ward, Julie Robinson, spoke against the officer recommendation.

Darren Curtis, acting as the applicant, spoke in favour of the application.

Councillors Lady Atkins, Catterall, Rimmer and Belshaw asked questions of the speaker.

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

Some members indicated that they considered that the application site was situated in an ideal location for the proposed use, proposed suitable car parking arrangements and that, if approved, would provide some employment which was an economic and social benefit.

The Head of Planning and Regeneration confirmed that if members were minded to disagree with the officer recommendation, they should identify their reasons and they are to be subsequently recorded in the minutes.

Councillor Higginson proposed the recommendation, and Councillor Fielding seconded the proposal. A vote was carried out and the motion was lost.

Councillor Higginson raised a point of order about the Chair being able to vote. The Chair responded that as a member of the Committee and Chair he was entitled to a first vote on any matter, not only to the exercise of a casting vote.

Following discussion, it was proposed by Councillor Raynor, to grant full planning permission in principle for the change of use, subject to appropriate conditions addressing time (standard condition), plans, use, parking and linking the use to the dwelling and that the Head of Planning & Regeneration be authorised (i) in consultation with the Chair, to agree the details of those conditions, and (ii) to issue the planning permission subject to those detailed conditions. The reasons for the proposal were that, contrary to the officer

recommendation, it was considered that:

- The applicant had made a reasonable effort in the particular circumstances of the case to meet the requirements of Policy SP6 & SP4; and
- The proposal complied with Local Plan Policies SP2, SP4 and SP6 and Section 2 of the NPPF.

The proposal was seconded by Councillor Amos and the motion was carried.

The meeting started at 2.00 pm and finished at 2.40 pm.

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