

Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 1 May 2024 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

Planning Committee members present:

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

Absent- apologies received:

Councillors Higginson and Raynor

Other councillors present:

Councillors Le Marinel, Leigh and Minto

Officers present:

George Ratcliffe, Assistant Democratic Services Officer
Karl Glover, Development Manager
Steve Smith, Assistant Director of Planning and Building Control
Rob McKillop, Senior Planning Officer
Angela Parkinson, Solicitor

16 members of the public attended the meeting.

PA.74 Declarations of interest

None.

PA.75 Confirmation of minutes

The minutes of the meeting of the Planning Committee held on Wednesday 3 April 2024 were confirmed as a correct record by those who were in attendance.

PA.76 Appeals

The committee noted the Schedule of Appeals lodged and decided between 15 March 2024 and 15 April 2024. The Chair invited any Member requiring any further details or clarification on the appeal to contact the relevant case officer.

The Assistant Director of Planning and Building Control gave a verbal update in relation to Application 23/00316/FUL.

PA.77 Planning applications

The Chair announced that, since the publication of the agenda, Item 5 (Application 23/01150/FULMAJ) had been withdrawn.

PA.78 Application 1 - 16 Station Road Poulton-le-Fylde 24/00155/FUL

The application was brought before members for consideration at the request of Councillor Le Marinel who cited concerns in relation to the impacts upon residential amenity.

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

An update sheet was published on the council's website, the information only having become available after the original agenda was published. The committee considered the update sheet, which contained one additional representation of objection and one additional neutral letter which were acknowledged by officers.

The Planning Development Manager introduced the report. The application was for the change of use from a residential dwelling (Class C3) to a children's care home (Class C2) and provision of carparking with access to the rear. He highlighted that the site was located within the urban area within the settlement boundary.

Sue Fletcher spoke against the application.

Councillor Livesey asked a question of the speaker.

Wyre Borough Councillor for Breck ward, Peter Le Marinel, spoke against the application.

County Councillor for Poulton-le-Fylde, Alf Clempson, spoke against the application.

The Assistant Director of Planning and Building Control responded to the questions and concerns raised during the public speaking portion of the meeting. With regard to the issue of noise, he clarified that the Environmental Health officer had no objections. In relation to the concentration of care homes and highway matters, he explained that these concerns were covered in the officer report.

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

Members raised concerns over parking, traffic and location.

Councillor Rimmer asked for clarification regarding the decision to allow two

children in this terraced house.

Councillor Belshaw proposed the recommendation to approve the application but the proposal did not receive a seconder.

The Chair asked for an alternative proposal. It was proposed by Councillor Lady Atkins, and seconded by Councillor Amos, that the application be deferred to a future meeting of the committee so that officers can liaise with the applicant to give further consideration to noise mitigation and also await a response from Lancashire County Highways regarding County Councillor Alf Clempson's comments.

It was resolved that the application be deferred so that the applicant could provide further consideration and clarification as to the impacts arising from noise on residential amenity and whether or not sound proofing is required. Also, to seek a further response from Lancashire County Highways once they had considered all of the concerns and points raised by County Councillor Alf Clempson.

PA.79 Application 2 - Land To The West Of The A6 (Preston/Lancaster New Road) Bounded By Nateby Crossing Lane & Croston Barn Lane Cabus 20/00340/RELMAJ

The application was brought before members for consideration at the request of Councillor Lady D Atkins.

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 clarified that the section 73 approval had been issued.

An update sheet was published on the council's website, the information only having become available after the original agenda was published. The committee considered the update sheet, which contained amendments to proposed conditions 1 and 7. Since the publication of the update sheet, the Planning Development Manager confirmed that it had been agreed with the agent that condition 4 would be reworded.

The Senior Planning Officer introduced the report. The application was for a reserved matters application for appearance, layout, scale and landscaping for a residential development comprising of 251 dwellings, the development of 4.68 hectares of land for employment, a convenience store and a coffee shop. He highlighted that the site was allocated for residential and employment development in the Wyre Local Plan.

Phil Robinson, acting as the agent, spoke in favour of the application.

Councillor Rimmer, Lady Atkins, Higgs asked questions of the speaker.

The Assistant Director of Planning and Building Control clarified that the condition regarding landscaping had been amended in the update sheet. He

also explained that the construction environmental management plan was dealt with at the outline stage and could not be considered.

Councillor Livesey 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, with amendments to conditions 1, 4 and 7, subject to the conditions set out below.

Conditions: -

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 16.04.2020 including the following plans/documents:

- Vehicle Swept Path Drg No.40066-019 REV B;
- Commercial Plot HGV Vehicle Swept Path Drg No.40066-023-01 REV A;
- Proposed Offices 'B' - Elevations, Floor Plans & Roof Plan Rev A
- Proposed Unit 1 - Elevations, Floor & Roof Plan Rev A
- Proposed Units - 2A & 2B Elevations, Floor & Roof Plan Rev A
- Proposed Units - 3A to 3C Elevations, Floor & Roof Plan Rev A
- Proposed Units - 3D to 3F Elevations, Floor & Roof Plan Rev A
- Proposed Units - 4A to 4C Elevations, Floor & Roof Plan Rev A
- Proposed Units - 4D to 4F Elevations, Floor Plans & Roof Plan Rev A
- Foul Water Pumping Station Kiosk Details Drg No.23-034-4
- Surface Water Pumping Station Kiosk Details Drg No.23-034-2
- Commercial Detailed Layout Drg No.21-27-CDL01 Rev E
- Detailed Layout Drg No.21-27-DL01 Rev Z
- Visitor Parking Drg No.21-27-VP01 Rev D
- Refuse Layout Drg No.21-27-RL01 Rev F
- External Storage Layout Drg No.21-27-ES01 Rev D
- Hard Surfaces Layout 21-27-HS01 Rev G

House Types:

(Jones Homes)

- Connaught II - Drg No.CONN/ST/01
- Connaught II - Drg No.CONN/ST/02
- Knightsbridge II - Drg No.KNIG/ST/01
- Latchford - Drg No.LATCH/ST/01
- Stratton II - Drg No.STRA/ST/01
- Bentley - Drg No.BENT/ST/01
- Barbridge - Drg No.BAR/ST/01
- Bayswater - Drg No.BAYS/ST/01
- Banbury - Drg No.BAN/ST/01
- Keswick - Drg No.KESW/HT01
- Mottram - Drg No.MOT/ST/01
- Birch - Drg No.BIR/ST/01

- Handforth - Drg No.HAND/ST/01
- Apartment - Drg No.APT/ST/01
- Apartment - Drg No.APT/ST/02
- Single Garage (Jones) Drg No.DET_DG_PLNG04 6X6
- Double Garage (Jones) Drg No.DET_SG_PLNG04 6X3
- Buckley - Drg No.BUC-P-(2020)-01

(Story Homes)

- Belford - Drg No.BEL-PLP1 Rev A
- Belford - Drg No.BEL-PLE1/1 Rev A
- Belford - Drg No.BEL-PLE1/2 Rev A
- Bailey - Drg No.BAY-PLP1
- Bailey - Drg No.BAY-PLE1/1 Rev A
- Bailey - Drg No.BAY-PLE1/2 Rev A
- Cooper - Drg No.CPR-PLP1
- Cooper - Drg No.CPR-PLE1/1 Rev A
- Cooper - Drg No.CPR-PLE1/2 Rev A
- Cooper - Drg No.CPR-PLP2
- Cooper - Drg No.CPR-PLE2/1 Rev A
- Cooper - Drg No.CPR-PLE2/2 Rev A
- Cooper - Drg No.CPR-PLP3
- Cooper - Drg No.CPR-PLE3/1 Rev A
- Cooper - Drg No.CPR-PLE3/4 Rev A
- Dawson - Drg No.DWN-PLP1 Rev A
- Dawson - Drg No.DWN-PLP2 Rev A
- Dawson - Drg No.DWN-PLE1/1 Rev A
- Dawson - Drg No.DWN-PLE1/2 Rev A
- Dawson - Drg No.DWN-PLE2/1 Rev A
- Dawson - Drg No.DWN-PLE2/2 Rev A
- Fraser - Drg No.FRR-PLP1
- Fraser - Drg No.FRR-PLE1/1 Rev A
- Fraser - Drg No.FRR-PLE1/2 Rev A
- Harper - Drg No.HPR-PLP1
- Harper - Drg No.HPR-PLE1/1 Rev A
- Harper - Drg No.HPR-PLE1/2 Rev A
- Hewson - Drg No. HWN-PLP1
- Hewson - Drg No. HWN-PLE1/1 Rev A
- Hewson - Drg No. HWN-PLE1/2 Rev A
- Hewson - Drg No. HWN-PLE1/3 Rev A
- Kempton - Drg No.KPN-PLP1
- Kempton - Drg No.KPN-PLE1/41
- Lawson - Drg No.LWN-PLP1
- Lawson - Drg No.LWN-PLE1/41
- Lawson - Drg No.LWN-PLE1/42
- Middleton - Drg No.MDN-PLP1
- Middleton - Drg No.MDN-PLE1/1 Rev A
- Middleton - Drg No.MDN-PLE1/2 Rev A
- Middleton - Drg No.MDN-PLE1/3 Rev A
- Sanderson - Drg No.SAN-PLP1
- Sanderson - Drg No.SAN-PLE1/1 Rev A
- Sanderson - Drg No.SAN-PLE1/2 Rev A

- Sanderson - Drg No.SAN-PLE1/3 Rev A
- Sandyford Drg No.SDD-PLP1
- Sandyford Drg No.SDD-PLE1/1 Rev A
- Sandyford Drg No.SDD-PLE1/2 Rev A
- Spencer Drg No.SPR-PLP1
- Spencer Drg No.SPR-PLP2
- Spencer Drg No.SPR-PLE1/1 Rev B
- Spencer Drg No.SPR-PLE1/2 Rev B
- Spencer Drg No.SPR-PLE2/1 Rev A
- Spencer Drg No.SPR-PLE2/2 Rev A
- Wilson Drg No.WLN-PLP1
- Wilson Drg No.WLN-PLE1/1 Rev A
- Wilson Drg No.WLN-PLE1/2 Rev A
- Wilson Drg No.WLN-PLE1/3 Rev A
- Wilson Drg No.WLN-PLP2
- Wilson Drg No.WLN-PLE2/1 Rev A
- Wilson Drg No.WLN-PLE2/3 Rev A
- Wilson Drg No.WLN-PLE2/4 Rev A
- Garage Booklet Drg No.GB-PLP1/1 Rev B
- Garage Booklet Drg No.GB-PLP1/2 Rev B
- Garage Booklet Drg No.GB-PLP2/1 Rev B
- Garage Booklet Drg No.GB-PLP2/2 Rev B
- Garage Booklet Drg No.GB-PLP3/1 Rev A
- Garage Booklet Drg No.GB-PLP3/2 Rev A

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.

2. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of that dwelling (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).

3. No dwelling hereby approved shall be first occupied until the parking / turning areas shown on the approved plan Detailed Layout Drg No.21-27-DL01 Rev Z as relating to that dwelling have been laid out, surfaced and drained. None of the commercial buildings hereby approved shall be brought into use until the parking / turning areas shown on the approved plan Commercial Detailed Layout Drg No.21-27-CDL01 Rev E as relating to that unit have 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).

4. (a) The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound from the highway before superstructure construction takes place within the site.

(b) No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to those dwelling(s) has been constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level.

(c) In the event that the new estate road is not proposed for adoption by the Local Highway Authority then details of their road construction (surface materials and depth) and highway infrastructure (footways, street lighting, drainage) shall be submitted to, and approved in writing by, the Local Planning Authority. No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to that dwelling has been constructed in accordance with the approved details.

Reason: To ensure that satisfactory access is provided to the development site, that the road surfaces are visually acceptable, that the private roads are of sufficiently adequate construction to support any loading applied to them to enable effective waste management and emergency services access, and that the necessary infrastructure is provided in the interests of highway safety in accordance with Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

5. a) Prior to the first occupation of any dwelling, the proposed arrangements for future management and maintenance of the roads/ footways/ cycleways within the development shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include a plan showing areas of highway proposed for adoption by the Local Highway Authority and any areas proposed for private management.
- (b) Should the plan required by (a) show that any highway within the estate would be privately managed, details of a Road Management Plan to detail how those sections of highway would be maintained in perpetuity, such as a private management and maintenance company to be established if applicable, shall be submitted to and approved in writing by the Local Planning

Authority. The highway shall thereafter be maintained in accordance with the approved management and maintenance details or until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

- (c) Should the plan required by (a) show that any highway within the estate would be proposed for adoption by the Local Highway Authority, those roads/ footways/ cycleways shall be made up to, and retained thereafter to, the Local Highway Authority's Adoptable Standards.

Reason: To ensure that all highways, footways and cycleways will be maintained to a sufficient standard by either the Local Highway Authority or by a site management company in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

6. The hard landscaping and works shall be carried out in accordance with Hard Surfaces Layout 21-27-HS01 Rev G prior to first occupation or 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.

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 NPPF.

7. No development shall take place until full details of 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), 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 occupation or 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

8. Prior to the commencement of the development hereby approved, details of the existing and proposed ground, slab and finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details.

Reason: To ensure that the development has a satisfactory visual impact on the streetscene in accordance with Policies CDMP2 and CDMP3 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.

9.
 - a) Prior to first occupation of the dwellings hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment relating to that dwelling shall be completed before first occupation of that dwelling. The approved details shall thereafter be maintained and retained.
 - b) Prior to first use any of the commercial units hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment relating to that building shall be completed before first use of that building. The approved details shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants / neighbours in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

10. Prior to first occupation of any dwelling, details of the Local Area for Play (LAP) shown on approved plan Detailed Layout Drg No.21-27-DL01 Rev Z shall be submitted to and approved in writing by the Local Planning Authority. Details shall include how this is to be laid out, the design / appearance of play equipment including materials, surfacing and enclosure(s) of the LAP area and any other associated equipment including benches and waste bins. The LAP shall be installed in accordance with the approved details prior to first occupation of any dwelling or otherwise in accordance with a programme agreed in writing by the Local Planning Authority prior to first occupation of any

dwelling.

Reason: To ensure adequate provision and delivery of public open space in accordance with Policies SP8 and HP9 of the Wyre Local Plan (2011-31) and the NPPF.

11. Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 (as amended) and the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification);

- (a) no fences, gates, walls or other means of enclosure shall be erected along the front or side boundaries of the curtilage of any dwellinghouse forward of the main front elevation or side elevation of that dwellinghouse; and
- (b) no areas of soft landscaping to the front of properties shall be removed to make provision for additional car-parking, without planning permission from the local planning authority first approved.

Reason: To ensure that the development presents a satisfactory appearance in the street picture in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority.

Reasons: To ensure the provision and retention of appropriate parking levels in the interests of residential amenity and highway safety.

13. No dwelling hereby permitted shall be occupied unless or until the pedestrian footpaths extending up to the existing public highways (as shown on approved plan Detailed Layout Drg No.21-27-DL01 Rev Z) has been completed in full. The pedestrian footpaths shall thereafter be maintained and remain open and unobstructed at all times.

Reasons: To ensure that the development provides appropriate connections and sustainable linkages to neighbouring development and the wider footpath network in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

14. Prior to the commencement of above ground development a scheme to

demonstrate how at least 20% of the dwellings shall be of a design suitable or adaptable for older people and people with restricted mobility shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, retained and maintained thereafter in accordance with the approved details.

Reason: To meet the needs of the ageing population and people with restricted mobility in the borough in accordance with Policy HP2 of the Wyre Local Plan (2011-31) and the provisions of section 5 of the NPPF.

15. The approved garden storage buildings as indicated on approved plan External Storage Layout Drg No.21-27-ES01 Rev D shall be completed before the dwelling to which it relates is first occupied. The approved details shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

16. Prior to the first occupation of any of the dwellinghouse types specified below, the windows specified below shall be:

- i) obscure glazed at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured), and
- ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

(Jones)

- Connaught II - first floor bathroom window in side elevation
- Knightsbridge - first floor bathroom window in side elevation
- Latchford - first floor ensuite windows in each side elevation
- Stratton II - first floor ensuite and bathroom windows in each side elevation

(Story)

- Hewson - first floor bathroom window in side elevation
- Lawson - first floor bedroom window in side elevation
- Middleton - first floor bathroom window in side elevation
- Sanderson - first floor landing window in side elevation
- Sandyford - first floor and second floor bathroom windows in each side elevation
- Spencer - first floor ensuite window in side elevation

The windows (including any subsequent repaired or replacement window) shall be maintained and retained thereafter in accordance with this detail.

Reason: To safeguard the privacy of adjoining residents and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the dwellings listed below shall not be altered or extended, nor shall any building, structure or enclosure be erected within the curtilage of the dwellings without planning permission:

House Types:

(Jones Homes)

- Bentley - Drg No.BENT/ST/01
- Birch - Drg No.BIR/ST/01
- Handforth - Drg No.HAND/ST/01
- Apartment - Drg No.APT/ST/01
- Apartment - Drg No.APT/ST/02
- Buckley - Drg No.BUC-P-(2020)-01

(Story Homes)

- Belford - Drg No.BEL-PLP1 Rev A
- Belford - Drg No.BEL-PLE1/1 Rev A
- Belford - Drg No.BEL-PLE1/2 Rev A
- Bailey - Drg No.BAY-PLP1
- Bailey - Drg No.BAY-PLE1/1 Rev A
- Bailey - Drg No.BAY-PLE1/2 Rev A
- Cooper - Drg No.CPR-PLP1
- Cooper - Drg No.CPR-PLE1/1 Rev A
- Cooper - Drg No.CPR-PLE1/2 Rev A
- Cooper - Drg No.CPR-PLP2
- Cooper - Drg No.CPR-PLE2/1 Rev A
- Cooper - Drg No.CPR-PLE2/2 Rev A
- Cooper - Drg No.CPR-PLP3
- Cooper - Drg No.CPR-PLE3/1 Rev A
- Cooper - Drg No.CPR-PLE3/4 Rev A
- Dawson - Drg No.DWN-PLP1 Rev A
- Dawson - Drg No.DWN-PLP2 Rev A
- Dawson - Drg No.DWN-PLE1/1 Rev A
- Dawson - Drg No.DWN-PLE1/2 Rev A
- Dawson - Drg No.DWN-PLE2/1 Rev A
- Dawson - Drg No.DWN-PLE2/2 Rev A
- Fraser - Drg No.FRR-PLP1
- Fraser - Drg No.FRR-PLE1/1 Rev A
- Fraser - Drg No.FRR-PLE1/2 Rev A
- Harper - Drg No.HPR-PLP1
- Harper - Drg No.HPR-PLE1/1 Rev A
- Harper - Drg No.HPR-PLE1/2 Rev A
- Sandyford Drg No.SDD-PLP1
- Sandyford Drg No.SDD-PLE1/1 Rev A
- Sandyford Drg No.SDD-PLE1/2 Rev A
- Wilson Drg No.WLN-PLP1
- Wilson Drg No.WLN-PLE1/1 Rev A
- Wilson Drg No.WLN-PLE1/2 Rev A

- Wilson Drg No.WLN-PLE1/3 Rev A
- Wilson Drg No.WLN-PLP2
- Wilson Drg No.WLN-PLE2/1 Rev A
- Wilson Drg No.WLN-PLE2/3 Rev A
- Wilson Drg No.WLN-PLE2/4 Rev A

Reason: To ensure that the Local Planning Authority have control over any future development of the dwellings in the interests of preserving the character and amenity of the area and the residential amenity of occupants / neighbours in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

**PA.80 Application 3 - Former Police Station Market Place Poulton-Le-Fylde
23/00231/FUL**

The application was brought before members for consideration at the request of Councillor Le Marinel as it was considered to be of public interest.

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 former Police Station to create a mixed use retail and leisure development comprising of a food/retail hall, the erection of a part single and part 2 storey rear extension (following demolition of existing garages to the rear) and inclusion of external seating area to the front. He highlighted that the site was identified as being located within the Town Centre Boundary and was defined as a Secondary Shopping Area within the Adopted Wyre Local Plan.

Wyre Borough Councillor for adjoining ward Breck, Peter Le Marinel, spoke in support of the application.

Councillor Fielding asked a question of the speaker.

Councillor Belshaw 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 03.03.2023

including the following plans/documents:

- Site Location Plan Drawing No 1970/EX00 received 3 March 2023
- Proposed Ground Floor Plans Drawing No 1970 PL02 REV C received 25 May 2023
- Proposed First Floor Plans Drawing No 1970/PL03 received 3 March 2023
- Proposed Roof Mechanical Services Drawing No 019.127.M3 received 3 March 2023
- Proposed Ground Floor Mechanical Services Drawing No 019.127.M2 received 3 March 2023
- Proposed First Floor Lighting Drawing No 019.27.E2 received 3 March 2023
- Proposed Ground Floor Lighting Drawing No 019.127.E1 received 3 March 2023
- Proposed Elevations Drawing No 1970/PL04 REV B received 3 March 2023
- Proposed Elevations Drawing No 1970/PL05 REVB received 3 March 2023
- Site Set Up Drawing No D.01 received 3 March 2023

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. The development shall be carried out strictly using those materials specified on the approved plan Drawing No 1970/PL04 REV B 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. There shall be no deliveries or collections of goods to or from the use hereby permitted outside the hours of 07:00 - 10:00 hrs and 16:00 - 21:00 hrs on Mondays to Sundays.

Reason: In the interests of the amenity of the occupiers of neighbouring and nearby residential properties in accordance with the provisions of Policy CDMP 1 of the Wyre Local Plan (2011 -2031).

5. The premises shall not be open to customers or members of the public outside the hours of 09:00 - 23:00 hrs Monday to Sunday.

Reason: In the interests of the amenity of occupiers of neighbouring and nearby residential properties in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31)

6. Prior to first use of the development hereby approved, the noise mitigation measures set out in the supporting Noise Assessment prepared by Red Acoustics dated 05.04.2024 submitted with the application shall be implemented. The approved noise mitigation measures shall thereafter be retained and maintained at all times.

Reason: To ensure there is no adverse effect on the health and quality of life of future occupants and to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

7. The development hereby permitted shall be designed so that the level of noise emitted from the site does not exceed a Laeq, 15 minutes of 40dB(A), when measured 1 metre from the façade of any noise-sensitive premises.

Alternative levels and monitoring locations may be used subject to the prior written approval of the Local Planning Authority.

Reason: To minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings, in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

8. The development shall be carried out in accordance with the plant specified in section 3, pages 6 and 7 of the approved noise assessment prepared by Red Acoustics dated 05.04.2024 and shall be in place and in full working order prior to first use of the premises hereby approved and shall thereafter be maintained and retained in accordance with the approved details.

If the listed plant is not used, then an alternative plant must be used that achieves the same or better acoustic performance, details of which shall be submitted to and approved in writing to the Local Planning Authority prior to the first use or occupation of the development.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

9. Prior to first use/first occupation of the development hereby approved, the odour mitigation measures set out in the supporting Odour Assessment (prepared by Miller Goodhall on behalf of By1 Limited Report Number: 102234) submitted with the application shall be implemented. The approved odour mitigation measures shall thereafter be retained and maintained at all times.

Reason: To ensure there is no adverse effect on the health and quality of life for future occupants and to avoid an unacceptable impact on residential amenity by virtue of odour in accordance with Policy

CDMP1 of the Wyre Local Plan (2011 - 31).

10. The lighting will be installed following the standards for 'Environmental Zone E4' as described within the Institute of Lighting Professionals' Guidance for the Reduction of Obtrusive Light, GN01:2011', in that the light intrusion into the windows of any nearby sensitive premises from the development shall not exceed 25 Lux before 23.00 pm and 5 Lux after 23.00 pm.

Reason: To safeguard residential amenity and in the interests of public safety in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

11. A watching brief shall be undertaken during the course of the development works. 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 occupation/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).

12. The construction of the development including any demolition works shall be carried out in accordance with the approved CEMP prepared by Stanton Andrews Architects dated 29 April 2022 REV A and Drawing No D.01 Site Set up.

Reason: In the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

13. Notwithstanding the details indicated on the approved plans and supporting documents, the following details shall be submitted to, and approved in writing by, the Local Planning Authority prior to their installation / presentation to the highway:
- Full details including external finishes of the proposed canopies/awnings and housing boxes (including details of fixtures and fittings); and
 - Full details including external finishes of street furniture including tables, chairs and any partition screens

The development shall be carried out in accordance with the approved details. Only the approved details shall be subsequently used in the event of any repair or replacement.

Reason: In the interest of visual amenity of the area, and the appearance and character of the building in accordance with Policies CDMP3 and CDMP5 of the Wyre Local Plan (2011-31).

14. No development, site clearance/preparation, or demolition shall commence until the applicant or their agent or successors in title has secured the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation, which shall be submitted to, and approved in writing by, the local planning authority. These works shall be undertaken by an appropriately qualified and experienced professional archaeological contractor and comply with the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA). The development shall be carried out in accordance with the agreed details.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site in accordance with Policy CDMP5 of the Wyre Local Plan (2011-31) and section 16 of the NPPF.

15. The premises shall be used for the purposes identified on the approved floor plans (Drawing Numbers 1970/PL02 Rev B & 1970/PL03 Rev B), namely for Class E b) (café and restaurant use as well as E (a) retail use in the ground floor retail unit indicated at the front of the food hall and D1 leisure and assemclass blyse in the ground floor police cell being retained as a leisure attraction, and for no other purpose.

Reason: To ensure that the mix of uses makes a positive contribution to the vitality and viability of the Primary Shopping Area of Poulton-le-Fylde town centre and in the interests of neighbouring residential amenity in accordance with Policies EP6 and CDMP1 of the Wyre Local Plan (2011-2031)

**PA.81 Application 4 - Agricultural Building Lambs Lane Pilling Lancashire
24/00092/FUL**

The application was brought before members for consideration at the request of Councillor Leigh due to the complex nature and history of the site and the proposal.

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

An update sheet was published on the council's website, the information only having become available after the original agenda was published. The committee considered the update sheet, which contained an additional consultee response which was acknowledged by officers.

The Planning Development Manager introduced the report. The application was for the erection of 1 detached dwelling (C3) following the demolition of an agricultural building (part retrospective). He highlighted that the site was in the

countryside, as designated through the Adopted Local Plan, and the site of a former agricultural building, which had been demolished. The site was also in Flood Zone 3 and an SSSI impact zone.

Neil Walker spoke in favour of the application.

Wyre Borough Councillor for Pilling ward, Adam Leigh, spoke in support of the application.

Kevin Hughes, acting as the applicant, spoke in favour of the application.

Councillor Catterall, Livesey, Rimmer and Lady Atkins asked questions of the speaker.

The Assistant Director of Planning and Building Control responded to the questions and concerns raised during the public speaking portion of the meeting. He clarified that building control was a separate regulatory regime for its own purposes and did not provide any planning purpose.

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

Councillor Rimmer asked for clarification regarding the decision process.

Following discussion and a proposal by Councillor Lady Atkins, seconded by Councillor Belshaw, it was resolved to refuse the application as per the Officers recommendation for the following reasons:

1. The application site is in the countryside outside a defined settlement boundary, which is protected for its open and rural character, and the proposal for a market dwelling has not been evidenced to meet any of the exceptions for development in the countryside set out in Policy SP4 of the Adopted Wyre Local Plan. The proposal would therefore not be needed or justified in this countryside location and would introduce an inappropriate form of development in the countryside. The development would not constitute an acceptable form of development with particular regard to its countryside location. Relevant material considerations have been considered, but do not outweigh this inappropriate development in the countryside and conflict with the development plan. This would be contrary to the NPPF, and Policies SP1 and SP4 of the Adopted Wyre Local Plan.
2. The application site is located within the countryside outside a settlement boundary, and the development would involve the provision of development in a poorly accessible location. The site would be accessed via unlit rural roads that are subject to national speed limits and without pedestrian footpaths. Future occupants of the proposal would be heavily reliant on the use of a private motor vehicle to access services and for their daily needs, with limited opportunity to safely access the site via alternative sustainable travel modes. The proposed development is considered to be sited in an unsustainable and inaccessible location and would increase the need to travel by car. The

proposed development on balance would not form sustainable development. The proposal is therefore contrary to locational guidance contained within the NPPF, in particular Paragraphs 8 and 108, and contrary to Policies SP1, SP2 and CDMP6 of the Adopted Wyre Local Plan.

3. The application site is located within the open countryside, in an area that is flat and open in character. The proposed dwelling and associated residential garden and required bin storage, by reason of their siting in this area of open countryside with limited screening and being visible from the adjacent road, would adversely impact on the open and rural character of the countryside area resulting in significant visual harm to the openness of the countryside. As such the proposal does not comply with Policies SP4 and CDMP3 of the Adopted Wyre Local Plan, along with Section 15 of the NPPF, which requires development to recognise the intrinsic character and beauty of the countryside.
4. The proposed development would constitute inappropriate development in an area at risk of flooding, as the development would be sited within Flood Zone 3 and inadequate evidence has been submitted in a Flood Risk Assessment to show that the development will be safe for its lifetime. Also, it has not been demonstrated that there are no reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. This would not steer development to areas with the lowest probability of flooding, thereby increasing the number of people at risk from flooding and fail the Sequential Test. The proposal is for 'more vulnerable' development and it fails the exception test as it has not been demonstrated that 'a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall', as required by the NPPF. Also, the proposal does not provide details of safe access and escape routes as part of an adequate emergency plan for the development in relation to flooding. This would present the potential for an unacceptable risk of flooding to the harm of people. This is contrary to Section 14 of the NPPF and the National Planning Policy Guidance 'Flood Risk and Coastal Change', and Policy CDMP2 of the Adopted Wyre Local Plan.
5. Inadequate information has been provided with the application on the contamination risks of the application site, with a methodology for site investigation, site investigation results and the potential requirement for remediation. This will not ensure that the development provides a safe environment for occupants and users in relation to contamination contrary to Policy CDMP1 of the Adopted Wyre Local Plan.

The application was brought before members for consideration at the request of Councillor Livesey to determine the suitability of the siting of the proposal and the harm it would have upon the Green Belt.

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

An update sheet was published on the council's website, the information only having become available after the original agenda was published. The committee considered the update sheet, which contained additional public representations and an additional consultee response which were acknowledged by officers.

The Planning Development Manager introduced the report. The application was for the permission in principle for the erection of one detached dwelling. He highlighted that the site fell within Flood Zone 1 and the land was designated as Green Belt in the adopted Wyre Borough Local Plan.

David Carter spoke in objection to the application.

Councillor Livesey chose to speak against the application as the Wyre Borough Councillor for Stanah ward councillor, therefore he was limited to three minutes and did not take part in the debate as a member of the Planning Committee and did not vote on the item.

Wyre Borough Councillor for Stanah ward, Kenneth Minto, spoke against of the application.

Josh Hellawell, acting as the agent, spoke in favour of the application.

Councillor Rimmer asked a question of the speaker.

The Assistant Director of Planning and Building Control responded to the questions and concerns raised during the public speaking portion of the meeting. With regard to the settlement hierarchy, he clarified that they are not definitive but key context. He explained that the proposal would not amount to limited infilling within a village.

Following discussion and a proposal by Councillor Belshaw, seconded by Councillor Higgs, it was resolved to refuse the application as per the Officers recommendation for the following reason:

1. The application site is within the Green Belt where the construction of new dwellings represents an inappropriate form of development unless very special circumstances exist, or the development represents an exception allowed under Paragraph 154 of the NPPF. The development would fail to preserve the openness of the Green Belt and fails to meet any of the exceptions listed in Paragraph 154 of the NPPF. It has not been demonstrated that there are any very special circumstances to outweigh the harm to the Green Belt and the application would be contrary to Policies SP1 and SP3 of the Wyre Local Plan (2011-2031) and Paragraphs 152, 153 and 154 of the

NPPF.

The meeting started at 2.00 pm and finished at 3.41 pm.

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