



Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 26 April 2023 at the Members Lounge - Civic Centre.

Planning Committee members present:

Councillors Moon, Ballard, I Amos, Lady D Atkins, Catterall, Le Marinel, Orme, Raynor, Rendell, Stirzaker and D Walmsley

Apologies for absence:

Councillors Ingham, Kay and O'Neill

Officers present:

Karl Glover, Development Manager
Daphne Courtenage, Democratic Services Officer
Carmel White, Solicitor
Steve Smith, Head of Planning and Regeneration
George Ratcliffe, Assistant Democratic Services Officer
Hannah Dodgson, Planning Officer

Nine members of the public attended the meeting.

PA.63 Declarations of interest

Councillor Ballard declared an Other Significant Interest on Item A (21/01477/FULMAJ) as he felt his participation may give rise to the perception of a conflict of interest and/or was likely to prejudice his judgement, therefore he left the room before the item was being discussed and had no involvement in the decision making.

Councillor Orme declared an Other Significant Interest on Item B (22/01306/FUL) in that he is a Councillor of Preesall Town Council where he had not taken part in deliberations on this application. He did not consider that this gave rise to a perception of a conflict of interest and/or was likely to prejudice his judgement, nor did it amount to an issue of pre-determination and bias and therefore he stayed in the meeting and spoke and voted upon the item.

Councillor Moon declared an Other Significant Interest on Item B (22/01306/FUL) as he had been contacted by the residents nearby. He did not consider that this gave rise to a perception of a conflict of interest and/or

was likely to prejudice his judgement, nor did it amount to an issue of pre-determination and bias and therefore he stayed in the meeting and spoke and voted upon the item.

PA.64 Confirmation of minutes

The minutes for the meeting of the Planning Committee held on 5 April 2023 were **confirmed** as a correct record by those who were in attendance.

PA.65 Appeals

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

The Head of Planning and Regeneration highlighted that with regards to application 14/00241/ENF, there was a statutory challenge.

PA.66 Planning applications

PA.67 Application A - Land at Ormerod Street Thornton Cleveleys (21/01477/FULMAJ)

Councillor Ballard left the room.

The application was before members for determination as similar schemes at this site had previously been considered by the Planning Committee in April 2018 and February 2020.

A site visit had occurred to enable members to understand the proposal beyond the plans submitted and the 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 consultee responses which were acknowledged by officers.

The Planning Development Manager introduced the report. He highlighted that the site was within the settlement boundary. The application sought full permission for the erection of 13 affordable dwellings to be served by a new access off the access road to the Fleetwood Training Ground.

Councillors raised the following questions/concerns over:

- Drainage strategy
- Affordable to buy dwellings instead of affordable to rent
- Residents
- Traffic

- Resident permit parking only
- Solar panels
- Allotments

The Planning Development Manager clarified that solar panels were not proposed within the application. However, from 15 June 2023 building regulations legislation will require that new development meets revised energy efficiency standards.

The Head of Planning and Regeneration responded to the questions and concerns raised by members. In relation to “residents only” permits or other traffic restrictions, he explained that it was up to the Highway Authority for a traffic regulation order.

The Chair asked the Head of Planning and Regeneration to contact LCC Highways and ask for them to consider a residents parking scheme to alleviate any problems with traffic from Poolfoot Farm Training Complex.

The Planning Development Manager clarified that it was a desire in 2014 for the development to include 23 allotments. The layout for application (21/01477/FULMAJ) was just a pedestrian access through the site and would not prevent access to land to the west of the site from being developed as an allotment (as approved under a separate application). The delivery of an allotment was a separate proposal to application (21/01477/FULMAJ). Councillor Orme proposed the recommendation to approve the application to the committee, and Councillor Amos seconded the proposal. It was resolved to approve the application subject to the conditions set out below and subject to a section 106 legal agreement to secure onsite affordable housing and to secure an appropriate financial contribution towards green infrastructure and healthcare, and that the Head of Planning and Regeneration be authorised to issue planning permission upon satisfactory completion of the S106 agreement.

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 16.12.2021 including the following plans/documents:
 - Site Location Plan Drg No.BH/04377/001;
 - Affordable 2 bed semi house type Drg No.BH/04377-A-02;
 - Affordable 3 bed semi house type Drg No.BH/04377-A-03;
 - Affordable 3 bed house type 2 Drg No.BH/04377-A-04;
 - Affordable 2 bed Terrace Elevation Drg No.BH/04377-A-05;
 - Affordable 3 bed Terrace floor Plan Drg No.BH/04377-A-06;

- Proposed Site Plan Drg No.BH/04377/004 Rev B, received by the LPA 12th July 2022;
- Proposed Site Layout Drg No.BH/04377/005 Rev A, received by the LPA 12th July 2022;
- Proposed Vehicle Tracking BH-04377-011 Rev A, received by the LPA 12th July 2022;
- Hard Landscaping Plan BH-04377-009_Rev A, received by the LPA 12th July 2022;
- Soft Landscaping Proposal 196-REL-XX-XX-DR-L-301, received by the LPA 12th July 2022;
- Planting Plan 196-REL-XX-XX-DR-L-401, received by the LPA 12th July 2022;
- Landscaping Specifications 196-REL-XX-XX-SP-L-401, received by the LPA 12th July 2022;
- Tree Retention Plan BH/04377/007 Rev A, received by the LPA 12th July 2022;
- Tree Protection Plan BH/04377/008 Rev A, received by the LPA 12th July 2022;
- Protective Fencing BH-04377-012 Rev A, received by the LPA 7th March 2023;
- Boundary Treatment BH-04377-006 Rev C, received by the LPA 7th March 2023;
- Proposed Floor Levels Plan BH-04377-010_Rev B, received by the LPA 1st September 2022;

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. 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).
4. No dwelling hereby approved shall be first occupied until the parking / turning areas shown on the approved Proposed Site Plan Drg No.BH/04377/004 Rev B as relating to that dwelling 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).
5. (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 / for a distance of 10 metres into the site from the highway before any other development 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 the 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).

- 6. Prior to the commencement of development, including any demolition works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include and specify the provision to be made for the following:
 - (a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
 - (b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
 - (c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays
 - (d) contractors' compounds and other storage arrangements
 - (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period
 - (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)
 - (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable

- (h) external lighting of the site during the demolition / construction period
- (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) recycling / disposing of waste resulting from demolition / construction work
- (k) measures to protect watercourses against spillage incidents and pollution

The construction of the development including any demolition works shall be carried out in accordance with the approved CEMP.

Reason: Such details were not submitted with the application and need to be in place throughout the demolition / construction period 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).

7. An electric vehicle recharging (EVCP) scheme shall be submitted for all dwellings with parking provision unless it is demonstrated that such provision of EVCP is not practical due to identified site constraints. No dwelling shall be occupied until the electric vehicle recharging point has been provided for the dwelling 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).
8. Prior to the commencement of development hereby approved, a scheme for the construction of the site access and the off-site works of highway improvement [namely tactile paving at the training ground access road / junction with Ormerod Street, tactile paving at Ormerod Street / Butts Road junction and tactile paving at Ormerod Street / Heys Street junction], including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The site access and off-site works of highway improvement shall be constructed and completed in accordance with the approved scheme details.
Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site in accordance with Policy CDMP6 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. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities
 - b) Identification of "biodiversity protection zones"
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d) The location and timing of sensitive works to avoid harm to biodiversity features
 - e) The times during construction when specialist ecologists need to be present on site to oversee works
 - f) Responsible persons and lines of communication
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
 - h) Use of protective fences, exclusion barriers and warning signs
- The approved CEMP Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the development has an acceptable environmental and biodiversity impact in accordance with Policy CDMP4 of the Wyre Local Plan (2011-31).

10. 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 of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.
11. Prior to commencement of the development hereby approved, a scheme for Biodiversity Enhancement Measures shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall be agreed in writing by the local planning authority prior to first occupation) and shall be retained thereafter.
Reason: To ensure that appropriate biodiversity enhancement measures are incorporated into the proposed development in accordance with the NPPF and Policy CDMP4 of the Wyre Local Plan (2011-31).
12. Prior to first occupation, a scheme for the provision of home-owner information packs highlighting the sensitivity of Morecambe Bay (a European protected nature conservation site) to recreational disturbance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall include the content of the home-owner information packs which must explain the conservation value of Morecambe Bay, the potential impacts that can arise from residential development and explain the responsible behaviours that

would be required from residents to avoid undue ecological impact, as well as a methodology for the distribution of the homeowner packs to future home owners including upon resale of the dwellings as far as is reasonably practicable. The approved information packs shall subsequently be made available to future home owners in line with the approved methodology.

Reason: In order to safeguard biodiversity from the recreational disturbance effects of residential development in close proximity to Morecambe Bay, in accordance with the provisions of Policy CDMP4 of the Wyre Local Plan 2011-31.

13. No development shall be commenced until:
 - (a) A methodology for site investigation has been submitted to and approved in writing by the Local Planning Authority.
 - (b) A site investigation has been undertaken strictly in accordance with the agreed methodology and a risk assessment of the findings submitted for approval by the Local Planning Authority, together (where appropriate) with a detailed remediation strategy.
 - (c) Remediation of the site has been undertaken strictly in accordance with the remediation strategy and a validation report has been submitted for approval in writing, confirming full implementation of the agreed remediation scheme. 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).

14. The development shall incorporate suitable gas protection measures, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The measures shall include as a minimum: ventilation of confined spaces within the building, a ground slab of suitable construction, a low permeability gas membrane, minimum (ideally none) penetration of the ground slab by services, and passive ventilation to the underside of the building. The development shall be carried out in accordance with the approved scheme and thereafter be maintained and retained. Alternatively, prior to the commencement of development, a gas monitoring programme and risk assessment of the results shall be undertaken to demonstrate that the above protection measures are not required. The results shall be submitted to and approved in writing by the Local Planning Authority. Any gas monitoring programme must be carried out over a period of at least three months and include at least three readings where the atmospheric pressure is below 1000mb. Gas flow rates must also be provided.

Reason: Works are therefore required in the interests of public safety and in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

15. 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.

The scheme details shall include, as a minimum:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change as set out within the Environment Agency's advice on Flood risk assessments: climate change allowances' or any subsequent replacement EA advice note), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) Demonstration that the surface water run-off would not exceed the predevelopment greenfield runoff rate;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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 first 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 NPPF. The condition is required to be approved prior to commencement of development to ensure that full details are provided to ensure a suitable form of drainage is provided taking into consideration land conditions and proximity to existing services.

16. Prior to the commencement of development details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and

approved in writing by the Local Planning Authority. As a minimum, this shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Residents' Management Company
- b) Arrangements concerning appropriate funding mechanisms for the ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable. The development shall subsequently be completed, maintained and managed in accordance with the approved sustainable drainage management and maintenance plan.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance; and to identify the responsible organisation/ body/ company/ undertaker for the sustainable drainage system in accordance with policy CDMP2 of the Wyre Local Plan (2011-31) and the NPPF.

17. The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 12 of the approved Flood Risk Assessment (FRA) by ELLUC Projects Rev F3 dated 28.07.2022. The mitigation measures shall be fully implemented prior to first occupation of the development or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within 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 NPPF.
18. Prior to first occupation of the development hereby approved, the noise mitigation measures set out in Chapters 4.7, 4.8, 4.9 of the supporting Acoustic Assessment [Report No.2425-1 dated January 2023] shall be implemented in full. The approved noise mitigation measures shall thereafter be retained and maintained.

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).
19. Any lighting installed for the development shall be installed in accordance with the standards for 'Environmental Zone E2' as

described within the Institute of Lighting Professionals' Guidance for the Reduction of Obtrusive Light, GN01:2011', namely that the light intrusion into the windows of any nearby sensitive premises shall not exceed 5 Lux before 23.00, and 1 lux after 23.00.

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

20. Prior to the first occupation of any dwelling hereby permitted, the boundary treatments shall be completed fully in accordance with the details shown on Drawings BH-04377-012 Rev A (Protective Fencing) and BH-04377-006 Rev C (Boundary Treatment), as relating to that dwelling, including (acoustic) 1.8m fencing with a density greater than 12kg/m² to the rear boundaries of Plots 5- 13. The boundary treatments shall be retained in accordance with these approved details thereafter.

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).
21. The finished floor levels shall be constructed and completed in accordance with the approved details shown on Proposed Floor Levels Plan BH-04377- 010 Rev B.

Reason: To ensure that the development has a satisfactory impact on residential amenity and visual amenity in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).
22. The measures contained within the approved Arboricultural Impact Assessment (Bowland-Sept 2021), Tree Retention Plan (BH/04377/007 Rev A) and Tree Protection Plan (BH/04377/008 Rev A) with respect to those trees/hedgerows shown as being retained shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: In order to protect trees from damage or loss in the interests of the amenity of the area 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.
23. The hard and soft landscaping works shall be carried out in accordance with the approved details (listed below) prior to first occupation of the dwellings hereby approved or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained:

- Hard Landscaping Plan BH-04377-009_REVA
- Soft Landscaping Proposal 196-REL-XX-XX-DR-L-301
- Planting Plan 196-REL-XX-XX-DR-L-401
- Landscaping Specifications 196-REL-XX-XX-SP-L-401

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 NPPF.

**PA.68 Application B - Over Wyre Medical Centre Wilkinson Way Preesall
(22/01306/FUL)**

Councillor Ballard returned to the room.

The application was brought before members for consideration at the request of Councillor Paul Moon.

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

The Planning Development Manager introduced the report. He highlighted that the site was within the settlement boundary. The application proposed was a front extension - part single-storey, part two-storey.

He clarified that there was a reconfiguration of parking to accommodate the extension. With reference to the loss of a tree to the west of the site, the application acknowledged that in condition four.

John Macphee, on behalf of the medical centre as the practice manager, spoke in favour of the application.

Councillors Ballard and Lady D Atkins asked questions of the speaker.

The Chair explained that he brought this to the committee due to neighbourhood concerns and praised the process of the application in responding to neighbour concerns and resulting in a revised application. He ended the public speaking portion of the meeting and opened up the members' debate.

Councillor Ballard mentioned that the tree to be removed should not be removed during the nesting seasons.

Councillor Le Marinel highlighted the importance of solar panels for the

environment.

Councillor Orme reiterated what the Chair had said earlier and applauded the process of the revised plan. He had one concern over the accessibility for all to the top floor.

The Head of Planning and Regeneration responded to the questions and concerns raised by members. In relation to solar panels, he clarified that there was no policy requirement within the local plan. He explained that energy efficiency is subject to another regulatory regime, as is accessible use, and commented on permitted development rights regarding retrofitting. He referred to the proposed conditions relating to a tree protection plan and landscaping respectively.

The Chair proposed the recommendation to approve the application to the committee, and Councillor Orme seconded the proposal. It was resolved to approve the application and grant full planning consent 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 22.12.22 including the following plans/documents:
 - Location plan 6473-E00
 - Proposed site plan 6473 P01 REV B
 - Proposed ground floor site plan 6473 P02 REV B
 - Proposed floor plans 6473 P03 REV B
 - Proposed elevations 6473 P04 REV BThe 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. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of the building (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. 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.

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.

5. Prior to the commencement of development details of the location and appearance of cycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, prior to first occupation of any part of the approved development and thereafter maintained and retained.

Reason: In the interests of the appearance of the site and locality, in accordance with policy 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.

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 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, 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.

7. Prior to the commencement of development, a Tree Protection Plan for the retained tree(s) shall be submitted to and approved in writing by the Local Planning Authority. This shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing and details of any specialist demolition or construction methods if appropriate. The measures contained within the approved Tree Protection Plan with respect to those trees shown as being retained shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars. Reason: In order to protect trees from damage or loss in the interests of the amenity of the area 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. The details are required to be approved prior to commencement of development to ensure timely tree protection measures are in place.
8. No development above ground level shall be commenced until details of flood resistance and resilience measures have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. 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.

9. An electric vehicle recharging (EVCP) scheme to serve the parking provision shall be submitted to and approved in writing by the Local Planning Authority, unless it is demonstrated that such provision of EVCP is not practical in communal parking areas or due to other identified site constraints. No part of the development shall be first used until the electric vehicle recharging point scheme has been provided, and such electric vehicle recharging point scheme 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).
10. No external lighting shall be erected within the carparking areas hereby approved without the prior written consent 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 CDMP1 and CDMP3 of the Wyre Local Plan (2011-31).
11. The development hereby approved shall not be brought into use until the parking/turning area(s) shown on the approved plan [6473 P01 REV B] has been laid out, surfaced and drained. The parking / turning area(s) 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).
12. The ground and finished floor levels shall be constructed and completed in accordance with the approved details (plans 6473 P01 REV B and 6473 P04 REV B).
Reason: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31).
13. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) [PSA Design D3973-L-01a] and the following mitigation measures detailed within the FRA:
1. The FFL will be set at the same level as existing, 6.55mAOD.
The mitigation measures shall be fully implemented prior to first occupation of the development or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within 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.

14. 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 of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

PA.69 Application C - Fairfield House Snapewood Lane Cabus (22/01244/FUL)

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

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

The Planning Officer introduced the report. She highlighted that the property was located within the Countryside as identified in the Wyre Local Plan (2011-2031). The application was for the proposed change of use from residential dwelling (Use Class C3) to children's care home (Use Class C2) for the care of one child between the age of 8-18 and up to three carers in the daytime with two carers overnight.

Susan White spoke in objection to the application.

Louise Jackson, on behalf of Cabus Parish Council, spoke in objection to the application.

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

Councillors raised the following questions/concerns over:

- Shift patterns
- Traffic
- Services or facilities
- Paths and street lighting
- Private vehicles
- Safeguarding concerns for children
- Applications were from companies outside the area
- Not catering for young people on the Lancashire system
- Original plan was for more children

The Chair reminded the committee to focus on the proposed change of use from residential dwelling to children's care home.

The Head of Planning and Regeneration clarified that the highway authority had no objections. He also explained that the conditions proposed would limit the use to one child and that internal arrangements were not the subject of planning control. He highlighted that the committee should be concerned with the sustainability considerations between the lawful C3 existing use and the proposed C2 use, focusing on the difference.

He explained that there was a document in the application provided by the applicant with information about the individual child, the need for care and support, and why they wanted this location but emphasised that this was not a personal application.

Councillor Ballard proposed the recommendation to approve the application to the committee, and Councillor Moon seconded the proposal. It was resolved to approve the application and grant planning permission 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 06.12.2022 including the following plans/documents:
 - Site Location Plan (received 15.03.2023)
 - Site Layout Plan ref.ML/SW/6209 (received 15.03.2023)
 - Proposed Floor Plans (received 19.01.2023)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 premises shall be used for a children's residential home (C2 use) only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without prior express planning permission from the local planning authority.
Reason: The use of the premises for any other purpose would require further consideration by the Local Planning Authority in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

4. The number of children to be cared for at the premises shall be limited to a maximum of 1 at any one time.
Reason: To enable the Local Planning Authority to retain a measure of control over the development thereby safeguarding the amenities of the area including neighbouring properties in accordance with Policy CDMP3 of the adopted Wyre Local Plan 2011-31.

The meeting started at 2.00 pm and finished at 3.05 pm.

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