

Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 4 September 2024 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

Planning Committee members present:

Councillors Rendell, Lady D Atkins, Amos, Catterall, Fielding, Livesey, Raynor, Rimmer, Belshaw and Collinson

Absent- apologies received:

Councillor Swatton

Other councillors present:

Councillor Le Marinel

Officers present:

Angela Parkinson, Solicitor
George Ratcliffe, Democratic Services Officer
Karl Glover, Development Manager
Steve Smith, Assistant Director of Planning and Building Control
Emma Cross, Assistant Democratic Services Officer
Ethan Kinsey, Corporate Apprentice

6 members of the public attended the meeting.

PA.10 Declarations of interest

None.

PA.11 Confirmation of minutes

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

PA.12 Appeals

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

PA.13 Planning applications

PA.14 Application 1 - Spencers Good Food Fowler Hill Lane Cabus 24/00428/FUL

The application was brought before members for consideration at the request of Councillor Lady Atkins who cited concerns that the proposal was visually intrusive and inappropriate to the area.

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 a clarification of the proposal and amendment to the report. Paragraph 3.1 of the report incorrectly stated that the proposal was for the "permanent siting of a shipping container." An amended description for the proposal was agreed with the agent throughout the course of the application, and the proposal under consideration was for the "retention of a temporary shipping container for use as a rest stop café" and not for its permanent siting.

The Planning Development Manager introduced the report. The application was for the retention of a temporary shipping container for use as a rest stop café.

Cabus Parish Councillor Louise Jackson spoke against the application.

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

Councillor Rimmer asked for clarification regarding the limit to the amount of times a temporary site can be granted. The Assistant Director of Planning and Building Control confirmed that there was no statutory limit to temporary permissions.

Councillors raised concerns over:

- The generator
- The bins
- The toilets
- The metal structures outside the café
- The tables and chairs outside the café

Councillor Catterall proposed the recommendation to approve the application, 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 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 28th May 2024 including the following plans/documents:

- Site Location Plan, Drg. No SP/KB/4218.
- Existing and Proposed Site Plan, Drg.No SP/KB/4219.
- Existing and Proposed Plans and Elevations, Drg.No. SP/KB/4220

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. The development shall be carried out strictly using those materials specified on the approved plan ref.SP/KB/4220 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).

3. The use hereby permitted shall not operate outside the hours of 07:00 to 22:00, Monday to Sunday inclusive.

Reason: In the interests of the amenity of the surrounding area in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

4. Prior to first use or occupation of the development hereby approved, details of the appearance, technical specification and siting of any external ventilation ducting and/or plant shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details and the ducting/plant 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.

Reason: To ensure any necessary plant is appropriate in design and siting, in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

5. The external bins shall be emptied each day the café has been open to the public and waste removed from the site.

Reason: To minimise the risk of pollution that may cause harm to the amenity of the surrounding countryside in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

6. No tables and seating shall be provided externally unless details of any proposed tables and seating areas are first submitted to and agreed in writing

by the Local Planning Authority.

Reason: To ensure there is no reduction in the public parking area and in the interest of pedestrian safety.

7. The premises shall be used for cafe and restaurant use (Use Class E(b)) only and for no other purpose.

Reason: The use of the premises for any other purpose would require further consideration by the Local Planning Authority in accordance with Policies SP2 and SP4 of the Wyre Local Plan (2011-31).

8. The shipping container and associated structures shown on the approved plans (portable toilet, external bins, water butt) and any supporting structure(s) on which the container is sited shall be removed, and the land restored to its former condition, on or before 4th September 2029, unless a new planning permission for the development is granted prior to that date.

Reason: The development is such that it would not be permitted as permanent development having regard to Policy SP4, CDMP1 and CDMP3 of the adopted Wyre Borough Local Plan.

9. In the event that the cafe and restaurant use shall cease operating within the permitted five year time period, the shipping container and associated structures shown on the approved plans (portable toilet, external bins, water butt) and any supporting structure(s) on which the container is sited shall be removed from the site, and the land restored to its former condition, not later than 6 months following cessation of the use, unless it is re-occupied by a new operator prior to the expiry of the 6 month period.

Reason: The development is such that it would not be permitted as development with no active use associated with it having regard to Policy SP4 and CDMP3 of the adopted Wyre Borough Local Plan.

PA.15 Application 2 - Spencers Good Food Fowler Hill Lane Cabus 24/00429/ADV

The application was brought before members for consideration at the request of Councillor Lady Atkins, who cited concerns that the advertisement was inappropriate and intrusive to the area.

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 consent for double sided roof mounted signage.

Cabus Parish Councillor Louise Jackson spoke against the application.

Councillor Amos asked a question of the speaker.

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

Councillor Collinson asked the Assistant Director of Planning and Building Control a clarification question regarding the height of the advertisement and scope for changing this. The Assistant Director of Planning and Building Control advised that the proposed measurements within the application were those upon which the application must be determined.

Councillor Lady Atkins asked the Assistant Director of Planning and Building Control questions of clarification regarding the process of advertisements being displayed should the application be granted. The Assistant Director of Planning and Building Control advised that the applicant would need to contact the land owner to secure permission prior to displaying the advertisement.

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

Conditions/: -

1. 1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 2) No advertisement shall be sited or displayed so as to:-
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- 3) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- 4) Any structure of hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

5) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: Imposed by Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. The signage hereby approved shall be removed from the site no later than 04.09.2029 unless a further express consent for the display of such an advertisement is obtained from the Local Planning Authority.

Reason: The Council wishes to control the display of advertisements in this instance in the interests of preserving the appearance and character of the area in accordance with the provisions of Policy CDMP3 of the Adopted Wyre Borough Local Plan.

3. The advertisement(s) shall be displayed, except where modified by the conditions to this consent, in accordance with the Application for Advertisement Consent received by the Local Planning Authority on 28.05.2024 including the following plans/documents:

- Site Location Plan: plan reference SP/KB/4218
- Site Plan: plan reference SP/KB/4219
- Existing and Proposed Plans and Elevations: plan reference SP/KB/4220

The advertisement(s) 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.

The meeting started at 2.00 pm and finished at 2.30 pm.

Date of Publication: 9 September 2024