



Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 7 March 2018 at the Council Chamber, Civic Centre, Poulton-le-Fylde.

Planning Committee members present:

Councillors Rita Amos, Ian Amos, Lady Dulcie M Atkins, Howard Ballard, Emma Ellison, Ron Greenhough, Graham Holden, Terry Lees, Paul Moon, Phil Orme and Evelyn Stephenson

Apologies:

Councillor(s) Tom Ingham, Cheryl Raynor and Ron Shewan

Officers present:

David Thow, Head of Planning Services
L Embery, Senior Planning Officer
Carmel White, Solicitor
Carole Leary, Democratic Services Officer

Non-Committee Members and Officers present: Councillors B Birch and Bridge and County Councillor Clempson for Item 01.

4 Members of the Public were present at the start of the meeting.

The press were not present.

PA.45 Declarations of Interest

None.

PA.46 Confirmation of Minutes

The minutes of the Planning Committee meeting held on Wednesday 7 February, 2018 were confirmed as a correct record.

PA.47 Appeals

The Head of Planning Services submitted a report on appeals lodged and decided between 15 January 2018 and 15 February 2018.

Resolved

That the position regarding the appeals, as set out on pages 1 – 9 of the report be read and noted and that any Member requiring any further details or clarification on any Appeal, should contact the relevant Case Officer.

PA.48 Planning Applications

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

17/01154/FULMAJ – Land off Hardhorn Road, Poulton-le-Fylde, Lancashire, FY6 8DH

17/00177/FULMAJ – Former LCC Depot, Green Lane West, Garstang, Lancashire

17/00210/FUL – Former District Council Depot, Green Lane West, Garstang, Lancashire

The Head of Planning Services also submitted 'update sheets' on all the above Items (01, 02 & 03) of the agenda, referring to additional information to the reports since the agenda had been published.

PA.49 a) Applications Deferred

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

17/00177/FULMAJ

Garstang Truck Bodies. Erection of eight new B2 units (following demolition of existing units). Former LCC Depot, Green Lane West, Garstang, Lancashire.

The application was before the Committee for consideration at the request of Councillor Lady Atkins. Members had the benefit of a site visit before the public meeting, as it was considered that the nature of the site and surroundings could not be adequately conveyed through photographs alone.

The application was **Deferred without debate** to enable re-consideration of the proposal by Environmental Health officers.

17/00210/FUL

Messrs Pugh. Erection of two industrial units (B2 Use). Former District Council Depot, Green Lane West, Garstang, Lancashire.

The application was before the Committee for consideration at the request of Councillor Lady Atkins. Members had the benefit of a site visit before the public meeting, as it was considered that the nature of the site and surroundings could not be adequately conveyed through photographs alone.

The application was **Deferred without debate** to enable re-consideration of the proposal by Environmental Health officers, including a re-consideration of the internal layout of the meat processing unit.

PA.50 b) Applications Approved

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

17/01154/FULMAJ

Wainhomes (North West) Ltd. Residential development comprising the erection of 30 dwellings with associated works including access and landscaping (resubmission 16/00981/FULMAJ). Land Off Hardhorn Road, Poulton-le-Fylde, Lancashire, FY6 8DH.

This application was before the Planning Committee at the request of Councillor's Berry, B Birch and Bridge. This application was a re-submission of application 16/00981/FULMAJ which originally sought planning permission for a residential development comprising of the erection of 38 dwellings with associated works including access and landscaping'. This was later amended to a 'Residential development, comprising of the erection of 30 dwellings with associated works including access and landscaping'. The application had been refused in August 2017. An appeal is now lodged, which is presently due to be heard via a public inquiry in June 2018.

Councillor Bridge, a Ward Councillor for Hardhorn with Highcross and Poulton-le-Fylde's County Councillor, Alf Clempson spoke to the committee, objecting to the application.

The Committee resolved to approve the application subject to the Secretary of State determining that the decision may be made by the Local Planning Authority, and subject to the conditions and reasons set out below, and a S106 legal agreement to secure appropriate financial contributions towards local education, and off site highway works, and the provision of Affordable Housing on site. The Head of Planning Services was authorised to issue the decision on the satisfactory completion of the s106 agreement.

Conditions and Reasons: -

1. The development must be begun before the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of

the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 18/12/2017 including the following plans/documents:

sa 440801 (Site Location Plan)
0001 Rev M (Proposed Site Layout)
SS02 (Site Sections)

3.217/P(EG)/BU/L10/300 Rev # (Baird House Type)
5.335/P1/L10/300 Rev # (Beaufort House Type Floor Plans)
5.335/P2/L10/300 Rev # (Beaufort House Type Elevations)
2.213/P/B/L10/300 Rev # (Bell House Type)
5.340/P/B/L10/300 Rev C (Cavendish House Type)
4.343/P/B/L10/300 Rev # (Eton House Type)
4.309/P/B/L10/300 Rev B (Oxford House Type)
5.236/P/B/L10/300 Rev A (Richmond House Type Floor Plans)
5.236/P/B/L10/300 Rev B (Richmond House Type Elevations)
4.344/P/B/L10 300 Rev # (Whitemoor House Type)
DGL/3.0/1/B Rev # (Double Garage Pyramid Roof Elevations and Plan)
PGL/2.0/2/B Rev # (Single Garage Working Drawings)

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. Building work shall not commence on any building until details of the materials to be used in the construction of the external surfaces of that 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 SP14 of the Adopted Wyre Borough Local Plan (July 1999). The details are required prior to the commencement of the development because they were not submitted with the application.

4. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:
 - a) Confirmed discharge rates and volumes (both pre and post development), temporary storage facilities, 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) The drainage strategy should demonstrate that the surface water runoff must not exceed the pre-development Greenfield runoff rate 5l/s. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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.

h) Construction [and Operation] of Pond/Attenuation Basin prior to main construction phase.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: This information is required prior to commencement to ensure that the proposed development can be adequately drained, that there is no flood risk on or off the site resulting from the proposed development, and that water quality is not detrimentally impacted by the development proposal in accordance with the National Planning Policy Framework.

5. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reasons: This information is required prior to commencement to ensure that the drainage for the proposed development can be adequately maintained, and that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system in accordance with the National Planning Policy Framework.

6. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:
 - a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company

- b) Arrangements concerning appropriate funding mechanisms for its on-going 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 plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: This information is required prior to commencement 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.

- 7. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. HYD045_HARDHORN. ROAD_FRA&SDA, Dated 5 April 2017 which was prepared by Betts Hydro. No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with the National Planning Policy Framework.

- 8. 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 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 secure the protection/maintenance of biodiversity in accordance with the National Planning Policy Framework.

9. No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In order to ensure that nesting birds are not unacceptably affected, in accordance with the National Planning Policy Framework.

10. Prior to occupation, a "lighting design strategy for biodiversity" for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

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

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

Reason: To secure the protection/maintenance of biodiversity in accordance with the National Planning Policy Framework.

11. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted in writing and approved by the Local Planning Authority and shall include the following:-

- (a) dust and dirt mitigation measures during the 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 construction period and control of noise at night from plant
- (b) such as generators; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (c) Hours and days of construction work for the development, expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturdays with no work on Sundays and Bank 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 construction period
- (f) arrangements during the 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 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 construction work
- (k) measures to protect watercourses against spillage incidents and pollution

The construction of the development shall be carried out in accordance with the approved CEMP.

Reason: This information is required prior to commencement as such details were not submitted with the application and need to be in place throughout the 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 SP14 of the Adopted Wyre Borough Local Plan (July 1999).

12. Prior to first occupation of the residential use of the development hereby approved, the scheme of noise insulation and mitigation measures set out in the supporting Noise Assessment submitted with the application by M A Kenyon of Martec Environmental Consultants Ltd, dated 22nd December 2016 as revised on the 29th January 2016 Ref: 20160129 7594 Hardhorn 8233-3, shall be implemented. The approved noise insulation measures shall thereafter be retained.

Reason: To ensure provision of adequate on site mitigation to safeguard living conditions for future residents.

13. The development hereby approved shall be implemented and retained in full accordance with the biodiversity enhancement measures set out in sections 5.3.10-5.3.11 (bats), 5.4.4-5.4.8 (birds) and 5.6 (landscape

planting) of the Ecological Survey and Assessment (ERAP Ltd ref: 2015_294) dated June 2016 submitted with the planning application 17/01154/FULMAJ.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 and section 11 of the National Planning Policy Framework (March 2012).

14. Notwithstanding the submitted plans, 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 5 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 11 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 in the interests of the visual amenity of the area in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). [DELETE FROM ABOVE AS APPROPRIATE]

15. No development approved by this permission shall be commenced until details of the proposed ground, slab and finished floor levels have been 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, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding in accordance with Policies SP14 and ENV15 of the Adopted Wyre Borough Local Plan (July 1999). 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.

16. Public open space shall be provided on site in accordance with drawing 0001 Rev M as two parcels of 0.083 hectares and 0.040 hectares respectively to achieve the total requirement of 0.12 hectares of public open space in accordance with the requirements of saved Policy H13 of the Adopted Wyre Borough Local Plan, or any subsequent replacement Local Plan policy for the provision of public open space, and shall be provided and available for use, and shall thereafter be retained and maintained for use by the public.

Prior to the first occupation of the development or any phase of the development whichever is the sooner for its permitted use, an Open Space Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all areas of open space, other than privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall be implemented in accordance with the approved details during the lifetime of the development.

Reason: To ensure the long term management and maintenance of open space within the site in the interests of visual amenity and the health and wellbeing of occupants in accordance with Policies SP14 and ENV7 of the Adopted Wyre Borough Local Plan (July 1999).

17. Prior to the commencement of development, including any tree works, an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan for retained trees, particularly to the south of the development, 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 Arboricultural Impact Assessment, Method Statement and 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 saved policies SP14 and ENV7 of the Adopted Wyre Borough Local Plan (July 1999). The details are required to be approved prior to commencement of development to ensure timely tree protection measures are in place.

18. Prior to the commencement of development a desk study to investigate and produce an assessment of the risk of the potential for on-site contamination shall be undertaken and submitted to and approved in writing by the Local Planning Authority. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to the development of the site. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive end use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

19. 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: The development is within 250m of a closed landfill site. Works are therefore required in the interests of public safety and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

The meeting started at 2.00 pm and finished at 2.37 pm.

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