



Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 4 September 2019 at the Council Chamber, Civic Centre, Poulton-le-Fylde.

Planning Committee members present:

Councillors Moon, Ballard, I Amos, R Amos, Catterall, Holden, Ingham, Le Marinel, Orme, Raynor, Stirzaker, D Walmsley and Williams.

Apologies for absence:

Councillor Lady D Atkins.

Other councillors present:

Councillor Robinson, County Councillor John Shedwick and Stalmine Parish Councillor Andrew Haydock.

Officers present:

Lyndsey Hayes, Planning Development Manager
Karl Glover, Senior Planning Officer
Carmel White, Solicitor
Duncan Jowitt, Democratic Services and Member Training Officer
Emma Keany, Governance Trainee

5 members of the public or press attended the meeting.

PA.15 Declarations of Interest

Councillor Orme declared an Other Significant Interest on Item 02 - 19/00253/OUTMAJ – Outline application for up to 10 new residential dwellings with access applied for off Cart Gate (all other matters reserved) (resubmission of 17/00933/OUTMAJ) - in that he is a Councillor of Preesall of 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

PA.16 Confirmation of Minutes

The minutes of the Planning Committee meeting held on Wednesday 7 August 2019 were confirmed as a correct record.

PA.17 Appeals

The Head of Planning Services submitted a report on appeals lodged and decided between 15 July 2019 and 15 August 2019.

Resolved

That the position regarding the appeals, as set out on pages 1 – 6 of the agenda, be noted and that any Member requiring any further details or clarification on any appeal, should contact the relevant Case Officer.

PA.18 Planning Applications

The Head of Planning Services submitted two applications and reports to be considered.

Item 1, Application Number: 18/00899/OUTMAJ

Land East Of Carr End Lane, Stalmine, Poulton-le-Fylde, Lancashire
Outline application for the erection of up to 65 dwellings with new access applied for off Carr End Lane (all other matters reserved) (resubmission of 18/00075/OUTMAJ)

An update sheet with additional information was published on the council's website and made available at the meeting, this information only having become available after the original agenda was published.

Item 2, Application Number: 19/00253/OUTMAJ

Springfield Cottage Farm, Cart Gate, Preesall, Poulton-le-Fylde, Lancashire, FY6 0NP

Outline application for up to 10 new residential dwellings with access applied for off Cart Gate (all other matters reserved) (resubmission of 17/00933/OUTMAJ)

Item 1) Application Deferred

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

Application Number: 18/00899/OUTMAJ

Land East Of Carr End Lane, Stalmine, Poulton-le-Fylde, Lancashire

Outline application for the erection of up to 65 dwellings with new access applied for off Carr End Lane (all other matters reserved) (resubmission of 18/00075/OUTMAJ)

The application was before members at the request of Councillor Julie Robinson. In addition, the development of this site formed part of an allocated site in the Wyre Local Plan and was of strategic importance.

A site visit took place to enable Members to understand the proposal and its setting beyond the plans submitted and because of the nature of the area, it

could not have been adequately conveyed through photographs.

The committee considered the update sheet, which contained additional information.

Andrew Haydock (Stalmine Parish Councillor), Julie Robinson (Wyre Councillor for Hambleton and Stalmine Ward) and John Shedwick (Lancashire County Councillor for Thornton and Hambleton Division) commented and stated objections to the application.

Chris Betteridge, Agent of the applicant (Wainhomes North West), spoke in favour of the application.

The committee considered the application, but felt there was insufficient information regarding the drainage of the site.

The application was DEFERRED in order for additional drainage information, including whether the development was intended to drain to the existing ditch to the front of the site' to be provided so that the Committee could consider the application with clearer information on this issue.

Item 2) Application Approved

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

Application Number: 19/00253/OUTMAJ

Springfield Cottage Farm, Cart Gate, Preesall, Poulton-le-Fylde, Lancashire, FY6 0NP

Outline application for up to 10 new residential dwellings with access applied for off Cart Gate (all other matters reserved) (resubmission of 17/00933/OUTMAJ)

The application was before Members at the request of Councillor Phil Orme. Members also considered the original application at this site in April 2018.

A site visit took place to enable Members to understand the proposal and its setting beyond the plans submitted and the photos taken by the Case Officer.

Lee Fenton, a representative of the Applicants (Mr and Mrs Halliwell) spoke in favour of the application.

The application was **APPROVED** as per the recommendation.

Conditions: -

- 1) In the case of any reserved matter, namely appearance, landscaping, layout and scale of the buildings, application for approval must be made before the expiration of three years beginning with the date of this permission; and that the development hereby permitted shall be begun not later than:

- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed pursuant to Section 92 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 12/4/2019 including the following plans/documents:
 - Proposed Site Plan Drawing Number LF/AH/3401a Rev A (Illustrative layout is not approved)
 - Location Plan 1:1250
 - Revised Topographical Plan Ref 051/200/03 Rev B
 - Detailed Access Plan ref A103206-P001 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.

- 3) Prior to the submission of the first reserved matters application(s) relating to layout, or simultaneously with that first reserved matters application, 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 the National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national guidance / standards.

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.

Each reserved matter relating to layout should demonstrate compliance with the agreed drainage scheme

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 runoff to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework. The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application, to ensure a suitable form of drainage is provided in that specific area taking into consideration land conditions and proximity to existing services and to ensure that any proposed raising of levels can be assessed and that a coherent approach is taken with regard to the design of drainage and housing layout.

- 4) 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 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 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 National Planning Policy Framework.

- 5) 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 before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Policy 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) Prior to the commencement of development a scheme for the construction of the site access and the off-site works of highway improvement [namely, site access works, 2m wide footpath to the full frontage of the site, relocation of 20/30mph speed order following investigation works undertaken by the developer and closure of the existing western site access, 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.

- 8) 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 and insufficient information has been submitted with the application as to the potential contamination risks of the site. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

- 9) 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 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.

10) 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 in communal parking areas or due to other 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).

11) 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 .

12) As part of the submission of any application for Reserved Matters relating to layout, no part of the dwelling(s) footprint shall be within the site's flood zone 2 and 3 designation as shown on the illustrative layout plan.

Reason: To ensure that the development satisfies the National Planning Policy Framework and Policy CDMP2 of the Wyre Local Plan (2011-31) by directing development away from areas at risk of flooding and in order to satisfy the Sequential Test and Exceptions Test requirement.

13) Before the access is first used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be surfaced in tarmacadam, concrete, block pavements, or other permanent hard surfaced material.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users and in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

14) The visibility splays (on private drives to Cart Gate) identified as that land in front of a line drawn from a point 2m measured along the centre line of the

proposed accesses from the continuation of the nearer edge of the carriageway of Cart Gate to a point measured 43m in each direction along the nearer edge of the carriageway of Cart Gate from the centre line of the proposed access shall be provided prior to first occupation of the development and shall not at any time thereafter be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

Reason: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

The meeting started at 14:00 and finished at 15:26.

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