



## Planning Committee Minutes

Minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday 4 June 2014 at the Thornton Little Theatre, Fleetwood Road North, Thornton Cleveleys.

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### Planning Committee members present:

Councillor Lady Atkins	Councillor Lees
Councillor Bannister	Councillor Moon
Councillor Catterall	Councillor Rogers
Councillor Greenhough	Councillor E Stephenson
Councillor Henderson	Councillor Williams
Councillor Lawrenson	

**Apologies:** E. Anderton, Birch and Newsham.

### Officers present:

D Thow, Head of Planning Services  
L Harper, Development Manager  
R Clewes, Assistant Planning Officer  
S Harrison, Solicitor  
C Leary, Democratic Services Officer

**Non-committee members present:** Councillor's Balmain, MacNaughton, McCann, Swift and Turner.

**54 Members of the Public and one Member of the Press were present at the start of the meeting.**

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### PA. 01 Election of Chairman

Councillor Henderson was elected as Chairman of the Committee for the Municipal Year 2014/15.

### PA. 02 Election of Vice Chairman

Councillor Greenhough was elected as Vice-Chairman of the Committee for the Municipal Year 2014/15.

### **PA. 03 Declarations of interest**

Councillor Lawrenson declared an 'other significant interest' on Item 5 – (Outline application for the erection of a detached dwelling with a garage – 245 Fleetwood Road South, Thornton Cleveleys, Lancashire, FY5 5EA – 14/00283/OUT) – as having already made his views known on previous similar applications, he could be seen as having pre-determined his views on this particular application. Councillor Lawrenson left the room and took no part whatsoever in the decision.

### **PA. 04 Confirmation of minutes**

The minutes of the Planning Committee meeting held on Wednesday 7 May, 2014 were confirmed as a correct record.

### **PA. 05 Appeals lodged and decided**

The Head of Planning Services submitted a report on appeals lodged and decided between 15 April 2014 and 15 May 2014.

#### **Resolved**

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

### **PA. 06 Planning Applications**

The Head of Planning Services submitted a schedule of applications to be considered and reports on each of the applications listed.

The Head of Planning Services also submitted 'update sheets' referring to additional information received, since the agenda had been published, on the following applications:

- 14/00016/LMAJ – Land West of Butts Road, (Formally Poolfoot Farm), Thornton Cleveleys, Lancashire, FY5 4HX through to FY5 4NL
- 13/00607/OUTMAJ – Land North of Catterall Gates Lane, Catterall, PR3 1YH
- 13/00801/FUL – Collinson Plc, Tanyard Road, Catterall Gates Lane, Catterall, PR3 0HP
- 13/00700/FULMAJ – Land At Baylton Drive, Catterall, Preston, PR3 0EA

### **PA. 07 a) Applications Approved**

**RESOLVED** that the undermentioned applications be **Approved** under the provisions of the Town and Country Planning Act 1990, for the reasons set out:

## **14/00016/LMAJ**

Mr Steve Curwood & Mr Ian Honeybill. New community complex and training ground for Fleetwood Town Football Club comprising 15 grass sports pitches, 1 3G pitch with flood lighting, protective netting, vehicular accesses off Butts Road, Ormerod Street and Gamble Road, erection of clubhouse, changing room building, groundsman compound, car parking facilities, 23 allotments, attenuation pond and associated fencing and landscaping. Land West Of Butts Road (Formerly Poolfoot Farm) Thornton Cleveleys Lancashire, FY5 4HX to FY5 4NL.

The application was before members at the request of County Councillor Kay and Councillor Martin. A site visit was undertaken to see the scale of the application site and for members to better appreciate the context of the development within the wider surroundings.

Four members of the public spoke to the Committee objecting to the application.

Fifteen people, including the Applicant and Agent, Ward Councillor, County Councillor all spoke to the Committee in support of the application.

There were four members of the public who addressed the Committee stating that they were neither for/nor against the application.

The application was approved as recommended in the report of the Head of Planning Services, subject to conditions and the completion of a Section 106 agreement relating to AAP contributions. The Head of Planning Services be authorised to issue the Planning Permission upon the satisfactory completion of the Section 106 agreement.

### **Conditions:-**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the clubhouse, groundsman compound, fencing and netting within the curtilage of Fleetwood Town FC's area of the site hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.
3. 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.

Any changes to the agreed elements require the express consent of the Local Planning Authority."

4. All of the car parking areas shown on the approved plans shall be surfaced or paved in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plans, before the first use of the development hereby permitted becomes operative.
5. Before the use of the site hereby permitted is brought into operation, facilities shall be provided within the site by which means the wheels of construction and delivery vehicles may be cleaned before leaving the site.
6. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.
7. No part of the development hereby approved shall be occupied or first used until the approved scheme referred to in Condition 6 has been constructed and completed in accordance with the scheme details.
8. No part of the development hereby approved shall be brought into use until a Framework Travel Plan has been submitted and approved by the Local Planning Authority in consultation with the Highway Authority. The provisions of the Framework Travel Plan shall be implemented and operated in accordance with the timescale contained therein unless otherwise agreed in writing with the Local Planning Authority in consultation with the Highway Authority.
9. No part of the development hereby approved shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and the development approved shall be carried out in full accordance with the approved Construction Traffic Management Plan.
10. No part of the development shall be occupied or first brought into use until a Car Park Management Plan has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.
11. The natural turf pitches, artificial grass pitch and Fleetwood FC clubhouse hereby permitted shall not be constructed other than in accordance with the design and layout details set out in the planning application. Any variation to the design and layout details should be approved by the Local Planning Authority, after consultation with Sport England.

12. No part of the development shall be occupied or brought into use until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to natural and artificial turf pitches, and changing accommodation and include details of pricing policy, hours of use, user matrix for the pitches, access by non-football club members, management responsibilities and a mechanism for review. The development shall not be used at any time other than in strict compliance with the approved agreement.
13. Before the natural and artificial pitches and changing accommodation is brought into use, a Management and Maintenance Scheme for the sports hub including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The scheme should include measures to ensure the replacement of the Artificial Grass Pitch surface within 10 years of first use. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the sports hub.
14. No development shall take place until full details of both hard and soft landscape works has been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved. These details shall include hard surfacing materials; minor artefacts and structures (e.g furniture, play equipment, refuse or other storage units, lighting etc.); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme. This should also include the introduction of soft landscaping to the northern boundary of the application site (adjacent to Gamble Road, including the car park area).
15. Prior to the first use of the football pitches hereby approved, full details, including the location, of the protective netting and acoustic barrier fencing as shown on the proposed site plan shall be submitted to and agreed in writing by the Local Planning Authority and shall be erected prior to the first use of the football pitches to which they relate in full accordance with the details approved, and they shall thereafter be retained and maintained.
16. Prior to commencement of any development on site, full details of all hard surface treatments within the site, including (but not exhaustive) the groundsman compound, footpaths and areas around the community sports building, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details prior to the first operation of the community sports building.
17. The development shall be carried out in accordance with the submitted

drainage strategy drawings DE103775-P006, DE103775-P007, DE103775-P008, 2753 101 P2 ND 2753 102 P1 and the "Flood Risk and Surface Water Drainage Assessment" (Ref: 2753 Rev A; dated October 2013) prepared by Integra Consulting Environmental Ltd unless otherwise agreed in writing with the Local Planning Authority.

18. Prior to the commencement of works on site, a construction environment management plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority and the approved CEMP implemented in full. The CEMP shall include full details of measures that will be implemented for the protection of features of biodiversity value, including but not limited to: retained trees and hedgerows, ponds, together with measures that will be implemented for the avoidance of impacts on protected and priority species including but not limited to bats, nesting birds, common toads and hedgehogs.
19. No development shall take place until a method statement detailing how the proposed development will be carried out without damaging the hedgerows and woodland within the site which are to be retained has been submitted to and approved in writing by the Local Planning Authority. This method statement should include details of a ground protection system to be used during construction to protect roots, HERAS fencing to be placed around the dripline of the canopies so that it can be used as an exclusion zone to protect the trees and hedgerow. The development shall thereafter be carried out in accordance with the approved details.
20. Tree felling, vegetation clearance works, or other works that may affect nesting birds shall not be carried out between March and July inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections.
21. No development shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.
22. Prior to the commencement of development hereby permitted a detailed Landscape and Habitat Creation and Management Plan shall be submitted and approved in writing by the Local Planning Authority and subsequently implemented in full and maintained and retained thereafter. The details should include details of -
  - Incorporation of bat roosting and bird nesting opportunities that shall be incorporated into the design of the development (i.e. into new buildings)
  - Additional native tree planting (particularly around site boundaries)
  - Use of appropriate trees and shrubs of local provenance in any planting schemes
  - Pond creation (in the north west corner of the site)
  - Bolstering of existing hedgerows
  - Additional hedgerow creation

23. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority and shall thereafter be retained and maintained. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees of similar size and species to those originally required to be planted.
24. Prior to first use of the clubhouse, a noise assessment shall be carried out in accordance with the methodology contained within BS 4142:1997 Rating Industrial Noise Affecting Mixed Residential and Industrial Areas. The rating level to be achieved shall not exceed 10dB(A) below the existing LA90 (background noise level) at noise sensitive premises. Additionally, prior to first use of the clubhouse, a suitable scheme of noise attenuation shall be agreed with the Planning Authority, and all identified works implemented, to ensure that the clubhouse meets this requirement.
25. The maximum noise levels (LA<sub>max</sub>) from the clubhouse hereby approved shall be controlled to no greater than the lowest measured background noise level (LA90) in each octave band centre frequency at noise sensitive premises.
26. The pitches shall be designed, and noise mitigation measures provided, so that the cumulative noise within daytime rooms of noise sensitive premises does not exceed 35dB LA<sub>eq</sub> (16 hr) from 07.00 to 23.00, and within bedrooms it does not exceed 30 dB LA<sub>eq</sub> (8 hr), or 45dB LA<sub>fmax</sub> from 23.00 to 7.00 and to all outdoor living areas of noise sensitive premises 50dB LA<sub>eq,t</sub> from 07.00 to 23.00, and 65dB LA<sub>fmax</sub>.
27. None of the pitches shall be used, nor shall the floodlights be on, between 22.00hrs on any day and 08.00hrs the following day.
28. Prior to the commencement of development hereby permitted, full details of all lighting proposed, including measures to ensure that the occupiers of sensitive premises are not adversely affected by artificial lighting, e.g. to the pitches, footpaths and car parking areas and to demonstrate avoidance of light pollution/artificial illumination of wildlife habitat, including (but not limited to) woodland edge and hedgerows, shall be submitted to and approved in writing by the Local Planning Authority. Lighting must be correctly positioned to illuminate only the surface intended and not throw light onto sensitive premises. The development shall be carried out in full accordance with the approved details.

**The Reasons for the above Conditions are:-**

1. 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. To ensure that the materials have a satisfactory appearance and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
3. The development is for a sensitive land 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).
4. To allow for the effective use of the parking areas.
5. To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.
6. In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.
7. In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.
8. To ensure that the development provides sustainable transport options.
9. In order that construction traffic accesses the development site in a safe and appropriate manner.
10. In order that parking from the development is contained within the development site and not displaced onto the highway network to the detriment of highway safety and amenity.
11. To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy TRE8 and paragraph 74 of NPPF.
12. To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy TRE8 and paragraph 74 of NPPF.
13. To ensure that a new facilities are capable of being managed and maintained to deliver facilities which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with Development Plan Policy TRE8 and paragraph 74 of NPPF.
14. To ensure that the development presents a satisfactory appearance in the street picture and in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
15. To safeguard the amenity of nearby residents and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999)



16. In the interests of visual amenity and to comply with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
17. To ensure a satisfactory means of drainage.
18. In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.
19. To safeguard the amenity of the area and in the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981, National Planning Policy Framework in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999)
20. In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.
21. To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.
22. In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.
23. To ensure that the development presents a satisfactory appearance in the street picture and in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
24. To safeguard the amenity of nearby residents and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
25. To safeguard the amenity of nearby residents and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
26. To safeguard the amenity of nearby residents and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
27. To safeguard the amenity of nearby residents and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
28. To safeguard the amenity of nearby residents and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and in the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

**Additional Note added:**

Notwithstanding the plans submitted and for the avoidance of doubt the floodlighting approved as part of this development only includes that to the 3G pitch central to the site. Any further floodlighting will require a separate planning permission.

**14/00125/FUL**

Mr J Higginson. Erection of six dwellings. Land to the Rear of 33 Bonds Lane, Barnacre With Bonds, Preston, Lancashire, PR3 1ZB.

The application was before Planning Committee at the request of Councillor Williams. This item was deferred from the last planning meeting so a site visit could be undertaken, so the proposal could be better understood rather than by just using plans and photographs.

The application was approved as was recommended in the report of the Head of Planning Services, subject to conditions as follows:

**Conditions:-**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.
3. No development shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. 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 agreed 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 scheme implemented to the satisfaction of the Local Planning Authority prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.
4. Before commencement of the development hereby permitted, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.
5. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement (namely the widening of the footpath on Bonds Lane as shown on

the approved plan) has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority.

6. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 5 has been constructed and completed in accordance with the scheme details.
7. Prior to the first occupation of the development, parking shall be provided as shown on the approved site plan (GA1887-P2-PSP REV C) and thereafter retained.
8. A scheme for cycle parking shall be submitted to and approved by the Local Planning Authority and implemented in accordance with the approved scheme, before the use of the premises hereby permitted becomes operative and retained thereafter.
9. No development shall be commenced until a scheme for the disposal of foul sewage and surface water drainage has been submitted to, and approved in writing by, the Local Planning Authority. None of the dwellings shall be occupied until works for the disposal of sewage and surface water drainage have been provided on the site to serve the development in accordance with the approved scheme.
10. The first-floor side windows in the side elevations of the dwellings on the approved plan shall, prior to the first use of the room(s) to which it relates, be glazed with obscure glass of a type that shall be agreed in writing with the Local Planning Authority. The glazing shall thereafter be retained as such in the window or in any subsequent repaired or replacement window.
11. No development shall take place until full details of both hard and soft landscape works has been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved. These details shall include hard surfacing materials; minor artefacts and structures (e.g furniture, play equipment, refuse or other storage units, lighting etc.); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme.
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), the dwellings shall not be altered or extended, nor shall any building, structure or enclosure (other than those approved as part of this planning application or conditions associated with this planning permission) be erected within the curtilage of the dwelling(s) without the prior planning permission of the Local Planning Authority.
13. The development hereby approved shall be implemented in full accordance with

the Bat Survey and Ecological Appraisal submitted with the planning application including the mitigation measures set out in section 9 of the Bat Survey dated 19 January 2014 and section 6 of the Ecological Appraisal dated 20 January 2014.

14. Prior to commencement of the development hereby permitted, details of the boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and retained thereafter.
15. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority and shall thereafter be retained and maintained. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees of similar size and species to those originally required to be planted.
16. 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 14 February 2014, including the following plans: GA1887-P2-PSP REV E, GA1887-P2-01 and GA1887-P2-LP.
17. None of the dwellings to which this permission relates shall be occupied until a plan for a refuse storage area has been submitted to and agreed by the Local Planning Authority and that approved plan has been implemented in full and retained thereafter.

**The Reasons for the above Conditions are:-**

1. 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. To ensure that the materials have a satisfactory appearance and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
3. The development is for a sensitive land 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).
4. To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users to protect highway safety in accordance with Policy SP14 of the Adopted Local Plan.
5. In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site in order to protect highway safety in accordance with Policy

SP14 of the Adopted Wyre Local Plan.

6. In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works to protect highway safety in accordance with Policy SP14 of the Adopted Wyre Local Plan.
7. To protect highway safety in accordance with Policy SP14 of the Adopted Local Plan.
8. To meet with sustainable travel objectives in accordance with NPPF.
9. 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 NPPF.
10. To safeguard the privacy of adjoining residents and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
11. To ensure that the development presents a satisfactory appearance in the street picture and in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
12. To ensure high quality design and protect the visual amenity of the area, in accordance with NPPF and Policy SP14 of the Adopted Wyre Local Plan.
13. To protect biodiversity in accordance with NPPF.
14. To ensure high quality design and protect the visual amenity of the area, in accordance with NPPF and Policy SP14 of the Adopted Wyre Local Plan.
15. To ensure that the development presents a satisfactory appearance in the street picture and in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
16. For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.
17. To ensure that adequate refuse storage is provided in an area accessible for the waste collection service to serve the development in the interests of amenity and in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

**Attention is drawn to the following Notes :-**

1. All site investigations and assessments shall be carried out by appropriately qualified personnel, in accordance with British Standard 10175:2001 "Investigation of Potentially Contaminated Sites - Code of Practice".
2. All site investigations and assessments shall be in accordance with current

Government and Environment Agency Guidance, and shall identify the type, nature and extent of any contamination present, the risk to receptor's and the potential for migration within and beyond the site boundary.

3. Any laboratory used for the purposes of sample analysis shall be registered to the ISO17025:2000 quality standard.
4. A sampling analysis programme shall verify the adequacy of any decontamination works.
5. The responsibility for the safe development and secure occupancy rests with the developer. The Local Planning Authority may only determine the suitability of any scheme for investigation/remediation submitted, on the basis of the information submitted to it. Under no circumstances will the Local Planning Authority accept liability for inadequate remediation of the site.
6. The presence of any significant contamination, which becomes evident during the development of the site, shall be brought to the attention of the Local Planning Authority.
7. The development falls within 250 metres of an area of infilled ground (the nature of the fill is unknown). It is therefore recommended that precautionary measures should be taken in the form of a gas monitoring programme or provision of gas protection measures.
8. The grant of planning permission will require the applicant to enter into an appropriate legal agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with the proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should contact the Environment Directorate in the first instance to ascertain the details of such an agreement and the information to be provided.

### **13/00700/FULMAJ**

MCI Developments. Erection of sixteen Affordable Homes. Land at Baylton Drive, Catterall, Preston, Lancashire, PR3 0EA.

This application was considered at Planning Committee 08 January 2014. At that meeting, it was resolved that the Head of Planning Services be authorised to issue the Planning Permission upon satisfactory completion of the s106 agreement relating to the details of tenure of the affordable housing. To date, the requisite s106 agreement has not been completed.

The application was reconsidered as the applicant had requested an amendment to the format of the dwellings. The proposal was to replace a pair of 2 bedroomed properties with a pair of three bedroomed properties. All other matters remained as before.

The applicant also submitted details of the proposed materials, landscaping and, Phase I and Site Investigation Reports to assess for contamination at the site. This information being incorporated into the report.

One member of the public spoke to the Committee objecting to the application.

One member of the public spoke to the Committee supporting the application, but with concerns.

The application was approved as was recommended in the report of the Head of Planning Services, subject to conditions and subject to the completion of a Section 106 agreement relating to affordable housing, setting out details of tenure. The Head of Planning Services be authorized to issue the Planning Permission upon satisfactory completion of the Section 106 agreement.

**Conditions:-**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development shall be carried out using the materials specified in the email received on the 11 February 2014, namely the bricks Ibstock Morpeth Blend, Ibstock Hanson and the roof tile a Sandtoft Calderdale (dark Grey).
3. No development shall be commenced until:
  - (a) A methodology for remediation of the site has been submitted to and approved in writing by the Local Planning Authority.
  - (b) Remediation of the development site has been undertaken strictly in accordance with the agreed methodology, and a validation report has been submitted for approval in writing, confirming full implementation of the agreed remediation scheme.  
Any changes to the agreed scheme will require the consent of the Local Planning Authority.
4. The development shall incorporate suitable gas protection measures, details of which shall be submitted to and be subject to the written approval of 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 well-constructed ground slab, a low permeability gas membrane, minimum penetration (ideally none) of the ground slab by services, and passive ventilation to the underside of the building. 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. Any gas monitoring 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. Results

shall be submitted for approval in writing by the Local Planning Authority.

5. The development hereby approved shall be carried out in accordance with the foul and surface water drainage layout set out on drawing 902017/100 revision A prepared by Ironside Farrar dated September 2013 and received by Wyre Borough Council on the 28 October 2013. For the avoidance of doubt foul shall drain separately to surface water and no surface water will be permitted to discharge directly or indirectly into the foul waters or combined sewer network.
6. The new estate road/access between the site and Baylton Drive shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.
7. Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.
8. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds will be avoided between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections. If nesting birds are present, works must be delayed until nesting is complete (the young have fledged and left the nest, the nest has been abandoned).
9. Bat roosting and bird nesting opportunities shall be incorporated into the built fabric of the development.
10. The development shall be carried out in accordance with the submitted landscaping scheme, drawing no. 4663.01 as submitted on the 12 February 2014. The scheme shall be implemented in full and maintained thereafter and the hedgerows shall be managed to maximise value for biodiversity (i.e. tall, wide, dense structure; managed on rotation).
11. Cotoneaster shall be eradicated from the site and working methods shall be adopted to prevent the spread of this species.
12. The scheme of external lighting will be designed to avoid light spill onto retained or newly planted hedgerows and trees, and shall avoid illumination of adjacent land.
13. Boundary treatments shall be permeable to the passage of wildlife, i.e. garden boundaries should ideally comprise hedgerows on at least one side but, if fences are used, these shall not be flush to the ground or gaps (15cm) shall be left at strategic points to allow species such as hedgehogs and amphibians to move through the development.
14. All trees and hedgerows being retained in or adjacent to the application area will be adequately protected during construction, in accordance with



existing guidelines (e.g. BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations').

15. 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 9 August 2013, including the following plans: referenced Baylton Drive/Slab, Baylton Drive/SK09 rev C, Baylton Drive/BOUND rev A, Baylton Drive/GREEN rev A, Baylton Drive/3B5P, Baylton Drive/BIN, Baylton Drive/2B4P/02, Baylton Drive/BLOCK, Baylton Drive/2B4P/01, Baylton Drive/STREET rev A, Baylton Drive/SSL, drainage details on engineering layout drawing 902017/100 rev A, external works layout drawing 902017/101 and drawing no. MCI.TO.10.22.1.

**The Reasons for the above Conditions are:-**

1. 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. To ensure that the materials have a satisfactory appearance and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
3. The development is for a sensitive land 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).
4. The footprint of the proposed development is within the immediate vicinity of an area of infilled ground. The nature of the fill is unknown. 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).
5. To secure proper drainage and to reduce the risk of flooding in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
6. To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
7. To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.
8. For the avoidance of impacts on nesting birds and compliance with Wildlife and Countryside Act 1981 (as amended)
9. For the maintenance and enhancement of biodiversity, and in compliance with NPPF e.g. paragraphs 16, 118

10. For the maintenance of priority habitats and in compliance with NERC Act 2006, NPPF paragraphs 17, 109, 118 and Policy SP14 of the adopted Wyre Borough Local Plan (1999).
11. For the avoidance of spread of species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).
12. To prevent unnecessary light pollution in accordance with policy SP14 of the adopted Wyre Borough Local Plan (1999) and to comply with NPPF paragraph 125.
13. For the maintenance of habitat connectivity; compliance with NERC Act 2006, NPPF paragraph 109, 118.
14. To ensure compliance with the Wildlife and Countryside Act 1981, Schedule 5.
15. For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.

**Attention is drawn to the following Notes :-**

1. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Environment Directorate in the first instance to ascertain the details of such an agreement and the information to be provided.
2. All site investigations and assessments shall be carried out by appropriately qualified personnel, in accordance with British Standard 10175:2001 "Investigation of Potentially Contaminated Sites - Code of Practice".
3. All site investigations and assessments shall be in accordance with current Government and Environment Agency Guidance, and shall identify the type, nature and extent of any contamination present, the risk to receptor's and the potential for migration within and beyond the site boundary.
4. Any laboratory used for the purposes of sample analysis shall be registered to the ISO17025:2000 quality standard.
5. A sampling analysis programme shall verify the adequacy of any decontamination works.
6. The responsibility for the safe development and secure occupancy rests

with the developer. The Local Planning Authority may only determine the suitability of any scheme for investigation/remediation submitted, on the basis of the information submitted to it. Under no circumstances will the Local Planning Authority accept liability for inadequate remediation of the site.

7. The presence of any significant contamination, which becomes evident during the development of the site, shall be brought to the attention of the Local Planning Authority.
8. The applicant should be aware that the decision is subject to a separate legal agreement under section 106 of the Town and Country Planning Act 1990.

**PA. 08**

### **b) Applications Refused**

**RESOLVED** that the undermentioned applications be **Refused** under the provisions of the Town and Country Planning Act 1990, for the reasons set out:

#### **13/00607/OUTMAJ**

Lancashire Land and Property. Outline application for the erection of nine Dwellings including siting and access. Land North of Catterall Gates Lane, Catterall, Preston, Lancashire, PR3 1YH.

This application was deferred at the March meeting to allow further consideration to be given to noise issues.

Two Agents and the Ward Councillor spoke to the Committee objecting to the application.

The agent for Lancashire Land and Property spoke to the Committee in support of the application.

Committee was minded to refuse the application contrary to officer recommendation for the following reasons:-

By reason of its size and position relative to the proposed development, the building approved under planning permission reference 12/00625/FULMAJ would have an over dominant and overbearing impact on plots 7 and 9 such that the amenity enjoyed by any future occupiers of those plots would be less than should reasonably be expected. The development is thus contrary to the provisions of Policy SP14 of the Wyre Borough Local Plan in this respect.

#### **13/00801/FUL**

Mr R Collinson. Erection of one vertical axis wind turbine – (36.97m overall

height; 50kw output). Collinson Plc, Tanyard Road, Catterall Gates Lane, Catterall, Preston, Lancashire, PR3 0HP.

The application was before members at the request of Councillor Swift.

Committee was minded to refuse the application contrary to officer recommendation for the following reasons:-

By reason of its location, design and height, the proposed wind turbine would constitute an over dominant feature in the local landscape to the detriment of the appearance of the area and on the Public Rights of Way, as such it would be contrary to the NPPF, and Policies SP14 and TREC12 of the Adopted Wyre Borough Local Plan.

### **14/00283/OUT**

Mr D L Mitchell. Outline application for the erection of a Detached Dwelling with a Garage. 245 Fleetwood Road South, Thornton Cleveleys, Lancashire, FY5 5EA.

The application was before members at the request of Councillor Turner.

The Agent and Councillor Turner the Ward Councillor spoke in support of the application.

The application was refused in accordance with the recommendation in the report of the Head of Planning Services with the following reason:-

#### **Reason:-**

1. The proposed development would constitute inappropriate development in an area at high risk of flooding as the application site lies in Flood Zones 2 and 3 and the development is a more vulnerable use. Inadequate evidence has been submitted to show that there are no reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. This would not steer development to areas with the lowest probability of flooding, thereby increasing the number of people and properties at risk of flooding and failing the sequential test, contrary to section 10 of the NPPF and the NPPG.

**PA. 09**

#### **c) Applications Deferred**

**RESOLVED** that the undermentioned applications be **Deferred** under the provisions of the Town and Country Planning Act 1990, for the reasons set out:

### **14/00268/FUL**

Mr T Foley. Conversion of agricultural building into one 2 – bed dwelling.

Primrose Hill Farm. Cartmell Lane, Nateby, Preston, Lancashire, PR3 0LJ.

Application **DEFERRED** for further discussion with the Applicant and his agent and for a Site Visit to take place.

The meeting started at 2.00pm and finished at 5.10 pm.

**Date of Publication: Tuesday 10 June, 2014**

arm/rg/pla/mi/040614