

Development Control Committee



Date	22 September 2010
Venue	Town Hall, St Annes
Committee members	John Bennett (Chairman) Ben Aitken (Vice-Chairman) Michael Cornah, Fabian Craig - Wilson, Barbara Douglas, Kevin Eastham, Dr Trevor Fiddler, Richard Fulford-Brown, Peter Hardy, Howard Henshaw, Kiran Mulholland, Elizabeth Oades, Barbara Pagett, Albert Pounder, Paul Rigby, Heather Speak
Other members	Christine Akeroyd, Maxine Chew, Kathleen Harper, Angela Jacques
Officers	Mark Evans, Clare Holmes, Andrew Stell, Lyndsey Lacey
Members of the Public	8 members of the public were in attendance

1. Declarations of interest

Members were reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000. No interests were declared.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the meeting of the Development Control Committee held on 25 August 2010 as correct record for signature by the chairman.

3. Substitute members

The following substitutions were reported under Council procedure rule 22.3:

Councillor Elizabeth Oades for Councillor Linda Nulty

4. Service of Notices under Section 215 of the Town and Country Planning Act 1990

Mark Evans (Assistant Director: Planning Services) presented a detailed report on a proposal to serve notices under Section 215 of the Town and Country Planning Act 1990.

Mr Evans explained that a series of sites had been brought to the attention of the local planning authority that had an untidy appearance which in turn was affecting the amenity of the surrounding locality. He stated that in line with Best Practice Guidelines (issued in January 2005) officers had been seeking the co-operation of the site owners with a view to improving the appearance of the various sites. He added that with regard to a number of sites, it had not been possible to secure improvements and officers considered that it was appropriate in these instances to serve notice under Section 215 of the Town & Country Planning Act 1990.

Details of the individual cases were outlined in the report.

It was further reported that whilst powers to serve other planning enforcement notices were delegated to the Director of Strategic Development Services, Section 215 Notices were not in fact included within the approved scheme of delegation and in view of this the committee was asked to consider incorporating such powers within the Scheme.

Following consideration of this matter it was RESOLVED:

1. To authorise the serving of a Notice under Section 215 of the Town & Country Planning Act in regard to 10 St David's Road South, Lytham St Annes, FY8 1TB
2. To authorise the serving of a Notice under Section 215 of the Town & Country Planning Act in regard to 41 Clarendon Road. Lytham St Annes, FY8 3NG
3. To authorise the serving of a Notice under Section 215 of the Town & Country Planning Act in regard to various HGV trailers placed in the fields to the north and south sides of the M55 Motorway.
4. To include within the approved Scheme of Delegation powers to issue future Section 215 Notices.

5. Development control matters

The Committee considered the report of Mark Evans (Assistant Director: Planning Services) which set out various planning applications. A copy of the late observation schedule was circulated at the meeting.

The Vice-Chairman, Councillor Ben Aitken was in the chair during consideration of planning application number 10/0484 relating to 2 Fylde Street, Kirkham.

Following detailed consideration of each application it was RESOLVED to decide the applications as stated in the schedule attached.

With regard to planning application no 09/0659 relating to Lytham Quays, Lytham a Recorded Vote was taken on the application and the voting was as follows:

Deferral of the application to allow scrutiny of the viability report and seek further discussions with the applicant regarding the location of the proposed play area (9) Councillors Fabian Craig-Wilson, Barbara Douglas, Peter Hardy, Howard Henshaw, Kiran Mulholland, Elizabeth Oades, Barbara Pagett, Albert Pounder, Heather Speak

Against deferral of the application (7) Councillors John Bennett, Ben Aitken, Michael Cornah, Kevin Eastham, Trevor Fiddler, Richard Fulford- Brown, Paul Rigby

Abstentions (0)

With regard to planning application nos 10/0449,10/0469,10/0484 and 10/0557 as detailed on the agenda, the Chairman indicated that he was satisfied that the matters were not controversial and dealt with them by show of hands rather than by taking a recorded vote on them. The decisions relating thereto were detailed in the schedule attached.

Development Control Committee Minutes

22 September 2010

Item Number: 1

Application Reference:	09/0659	Type of Application:	Outline Planning Permission
Applicant:	Kensington Development Ltd	Agent :	Lambert Smith Hampton
Location:	LYTHAM QUAYS, LYTHAM, LYTHAM ST ANNES		
Proposal:	OUTLINE APPLICATION FOR 102 DWELLINGS AND 2,396 SQ. M OF OFFICES AND LIGHT INDUSTRIAL FLOORSPACE.		

Decision

Outline Planning Permission :- Application Deferred

Conditions and Reasons

Deferred to allow scrutiny of viability report by Committee Members and further discussion with the applicant regarding the location of the proposed play area.

Item Number: 2

Application Reference:	10/0449	Type of Application:	Full Planning Permission
Applicant:	Mr Alistair Rose	Agent :	BDP
Location:	LAND AT WHYNDYKE FARM, PRESTON NEW ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL		
Proposal:	ENABLING WORKS ASSOCIATED WITH CONSTRUCTION OF MENTAL HEALTH INPATIENT UNIT (OUTLINE APPLICATION 10/0129). WORKS INCLUDE GROUND LEVEL ALTERATIONS, INSTALLATION OF DRAINAGE TANKS, FORMATION OF TEMPORARY CONSTRUCTION ACCESS AND SITE COMPOUND (AS AMENDED).		

Decision

Full Planning Permission :- Granted

Conditions and Reasons

- 1 The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

- 2 This consent relates to the revised plan and additional details from the agents received by the local planning authority on 23 August 2010 comprising:-

- Waterman Pond Survey Report of July 2010;
- Waterman Ecology Memorandum of August 2010; and
- BDP Wetland and Water Course Management Plan drawing reference BLK(00)L054, Revision A, dated 22 June 2010,

and BDP drawing reference BLK(00)L058 Option 4 dated 20 September 2010.

Unless otherwise agreed in writing with the local planning authority, the development shall not be carried out other than in complete accordance with the documents 1-3 above and the following planning conditions.

To define the permission.

- 3 The proposed dewatering of the existing ponds on site not forming part of the retained development shall only take place between the months of September and January in any consecutive calendar years.

To prevent disturbance to any amphibians on the site.

- 4 Unless otherwise agreed in writing with the local planning authority, the proposed development shall not be carried out other than in accordance with the habitat management and mitigation measures set out in the Waterman Ecological Assessment of February 2010 as modified by the Waterman Ecology Memorandum of August 2010.

To protect any protected species on the site along with the UK BAP habitat.

- 5 Unless otherwise agreed in writing with the local planning authority, the proposed development shall not be carried out other than in accordance with the Waterman Flood Risk Assessment of February 2010 and the BDP Surface Water Drainage Strategy of June 2010.

To reduce the risk of flooding to the proposed development and its ultimate future occupants.

- 6 Other than works to establish the site construction compound and the erection of the screen hoardings and fencing, the proposed development shall not be commenced unless and until the temporary site access road has been constructed and made available for use in accordance with the Waterman Boreham drawings reference 210233 003 and 005 dated June 2010, or such revised and acceptable detail drawings as may be submitted. Before the temporary access road is constructed, full details of its horizontal extent on site, missing from drawing 210233 005 dated June 2010, shall first have been submitted to and approved in writing by the local planning authority and the development thereafter implemented in accordance with such approval.

To ensure that appropriate access is provided to serve the development for the duration of the construction programme or until the main signalised highway junction has been

constructed and brought into use.

- 7 As soon as the proposed signalised junction with the Preston New Road required under planning permission 10/0129, approved on 1 July 2010, has been provided and brought into use, the temporary site access required by condition 6 above shall be permanently closed off. For the duration of construction works on the site served by whichever access, including that existing to Grahams Caravan Park, turning facilities shall be retained thereon to enable all vehicles to enter and leave in a forward direction.

In the interests of highway safety.

- 8 No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

To safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

- 9 No temporary buildings or structures shall be brought onto the proposed site compound unless and until constructional and elevational details have first been submitted to and approved by the local planning authority. Once approved, the development shall be carried out in accordance with such approval in that respect.

To ensure a satisfactory external appearance for any built development.

- 10 Before their erection takes place on site, the materials and finishes to be used in the construction of the site hoarding and security fencing shall be submitted to and approved in writing by the local planning authority and the development thereafter implemented in accordance with such approval in those respects.

To ensure a satisfactory external appearance for the temporary development.

- 11 Details and locations of any temporary toilet facilities including portaloos to be located on the site and their means of foul water disposal shall first be submitted to and approved in writing by the local planning authority and the development thereafter carried out in accordance with such approval in that respect.

To ensure that an appropriate scheme for foul water disposal is provided and maintained in accordance with Policy EP25 of the Fylde Borough Local Plan, As Altered, October 2005.

- 12 Within 28 days of the approval of this application, details of the selected option for the attenuation of surface water on the site, along with clarification of the size of any local attenuation tanks required beneath the proposed sports barn, shall be submitted to and approved by the local planning authority. Once approved, the development shall be carried out in accordance with such approval in that respect, the facilities commissioned before the mental health inpatient unit is brought into use, and the facilities thereafter retained at all times.

To identify the proposed option for surface water attenuation and to ensure that the facilities are available to serve the built development when it is brought into use.

- 13 Before any such equipment is installed, full constructional, directional and luminance

details of all operational and security lighting to be provided on the site shall be submitted to and approved in writing by the local planning authority and the development thereafter carried out in that respect in accordance with such approval.

In the interests of the amenity of the area, highway safety and any airport safeguarding issues relative to Blackpool Airport.

- 14 Unless otherwise agreed in writing with the local planning authority, operations on site shall at all times be carried out in accordance with the Integrated Health Projects Project Plan dated June 2010 accompanying this planning application.

In the interests of the amenities of neighbouring occupants and the character and appearance of the area.

- 15 The development hereby permitted shall not commence until a scheme to assess possible contamination of land or groundwater affecting the site and appropriate remediation where found necessary has been submitted prior to the commencement of development and approved by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all the following requirements:

1. A desk-top study carried out by a competent person or persons to identify and evaluate all potential sources and impacts of land and/or ground water contamination relevant to the site. The requirements of the Local Planning Authority shall be fully established before the desk-top study is commenced and it shall conform to any such requirement. Two full copies of the desk-top study and a non technical summary shall be submitted to the Local Planning Authority upon completion.
2. A site investigation shall be carried out by a competent person or persons to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:
 - (i) the desk-top study has been completed, satisfying the requirements of paragraph (1) above.
 - (ii) the requirements of the Local Planning Authority for the site investigations have been fully established, and
 - (iii) the extent and methodology have been agreed in writing with the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to the Local Planning Authority without delay upon completion.
3. A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. Two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to the Local Planning Authority for assessment.

To control and/or eradicate pollution of land or water in the interests of the environment and public safety.

Informative notes:

1. In satisfying condition 5 of the permission, the applicants should have particular regard to the following points:-
 - limiting surface water run-off generated by the Q100 critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site; and
 - the consideration of climate change as an increase in 30% on the Q100 flood flow values provided.
2. Any works to the watercourses within or adjacent to the site which involve infilling, diversion, culverting or which may otherwise restrict flow, will require the prior separate consent of the Environment Agency under Section 23 of the Land Drainage Act 1991. Culverting other than for access purposes is unlikely to receive consent without full mitigation for loss of flood storage and habitats.

Details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for approval under the Water Resources Act 1991.

3. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 Blackpool Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start the applicants must contact the Council directly

Item Number: 3

Application Reference: 10/0469		Type of Application:	Full Planning Permission
Applicant:	Fylde Borough Council	Agent :	Mr Michael Jackson
Location:	FYLDE BOROUGH COUNCIL CREMATORIUM, REGENT AVENUE, LYTHAM ST ANNES, FY8 4AB		
Proposal:	PROPOSED CLADDING TO EXTERNAL CONCRETE ENTRANCE CANOPY.		

Decision

Full Planning Permission :- Granted

Conditions and Reasons

- 1 The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

- 2 The external materials to be used in the development hereby approved shall accord entirely with those indicated on the approved plans; the colour of the proposed fascia cladding shall be ivory coloured and that of the columns to be anthracite grey. Any modification shall thereafter be agreed with the Local Planning Authority in writing prior to any substitution of the agreed materials.

In the interests of visual amenity.

- 3 This consent relates to the revised drawings received by the Local Planning Authority on the 09 September 2010.

For the avoidance of doubt and as agreed with the applicant / agent.

Item Number: 4

Application Reference: 10/0484		Type of Application: Full Planning Permission
Applicant:	Mr Adam Thornton	Agent :
Location:	2 FYLDE STREET, KIRKHAM, PRESTON, PR4 2DE	
Proposal:	SUB-DIVISION OF PROPERTY TO CREATE ADDITIONAL DWELLING AND CONSTRUCTION OF SINGLE STOREY REAR EXTENSION	

Decision

Full Planning Permission :- **Approve subject** to the completion of a Section 106 agreement in order to secure:

- a financial contribution of up to 5 % of the market value of the new housing unit towards securing off site affordable housing,
- a financial contribution of up to 2.5% of the market value of the new housing unit towards securing off site public open space,
- a financial contribution of up to 2.5% of the market value of the new housing unit towards securing public realm works in the vicinity of the site,

Planning permission be granted subject to the following conditions:

(Where the Section 106 agreement is not signed within a reasonable period of time, authority to refuse planning permission is delegated to the Assistant Director: Planning Services to refuse the application as being contrary to the provisions of the Interim Housing Policy)

Conditions and Reasons

- 1 The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is

required to ensure the approved standard of development is achieved.

- 2 The materials of construction and/or finish in respect of the extension(s) hereby approved shall match those of the existing building entirely to the satisfaction of the Local Planning Authority.

To ensure visual harmony in respect of the overall development.

- 3 Notwithstanding the provision of Article 3, Schedule 2, Part 1, Classes A and E of the Town and Country Planning General Permitted Development Order 1995 [or any Order revoking or re-enacting that Order], no further development of the dwellings or curtilages relevant to those classes shall be carried out without Planning Permission.

[CLASS VARIABLES

- A House Extensions.
B&C Roof Extensions/alterations
D Porches
E Curtilage buildings
F Hardstanding
G Fuel containers
H Satellite antenna]

To ensure that the Local Planning Authority has control over any future development of the dwellings which may adversely affect the character and appearance of the dwellings and the surrounding area.

Item Number: 5

Application Reference: 10/0557		Type of Application: Full Planning Permission
Applicant:	Mr Neil Farley	Agent :
Location:	LAND ADJACENT TO 164 KIRKHAM ROAD, NORTH OF BYPASS, FRECKLETON, PRESTON, PR4 1HU	
Proposal:	RETROSPECTIVE APPLICATION FOR SECOND ENTRANCE TO LAND AND INTERNAL ACCESS TRACK	

Decision

Full Planning Permission :- Granted

Conditions and Reasons

- 1 That within 3 months of the date of this permission, that part of the new access extending from the highway boundary for a distance of 5m into the site shall be appropriately paved in tarmacadam or other such hard surface material that has been previously approved in writing by the Local Planning Authority.

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.

Informative notes:

This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning the Area Manager North on 01253 887850 or writing to the Area Manager North, Area Office, Hampson Lane, Hampson Green, Galgate, Lancaster, LA2 0HY quoting the planning application number.