

Development Management Committee



Date:	Wednesday, 18 December 2013
Venue:	Kirkham Community Centre, Kirkham
Committee members:	Councillor Ben Aitken (Chairman) Councillor Kevin Eastham (Vice-Chairman) Councillors Christine Akeroyd, Tim Armit, Julie Brickles, Maxine Chew, Peter Collins, Fabian Craig-Wilson, Charlie Duffy, Dr Trevor Fiddler, Kiran Mulholland, Barbara Nash, Elizabeth Oades, Richard Redcliffe, Heather A Speak, Vivienne M Willder
Other Councillors:	Councillors Alan Clayton and Elaine Silverwood
Officers:	Tracy Morrison, Paul Walker, Mike Atherton, Ian Curtis, Mark Evans, Lyndsey Lacey, Nicola Martin, Ross McKelvie, Paul Rogers, Paul Rossington, Alastair Woodhouse
Members of the public:	About 200 members of the public were in attendance

1. Declarations of interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and that any personal or prejudicial interests should be declared as required by the Council's Code of Conduct.

2. Substitute members

The following substitutions were reported under Council procedure rule 25:

Councillor Elizabeth Oades for Councillor Peter Hardy

Councillor Julie Brickles for Councillor Linda Nulty

Councillor Christine Akeroyd for Councillor Albert Pounder

3. Planning application 12/0118: Builders' yard land, Thames Street, Newton with Clifton, Preston PR4 3NH

The Committee considered the report of Mark Evans (Head of Planning and Regeneration) with regard to the above application. A copy of the Late Observation Schedule was circulated at the meeting.

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A recorded vote was taken on a proposal that the committee be minded to approve the application subject to the Secretary of State calling in the decision for his determination. The voting was as follows:

Approval of the application (9): Councillors Ben Aitken, Kevin Eastham, Tim Armit, Fabian Craig-Wilson, Trevor Fiddler, Barbara Nash, Christine Akeroyd, Richard Redcliffe, Vivienne Willder.

Against approval of the application (7): Councillors Maxine Chew, Peter Collins, Charlie Duffy, Elizabeth Oades, Kiran Mulholland, Julie Brickles, Heather Speak.

Abstentions (0)

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Item Number: 1

Application Reference: 12/0118		Type of Application: Change of Use	
Applicant:	Mr Isaac McDonough	Agent :	Philip Brown Associates Ltd
Location:	BUILDERS YARD LAND, THAMES STREET, NEWTON WITH CLIFTON, PRESTON, PR4 3RH		
Proposal:	CHANGE OF USE OF LAND TO USE AS A RESIDENTIAL CARAVAN SITE FOR 4 NO. GYPSY FAMILIES EACH WITH 2 NO. CARAVANS, TOGETHER WITH THE ERECTION OF AN AMENITY BLOCK, ERECTION OF A BOUNDARY FENCE, INSTALLATION OF A PACKAGE SEWAGE TREATMENT PLANT, THE FORMATION OF A LANDSCAPED MOUND AND ALTERATIONS TO THE VEHICULAR ACCESS.		

Decision

Change of Use :- Minded to Approve subject to the Secretary of State calling the application in for his determination.

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.

Reason: 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 site shall only be occupied as permanent accommodation by Gypsies & Travellers as defined in Annex 1 of DCLG Planning Policy for Traveller Sites (March 2012).

Reason: In order to ensure the site is occupied by Gypsies & Travellers as the grant of planning permission for a residential caravan park or a holiday caravan park may not be appropriate in this locality and as the use of the site as transit accommodation would lead to an unacceptable increase in towed vehicular movements.

- 3 No more than 8 caravan(s), as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the site at any time.

There shall be no more than 4 pitches on the site and on each of the 4 pitches hereby approved no more than 2 caravans shall be stationed at any time.

Any caravans positioned on the site shall be capable of being lawfully moved on the public highway, without division into separate parts.

No caravan positioned on the site shall exceed 23 feet in length.

Reason: In order to control the density of development having regard to the character of the area and in order to ensure adequate parking and manoeuvring space for vehicles within the site.

- 4 No more than one commercial vehicle per pitch shall be stationed, parked or stored on the land for use by the occupiers of the caravans hereby permitted, and no such vehicle shall exceed a maximum gross weight of 3.5 tonnes. .

Reason: In the interests of highway safety.

- 5 No commercial activities shall take place on the land, including the storage of materials.

Reason: In order to protect the character and appearance of the area.

- 6 Samples of the roof treatment and wall cladding for the proposed amenity building [both inclusive of colour] shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

Reason: Such details are not shown on the application and must be agreed to ensure a satisfactory standard of development.

- 7 Notwithstanding the requirements of the Town & Country Planning (General Permitted Development) Order 1995 (As amended), a scheme for the external lighting of the site [including degree of illumination] shall be submitted to & agreed in writing by the Local Planning Authority prior to the commencement of the development hereby approved. The approved scheme shall be implemented to the satisfaction of the Local Planning Authority; any addition or alteration to the scheme shall be agreed in writing with the Authority.

Reason: In the interests of residential amenity & ecology.

- 8 Landscaping, including hard surface landscaping shall be carried out and preserved in accordance with a scheme and programme which shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. Specific details shall include finished levels, means of enclosures, car parking, hard surfacing materials minor artefacts and soft landscape works and shall include plans and written specifications noting species, plant size, number and densities, an implementation and maintenance programme. The scheme and programme shall thereafter be varied only in accordance with proposals first submitted to and approved in writing by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in accordance with the approved implementation programme The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

Reason: To enhance the quality of the development in the interests of the amenities of the

locality and to ensure adequate hard surfacing to prevent materials being brought onto the highway

- 9 The landscaping scheme approved under condition 8 shall be implemented and subsequently maintained for a period of 10 years following the completion of the works in accordance with the approved maintenance programme.

Reason: To ensure a satisfactory standard of development and in the interest of visual amenity in the locality.

- 10 No development hereby approved shall commence until a scheme for the disposal of foul drainage has been submitted to and approved in writing by the Local Planning Authority. The site shall not be occupied until such time as the scheme for foul drainage has been constructed and completed in accordance with the approved plans. The approved foul drainage scheme shall be retained thereafter.

Reason: To prevent pollution of the water environment.

- 11 Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of surface waters for the site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul water and no surface water will be permitted to discharge directly or indirectly into existing foul or combined sewerage systems. Any surface water draining to the public surface water sewer must be restricted to a maximum forward flow of 5 l/s. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water runoff and to reduce the risk of flooding

- 12 No development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the local planning authority:

1) A site investigation scheme, based on the Phase 1 Environmental Audit for Land off Thames Street, Newton with Scales by T J Booth Associates (dated January 2013; reference rep-tjba-mcdonough-thames st, preston-phs env-171212.docx) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Development shall be carried out in accordance with the approved Remediation Strategy.

Any changes to these components require the express written consent of the local

planning authority. The scheme shall be implemented as approved.

Reason: To ensure the proposed development complies with saved Policy EP29 in the Fylde Borough Local Plan as altered (2005) and paragraph 120 of the NPPF.

- 13 No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off site highway works of improvement has been submitted to and approved in writing by the Local Planning Authority.

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

- 14 No part of the development hereby approved shall be occupied until the approved scheme referred to in condition 13 has been constructed and completed in accordance with the scheme details.

Reason: 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.

Informative notes:

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:

- Providing advice to the applicant/agent during the course of the application on potential problems and possible solutions.
- Securing revised plans and information during the course of the application which has overcome initial problems.