



# MINUTES

## Planning Committee

<b>Date:</b>	Wednesday, 5 April 2023
<b>Venue:</b>	Town Hall, St Annes Road West, St Annes, FY8 1LW
<b>Committee Members Present:</b>	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman) Councillors Frank Andrews, Tim Armit, Alan Clayton, Gavin Harrison, Jayne Nixon, Linda Nulty, Liz Oades, Stan Trudgill, Viv Willder.
<b>Officers Present:</b>	Rob Buffham, Ian Curtis, Anita Elliott, Mark Evans, Andrew Stell, Christine Wood
<b>Other Attendees:</b>	Councillor Karen Buckley, Leader of the Council, Councillor Noreen Griffiths, 4 members of the public

A recording of the meeting can be viewed online at the following link: [Planning Committee, 5 April 2023](#)

### Public Speaking at Planning Committee

There were 3 registered speakers in relation to planning application 22/0537. Councillor Noreen Griffiths, Freckleton West Ward Councillor spoke against the application in addition to one speaker against the application. There was also one speaker supporting the application.

### Procedural Items

#### 1. Declarations of Interest

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

Councillor Jayne Nixon declared a prejudicial interest in planning application 4.2 (22/0254) (Councillor Nixon is employed by the landowner) and left the meeting during consideration and determination of this application.

#### 2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee meeting held on 8 March 2023 as a correct record for signature by the Chairman.

#### 3. Substitute Members

The following substitutions were reported under Council Procedure Rule 24:

Councillor Frank Andrews substituted for Councillor Ray Thomas.

Councillor Alan Clayton substituted for Councillor Heather Speak.

Councillor Viv Willder substituted for Councillor David O'Rourke.

Decision Items

4. Planning Matters

The Committee considered the report of Mr Mark Evans (Head of Planning) which set out various planning applications. A copy of the Late Observations Schedule had been circulated prior to the meeting.

The planning applications were determined by the Committee in the following agenda item order:

4.4 – Application reference – 22/0537

4.5 – Application reference – 22/0593

4.3 – Application reference – 22/0362

4.1 – Application reference – 20/0384 – Councillor Liz Oades did not vote on this application as she had not been present during the full duration of presentation of the report relating to the application.

4.2 – Application reference – 22/0254

4.6 – Application reference – 22/0601

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

5. Use of Premises as Children's Care Homes

Mr Mark Evans introduced the report which sought to clarify the process of determining applications for certificates of lawful use seeking to establish whether planning permission was required to change the use of an existing dwelling to a children's care home where 24-hour care is provided by non-residential staff working on a rota basis. Mr Evans explained that each year the Council receives several applications relating to this issue.

Mr Evans highlighted to the Committee the process for obtaining a certificate of lawfulness as detailed in the report advising that as part of the process for registering a children's home, Ofsted required the operator of the home to confirm the planning status of the property.

The report recommended to the Planning Committee the following:

1. That the Committee notes the content of the report regarding the process and the issues that may be taken into consideration in the determination of a certificate of lawfulness for a proposed use or development.
2. That officers be requested to draft an advice note to explain the certificate of lawfulness process to neighbours and other interested parties and the regulations that are exercised by other public bodies in the control and operation of children's homes.

Councillor Karen Buckley, Leader of the Council addressed the Committee requesting that the issue be properly scrutinized by the appropriate Scrutiny Committee in the new municipal year 2023/24, under the new Governance structure that was to be implemented.

Councillor Buckley advised that this would enable Elected Members to advise constituents seeking advice relating to this issue.

Following discussion by the Committee, the Chairman proposed that the two recommendations as detailed above, be replaced by one recommendation as requested by Councillor Buckley, that the Committee request that the issue be properly scrutinized by the appropriate Scrutiny Committee in the new municipal year 2023/24, under the new Governance structure.

**Following further discussion, it was RESOLVED:**

**That the Planning Committee requests that the issue of the use of Premises as Children's Care Homes be considered by the appropriate Scrutiny Committee in the new municipal year 2023/24, under the new Governance structure.**

Information Items

The following information items were received and noted by the Committee.

6. List of Appeals Decided

It was reported that the Council had received one appeal decision between 17 February and 17 March 2023.

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