



MINUTES

Planning Committee

Date:	Wednesday, 5 September 2018
Venue:	Town Hall, St Annes
Committee Members Present:	Councillor Richard Redcliffe (Chairman) Councillors Frank Andrews, Jan Barker, Maxine Chew, Michael Cornah, Angela Jacques, Kiran Mulholland, Liz Oades, Sandra Pitman, Heather Speak, Ray Thomas.
Other Members Present:	No other members were in attendance.
Officers Present:	Ian Curtis, Andrew Stell, Kieran Birch, Lyndsey Lacey- Simone.
Members of the Public:	2 members of the public were in attendance during the course of the day.

Chairman of Committee

In the absence of the Chairman, Councillor Richard Redcliffe chaired the meeting.

Public Speaking at the Planning Committee

There were no requests to speak under the Public Speaking arrangements.

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 Maxine Chew declared a personal and prejudicial interest in planning application no: 18/0581 relating to Plumpton Hall Farm, Preston New Road, Westby-with-Plumpton and left the room during the discussion and voting thereon.

Councillor Heather Speak declared a personal interest in planning application no: 18/0581 relating to Plumpton Hall Farm, Preston New Road, Westby-with-Plumpton and item 5 listed on the agenda relating to Permitted Development for Shale Gas Exploration.

2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee held on 1 August 2018 as a correct record for signature by the Chairman.

3. Substitute Members

The following substitutions were reported under Council Procedure Rule 23(a):

Councillor Frank Andrews for Councillor Neil Harvey.

Councillor Angela Jacques for Councillor Trevor Fiddler.

Councillor Maxine Chew for Councillor Linda Nulty.

Decision Items

4. Planning Matters

The Committee considered the report of Mark Evans (Head of Planning and Housing) which set out the various planning applications. A copy of the Late Observation Schedule was circulated at the meeting.

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

With regard to planning application 18/0581 and item 5 listed on the agenda, the Committee requested that officers contact Lancashire County Council to establish details regarding the existence, scope and obligations of an Emergency Plan associated with the operation of the shale gas exploration at the Preston New Road site.

(Councillor Angela Jacques left the meeting prior to the vote on planning application No 18/0581 and consideration and voting on item 5 list on the agenda relating to permitted development for Shale Gas exploration).

(Councillor Maxine Chew left the meeting during the consideration and voting on item 5 listed on the agenda relating to permitted development for Shale Gas exploration)

5. Permitted Development for Shale Gas Exploration - Ministry Of Housing, Communities and Local Government Consultation

The Chairman invited Andrew Stell (Development Manager) to introduce the report. In doing so, he provided details of Fylde Council's response to the consultation undertaken by the Ministry of Housing, Communities and Local Government (on 19 July 2018) on the principle of granting planning permission for non-hydraulic fracturing shale gas exploration development through a permitted development right.

Members were advised that consultation covered the following areas: whether to introduce a permitted development right for non- hydraulic fracturing shale gas exploration development; definition of non-hydraulic fracturing shale gas exploration; development not permitted; development conditions and restrictions; prior approval; time-limited or permanent permitted development right and public sector equality duty.

Mr Stell indicated that he considered that the scale of development involved in the establishment of shale gas exploration sites is so substantial and the attendant environmental impacts potentially so significant that it would be inappropriate for such development to be controlled through a permitted development right.

Members were further advised that the consultation ran alongside a separate consultation from the Department for Business, Energy and Industrial Strategy regarding the Inclusion of Shale Gas Production in the Nationally Significant Infrastructure Project (NSIP) Regime. As the council had already established a position to object to this proposal (Planning Committee 7 March 2018), this parallel consultation was not addressed in paragraphs 17-23 of the report.

The Council's response to the questions raised in the consultation was included as an appendix to the report.

Following consideration of this matter it was RESOLVED:

1. That Fylde Council object to the introduction of a permitted development right for non-hydraulic fracturing shale gas exploration and respond to the consultation questionnaire as set out in appendix attached to the report.
2. That given the limited opportunity to expand upon the answers to the questions set out in the consultation questionnaire, the Head of Planning and Housing be authorised to write under separate cover to the Ministry of Housing, Communities and Local Government to expand upon the reasoning behind Fylde Council's response as set out the report.

Information Items

6. List of Appeals Decided

There were no appeal decisions received between 20 July and 24 August 2018.

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Planning Committee Minutes

05 September 2018

Item Number: 1

Application Reference:	18/0373	Type of Application:	Full Planning Permission
Applicant:	Mr MARTIN	Agent :	ML Planning Consultancy Ltd
Location:	LAND ADJACENT STANLEY LODGE - FIELD 5562, SALWICK ROAD, TREALES ROSEACRE AND WHARLES		
Proposal:	ERECTION OF AGRICULTURAL STORAGE BUILDING - PART RETROSPECTIVE APPLICATION		

Decision

Full Planning Permission: - Refused

Reason

1. The proposed building is not considered to be essential for the continuation of the applicant's agricultural enterprise or any rural tourism activity. The scale and design of the building would result in a highly visible structure located in prominent public position that is visible from the M55 motorway and would cause harm to the visual character of this rural area. For these reasons the proposal fails to accord with policies SP2 and EP11 of the Fylde Borough Local Plan, Policy GD4 of the Submission Version Fylde Local Plan to 2032, and the guidance of the National Planning Policy Framework. This harm is not outweighed by any economic arguments or other material considerations related to the support of the rural economy.

Item Number: 2

Application Reference:	18/0455	Type of Application:	Full Planning Permission
Applicant:	Mr & Mrs BLACK	Agent :	ML Planning Consultancy Ltd
Location:	LAND TO THE SOUTH OF THAMES STREET, NEWTON WITH SCALES, PRESTON, PR4 3RS		
Proposal:	ERECTION OF STABLE BLOCK, STORAGE BARN AND CREATION OF OUTDOOR MANEGE TO FORM HORSE RIDING ARENA AND ERECTION OF POLYTUNNEL TO PROVIDE VEGETAGBLE GROWING AREA		

Decision

Full Planning Permission:- Granted

Conditions and Reasons

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission / consent relates to the following details:

Approved plans:

- Site Location Plan - Received 21 August 2018
- Proposed Plans and Elevations - ML/NB/5730

Supporting Reports:

- Flood Risk Assessment (Prepared by ML Planning Consultancy Ltd)

Reason: To provide clarity to the permission.

3. The stable building and storage building hereby approved shall be constructed in a timber frame above a brick base with dark stained timber boarding to the walls as shown on the approved plans only.

Reason: To ensure that the materials are appropriate in their construction and visual appearance for this rural area as required by Policy EP11 of the Fylde Borough Local Plan.

4. No development approved by this permission shall commence until a scheme for the disposal of surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. The development shall be implemented, maintained and managed in accordance with the approved details.

Reason: To ensure the site and development are adequately drained and to secure proper drainage and to manage the risk of flooding and pollution.

5. The development hereby approved shall only be used for agricultural purposes or the stabling and exercise of horses on a private hobby basis and shall not be used as a livery or any other commercial equestrian purposes.

Should the buildings/structures and sand paddock/menage cease to be required for this private stabling and hobby farming use then they shall be removed from the site within 6 months of the cessation of that use with all resultant materials removed from the site and the land reinstated to grass unless further permission is obtained from the Local Planning Authority.

Reason: To safeguard to visual amenity of the Countryside, to accord with the development strategy of the Local Plan, and to ensure that there are no unacceptable highway grounds raised by a more intensive use of the site in accordance with Policy SP2 of the Fylde Borough Local Plan.

6. The stable block and store building as part of this development, hereby approved, shall have floor levels constructed as stipulated in the submitted flood risk assessment, 4.81m AOD (i.e. 100mm above existing surrounding ground level). Any change to these agreed levels shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of clarity and flood prevention measures.

7. That there shall be no flood lighting of the menage area hereby approved.

Reason: In order to preserve the character of the rural area in accordance with Policy SP2 of the Fylde Borough Local Plan.

8. The manure produced on site shall be stored in the midden area in such a way that will not give rise to free drainage from within the stacked material and this shall be regularly emptied.

Reason: To minimise the potential for drainage from the manure to infiltrate into the surrounding watercourses and so cause pollution in accordance with Policies EP16, EP20 & EP23 of the Fylde Borough Local Plan, as altered (October 2005) and Policies GD4 and ENV1 of the emerging Fylde Local Plan to 2032.

Informative notes:

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 38 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.

Item Number: 3

Application Reference: 18/0554	Type of Application: Full Planning Permission
Applicant: Ministry of Justice	Agent : Jacobs UK Ltd
Location: KIRKHAM PRISON, FRECKLETON ROAD, KIRKHAM, PRESTON, PR4 3RB	
Proposal:	CONSTRUCTION OF EXTENSION TO EXISTING MATERIALS STORE BUILDING TO CREATE A NEW WORKSHOP. THE DEMOLITION OF A FORMER HANGAR 6. NEW FENCING, HARD-STANDINGS (TO PROVIDE NEW DELIVERY YARDS) AND LANDSCAPING.

Decision

Authority be delegated to the Head of Planning and Housing to GRANT planning permission subject to:

- 1) the referral of the application to the Secretary of State in accordance with the provisions of the Town and Country Planning (Consultation) (England) Direction 2009 (and Subject to the Secretary of State not calling the application in); and
- 2) the following conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning and Housing believes is necessary to make otherwise unacceptable development acceptable);

Conditions and Reasons

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission / consent relates to the following details:

Approved plans:

KMD/000/A/00/02 A08 SITE LOCATION PLAN
KMD/099/A/00/04 A08 EXISTING SITE BLOCK PLAN
KMD/099/A/00/04 A09 PROPOSED SITE BLOCK PLAN
KMD/099/A/00/05 A07 PHASE 1 WORKS
KMD/099/A/00/06 A07 PHASE 2 WORKS
KMD/099/A/00/07 A07 PHASE 3 WORKS
KMD/099/A/00/09 A06 EXISTING AND PROPOSED TIMBER INDUSTRIES FLOOR PLAN
KMD/099/A/00/10 A06 EXISTING AND PROPOSED TIMBER INDUSTRIES ELEVATIONS
KMD/099/A/00/11 A03 EXISTING AND PROPOSED TIMBER INDUSTRIES SECTIONS
KMD/099/C/00/01 A01 PROPOSED DRAINAGE PLAN
KMD/000/A/00/03 A01 LANDSCAPE PROPOSALS

Supporting Reports:

- Planning, Design and Access Statement

Reason: To provide clarity to the permission.

3. The whole of the landscape works, as shown on approved plan KMD/000/A/00/03 A01 shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current sylvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

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

4. Notwithstanding any denotation on the approved plans the materials of construction to be used on the external elevations and roof of the extension must match those of the existing building in the terms of their material, colour and texture, with samples of the materials submitted to and approved in writing by the Local Planning Authority prior to the commencement of building operations. Thereafter only those approved materials shall be used in the development.

Reason: To ensure a consistency in the use of materials in the interest of visual amenity.

5. A full drainage scheme incorporating details of foul and surface water connections shall be submitted to the Local Planning Authority for approval prior to the commencement of development, and shall be implemented during the construction of the development hereby approved.

Reason: To ensure the provision of a satisfactory drainage scheme to minimise the risk of flooding and pollution to the water environment.

6. No works to trees or shrubs shall occur or building and demolition works commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason: To protect nesting birds.

7. Prior to the first use of the extension hereby approved (as shown on approved plans KMD/099/A/00/10/A06 AND KMD/099/A/00/11/A03) the existing building known as Hangar 6 shall be demolished and waste material removed from the site (as shown on approved phase 2 plan KMD/099/A/00/06/A07).

Reason: For reason of visual amenity and the openness of the greenbelt

Informative notes:

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 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 actively engaging in

pre-application discussions with the applicant to try and find solutions to problems

2. Whilst the building to be demolished and refurbished have been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.
3. The applicant is reminded that reptiles are protected under schedule 5 of the Wildlife & Countryside Act 1981 (as amended). It is an offence to take or kill reptiles. If a reptile is found on or near the site during the development work should cease and a suitably experienced ecologist employed to how best to safeguard the reptile(s).

Item Number: 4

Application Reference:	18/0581	Type of Application:	County Application
Applicant:	CUADRILLA BOWLAND LIMITED	Agent :	Mr J Haine
Location:	PLUMPTON HALL FARM, PRESTON NEW ROAD, WESTBY WITH PLUMPTONS, PRESTON, PR4 3PJ		
Proposal:	CONSULTATION ON COUNTY MATTER APPLICATION REF LCC/2014/0096/3 FOR APPROVAL OF DETAILS RESERVED BY CONDITION 6A (REMOVAL OR DISASSEMBLY SCHEME AND PROGRAMME), CONDITION 26 (UPDATED NOISE MANAGEMENT PLAN), AND CONDITION 33 (LIGHT IMPACT ASSESSMENT) OF PERMISSION LCC/0214/0096/1		

Decision

That the following views be forwarded to Lancashire County Council for their consideration in the assessment and subsequent determination of this application:

- 1) With regards to the details supplied for condition 6a, Fylde Council considers it appropriate that details of the removal of the drill rig are provided for consideration. It is therefore requested that these are obtained from the developer to allow LCC to properly consider this aspect, and are circulated to Fylde Council for information. Specific details should include the anticipated date that the removal operation is to commence, the methodology for the removal, the anticipated number of vehicle movements, the timing of those vehicle movements, the routing of those movements, the duration of the removal operation, etc.
- 2) With regards to the details supplied for condition 26, Fylde Council request that LCC secure confirmation that the automated equipment which the Noise Management Plan refers to has been correctly calibrated and is providing the appropriate level of information to allow assurance over the compliance with the requirements of the Noise Management Plan.
- 3) That LCC be aware that Fylde Council granted planning permission under reference 17/0495 on 1 August 2018, for 2 gypsy pitches to be established on land to the west of Staining Wood Cottages, and should this permission be implemented during the operational phase of this site, the residents would be the closest to the site and so should be considered in the evaluation of neighbour impacts.