



# MINUTES

## Planning Committee

<b>Date:</b>	Wednesday, 28 April 2021
<b>Venue:</b>	Remote Meeting Via Zoom.
<b>Committee Members Present:</b>	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman)  Councillors Frank Andrews, Tim Armit, Alan Clayton, Chris Dixon, Kiran Mulholland, Jayne Nixon, Linda Nulty, David O'Rourke, Heather Speak, Ray Thomas.
<b>Other Members:</b>	Councillor Peter Collins
<b>Officers Present:</b>	Ian Curtis, Mark Evans, Andrew Stell, Clare Lord, Lyndsey Lacey-Simone.
<b>Members of the Public:</b>	14 members of the public attended the meeting.

### Procedural Items

#### Public Speaking at the Planning Committee

The Vice-Chairman, Councillor Richard Redcliffe invited those members of the public who had registered to speak on individual planning applications (listed on the schedule) to address the committee at the relevant part of the meeting.

#### 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 Chris Dixon declared a personal interest in planning application no: 20/0357 relating to the former builders yard, Thames Street, Newton with Clifton in so far as reference to a letter received from the MP for Fylde was referred to in the Late Observations Schedule.

#### 2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee meeting held on 31 March 2021 as a correct record for signature by the Chairman.

#### 3. Substitute Members

The following substitutions were reported under Council Procedure Rule 24:

Councillor Alan Clayton for Councillor Liz Oades.

Councillor Frank Andrews for Councillor Stan Trudgill.

## 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 prior to the meeting.

(Councillors Linda Nulty and Heather Speak requested that their names be recorded as having voted against approval of planning application no: 20/0844 relating to land adjacent to Treales Garage, Treales Road, Treales, Roseacre and Wharles)

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

## Information Items

### List of Appeals Decided

This Information Report provided details of appeal decision letters received between 19 March and 15 April 2021.

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# Planning Committee Minutes

## 28 April 2021

**Item Number:** 1

<b>Application Reference:</b>	20/0357	<b>Type of Application:</b>	Variation of Condition
<b>Applicant:</b>	MR McDONAGH	<b>Agent :</b>	MAT DESIGN
<b>Location:</b>	FORMER BUILDERS YARD, THAMES STREET, NEWTON WITH CLIFTON		
<b>Proposal:</b>	CHANGE OF USE OF LAND TO USE AS A RESIDENTIAL CARAVAN SITE FOR 3 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 AREA AND ALTERATIONS TO THE VEHICULAR ACCESS WITH ALTERNATIVE SCHEME OF CONTAMINATION REMEDIATION TO THAT PREVIOUSLY APPROVED UNDER CONDITION 14 OF 12/0118.		

**Decision:** Application Deferred

### Reason

1. The site is known to be contaminated by asbestos and other materials that can cause harm to the future health of the occupiers of the site, other local residents and the surrounding environment. Whilst the details submitted with the application provide some information regarding its remediation the Committee were not satisfied that the methodology set out in the application for the remediation of this contamination, the verification of that remediation, and the development of the site for its occupation as residential gypsy pitches was adequate to ensure that the contamination will not cause an unacceptable risk of harm to the future health of the occupiers of the site, neighbouring residents and the surrounding environment.

The application was therefore deferred to allow officers to liaise with the applicant to secure:

1. Further clarity over the methods of ensuring that the material that is to be retained on site is securely and permanently protected from future access
2. Additional details regarding the nature of the material that is to be removed from site to be confident that the techniques used in its removal are appropriate
3. The provision of any necessary revisions to the site plan and other details of the development, including the foul drainage arrangements and methods of securing the site boundaries.

and to allow local residents and other interested parties an opportunity to comment on the submitted information.

**Item Number:** 2

<b>Application Reference:</b>	20/0844	<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Mr Derbyshire	<b>Agent :</b>	Mellor Architects
<b>Location:</b>	LAND ADJACENT TO TREALES GARAGE, TREALES ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SR		
<b>Proposal:</b>	FORMATION OF NEW GATED VEHICLE ACCESS ONTO TREALES ROAD INCLUDING ASSOCIATED HARD AND SOFT LANDSCAPING WORKS		

## 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 relates to the following plans:

- Location Plan - Mellor Architects Drawing 1948-P-01
- Proposed Site Plan - Mellor Architects Drawing 1948-P-02 Rev A

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework

3. Prior to the first use of the new access point for operational purposes associated with the lawful agricultural use of the land the following works shall have been completed:
  - a) The site access shall have been constructed to the 6m width, with 4.5m radii to both sides as shown on the approved site plan (Mellor Architects drawing 1948-P-02 Rev A)
  - b) The site access shall have been provided with the visibility standards shown on the approved site plan (Mellor Architects drawing 1948-P-02 Rev A) by the removal of vegetation and cutting back of the existing hedgerow within those splays, with that area remaining free from obstruction at all times thereafter
  - c) The existing access gates serving the land shown on the approved site plan (Mellor Architects drawing 1948-P-02 Rev A) to Treales Road and to the eastern track shall be removed and replaced with fencing to replicate that used alongside them on the respective boundaries
  - d) The access shall be constructed in a hard standard surface for a distance of at least 6m measured back from the edge of the carriageway of Treales Road
  - e) The access shall be secured by gates that are of an agricultural field gate design and that shall be constructed no less than a distance of 6m measured back from the edge of the carriageway of Treales Road

Reason: To ensure the appropriate construction of the access and the retention of the improved visibility that it offers in the interests of highway safety as required by Policy GD7 if the Fylde Local Plan to 2032.

4. No development shall take place until a Construction Exclusion Zone has been formed around the Root Protection Areas of the hedgerow to either side of the approved access position as shown on the plan which is within the 'Tree Condition and Tree Constraints Report' by Tree Check Ltd dated February 2021 submitted in support of this application. The Construction Exclusion Zone shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012 and shall be installed in the positions indicated and maintained in the duly installed positions during the entirety of the construction period insofar as it relates to the affected of the site.

Reason: To ensure that adequate measures are put in place to protect existing trees and hedgerows which are to be retained as part of the development before any construction works commence in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV1.

5. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the following landscaping works shall be undertaken prior to the conclusion of the first planting season following the first use of the access hereby approved for operational purposes:
  - The planting of 3 trees in the locations shown on the approved site plan (Mellor Architects Drawing 1948-P-02 Rev A). These trees shall be select standard size and shall be either Lime, Beech or Oak
  - The planting of a length of native species hedgerow that is at least 15m in length and is of a planting density, planting mix and planting species that is reflective of the other native species hedges found in the vicinity of the site.

These trees and hedgerow shall be appropriately maintained with any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To secure appropriate landscaping of the development to reflect the character of the surrounding countryside as required by Fylde Local Plan to 2032 policies GD7 and ENV1.

6. No clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation to be cleared does not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

**Informative notes:**

1. **Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:**

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.

**Item Number:** 3

<b>Application Reference:</b>	21/0109	<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Fylde Borough Council	<b>Agent :</b>	
<b>Location:</b>	PROMENADE ADJACENT STANNAH BANK CAR PARK / FAIRHAVEN LAKE, INNER PROMENADE, LYTHAM ST ANNES		
<b>Proposal:</b>	TEMPORARY (5 YEARS) PLANNING PERMISSION FOR THE ERECTION OF 15M HIGH COLUMN TO HOUSE 2.7M LONG RADAR BLADE, CAMERA AND WEATHER SENSORS WITH ASSOCIATED BASE AND POWER SUPPLY CONNECTIONS		

**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 relates to the following plans:

- Location Plan - Drawing no. TS 20022-003
- Proposed Site Plan - Drawing no. TS 20022-002
- Proposed Elevations - Drawing no.GA0003
- Synoptic Column Site Design & Build Guide - produced by Marlan Maritime Technologies

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the application form and / or approved plans listed in condition 2 to this planning permission.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with Policy GD7 of the Fylde Local Plan to 2032.

4. Unless a further planning permission is granted on application to the Local Planning Authority, the 15 metre high column and all associated monitoring equipment, hereby permitted shall be removed from the site on or before 01 May 2026, and the land shall be restored to its former appearance within 6 months of the column and equipment being removed.

Reason: The applicant has specified that the approved development is required for a temporary period only and the planning permission has been issued on that basis. Therefore, the condition is required in accordance with Fylde Local Plan to 2032 policies GD7 and CL1, and the National Planning Policy Framework.

**Informative notes:**

1. **Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:**

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.