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PLANNING COMMITTEE

Thursday, 9 February 2023

Present:

Councillor S Kelly (Chair)

Councillors

S Foulkes

G Davies

T Elzeiny

H Gorman

K Hodson

M Jordan

B Kenny

P Martin

J McManus

P Stuart

A Wright

113 **WELCOME AND INTRODUCTION**

The Chair welcomed Members of the Planning Committee, Officers and members of the public to the meeting.

114 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

115 **MINUTES**

The Director of Law and Governance submitted the minutes of the meeting held on 12 January 2023 for approval.

Resolved – That the minutes of the meeting held on 12 January 2023 be approved.

116 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Committee were asked whether they had any personal or prejudicial interests in connection with any item on the agenda and if so, to declare them and state what they were.

No such declarations were made.

117 **APP/22/00576; 1 BRACKEN DRIVE, NEWTON, CH48 9UR, FIRST FLOOR EXTENSION TO BUNGALOW AND NEW FRONT GARDEN WALL.**

The Principal Planner presented the report of the Director of Regeneration and Place in respect of the above application.

Mr P Nowell, Lead Petitioner addressed the Committee.

Mr A Moran, Applicant addressed the Committee.

On a motion by the Chair and seconded by Councillor K Hodson it was –

Resolved (unanimously) – That the application be approved subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

2 The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 1 April 2022 and listed as follows: 2021-45 02, in accordance with the approved plans received by the local planning authority on 20 September 2022 and listed as follows: 2021-45 05 Rev B, 2021-45 03 Rev B and in accordance with the approved plans received by the local planning authority on 20 December 2022 and listed as follows: 2021-45 06 Rev B.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no further first floor windows or dormer windows shall be added to the property unless expressly authorised.

4 The rear facing first floor landing window shall not be glazed otherwise than with obscured glass to Pilkington level 3 and fixed shut and permanently retained as such.

5 Prior to the first use/occupation of the development/first floor accommodation, a full scheme of works for the reinstatement to standard footway levels of any existing vehicle accesses from the highway that are rendered obsolete by the development shall be submitted and approved in writing by the LPA. The development/first floor accommodation shall not be bought into use/occupied until the approved works have been completed in accordance with the approved scheme.

118 **ADV/21/02183; CAR PARK SW OF CHERRY TREE SHOPPING CENTRE, 6-8 CHERRY SQUARE, LISCARD, CH44 5XU, APPROVAL IN ERROR OF RETROSPECTIVE ADVERT CONSENT FOR 6 NO. NON-ILLUMINATED POLE MOUNTED AND 2 NO. NON-ILLUMINATED WALL MOUNTED FASCIA SIGNS.**

The Development Management Manager presented the report of the Director of Regeneration and Place which provided an update about the circumstances that led to the approval of advertisement consent for ADV/21/02183 under delegated authority before the Planning Committee could consider the application. The report set out the procedural changes that had been implemented with a view to preventing similar occurrences in the future.

Members discussed the process failure outlined within the report and changes that could be made to the system.

On a motion by the Chair and seconded by Councillor P Martin it was –

Resolved (unanimously) – That Committee regrets the process failure outlined in the report, notes the circumstances which led to the issue and endorses the

changes to internal Council procedure that had been implemented as outlined in paragraph 3.6 of the report.

119 **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE- ENFORCEMENT ACTIVITY BETWEEN 1ST JULY 2022 TO 30TH SEPTEMBER 2022, AND 1ST OCTOBER 2022 TO 31ST DECEMBER 2022.**

The Development Management Manager presented the report of the Director of Regeneration and Place which updated Members on the performance of the Development Management Service with regard to its planning enforcement activity for the period of 1st July 2022 to 30th September 2022, and 1st October 2022 to 31st December 2022.

On a motion by the Chair and seconded by Councillor S Foulkes, it was -

Resolved – That the report be noted and the performance update be endorsed.

120 **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE - PLANNING APPLICATIONS**

The Development Management Manager presented the report of the Director of Regeneration and Place which updated Members on the performance of the Development Management Service with regard to determining planning applications. The report outlined performance against government targets in terms of the speed of processing all applications.

On a motion by the Chair and seconded by Councillor K Hodson, it was -

Resolved – That the report be noted and endorsed.

121 **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE- PLANNING APPEALS**

The Development Management Manager presented the report of the Director of Regeneration and Place which updated Members on the performance of the Development Management Service regarding planning appeals, including the percentage of the Council's decisions overturned (on appeal) by the Planning Inspectorate.

At the request of the Chair, the Development Management Manager agreed to circulate information in respect of the outcome of appeals regarding decisions made by the Planning Committee.

On a motion by the Chair and seconded by Councillor S Foulkes, it was -

Resolved – That the report be noted and endorsed.

122 **CHANGES TO THE GUIDANCE ON SPEAKING AT PLANNING COMMITTEE**

The Lead Principal Lawyer presented the report of the Director of Law and Governance which provided a revised guidance on the right of the public to speak at

Planning Committee. This Committee had previously adopted a related speaking protocol and no amendments had been suggested to that document.

The Lead Principal Lawyer advised that amended speaking guidance had been issued in November 2021 in line with the updated Right to Speak policy and that following this guidance being in place and as the committee had returned to in person working there had been a review of the guidance.

The suggested revised Guidance on the Right to Speak at Planning Committee and Strategic Applications Sub-Committee meetings was set out within Appendix 1 to the report. Members were advised that the main adjustments were to change from an FAQ style to an emphasis on information on topic areas. A section had also been added with guidance on what is and what is not a material consideration.

Councillor B Kenny requested that an amendment be made to the Guidance in respect of the time of arrival of people wishing to speak and that this be changed from 'persons wishing to speak should arrive no later than 5.45 pm' to 'persons wishing to speak should arrive no later than 15 minutes before the meeting is scheduled to start'.

On a motion by the Chair and seconded by Councillor S Foulkes, it was –

Resolved – That the updated guidance on the Right to Speak at Planning Committee and Strategic Applications Sub-Committee meetings as referred to within Appendix 1 of the report be approved subject to the following amendment:

- **Change the wording in relation to 'persons wishing to speak should arrive no later than 5.45 pm' to 'persons wishing to speak should arrive no later than 15 minutes before the meeting is scheduled to start'.**
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