



**PLANNING COMMITTEE:
15 OCTOBER 2020**

Report of: Corporate Director of Place and Community

Contact: Mrs. C. Thomas (Extn.5134)
Email: catherine.thomas@westlancs.gov.uk

SUBJECT: LATE INFORMATION

1.0 INTRODUCTION

The information below has been received since compilation of your Agenda. The following also includes suggested adjustments to the recommendations further to the receipt of late plans and/or information.

2.0 ITEM 7 – PLANNING APPLICATIONS

REPORT NO. 2 – EDEN TEAROOM AND GALLERIES, COURSE LANE - 2020/0727/FUL

A number of objection letters have been received following the publication of the agenda. Many of the points raised reiterate concerns already documented within section 8 of the Committee Report. Additional points raised are summarised below:

- Proof should have been requested from the applicant that there are no other alternatives to the satellite dishes and that cable fibre broadband connection is not a viable alternative.
- The dishes do not comply with WLBC regulations because of the size of the second dish which is more than 600mm.
- The Council has blatantly ignored the Department of Communities and Local Government's own advice regarding the Installation of Antennas and Satellite Dishes.
- Should the case officer suggestion to approve be granted then there should be a condition applied to paint the dishes in a suitable dark colour to blend into the building thereby reducing visibility to minimum impact.
- The neighbouring community views are being ignored by the Council.
- The case officer's report makes reference to the site being within Green Belt and outside of the settlement boundary but that is not correct, the site still falls within the village boundary.

OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Paragraph 3.0 of the report should read '*Recommendation: APPROVE*' and not '*Recommendation: APPROVE subject to conditions*'.

In response to the additional comments reported above, the Council must determine this planning application on the basis of an assessment of the scheme as submitted. It would not be reasonable to require the applicant to consider alternative options to the satellite dishes. In response to the comments that the dishes do not comply with WLBC regulations and that the scheme does not adhere to advice for the Department of Communities and Local Government, the regulations quoted relate to the General Permitted Development Order which details criteria for works which do not require planning permission. In this case the regulations are not relevant to the current proposal as the applicant accepts the need for planning permission and has submitted the current application. In response to the comments that residents' views are being ignored, the agenda report acknowledges the concerns of local residents which are summarised in section 8. The site description in the report is correct in accordance with the West Lancashire Local Plan Proposals map the site is located within the Green Belt and is adjacent to the settlement boundary.

REPORT NO.3 – BARN LODGE VETERINARY HOSPITAL, 54A SOUTHPORT ROAD – 2019/1003/FUL

A further neighbour representation has been received by the Council reiterating the following concerns:

- Air pollution location suffers from down draft trapping pollution
- Odours
- Inappropriate commercial development in residential area
- Noise and smoke
- Eyesore given the stack height and harmful to visual amenity - constant reminder of animal incinerator
- Unsuitable location
- Impact on protected species bats and other wildlife
- Human health risks
- Loss of enjoyment of garden

Other comments have been raised in neighbour representations which do not relate to material planning considerations and are covered by other regulations.

OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

I consider that the issues raised above have already been fully addressed in the Officer's Report.

OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Following publication of the Planning Committee Agenda a consultation response has been received from the Council's Environmental Protection Officer. In their response they advise that in respect of hours of operation for commercial uses, BS8233:2014 'Guidance on Sound Insulation and Noise Reduction for Buildings' advises that noise within bedrooms should be lower between the hours of 2300 and 0700 (30 LAeq,8hr) than daytime hours 0700 - 2300 (35 LAeq,16hr). Based on this advice condition 6 should read:

The use of the ground floor commercial premises shall not take place other than between the hours of 0700 – 2300 on any day.

Reason: To safeguard the amenities of nearby residents and to comply with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Condition 4 should be amended to read:

The proposed ground floor commercial premises shall not be brought into use until a scheme for protecting the proposed residential properties from noise from the ground floor Class A1 commercial premises and launderette, and other surrounding commercial premises and pedestrian routes, is submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to occupation of the residential properties and retained in full at all times that the proposed use is in operation.

Reason: To safeguard residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.