

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

12TH JANUARY 2009

PRESENT: Councillors Roger Dennison (Chairman), Eileen Blamire (Vice-Chairman) (for Minute Nos. 153 to 169 only), Ken Brown, Abbott Bryning, Keith Budden, Anne Chapman, Chris Coates (substitute for Andrew Kay), John Day, Mike Greenall, Emily Heath, Helen Helme (for Minute Nos. 153 to 169 only), Val Histed (for Minute Nos. 153 to 169 only), Joyce Pritchard, Robert Redfern (substitute for Sheila Denwood), Peter Robinson, Bob Roe, Sylvia Rogerson (for Minute Nos. 153 to 165 only) Roger Sherlock, Catriona Stamp and Joyce Taylor (for Minute Nos. 153 to 169 only)

Apologies for Absence:

Councillors Sheila Denwood and Andrew Kay

Officers in Attendance:

Andrew Dobson	Head of Planning Services
David Hall	Development Control Manager
Angela Parkinson	Senior Solicitor
Martin Brownjohn	Environmental Protection District Team Leader
Jane Glenton	Democratic Support Officer

153 MINUTES

The Minutes of the meeting held on 8th December 2008 were approved as a correct record and signed by the Chairman.

154 SITE VISIT

A site visit was held in respect of the following application:

A7 08/01154/FUL Cove House, Cove Road, Silverdale SILVERDALE
WARD

The following Members were present at the Site Visit, which took place on Monday, 5th January 2009:

Councillors Roger Dennison (Chairman), Eileen Blamire (Vice-Chairman), Ken Brown, Abbott Bryning, Anne Chapman, Peter Robinson and Sylvia Rogerson

Officers in Attendance:

David Hall	-	Development Control Manager
Peter Rivet	-	Senior Planning Officer
Jane Glenton	-	Democratic Support Officer

Also in Attendance:

Councillor Sarah Fishwick (Ward Councillor)

155 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

156 DECLARATIONS OF INTEREST

Members were advised of the following declarations of interest:

Councillor Greenall declared a personal interest in A10 08/01301/FUL – Borwick Fishery, Kellet Lane, Warton (Minute No. 159 refers), being an employee of British Energy.

Councilor Robinson declared a personal interest in A14 08/01375/DPA – 2 – 4 Clarendon Road East, Morecambe (Minute No. 167 refers), the matter having been considered by the West End Partnership, of which he was a member.

157 PLANNING APPLICATIONS

The Head of Planning Services submitted a Schedule of Planning Applications and his recommendations thereon.

Resolved:

- (1) That the applications be determined as indicated below (the numbers denote the schedule numbers of the applications).
- (2) That, except where stated below, the applications be subject to the relevant conditions and advice notes, as outlined in the Schedule.
- (3) That, except where stated below, the reasons for refusal be those as outlined in the Schedule.

(a) NOTE

A	-	Approved
R	-	Refused
D	-	Deferred
A(C)	-	Approved with additional conditions
A(P)	-	Approved in principle
A(106)	-	Approved following completion of a Section 106 Agreement
W	-	Withdrawn
NO	-	No objections
O	-	Objections

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

CATEGORY A APPLICATIONS

Applications dealt with by the District Council without formal consultation with the County Council.

158 COVE HOUSE, COVE ROAD, SILVERDALE

(Under the Scheme of Public Participation, Terry Bell addressed the Committee in opposition to the application. June Greenwell, the applicant, addressed the Committee in support.)

<u>Item</u>	<u>Application</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
A7	08/01154/FUL	Erection of extra care housing comprising 14 no. dwellings with car parking for The Abbeyfield Silverdale & District Society Ltd	SILVERDALE WARD	A(C)(106)

Terry Bell spoke in objection to the application. He advised Committee that he lived in close proximity to Cove House. A key aspect of the application was the requirement to show that the development met a specific need. There was no data to demonstrate this, especially regarding the provision of 3 bedroom dwellings, which could have no meaning for the targeted group. The development was on the boundary of the district and isolated from the community. It was accessed by a dangerous road and a blind entrance, at which accidents had occurred in the early hours of the morning. The shuttle bus service had been cut and was likely to be axed. The weekend train service was infrequent, when most people would want to visit. Consultation had not been wide enough, and objections had been received from a variety of bodies and residents. There was clearly no demonstrated local need for the service and Members were asked to reject the application.

June Greenwell spoke in support of the application and addressed the specific points made by Mr. Bell. There was a current need and this would grow, as identified by the Housing Strategy. The development would address a need in Silverdale and Yealand. At a village meeting to consider the proposals, a significant minority of people attending had wanted dwellings with 3 bedrooms, and the development was in response to this. Regarding isolation, Yealand was a long village with no shops and, should the development go ahead, the Society was committed to providing transport. With reference to road accidents in the early hours of the morning, none of the residents would be around at such time. The development would be run as a separate entity, but in partnership with Cove House.

Members considered the proposal.

It was proposed by Councillor Chapman and seconded by Councillor Robinson:

“That the application be approved.”

Upon being put to the vote, 13 Members voted in favour of the proposition, 6 against, with 1 abstention, whereupon the Chairman declared the proposal to be carried.

Resolved:

That the application be approved, subject to an agreement under Section 106 of the Town and Country Planning Act 1990 covering age occupancy restriction, highway safety improvements, a contribution towards the continued operation of the Silverdale Shuttle bus service, or other transport arrangements, links between Cove House and the new development, and to the following conditions, as set out in the report, and replacement of condition 10, as follows:

1. Standard three year condition
2. Amended plans 13th November 2008 covering retention of shelter belt at western end of the site
3. Development to be carried out in accordance with the approved plans
4. Samples of materials to be agreed
5. Occupation to be persons over 55 only
6. Cycle parking for visitors to the site to be provided
7. Construction work to take place only between 0800 – 1800 Monday to Saturday
8. Landscaping scheme to be agreed
9. Programme of replacement planting for trees on the western site boundary to be agreed
10. Removal of GDO tolerances in respect of dwellings

It was noted that Councillor Greenall had previously declared a personal interest in the following item, being an employee of British Energy.

159 BORWICK FISHERY, KELLET LANE, WARTON

(Under the Scheme of Public Participation, James Thomas addressed the Committee as an objector to the application.)

A10	08/01301/FUL	Erection of two 10 metre high domestic scale wind turbines and plant room building for Borwick Development Solutions	WARTON WARD	D
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James Thomas, Clerk to Borwick Parish Meeting, spoke in objection to the application. He advised Members that the site lay in Warton, east of the M6 motorway, close to the junction of three parishes. Substantial objection to the proposal had been shown at a recently held meeting, when there had been a guided tour of the site. The Parish Meeting objected to the siting of two wind turbines on the grounds that they would be intrusive, out of place in a rural setting and visible from Borwick, Lancaster Canal and residences. Planning Services had advised that adequate screening and landscaping was required, and that developments could not commence until landscaping details had been agreed, showing types and numbers of trees, and shrubs and their location. There should be other more suitable means of energy production for the cafe. Members were asked to defer the matter to enable a site visit to take place.

It was proposed by Councillor Robinson and seconded by Councillor Roe:

“That the application be refused.”

There was some debate on the proposition, following which Councillor Robinson withdrew his proposal with the agreement of the meeting and his seconder.

It was proposed by Councillor Blamire and seconded by Councillor Budden:

“That the application be deferred.”

Upon being put to the vote, 9 Members voted in favour of the proposition, 6 against, with 5 abstentions, whereupon the Chairman declared the proposal to be carried.

Resolved:

That the application be deferred to enable provision of the following information:

- 1) Details of the existing electricity supply to the site
- 2) Details of whether solar panels to the new building or freestanding had been considered as an alternative
- 3) Details of landscaping treatment to the highway boundary as required by previous approval

The meeting was adjourned at 12.05 p.m. for a comfort break and reconvened at 12.10 p.m.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

160 OXCLIFFE NEW FARM, OXCLIFFE ROAD, HEATON WITH OXCLIFFE

A5	08/01287/RCN	Removal of condition 5 on application no. 99/01002/FUL and condition 4 on application no. 05/00382/CU to allow occupation by people who are not gypsies or travellers for Mr. Corbey and Mrs. Scott (for and on behalf of all residents)	HEYSHAM SOUTH WARD	A
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It was proposed by Councillor Day and seconded by Councillor Taylor:

“That the application be approved.”

Upon being put to the vote, 14 Members voted in favour of the proposition, 3 against, with 2 abstentions, whereupon the Chairman declared the proposal to be carried.

Resolved:

That the application be approved, subject to officers writing to all owners of other gypsy caravan sites and estate agents to advise of the circumstances of the decision and the

necessity of ensuring that the conditions restricting the occupancy of the caravan sites are properly complied with and caravans properly marketed.

161 OXCLIFFE NEW FARM, OXCLIFFE ROAD, HEATON WITH OXCLIFFE

A6 08/01303/RCN Removal of condition 5 on HEYSHAM A
application no. 99/01002/FUL SOUTH WARD
and condition 4 on application
no. 05/00382/CU to allow
occupation by people who are
not gypsies or travellers for
Hanley Caravans

It was proposed by Councillor Day and seconded by Councillor Taylor:

“That the application be approved.”

Upon being put to the vote, 14 Members voted in favour of the proposition, 3 against, with 2 abstentions, whereupon the Chairman declared the proposal to be carried.

Resolved:

That the application be approved, subject to officers writing to all owners of other gypsy caravan sites and estate agents to advise of the circumstances of the decision and the necessity of ensuring that the conditions restricting the occupancy of the caravan sites are properly complied with and caravans properly marketed.

The meeting was adjourned at 1.16 p.m. for lunch.

The meeting reconvened at 1.45 p.m.

162 CAPERNWRAY DIVING CENTRE, CAPERNWRAY ROAD, CAPERNWRAY

A8 08/01308/REM Reserved matters application KELLET WARD A
for the erection of 7 holiday
units for Mrs. C. Hack

It was proposed by Councillor Blamire and seconded by Councillor Brown:

“That the application be approved.”

Upon being put to the vote, Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposal to be carried.

Resolved:

That the application be approved, subject to the following conditions, as set out in the report:

1. Development to be carried out in accordance with the approved plans

2. Units of living accommodation to be holiday accommodation only, for stays not exceeding 28 days – not to be used as sole or main residence
3. No building operations to take place during March to July (the nesting season for breeding birds)
4. Scheme to prevent access to sensitive undeveloped parts of the site to be agreed
5. Details of arrangements for foul and surface water drainage to be agreed
6. Preamble driveways and footpaths to be surfaced with limestone chippings
7. Landscaping scheme including species to be used to be agreed and implemented
8. Plant species for grass roofs to be based on those found on the site
9. Secure cycle parking facilities to be provided

163 BRANTHOLME, HASTY BROW ROAD, SLYNE

A9 08/01360/FUL Erection of a replacement SLYNE-WITH- A
garage for Mr. P. Rogerson HEST WARD

It was proposed by Councillor Brown and seconded by Councillor Rogerson:

“That the application be approved.”

Upon being put to the vote, Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposal to be carried.

Resolved:

That the application be approved, subject to the following conditions, as set out in the report:

1. Standard 3 year consent
2. Development to accord with plans
3. Use of natural slate – to match house
4. Use of natural stone – to match house
5. Use of cast iron rainwater goods – to match house
6. Tree protection required during demolition and construction

and the following additional condition (suitably worded):

7. Private use of garage only

164 LAND AT MOSS LANE, THURNHAM

A11 08/01279/FUL Retrospective application for ELLEL WARD A
the excavation of land for the
construction of a slurry lagoon
for Mr. Richard Walmsley

It was proposed by Councillor Helme and seconded by Councillor Day:

“That the application be approved.”

Upon being put to the vote, 19 Members voted in favour of the proposition and 1 against, whereupon the Chairman declared the proposal to be carried.

Resolved:

That the application be approved, subject to the following condition, as set out in the report:

1. As required by consultees (no other standard conditions are required as the development has already been undertaken and is satisfactory in appearance).

165 SWARTHDALE COTTAGE, SWARTHDALE ROAD, OVER KELLET

A12 08/01288/RCN Removal of condition 3 KELLET WARD A
(requirement to provide two
passing places) on application
no. 08/00393/FUL for Mr.
Terry Billington

Members considered the application for which the officer recommendation was that permission be refused.

It was proposed by Councillor Pritchard and seconded by Councillor Budden:

“That the application be approved.”

Upon being put to the vote, 10 Members voted in favour of the proposition, 6 against, with 4 abstentions, whereupon the Chairman declared the proposal to be carried.

Resolved:

That the application be approved.

Councillors Histed and Rogerson left the meeting at this point.

CATEGORY C APPLICATION

Application which involves County matters and falls to be determined by the County Council, and proposal for development by the County Council.

166 NIGHTINGALE HALL FARM, QUERNMORE ROAD, LANCASTER

A13 08/01270/CCC Temporary timber recycling for BULK WARD NO(C)
a period of 1 year for biomass
energy for John Dainty

It was proposed by Councillor Brown and seconded by Councillor Redfern:

“That no objections be raised to the proposal.”

Upon being put to the vote, 14 Members voted in favour of the proposition, 3 against, with 1 abstention, whereupon the Chairman declared the proposal to be carried.

Resolved:

That no objections be raised to the proposal, on the strict understanding that it was a one year temporary consent only, subject to the following conditions, as set out in the report:

1. Limitations regarding the duration of consent (12 months)
2. All buildings and structures and their materials of construction that remain from the previous animal rendering use to be removed from the site before the end of the 12-month permission
3. No goods vehicles above transit size to access or egress the site entrance from or to the west along Quernmore Road in the direction of the city centre

and the following additional conditions (suitably worded):

4. Hours of use 0800 to 1800 Monday to Saturday
5. Boundary noise limits
6. Production of a Travel Plan

CATEGORY D APPLICATION

Proposal for development by a District Council.

It was noted that Councillor Robinson had previously declared a personal interest in the following item, the matter having been considered by the West End Partnership, of which he was a member, and did not vote on the matter.

167 2 - 4 CLARENDON ROAD EAST, MORECAMBE

A14 08/01375/DPA Change of use of derelict land HARBOUR A(C)
to a public car park facility for WARD
local residents for Lancaster
City Council

It was proposed by Councillor Blamire and seconded by Councillor Sherlock:

“That the application be approved.”

Upon being put to the vote, Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposal to be carried.

Resolved:

That the application be approved, subject to the following conditions, as set out in the report:

1. Standard three year condition
2. Development to be carried out in accordance with the approved plans
3. Tree species to be agreed
4. Planting to be maintained for the first five years
5. Construction work to take place only between 0800 – 1800 Mondays to Saturdays, with no work on Sundays or officially recognised public holidays
6. As required by County Council Highways (if appropriate)

and to the additional conditions requested by the County Surveyor

CATEGORY C APPLICATIONS

Applications which involve County matters and fall to be determined by the County Council, and proposals for development by the County Council.

168 SALT AYRE LANDFILL SITE, OVANGLE ROAD, MORECAMBE

A15	08/01406/CCC	Variation of condition 2 of 01/04/0056 to allow operations on the site to continue and restoration to take place until 31 st December 2017	HARBOUR WARD	NO
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It was proposed by Councillor Sherlock and seconded by Councillor Taylor:

“That no objections be raised to the proposal.”

Upon being put to the vote, Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposal to be carried.

Resolved:

That no objections be raised to the proposal, subject to the following recommended condition:

1. Temporary Period of Consent – cessation of use of land and removal of hardstanding by 31st December 2017.

169 SALT AYRE LANDFILL SITE, OVANGLE ROAD, MORECAMBE

A16	08/01407/CCC	Variation of condition 1 of 01/02/1255 to allow operations on the site to continue and restoration to take place until 31 st December 2017	WESTGATE WARD	NO
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It was proposed by Councillor Sherlock and seconded by Councillor Taylor:

“That no objections be raised to the proposal.”

Upon being put to the vote, Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposal to be carried.

Resolved:

That no objections be raised to the proposal, subject to the following recommended condition, as set out in the report:

1. Temporary Period of Consent – cessation of use of land and removal of hardstanding by 31st December 2017.

Councillors Blamire, Helme and Taylor left the meeting at this point.

170 DELEGATED PLANNING DECISIONS

The Head of Planning Services submitted a Schedule of Planning Applications dealt with under the Scheme of Delegation of Planning Functions to Officers.

Resolved:

That the report be noted.

Chairman

(The meeting ended at 2.28 p.m.)

**Any queries regarding these Minutes, please contact
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