

**PLANNING AND HIGHWAYS  
REGULATORY COMMITTEE**

10.30 A.M.

9TH FEBRUARY 2009

**PRESENT:** Councillors Roger Dennison (Chairman), Eileen Blamire (Vice-Chairman), June Ashworth (substitute for Mike Greenall), Keith Budden, Anne Chapman, John Day, Sheila Denwood, Emily Heath, Helen Helme, Val Histed, Andrew Kay, Joyce Pritchard, Robert Redfern (substitute for Abbott Bryning), Peter Robinson, Bob Roe, Sylvia Rogerson, Roger Sherlock, Catriona Stamp and Joyce Taylor

Apologies for Absence:

Councillors Ken Brown and Abbott Bryning

Officers in Attendance:

David Hall	Development Control Manager
Mark Cassidy	Assistant Development Control Manager
Angela Parkinson	Senior Solicitor
Jane Glenton	Democratic Support Officer

**171 MINUTES**

The Minutes of the meeting held on 12<sup>th</sup> January 2009 were approved as a correct record and signed by the Chairman.

**172 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN**

There were no items of urgent business.

**173 DECLARATIONS OF INTEREST**

Members were advised of the following declarations of interest:

Councillor Roe declared a personal and prejudicial interest in A6 08/01371/FUL – 87 Crag Bank Road, Carnforth (Minute No. 175 refers), having registered to speak as Parish Councillor on the item.

**174 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- W - Withdrawn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.

***It was noted that Councillor Roe had previously declared a personal and prejudicial interest in the following item, having registered to speak as Parish Councillor on the item. Councillor Roe spoke on the item, left the meeting whilst the application was being considered and did not vote on the matter.***

#### **175 87 CRAG BANK ROAD, CARNFORTH**

***(Under the Scheme of Public Participation, Mr. Armer addressed the Committee in opposition to the application. Mr. Partington, Agent for the applicant, and Parish Councillor Bob Roe addressed the Committee in support.)***

<u>Item</u>	<u>Application</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
A6	08/01371/FUL	Retrospective application for the retention of a ramp to provide disabled access to garden for Mr. Paul O'Sullivan	BOLTON-LE-SANDS WARD	A(C)

Mr. Armer spoke in objection to the application, on behalf of neighbour, Mr. Smith. He advised Committee that Mr. Smith had been shown plans of the proposed ramp to provide disabled access and had expressed no objections. However, the ramp had not been constructed in accordance with the plans and was 30% higher and impacted on the privacy of neighbouring properties. The lower portion was substantially higher than the adjacent gardens and the construction of the hardstanding had caused run off and flooding to adjacent properties. The whole project had been carried out unprofessionally by the builder. Mr. Smith had no objections to the original proposal.

Mr. Partington of Thomas Associates Architects, agent on behalf of the applicant, spoke in support of the application. He informed Committee that the applicant was a keen

gardener and the ramp was necessary for wheelchair access. A zigzag construction had initially been considered, but the narrowness of the garden meant that sharp turns would be required. The ramp had been constructed in such a way due to the topography of the garden. Drains had been installed in the base of the ramp, and the hardstanding had been constructed on open brickwork, so that flooding would not occur. Evergreens were to be planted along boundary fences by a landscape gardener, and these would provide privacy for both the applicant and his neighbours. The apple tree in the neighbouring garden, which had provided some privacy, had been heavily pruned. The ramp had been designed to accommodate planting beds on either side, and the ramp would look different once these were planted up.

Councillor Roe, Parish Councillor, spoke in support of the application and against the officer recommendation of refusal. He advised Committee that the ramp had been designed to give a disabled person proper access to their garden. The ramp looked stark at present because landscaping had not taken place. Planting would mitigate the ramp's stark feature. The low lying area was very much dependent on drainage across farmers' fields. The flooding problems had been caused by recent flash flooding and not the construction of the hardstanding. The application was supported by the City Council's Access Officer and Carnforth Town Council. However, if the Committee was minded to refuse the application, a site visit should be considered to view the effect a different ramp would have on the applicant's access to his garden.

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

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

"That the application be deferred to enable a site visit to take place."

Upon being put to the vote, 5 Members voted in favour of the proposition and 13 against, whereupon the Chairman declared the proposal to be lost.

Members further debated the application.

It was then proposed by Councillor Chapman and seconded by Councillor Kay:

"That the application be approved."

Upon being put to the vote, 11 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 the following conditions (suitably worded):

- (1) Landscaping to be agreed
- (2) Notwithstanding General Permitted Development Order (GPDO), no further raising of land levels of garden without prior consent.

***The meeting was adjourned for a ten minute comfort break.***

176 BORWICK FISHERY, KELLET LANE, WARTON

*(Under the Scheme of Public Participation, Bryan Fell addressed the Committee on behalf of Borwick Parish Meeting as an objector to the application.)*

A7 08/01301/FUL Erection of two 10 metre high WARTON A  
domestic scale wind turbines WARD  
and plant room building for  
Borwick Development  
Solutions

Bryan Fell, on behalf of Borwick Parish Meeting, spoke in objection to the application. He thanked Committee for deferring the matter at its previous meeting to enable further information to be provided. Wind turbines were an inefficient means of producing electricity and mains electricity would be on-site. Solar panels had been mentioned at the last meeting. The massive roof of the cafe building would be suitable to accommodate solar panels to provide a more efficient option...Electricity could also be produced from the water which flowed constantly under Kellet Road from the lake on-site. He asked that Committee reject the application and the applicant seek a more suitable greener solution. If Members were minded to approve the application, he hoped that the turbines would be erected in line with the existing building.

Members considered the application.

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

“That the application be approved.”

Upon being put to the vote, 15 Members voted in favour of the proposition and 4 against, 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. If no longer being required for the purposes of electricity generation, turbines to be removed within three months and the land reinstated to the satisfaction of the local planning authority

**APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION**

177 MILLENNIUM HEIGHTS, LUNE STREET, LANCASTER

A5 08/01246/RCN Application to remove SKERTON A  
affordable housing condition EAST WARD  
from remaining flats for Mr. S.  
Kay

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

“That permission be granted.”

Upon being put to the vote, 15 Members voted in favour of the proposition, 3 against, with 1 abstention, whereupon the Chairman declared the proposal to be carried.

***Resolved:***

That permission be granted for the removal of the restrictions in the Principal and Variation Agreements under Section 106 and 106A of the Town and Country Planning Act 1990 relating to Millennium Heights.

**178 PLANNING APPLICATION WITHDRAWN**

**179 GROSVENOR ROAD GARAGE, HEYSHAM ROAD, HEYSHAM**

A9	09/00002/FUL	WITHDRAWN	HEYSHAM CENTRAL WARD	W
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**CATEGORY D APPLICATION**

Proposals for development by a District Council

**180 40 SYCAMORE GROVE, LANCASTER**

A10	08/01333/DPA	Erection of extension to rear/side to provide disabled facilities comprising of bedroom and bathroom and the creation of off street parking to the front for Lancaster City Council	CASTLE WARD	A
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It was proposed by Councillor Blamire and seconded by Councillor Day:

“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 permission be approved, subject to the following conditions, as set out in the report:

1. Standard planning building time limit
2. Development as per approved plans
3. Amended plan condition (20<sup>th</sup> January 2009)
4. Close boarded timber fence to be installed prior to development, at dimensions stipulated on the amended plans

5. No commencement until submission and agreement of a detailed Method Statement and a Tree Protection Plan for all works within 7m of all on and off site trees

**181 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.

**Lunch was served following the meeting.**

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Chairman

(The meeting ended at 12.23 p.m.)

**Any queries regarding these Minutes, please contact  
Jane Glenton, Democratic Services - telephone (01524) 582068 or email  
jglenton@lancaster.gov.uk**