

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

9TH MARCH 2009

PRESENT: Councillors Roger Dennison (Chairman), Eileen Blamire (Vice-Chairman), Ken Brown, Abbott Bryning, Keith Budden, Anne Chapman, John Day, Mike Greenall, Emily Heath, Helen Helme, Val Histed (for Minute Nos. 182 to 197 only), Andrew Kay, Joyce Pritchard, Robert Redfern (substitute for Sheila Denwood), Peter Robinson, Bob Roe, Sylvia Rogerson, Roger Sherlock, Catriona Stamp and Joyce Taylor

Apologies for Absence:

Councillor Sheila Denwood

Officers in Attendance:

Andrew Dobson	Head of Planning Services
David Hall	Development Control Manager
Peter Rivet	Senior Planning Officer
Angela Parkinson	Senior Solicitor
Jane Glenton	Democratic Support Officer

182 MINUTES

The Minutes of the meeting held on 9th February 2009 were approved as a correct record and signed by the Chairman.

183 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

184 DECLARATIONS OF INTEREST

Members were advised of the following declarations of interest:

Councillor Budden declared a personal interest in A5 – 09/00014/OUT – Land to the rear of 1 St. Michaels Grove, Bolton-le-Sands, Carnforth, which had been withdrawn (Minute No. 186 refers), being Ward Councillor.

Councillor Chapman declared a personal and prejudicial interest in A12 09/00025/FUL – Land opposite 176 to 198 Ambleside Road, Lancaster (Minute No. 193 refers), being a director of LESS.

Councillor Heath declared a personal and prejudicial interest in A12 09/00025/FUL – Land opposite 176 to 198 Ambleside Road, Lancaster (Minute No.193 refers), two LESS directors being members of the Green Group.

Councillor Kay declared a personal and prejudicial interest in A12 09/00025/FUL – Land opposite 176 to 198 Ambleside Road, Lancaster (Minute No. 193 refers), two LESS directors being members of the Green Group.

Councillor Stamp declared a personal and prejudicial interest in A12 09/00025/FUL – Land opposite 176 to 198 Ambleside Road, Lancaster (Minute No. 193 refers), being an acquaintance of the applicant and trustees of LESS.

185 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

CATEGORY A APPLICATIONS

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

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

It was noted that Councillor Budden had previously declared a personal interest in the following item, as Ward Councillor.

186 LAND TO THE REAR OF 1 ST MICHAELS GROVE, BOLTON-LE-SANDS, CARNFORTH

(Under the Scheme of Public Participation, Harry Brown had registered to speak in opposition to the application, which had subsequently been withdrawn.)

A5 09/00014/OUT WITHDRAWN BOLTON-LE- SANDS WARD W

187 4 ST PAULS DRIVE, LANCASTER

(Under the Scheme of Public Participation, Lawrence Walker and Peter Greenbank addressed the Committee in opposition to the application.)

A6 08/01110/FUL Erection of 3 no. flats on land SCOTFORTH R
adjacent to 4 St. Pauls Drive WEST WARD
for Mr. and Mrs. Clark

Mr. Walker spoke in objection to the application. He advised Members that he was a resident of St. Pauls Drive and when weddings and funerals were taking place at St. Pauls Church, parking on the Drive was a nightmare, with cars parked thoughtlessly across driveways. The proposed block of flats would create even more chaos, with at least 6 additional vehicles and, when social events were taking place, up to 15 to 20 additional vehicles. If St. Pauls Church was permitted to extend, parking would be even worse in future. Parking in connection with children attending Ripley St. Thomas School and St. Pauls Junior School caused additional problems. St. Pauls Drive was unique to the area and residents were proud of their homes and gardens. The proposal was out of keeping with the existing buildings. There was already an abundance of student accommodation in the area. He requested that the application be rejected to allow residents to see their time out in peace and security.

Peter Greenbank spoke in objection to the application and informed Members that he was a resident of St. Pauls Drive and fully endorsed the comments of the previous speaker. Residents closest to the proposed development had been in occupancy for an average of 35 years. The proposal had caused stress and anxiety amongst residents, and the impact of the development would create considerable disruption. He spoke on behalf of residents generally when he said that he could not see how such a development would blend in. The flats were aimed at students and nurses, who worked unsociable hours. Such a lifestyle would cause problems in the area. Subsidence had occurred at No. 4 and he questioned whether the land would be suitable for the proposed development. The development would impact on the light to the lounge of the adjacent property. Residents had given time and attention to their properties and gardens. If the flats were let, an absentee landlord would not be concerned about their upkeep. He had only found out about today's meeting as a result of a request to Planning Services for a progress report, and more residents would have been present to voice an opinion had they known about the meeting.

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

"That the application be refused."

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 refused for the following reasons, as set out in the report:

1. Overdevelopment of the site.
2. Detrimental to the street scene and the character and appearance of the locality.
3. Injurious to the amenities of neighbouring occupiers.

4. Inadequate off street parking and cycle storage.
5. No contamination desk top study submitted.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

188 LAND ADJACENT TO MIDDLETON ROAD, MIDDLETON

A7 08/01385/CU Siting of caravan adjacent to OVERTON A
stable for Miss H. Diviny-Day WARD

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

“That the application be approved.”

Upon being put to the vote, 14 Members voted in favour of the proposition, 3 against, with 3 abstentions, 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. Temporary 3 year consent – caravan to be removed and land reinstated unless consent is granted for a further period.
2. Precise siting of caravan in relation to stable block to be agreed.
3. Foul and surface drainage arrangements to be agreed and implemented.
4. Tree planting to be agreed and implemented.

and the following additional condition (suitably worded):

5. Occupancy of caravan to be limited to someone employed full-time in the stable business.

189 234 - 235 MARINE ROAD CENTRAL, MORECAMBE

A8 09/00036/CU Change of use from shop to POULTON A(C)
community centre for Mr. A. WARD
Edzi

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

“That the application be approved.”

Upon being put to the vote, 17 Members voted in favour of the proposition, 1 against, with 2 abstentions, 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, with amendment to condition 8:

1. Standard 3 year time limit.

2. Development to be built in accordance with the agreed details.
3. The use of as a community centre/snooker hall shall be limited to the ground floor of the premises known as 234-235 Marine Road Central only.
4. The use of the site shall be limited to a community centre/snooker and pool hall as described in the applicant's submission details and supporting letter.
5. The hours of use of the premises shall be limited to 8.00 a.m. to 2.00 a.m. (Friday and Saturday) and 8.00 a.m. to midnight Sunday to Thursday.
6. Any external alterations to the building, including the installation of any flue/extraction systems shall be undertaken in accordance with details to be submitted to and agreed in writing with the Local Planning Authority.
7. A scheme of soundproofing to the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed scheme.
8. Prior to use of the development, a scheme for the design, location and erection of bollards to the forecourt area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed scheme. The forecourt shall not be used for the display of goods or ancillary uses.
9. Before the site is brought into use, a detailed scheme for improvement to the entrance/shop front should be agreed with the Local Planning Authority. The approved works should be implemented in accordance with a timetable to be agreed with the Local Planning Authority.

and the following additional condition (suitably worded):

10. Details of disabled access.

190 VUE CINEMA, CHURCH STREET, LANCASTER

A9 09/00088/FUL Installation of glazed doors at DUKE'S WARD A(C)
each end of Anchor Lane for
Vue Entertainment Ltd

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

"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 conditions, as set out in the report:

1. Standard time limit.
2. Development according to approved plans.
3. Precise details of door materials, glazing, colours and finishes to be submitted and agreed.
4. Doors to remain unlocked (i.e. Anchor Lane remains accessible) during 0800-0000 hours Sunday to Thursday and Bank Holidays, and 0800-0200 hours on Friday and Saturday.

and to the following additional condition (suitably worded):

5. Details of extra lighting for the passage to be agreed.

191 LEAPERS ROCK, KELLET ROAD, OVER KELLET

A10 09/00044/CU Change of use from garage KELLETT WARD R
and store to carers residential
dwelling for Mr. D. Wilson

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

“That the application be refused.”

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

Resolved:

That the application be refused on the following grounds, as set out in the report:

1. Contrary to Core Strategy Policy SC1 – new dwelling isolated from existing communities and the facilities they offer, difficult to access except by private motor car.
2. Contrary to Lancaster District Local Plan Policy H8 – proposal would result in the creation of an additional dwelling in the countryside where it is not required to meet the needs of agriculture, forestry or other uses appropriate to the rural area.

192 9 THE CLIFFS, HEYSHAM, MORECAMBE

A11 08/01434/FUL Erection of side conservatory HEYSHAM A
and second floor extension CENTRAL
above existing kitchen and WARD
dormer to the side for Mr. R.
Kitchen

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

“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 time limit.
2. In accordance with the approved amended plans.

3. Amended plans dated 17th February 2009.
4. Materials to match the existing elevations.

It was noted that Councillor Chapman had previously declared a personal and prejudicial interest in the following item, being a director of LESS, left the room during its consideration and did not vote on the item.

It was noted that Councillor Heath had previously declared a personal and prejudicial interest in the following item, two LESS directors being members of the Green Group, left the room during its consideration and did not vote on the item.

It was noted that Councillor Kay had previously declared a personal and prejudicial interest in the following item, two LESS directors being members of the Green Group, left the room during its consideration and did not vote on the item.

It was noted that Councillor Stamp had previously declared a personal and prejudicial interest in the following item, being an acquaintance of the applicant and trustees of LESS, left the room during its consideration and did not vote on the item.

Councillors Dennison, Brown, Day and Roe declared personal interests in the following item, being members of the Allotments Task Group.

193 LAND OPPOSITE 176 TO 198 AMBLESIDE ROAD, LANCASTER

A12 09/00025/FUL Erection of 2 x 12 metre BULK WARD A(C)
polytunnels, 2 metre high
boundary fence and siting of
two containers for a
community allotment for Mr.
Simon Gershon

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

“That the application be approved.”

Upon being put to the vote, 10 Members voted in favour of the proposition, 4 against, with 2 abstentions, 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, with amendment to condition 2:

1. Standard 3 year condition (for the polytunnels, access track and toilet).
2. Temporary period of consent (3 years 6 months) for the two containers.
3. Development as per approved plans.
4. Constructional details of the access track and on-site turning circle to be agreed.
5. Cycle and single car parking space to be agreed.
6. Standard landscaping condition.
7. Details of type, colour and heights of boundary fencing, pedestrian gates and vehicular gates to be agreed.

8. No development until a Management Plan for garden and waste management is submitted and agreed.
9. No development until details of protection measures to adjoining BHS habitats and features is submitted and agreed.
10. As required by consultees.

and the following additional condition (suitably worded):

11. Containers to be painted, colour to be agreed with the Local Planning Authority.

194 MIDDLETON TOWERS/ PONTINS HOLIDAY CAMP, CARR LANE, MIDDLETON

A13	09/00012/CU	Change of use, remedial works and extensions to farmhouse, folly and barn to create amenity services for adjacent residential development with associated external works for PRV Middleton Towers In Administration	OVERTON WARD	A(P)(C)
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It was proposed by Councillor Greenall and seconded by Councillor Blamire:

“That the application be delegated to the Head of Planning Services.”

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

Resolved:

That the application be delegated to the Head of Planning Services (for consideration of any further consultation responses) with a recommendation that permission be granted, 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. Details and/or samples of materials to be agreed.
4. Landscaping to be agreed and implemented.
5. Details of renewable energy sources for new build parts of the project to be agreed.
6. Programme of works for the folly tower to be agreed and implemented before the farmhouse and barn are brought into use.
7. As required by consultees (if appropriate).

and the following additional condition (suitably worded):

8. Amended plans received 2nd March 2009. Decision Notice to be issued only when the consultation period has expired.

195 PONTINS HOLIDAY CAMP, CARR LANE, MIDDLETON

A14 09/00017/LB Change of use, remedial works and extension to farmhouse, folly and barn to create amenity services for adjacent residential development with associated external works for PRV Middleton Towers In Administration OVERTON WARD A(P)(C)

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

“That the application be delegated to the Head of Planning Services.”

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

Resolved:

That the application be delegated to the Head of Planning Services (for consideration of any further consultation responses) with a recommendation that Listed Building Consent be granted, subject to the following conditions, as set out in the report:

1. Standard Listed Building Consent.
2. Development to be carried out in accordance with the approved plans.
3. Details and/or samples of materials to be agreed.
4. Eaves and verge details to be agreed.
5. Details of joinery for windows and doors to be agreed.
6. Details of mix for lime mortar to be agreed.
7. Interior layout of barn to allow open views of part of the roof structure.
8. Programme of works for the folly tower to be agreed and implemented before the farmhouse and barn are brought into use.

and the following additional condition (suitably worded):

9. Amended plans received 2nd March 2009. Decision notice to be issued only when the consultation period has expired.

196 FORMER POLICE STATION, HEYSHAM ROAD, HEYSHAM

A15 08/01433/FUL Erection of new building comprising of 1 retail unit and 14 apartments for Daffodil Homes Ltd HEYSHAM SOUTH WARD A(C)

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

“That the application be approved.”

Upon being put to the vote, 14 Members voted in favour of the proposition, 5 against, with 1 abstention, 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, with amendment to condition 8:

1. Standard three year condition.
2. Amended plans 18th February 2009, opening a gap between the new building and the house at 2 Knowlys Road.
3. Development to be carried out in accordance with the approved plans.
4. Details/samples of materials to be agreed.
5. Construction work to take place only between 0800-1800 Mondays to Saturdays, with no work on Sundays or officially recognised public holidays.
6. In the event of unforeseen land contamination being encountered, appropriate measures to be taken.
7. No development to be undertaken until the developer has entered into an agreement covering public transport improvements.
8. Car and cycle parking to be provided and retained as such.
9. Vehicular access to be improved in accordance with agreed details.
10. Before any of the dwellings are occupied, a traffic regulation order must be obtained restricting parking on the section of Knowlys Road outside the site.
11. Measures to be taken to protect trees adjoining the site.

and the following additional conditions (suitably worded):

12. Lighting for the side passage.

197 CEMETERY LODGE, WESTGATE, MORECAMBE

A16 09/00035/DPA Proposed extension and alterations to existing WC to create disabled WC for Lancaster City Council TORRISHOLME A WARD

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

“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 time limit.
2. Development to be completed in accordance with the approved scheme.
3. External materials to match existing.

Councillor Histed left the meeting at this point.

198 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 12.58 p.m.)

**Any queries regarding these Minutes, please contact
Jane Glenton, Democratic Services - telephone (01524) 582068 or email
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