

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

2ND NOVEMBER 2009

PRESENT: Councillors Keith Budden (Chairman), Joyce Pritchard (Vice-Chairman) (Minute Nos. 94 to 101 only), Eileen Blamire, Anne Chapman, Chris Coates, John Day (Minute Nos. 94 to 101 (part) only), Roger Dennison, Sheila Denwood, Mike Greenall, Emily Heath, Helen Helme, Val Histed, Tony Johnson (substitute for Ken Brown), Andrew Kay, Geoff Marsland (Minute Nos. 94 to 107 only), Robert Redfern, Bob Roe, Sylvia Rogerson (Minute Nos. 94 to 106 only), Roger Sherlock (Minute Nos. 94 to 102 only) and Paul Woodruff (substitute for Peter Robinson)

Apologies for Absence:

Councillors Ken Brown and Peter Robinson

Officers in Attendance:

Andrew Dobson	Head of Planning Services
David Hall	Development Control Manager
Mark Cassidy	Assistant Development Control Manager
Andrew Drummond	Senior Planner (Minute Nos. 94 to 104 only)
Angela Parkinson	Senior Solicitor
Martin Brownjohn	Environmental Protection District Team Leader
Jane Glenton	Democratic Support Officer

94 MINUTES

The Minutes of the meeting held on 28th September 2009 were signed by the Chairman as a correct record.

The Head of Planning Services updated Members on the position regarding Mitchells Brewery following a request by Councillor Coates.

95 SITE VISIT

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

A17 09/00688/CU	9C Castle Hill, Lancaster	CASTLE WARD
A18 09/00689/LB	9C Castle Hill, Lancaster	CASTLE WARD

The following Members were present at the site visit, which took place on Thursday, 22nd October 2009:

Councillors Keith Budden (Chairman), Eileen Blamire, Anne Chapman, Emily Heath, Val Histed and Geoff Marsland.

Officers in Attendance:

Mark Cassidy	-	Assistant Development Control Manager
Petra Williams	-	Planning Assistant
Jane Glenton	-	Democratic Support Officer

96 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were items of urgent business.

97 DECLARATIONS OF INTEREST

Members were advised of the following declarations of interest:

Councillor Denwood declared a personal and prejudicial interest in A17 09/00688/CU and A18 09/00689/LB – 9C Castle Hill, Lancaster – being acquainted with the applicant.

Councillor Greenall declared a personal and prejudicial interest in A6 09/00668/FUL – Land at Mossgate Park, Heysham Mossgate Road, Heysham – being a director of Heysham Mossgate Board.

Councillor Dennison declared a personal interest in A7 09/00281/FUL – Christie Park, Lancaster Road, Morecambe – paying £1 per week to the Morecambe Members' Football Club.

Councillor Day declared a personal and prejudicial interest in A7 09/00281/FUL – Christie Park, Lancaster Road, Morecambe – being a shareholder in Morecambe Football Club.

Councillor Chapman declared a personal and prejudicial interest in A8 09/00886/FUL – Temporary Meteorological Mast, Roeburndale Road, Roeburndale – being a director of a Community Interest Company, LESS (Lancaster District) which may receive funding from Community Windpower to run an energy advice centre.

Councillor Coates declared a personal and prejudicial interest in A8 09/00886/FUL – Temporary Meteorological Mast, Roeburndale Road, Roeburndale – being acquainted with the applicant as a director of LESS.

Councillor Budden declared a personal interest in A12 09/00822/OUT – Land Behind 1 St. Michaels Grove, Bolton-le-Sands, Carnforth – being a member of Bolton-le-Sands Parish Council.

Councillor Heath declared a personal and prejudicial interest in A14 09/00837/FUL – Lancaster University, Bailrigg Lane, Lancaster – being employed by Lancaster University.

Paul Woodruff declared a personal interest in A15 09/00942/FUL – Halton Youth & Community Centre, Low Road, Halton – being a member of Halton-with-Aughton Parish Council.

98 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

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

99 LAND AT MOSSGATE PARK, HEYSHAM MOSSGATE ROAD, HEYSHAM

(Under the Scheme of Public Participation, Roger Harrison spoke in opposition to the application. Peter Whalley, Chairman of Heysham Neighbourhood Council and Harry Ashworth on behalf of the applicant, spoke in support.)

A6	09/00668/FUL	Erection of a medical centre, indoor sports centre with associated accommodation, flood lit outdoor sports pitch and associated car parking for North Lancashire PCT	HEYSHAM SOUTH WARD	A(C)
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Roger Harrison addressed the Committee in opposition to the application, and as a resident, for 15 years, of Douglas Drive. As well as himself, he was representing the significant number of people who had signed a petition against the proposed development. He advised Members that the vast majority of people were unaware of the plans, which had horrified them. The facilities proposed already existed in the two health centres, pitches in the village, at Douglas Park and the High School, and sports centres at Salt Ayre, JJB and VVV. A neighbour who worked at Salt Ayre had relayed concerns regarding the detrimental effect the proposal would have on Salt Ayre and the staff who worked there. The proposed development's close proximity to adjacent residential properties would cause noise and light pollution. There would be noise from spectators, anti-social behaviour, vandalism and worse, all of which would have a significant adverse impact on residents' privacy and security. The development would destroy wildlife habitats and change the outlook forever, impacting negatively on property values. The disadvantages for the local community outweighed the benefits.

Peter Whalley, Chairman of Heysham Neighbourhood Council, addressed the Committee in support of the application, which he advised was a desperately needed facility, particularly in the areas of health and dental care. The sports facility was additionally needed, particularly for teams struggling to find training slots, and the recreational facilities, including multi-use games area, within easy distance, would cut down on travel times. The development would be monitored by CCTV. The majority of activities would be brought together under one roof, and had featured in the original development brief, subject to a Section 106 agreement and paid for by roof tax.

Harry Ashworth, representing the PCT, addressed the Committee in support of the application, and advised Members that the proposal for the medical centre followed Lancaster City Council's Development Brief and incorporated a sports centre and floodlit outdoor sports pitch. Floodlighting would be positioned 30m from properties and would be 18m high and shielded to direct light downwards. There would be associated car parking spaces for both facilities and the new bowling green. The medical centre would provide accommodation to meet the needs of individuals and provide necessary health facilities, with the flexibility to accommodate future healthcare requirements.

Members considered the application.

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

"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, with amendment to conditions 18 and 34, as follows:

1. Standard 3 year planning permission timescale.
2. Development to accord with plans.
3. Materials to be agreed – notwithstanding plans.
4. Development to accord with Secured by Design principles.
5. Provision of CCTV.
6. Refuse storage details.
7. At least 10% renewable energy condition.
8. Landscaping scheme.
9. Scheme for additional tree planting.
10. Retention of existing trees/hedges.
11. Scheme for the protection of all existing trees during construction.
12. Adoptable highway details required.
13. Protection of visibility splays.
14. Provision of car parking areas.
15. Mobility car parking spaces.
16. Provision of cycle storage.
17. Provision of motorcycle parking.
18. Provision of mini-bus parking.
19. Parking Management Scheme – details required.

20. Provision of vehicular turning space.
21. On-site highway improvements, including a west-east foot/cycle path across the entire site.
22. Off-site highway improvements, including quality bus stops, toucan crossing and cycleway connections.
23. Wheel cleaning facilities – temporary during construction.
24. Travel Plan – details required.
25. Separate drainage system.
26. Provision of inceptor – car parks.
27. Hours of construction – 0800 to 1800 Monday to Saturday.
28. Scheme of dust control.
29. Construction noise and vibration.
30. Construction noise – pile driving.
31. Sound insulation.
32. Ventilation details.
33. Details of floodlighting.
34. Hours of operation of sports centre – 0700 to 2200, and all weather pitch – 0800 to 2130 hours Monday to Sunday.
35. Provision of 6m high ball stopping fencing around the perimeter of all weather pitch.
36. Provision of rebound boards and acoustic fencing across the entire width at both ends of the pitch.
37. Community Use Scheme for sports facilities – details required.
38. Health centre to meet BREEAM excellent standards, or equivalent.
39. Details of the provision of a new relocated children's equipped play area to the north of the existing tennis courts to be submitted.
40. Provision of the 2 new bowling greens and associated facilities prior to the loss of the existing 2 bowling greens.

It was noted that Councillor Day had previously declared a personal and prejudicial interest in the following item, being a shareholder in Morecambe Football Club, left the room during its consideration and did not vote on the item.

It was noted that Councillor Dennison had previously declared a personal interest in the following item, paying £1 per week to the Morecambe Members' Football Club.

100 CHRISTIE PARK, LANCASTER ROAD, MORECAMBE

(Under the Scheme of Public Participation Allan Mendelsohn of ADL Traffic spoke in objection to the application. John Blackburn and Jo Try from Sainsbury's spoke in support.)

A7	09/00281/FUL	Demolition of existing football buildings and erection of Sainsbury's food store (Class A1) together with new vehicular accesses, servicing area, car parking and ancillary landscaping for Sainsbury's Supermarkets Ltd	POULTON WARD	A(P)(C)
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Allan Mendelsohn, a Director of ADL Traffic Engineering Ltd, acting on behalf of Anduff UK Ltd. in relation to Arc Car Wash on Lancaster Road, spoke in objection to the application, and advised Members that his client was a leading operator in the UK and had operated sustainably for a number of years. Having considered this proposal carefully, he understood their concerns. The Car Wash operated on the basis of an unencumbered priority junction with customer vehicles turning freely in and out from both directions. His clients had no knowledge of the applicant's survey of the Car Wash, nor had they agreed to, or been asked to validate the results. The survey did not record peak flows and recorded only 70% of the traffic which could occur during peak trading months, or the direction of approach or departure - no left or right in or out - of customers' vehicles was recorded, just the number of vehicles. The survey was therefore not detailed enough for the analysis. Sainsbury's would impose a large multi movement traffic signal controlled junction with the westbound stop line 7m from the Car Wash's access, which would only enable a single car to queue. Any other vehicle at the stop line would obstruct the Car Wash's access, which meant that the Car Wash would now access/egress to and from the right through a 'keep clear' marking on the carriageway. County Council's comments demonstrated that the junction had not yet been technically designed and could have a greater impact on the Car Wash access than was currently proposed, and a safety audit undertaken had raised the issue of rear shunts from vehicles seeking to turn right into the Car Wash. Members were asked to recognise the legitimate concerns of his clients and to defer the application to determine whether the full design of Sainsbury's access junction could be safely implemented.

John Blackburn addressed Members as a ratepayer, long-time resident, potential customer of Sainsbury's and supporter of the application. In rhyme he advised Members that he had moved to the vicinity in 1966, when the area had been well-served by local businesses – butcher, baker, post office and garage - which had since gone. Sainsbury's would therefore be a much-needed local facility. The proposal would bring jobs into Morecambe, which in the current economic climate was vital, and although now retired, his own experience, on having been made redundant and having had to travel to west Lancashire to find work, meant that he understood the importance of this. The proposal would create 350 first class jobs. This was a national company investing in Morecambe. Other investment in Morecambe had resulted in regeneration such as at the Midland Hotel. Should the proposal be refused, the alternative would be a derelict football stadium and a derelict petrol station situate on the entrance to Morecambe, which he suggested would serve as carbuncles in the area.

Jo Try from Sainsbury's spoke in support of the application, and advised Members that Sainsbury's had wanted to establish a new store in the area for a number of years, and had sought approval to a proposal that would help facilitate the Football Club moving to a better sports ground at Westgate. Sainsbury's was a sustainable company and sustainability issues were taken seriously. A significant percentage of energy needs on site would be sourced sustainably. Sainsbury's had sought to enter into negotiations on matters with the Car Wash, but they had declined. County Highways had commented that a solution to the access layout could be achieved, and this aspect should not prevent Members from approving the application. The highway upgrades were necessary for the store's operation. The proposals would result in upgrades and improvements to footpaths and pedestrian/cycle facilities. Sainsbury's were pleased with proposals and the response from the public – 83% of respondents welcomed a wider choice in town. The proposed development would result in 350 job opportunities for local people. If approved, work would commence in summer 2010 and the store would open in spring 2011.

Members considered the application.

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

“That, subject to referral to the Government Office, the application be approved.”

Upon being put to the vote, 11 Members voted in favour of the proposition and 8 against, whereupon the Chairman declared the proposal to be carried.

Resolved:

That, subject to referral to the Government Office, the application be approved, subject to the signing of a Section 106 legal agreement covering:

1. Financial contribution towards foot/cycle way improvements, including a direct foot/cycle path from Greenway into the site, carrying on to Bartholomew Avenue, Westgate
2. The investigation and implementation of a traffic safety scheme in the Burlington Avenue/Lathom Avenue area.
3. Financial contribution of £200,000 towards open space or children/young people’s recreational provision.

And the following conditions, as set out in the report, subject to amendment of condition 7:

1. Standard 3 year planning permission timescale.
2. Development to accord with plans.
3. Standard amended application condition.
4. Net sales floorspace not to exceed 40,000 square feet.
5. No more than 25% of the net sales floorspace to be used for the sale of comparison goods (with the residual floorspace being used for the sale of convenience goods).
6. At least 10% renewable energy requirement from on site production.
7. Development to be constructed to BREEAM ‘very good’ standard.
8. Development to accord to ‘Secured by Design’ principles.
9. CCTV system required.
10. Submission of materials – notwithstanding plans.
11. Boundary treatments – details required.
12. Landscaping scheme – agreed scheme to be implemented.
13. Retention of existing trees/hedges.
14. Scheme for protection of trees during construction.
15. Refuse storage – details required.
16. Adoptable highway detail required.
17. Off-site highway improvements including 2 Quality bus stops, upgrade of the pelican crossing by the school to a Toucan crossing and foot/cycle way improvements to Lancaster Road.
18. Provision of car parking.
19. Mobility car parking spaces.
20. Cycle storage – details required.
21. Provision of drop-off/pick-up area with covered, seated waiting area.
22. Travel Plan – details required.

23. Wheel cleaning facilities – temporary during construction.
24. Separate drainage system.
25. Provision of interceptor – car parks.
26. Use of SUDS to limit surface water run-off to 6 litres per second per hectare.
27. Hours of construction – 0800 to 1800 Monday to Friday, 0800 to 1400 Saturday.
28. Hours of opening – 0730 to 2300 Monday to Saturday, 1000 to 1800 Sunday and Bank Holidays.
29. Hours of operation in service delivery yard – 0600 to 2000 Monday to Saturday.
30. Site deliveries – 0600 to 2000 Monday to Saturday for deliveries, 0800 to 2200 no refrigeration or engines left running on delivery vehicles on Lancaster Road 0700 to 2200 use of waste compacter.
31. Air quality assessment.
32. Scheme for dust control.
33. Standard contaminated land condition.
34. Contaminated land – importation of soil, materials and hardcore.
35. Contaminated land – prevention of new contamination.
36. Bunding of tanks.
37. Asbestos survey.
38. Construction noise – pile driving.
39. Restriction of external loudspeakers.
40. Commercial/industrial noise break out.
41. Scheme for odour control – cooking and food.
42. Ventilation details.
43. External lighting – details required.

Councillor Day left the meeting towards the end of the following item.

101 WEST SHEEN, 2 THE DRIVE, HEST BANK

(Under the Scheme of Public Participation, Steven Clegg and Ian Sharp spoke in objection to the application. Mr. Fisher from Fisher Wrathall spoke as agent for the applicant in favour of the application.)

A10 09/00465/OUT Outline application for the SLYNE-WITH- A(C)
erection of three dwellings HEST
accessed off Highfield Drive
for Mr. Rodney Banks-Lyon

Steven Clegg addressed the Committee in objection to the proposal and advised Members that he had lived in the vicinity for 11 years. He referred to an original refusal on highway grounds in 1962. Forty-seven years on, the highway conditions were far worse. Further development would create more traffic and hazards. Large vehicles had difficulty negotiating the turning and had to reverse back up the road, causing danger to pedestrians. To access the development, it was proposed that Highfield Drive be extended, requiring the demolition of a wall and flower garden belonging to properties on Highfield Drive. The wall had been built for privacy in the 1960s and at cost to the residents, and belonged to them. Members were requested to refuse the application, specifically on highway grounds.

Ian Sharp spoke in objection to the application, and advised Members that he was objecting to the access via Highfield Drive, which Lancashire County Council's Environmental Directorate had turned down. Visibility would be further restricted in both

directions due to the proposal. The development would require the demolition of a wall, which had been built at the expense of the owners of properties at the end of Highfield Drive when they were constructed in the 1960s. The resulting disruption, noise and pollution from the construction works would affect elderly residents. The construction would take 15 to 24 months, and the site would be an eyesore. As a resident, he had been led to believe that no further development would take place. Seventeen letters and emails had been received in objection and 72% of residents objected to the development, which would have a detrimental effect on their health.

Mr. Fisher from Fisher Wrathall, representing the applicant, spoke in support of the application and advised that the proposal was in a sustainable location and appropriate for housing. The construction of the turning area was proposed to address accessibility. His client (the applicant) and his solicitor had advised that the wall to be demolished belonged to the applicant.

Members considered the application.

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

“That Outline Planning Permission be approved.”

Upon being put to the vote, 15 Members voted in favour of the proposition, 1 against, with 2 abstentions, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Outline Planning Permission be approved, subject to the following conditions, as set out in the report:

1. Standard outline condition: details to be submitted within three years of siting, design, external appearance.
2. Boundary treatment to be agreed.
3. At least 10% of energy to be generated on site using renewables.
4. At least Code 3 for Sustainable Homes to be achieved.
5. Measures to protect existing trees from drainage.
6. Mitigation measures to protect waterway from pollution.
7. Contaminated land desk study to be submitted.
8. Details of drainage to be agreed.
9. Separated drainage system to be provided.
10. Adoptable access road with turning head to be provided.
11. Car parking/garaging to be provided.
12. Construction work to take place only between 0800 to 1800 Monday to Saturday, no work on Sundays or officially recognised public holidays.
13. No pile driving without the consent of the Local Planning Authority.
14. Standard construction condition in respect of breeding birds.

And the following additional condition:

15. No tree to be removed from within the site until Reserved Matters have been granted.

Councillor Pritchard left the meeting at this point.

102 BP FILLING STATION, SCOTFORTH ROAD, LANCASTER

(Under the Scheme of Public Participation, Kevin Stanfield and June Stanfield spoke in objection to the application. Councillor Janie Kirkman spoke as Ward Councillor and objector.)

A19	09/00819/FUL	Redevelopment of petrol filling station including the erection of new canopy, shop building, ATM, pumps islands, storage tanks, car wash, jetwash bays and car vac bays and associated equipment and screening for Bowling Green Service Station	SCOTFORTH EAST WARD	D
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Kevin Stanfield spoke in opposition to the application and advised that the extra noise created by the proposal would be detrimental to residents in the vicinity, as confirmed by the Government Inspector's decision in 2008. EC15 in the report stated the employment case but did not advise of the impact the proposals, which could result in an unacceptable regime of disturbance, intensification and intrusion, would have on residents. Residential amenity should be of primary concern. Lancaster was a 'Cycling Demonstration Town', yet the intensification of traffic posed a threat to pedestrians through cyclists being driven off the cycle lane and riding on the pavement illegally. The Human Rights Act declared that everyone had a right to respect. The applicant had shown no respect for residents through his proposals for the site. Members were requested to defer the application to enable a site visit to take place.

June Stanfield addressed the Committee in objection to the application because of the noise and disruption that the application would cause to residents, through disturbance and noise from additional traffic on a primary bus route, which was used by lorries to and from Heysham Docks. Traffic accessing the garage would result in queuing traffic and motorists using the cycle lane, causing cyclists to mount the pavement. The increased custom, due to the increased retail floor space and the selling of sweets, papers and fast food, would result in traffic queues stretching far back, resulting in accidents, which was unnecessary in view of the close proximity of a supermarket.

Councillor Janie Kirkman spoke as Ward Councillor and objector to the application and addressed the Committee on behalf of ward residents. Members were advised that the filling station had a long history of change, from originally 2 pumps to a major business, with land at the back being concreted over. The car wash, jetwash bays and car vac bays would affect adjacent residents, and the hours of use, although restricted, were too late and would cause disturbance. The increased retail space was unnecessary due to the nearby supermarket. HGVs would park outside the garage for 20 minutes or so, with noise from air brakes and queuing of traffic, creating 2 to 3 lanes of traffic when the lights were on red. Cyclists were being driven on to the pavement by cars using the cycle lane. The proposal would be detrimental to residents' quality of life. Yellow line markings were required. Members were asked to defer the application to enable a site visit to take place.

Members considered the application.

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

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

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 deferred to enable a site visit to take place.

Councillor Sherlock left the meeting at this point.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

103 ARNDALE SHOPPING CENTRE, ROYALTY MALL, MORECAMBE

A5 09/00730/FUL Deferred POULTON D
WARD

It was noted that Councillor Chapman had previously declared a personal and prejudicial interest in the following item, being a director of a Community Interest Company, LESS (Lancaster District), which may receive funding from Community Windpower to run an energy advice centre, left the room during its consideration and did not vote on the item.

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

104 TEMPORARY METEOROLOGICAL MAST, ROEBURNDALE ROAD, ROEBURNDALE

A8 09/00886/FUL Erection of a temporary (3 LOWER LUNE A
year) 50m high meteorological VALLEY WARD
mast for Community
Windpower Ltd

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

“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 timescale condition.
2. Development to accord to plans.

3. Removal of mast and associated elements (footings, anchor points and access tracks) within 3 years of commencement of any work on site, including the provision of access.
4. Remediation Method Statement to be submitted, agreed and implemented to ensure all land associated with the mast, including footings, anchor points and access tracks to be fully and appropriately restored.
5. Appropriate bird deflectors are incorporated into the design.

The Senior Planner left the meeting at this point.

105 OXCLIFFE NEW FARM, OXCLIFFE ROAD, HEATON-WITH-OXCLIFFE

A9 09/00897/CU Retrospective application for HEYSHAM A
the retention of use of land for SOUTH WARD
4 residential park home
pitches for Hanley Caravans
Ltd

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

“That the application be approved.”

Upon being put to the vote, 15 Members voted in favour of the proposition, 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:

1. Layout to be retained in the form shown on the submitted plans.
2. Unauthorised caravan on southern end of site to be removed within 2 months of date of consent.

106 BELL AIRE PARK HOMES, MIDDLETON ROAD, HEYSHAM

A11 09/00197/CU Change of use from residential HEYSHAM A(C)
land to allow siting of five SOUTH WARD
timber cabins for Nelson Parks

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

“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 Time Limit (3 years).
2. Development to be in accordance with the approved plans.
3. Amended layout plan (parking and planting) dated 11th October 2009.
4. Landscaping details to be agreed and implemented.
5. Parking and access road to be developed prior to occupation of the new caravans and thereafter maintained.
6. Dedicated parking spaces to new caravans to be provided prior to occupation and thereafter maintained.
7. Precise boundary treatment to the bungalow to be agreed and implemented.
8. GDO tolerances removed for extensions and outbuildings to the bungalow.
9. As may be required by consultees in respect of the amended plan (if any).

And the following additional conditions:

10. Standard contaminated land condition.
11. Standard separate sewerage system condition.

And the following Advice Note:

Applicant to be informed that there are no permitted development rights for the caravans.

Councillor Rogerson left the meeting at this point.

It was noted that Councillor Budden had previously declared a personal interest in the following item, being a member of Bolton-le-Sands Parish Council.

107 LAND BEHIND 1 ST MICHAELS GROVE, BOLTON-LE-SANDS, CARNFORTH

A12 09/00822/OUT Outline application for the BOLTON-LE- A(C)
erection of a work/live unit for SANDS WARD
Mr. David Hall

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

“That the application be approved.”

Upon being put to the vote, 11 Members voted in favour of the proposition and 3 against, with 1 abstention, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Outline Planning Permission be approved, subject to the following conditions, as set out in the report, subject to removal and replacement of condition 5:

1. Standard outline condition – details of siting/design/materials/external appearance.
2. Drainage details to be submitted.
3. Use of workshop/store to be for activities associated with landscape gardening business only.
4. Parking/garaging to be provided and retained as such.
5. Details of a Business Management Plan (including hours of use, details of all activities and plant and machinery to be submitted and agreed).

6. Construction hours 0800 to 1800 Monday to Saturday, no work on Sundays or public holidays.
7. At least 10% of energy needs to be generated on site.

And to the addition of the 4 contaminated land conditions.

And to the addition of the 'at least Level 3 Code for Sustainable Homes' condition.

The meeting was adjourned at 1.55 p.m. for lunch.

The meeting reconvened at 2.20 p.m.

Councillor Marsland left the meeting at this point.

108 BLUE HILLS COTTAGE, SPRING BANK, SILVERDALE

A13	09/00903/FUL	Erection of a detached house for Mrs. L. Atkins	SILVERDALE WARD	A(C)
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It was proposed by Councillor Kay 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 Time Limit.
2. Development to be carried out in accordance with the approved plans.
3. Materials to be agreed.
4. At least 10% of predicted energy to be generated on-site.
5. At least Code Level 3 for Sustainable Homes to be achieved.
6. Traffic improvements to Spring Bank (as identified by the County Highways Department) shall be agreed in writing with the Local Planning Authority prior to commencement of any part of the development, and subsequently implemented in full prior to first occupation of the dwelling.
7. Householder permitted development rights removed.
8. Hours of work restrictions 0800 to 1800 Monday to Saturday.

And to the following condition:

9. Details of foul and surface water arrangements to be agreed.

It was noted that Councillor Heath had previously declared a personal and prejudicial interest in the following item, being employed by Lancaster University, left the room during its consideration and did not vote on the item.

109 LANCASTER UNIVERSITY, BAILRIGG LANE, LANCASTER

A14 09/00837/FUL Erection of 80m Anemometry UNIVERSITY A
Mast on a guide tower for a WARD
temporary period of one year
for Lancaster University

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

“That the application be approved.”

Upon being put to the vote, 13 Members voted in favour of the proposition, 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, and delegation of the application to the Head of Planning Services to account for outstanding consultation responses from aviation stakeholders:

1. Temporary permission for 12 months.
2. Development to accord to submitted plans.
3. Removal of mast and associated elements (footings, anchor points) within 1 year of commencement of any work on site and the landscape to be reinstated to its original form.
4. Details of any means of illumination to be agreed in writing by the Local Planning Authority prior to installation.

110 HALTON YOUTH & COMMUNITY CENTRE, LOW ROAD, HALTON

A15 09/00942/FUL Re-development of the HALTON- A(P)(C)
recreation and play area for WITH-
Halton-with-Aughton Parish AUGHTON
Council

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

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

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 in principle and the final decision delegated to the Head of Planning Services to approve, subject to the receipt of consultation responses and the following conditions, as set out in the report:

1. Standard Time Condition.
2. In accordance with the approved plans.
3. Standard landscaping condition.
4. Tree Protection Condition (barrier fencing).

“That the application be refused.”

Upon being put to the vote, 11 Members voted in favour of the proposition and 2 against, with 1 abstention, 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. The proposed bed-sit would comprise a substandard form of accommodation lacking in natural daylight and suffering from a poor outlook. As such, it would be contrary to the Lancaster District Local Plan Saved Policy H21 and Lancaster District Local Plan Appendix 2 – Flat Conversions, which seeks to ensure a higher standard of living accommodation.
2. The proposed fully glazed door to the front of the basement would be detrimental to the character and appearance of the listed building, which is located on one of the main thoroughfares in the Castle Conservation Area. The proposal is therefore contrary to the provisions of Lancaster District Local Plan Saved Policy E33.

113 9C CASTLE HILL, LANCASTER

A18	09/00689/LB	Change of use of lower ground floor from office to residential one bedroomed flat (Class C3) for Mrs. Lynda Burke	CASTLE WARD	R
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It was proposed by Councillor Blamire and seconded by Councillor Dennison:

“That Listed Building Consent be refused.”

Upon being put to the vote, 11 Members voted in favour of the proposition and 2 against, with 1 abstention, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Listed Building Consent be refused for the following reasons, as set out in the report:

The proposed fully glazed door to the front of the basement would be detrimental to the character and appearance of the listed building, which is located on one of the main thoroughfares in the Castle Conservation Area. The proposal is therefore contrary to the provisions of Lancaster District Local Plan Saved Policy E33.

114 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.

115 MONITORING OF PLANNING OBLIGATIONS

The Head of Planning Services submitted a report to inform Members of the progress made in the monitoring and implementation of planning obligations within the City Council boundary following the appointment of the Planning Contributions Officer in May 2008.

The report detailed progress to-date, following completion of the first 12 months of an initial 24 month contract funded by Planning Delivery Grant and advised of the intention to present a twice yearly progress report to Members for consideration and comment.

The principal outturns for the past year were reported, which included the following:

- a) Interrogation of Council records to identify all planning obligations entered into since 2000.
- b) Establishment of a database to capture key information on planning obligations entered into since 2000 (some 80+ agreements recorded since 2000).
- c) Review of terms of all agreements and compliance thereof.
- d) Establishment of operational links and development of process and procedures with other Council functions, notably Legal, Financial, Strategic Housing and Grounds Maintenance, to improve monitoring, compliance, financial accountability, delivery and quality of outcomes.
- e) Commencement of statutory consultation procedures preparatory to the drafting of a Planning Obligations Supplementary Planning Document as part of the Local Development Framework for approval and adoption by spring 2010.
- f) Securing of planning obligation payments to the authority in excess of £0.5 million in financial year 2008/09 (as detailed in Table A in the report).

Further payments already made or due to be made in financial year 2009/10 were set out in Table B. A report setting out the delivery options and process for securing spending of the accrued Affordable Housing monies shown in tables A and B would be taken to Cabinet in the near future. Current unimplemented valid permissions for which Planning Obligations had been entered into, together with the financial contributions that would be received should the developments be implemented, were listed in Table C.

Development activity had been suppressed by the financial climate, but it was anticipated that activity would pick up again in 2010. In addition to securing appropriate and proportionate financial contributions to be used to mitigate development specific impacts, there would be a continued requirement to utilize Section 106 agreements to control the use and scope of developments where the use of conditions would not secure the same outcome.

Table C indicated that there were significant infrastructure and community benefits locked within unimplemented schemes of development, which could have a realistic prospect of moving forward towards implementation in the next 2 years. It was anticipated that, to

reflect the altered financial climate, amended proposals would be submitted, which would require re-negotiated Section 106 agreements.

Resolved:

- (1) That the contents of the report be endorsed.
- (2) That it be noted that the introduction of the Community Infrastructure Levy in 2010, which will, in part, replace Section 106 procedures, is likely to have a significant impact on the way in which the Council manages future infrastructure provision.
- (3) That a further report be presented to Committee when the arrangements on the Community Infrastructure Levy are finalised.

Chairman

(The meeting ended at 3.10 p.m.)

**Any queries regarding these Minutes, please contact
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jglenton@lancaster.gov.uk**