

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

23RD JULY 2018

PRESENT:- Councillors Carla Brayshaw (Chairman), Helen Helme (Vice-Chairman), June Ashworth, Jon Barry, Stuart Bateson, Alan Biddulph, Eileen Blamire, Dave Brookes, Abbott Bryning, Ian Clift, Jane Parkinson, Jean Parr, Robert Redfern, Sylvia Rogerson and Susan Sykes

Officers in attendance:-

Jennifer Rehman	Major Applications Planning Officer
Eleanor Fawcett	Planning Officer
Neil Weeks	Locum Lawyer
Tessa Mott	Democratic Support Officer

Applications were determined as indicated below (the numbers denote the schedule numbers of the applications).

Except where stated below, the applications were subject to the relevant conditions and advice notes, as outlined in the Schedule of Planning Applications.

Except where stated below, the reasons for refusal were those as outlined in the Schedule of Planning Applications.

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W	-	Withdrawn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

25 MINUTES

The minutes of the meeting held on 25th June 2018 were signed by the Chairman as a correct record.

26 DECLARATIONS OF INTEREST

Councillor Jane Parkinson declared an interest in items A6 18/00588/FUL 85-89 Penny Street, Lancaster, Lancashire and A10 18/00637/VCN Site of Former Filter House, Scotforth Road, Lancaster. The reason being that she is a student landlord. Councillor Parkinson stated that she had no interest in either of these two items.

With the Committee's agreement the Chairman moved item 3 'Items of Urgent Business authorised by the Chairman' to the end of the agenda.

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

27 OLD COACH HOUSE, CANTSFIELD ROAD, CANTSFIELD

A5	18/00615/FUL	Demolition of single storey rear extension, insertion of opening to rear of garage and erection of retaining walls to form access to rear, erection of single storey detached garage with attached workshop.	Upper Lune Valley Ward	A(C)
----	--------------	--	------------------------	------

Under the scheme of public participation, Roderick Burgess and Andrew Crossley spoke against the application. Erica Wright agent for the application spoke in support and Ward Councillor Peter Williamson spoke against the application.

It was proposed by Councillor Susan Sykes and seconded by Councillor Jane Parkinson:

“That the application be approved, with additional conditions added regarding: a tree protection plan and that all elevations be stone faced.”

Upon being put to the vote, 5 Members voted in favour of the proposition and 9 against, with 1 abstention, whereupon the Chairman declared the proposal to be lost.

It was then proposed by Councillor Jon Barry and seconded by Councillor Dave Brookes:

“That the application be approved, with an additional condition regarding a tree protection plan.”

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

Resolved:

That Planning Permission be granted subject to the following conditions:

1. Standard 3 year timescale.
2. Development to accord to approved plans.
3. Sample of materials are to be submitted before any works takes place.
4. Retain existing trees and hedges – tree protection plan to be submitted and agreed before commencement of the development.
5. The use of garage restricted to the parking of vehicles and storage only associated with the dwelling.
6. Site levels for the drive and finished floor levels for the building.

28 LAND EAST OF RAILWAY LINE, ST MICHAELS LANE, BOLTON LE SANDS

A11	18/00445/VCN	Erection of 20 dwellings with associated new access (pursuant to the variation of conditions 2, 4, 9, 10, 11 and	Bolton and Slyne Ward	A(P)
-----	--------------	--	-----------------------	------

13 on planning permission 15/01167/FUL to amend the approved site layout, vary the trigger for the submission of a risk assessment and to vary conditions pertaining to noise mitigation, surface water drainage and landscaping to enable the development to be carried out with submitted details; and remove condition 8 as the revised layout accommodates provision for an easement to the watercourse).

Under the scheme of public participation, Jonathan Whittaker spoke against the application.

It was proposed by Councillor Dave Brookes and seconded by Councillor June Ashworth:

“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 variation of conditions 2, 4, 9, 10, 11 and 13 and the removal of condition 8 be granted but delegated back to the Planning Manager, to revise the wording of conditions 6 and 7 (if these two conditions are agreed under the separate discharge of condition application, between the date of the Planning Committee meeting and the application determination date) and subject to the following conditions:

1. Time Limit (3 years from the date of the original permission 15/01167/FUL).
2. Approved plans list.
3. Construction Management Plan (as approved under 17/00166/DIS).
4. Development to be carried out in accordance with the risk assessments (submitted under 18/00103/DIS).
5. Eradication of invasive species (as approved under 17/00166/DIS).
6. Access.
7. Off-site highway works.
8. Drainage scheme to be implemented (if approved by LLFA).
9. Surface water drainage management and maintenance plan.
10. Noise mitigation to be implemented and retained.
11. Materials and boundary details to be implemented (approved under 17/00166/DIS).
12. Landscaping proposals and maintenance to be implemented.
13. Implementation of estate road to base course level before any other development.
14. Hours of construction.
15. Visibility splays.

16. No pedestrian access onto St Michael's Lane other than principal vehicular access.
17. No obstruction of the level crossing or signage during construction and fit out.
18. Removal of permitted development rights for outbuildings, rear extension and hardstanding of rear gardens to plots 2-6 as set out on the approved layout plan pursuant to condition 2.
19. Provision of double gates (for maintenance of the watercourse) and the car parking court prior to first occupation of units 1 to 6, and retained at all times thereafter.

29 EAST GATE LODGE, KEER HOLME LANE, BORWICK

A12	18/00169/FUL	Change of use of existing bungalow (C3) to a residential care home for children (C2), demolition of existing extensions, erection of a single storey side extension and part single part two storey rear extension with a raised terrace and creation of a new access and parking facilities.	Kellet Ward	A(C)
-----	--------------	---	-------------	------

It was proposed by Councillor Susan Sykes and seconded by Councillor Helen Helme:

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

Upon being put to the vote, 6 Members voted in favour of the proposition and 7 against, with 2 abstentions, whereupon the Chairman declared the proposal to be lost.

Then, under the scheme of public participation, Claire Helme, Tony Collinson and Susan Dowdall spoke against the application. Hayley Dufton agent for the application spoke in support and Ward Councillor Roger Mace spoke neutrally.

It was proposed by Councillor Helen Helme and seconded by Councillor Robert Redfern:

"That the application be approved."

Upon being put to the vote, 11 Members voted in favour of the proposition and 4 against, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Planning Permission be granted subject to the following conditions:

1. Standard 3 year timescale.
2. Development to be carried out in accordance with approved plans.
3. Prior to the commencement of works above ground, details and samples of materials and proposed boundary treatments, shall be submitted for approval.
4. Submission and agreement of a landscaping scheme, including boundary hedgerow maintenance.
5. Prior to occupation, the proposed highway access shall be finished with

- hardstanding for a minimum distance of 5 metres into the site.
6. Prior to occupation, the highway access and parking facilities are to be available for use.
 7. Prior to occupation, the existing point of access to the north west corner of the site shall be permanently closed.
 8. Development to be carried out in accordance with the submitted Arboricultural Implications Assessment.
 9. Development to be carried out in accordance with the ecological mitigation measures.
 10. No more than 4 young persons shall be in receipt of care by the residential care home at any one time.
 11. Notwithstanding the provisions of the Use Class Order, the property shall be restricted to children's care home and no other use within Use Class C2 without the express consent of the Local Planning Authority.
 12. Removal of permitted development rights for boundary/enclosures.

The meeting adjourned at 12:12 and reconvened at 12:18.

Councillor Jane Parkinson had previously declared an interest in the following item.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

30 85-89 PENNY STREET, LANCASTER

A6	18/00588/FUL	Demolition of existing buildings and erection of a 6-storey building comprising use classes A1, A2 and/or A3 at lower ground floor and student accommodation above comprising 58 en-suite bedrooms within seven cluster flats and eight studio apartments and the formation of an enclosed external courtyard with landscaping and refuse enclosure.	Castle Ward	A
----	--------------	--	-------------	---

A Member Engagement Forum meeting (Level 3 Pre-Application Process) took place in respect of this item on 16th April 2018 (as stated in the agenda report).

Additionally, a Committee site visit was held in respect of this item on 18th June 2018 minute 16 (2018/2019) refers.

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

"That the application be approved."

Upon being put to the vote, 13 Members voted in favour of the proposition and 2 against, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Planning Permission be granted subject to the following conditions:

1. Standard 3 year timescale.
2. Development to be carried out in accordance with approved plans.
3. Building contract to be in place for the redevelopment of the site before commencement of demolition (pre-demolition).
4. Site investigation for contamination (post-demolition).
5. Archaeology condition (in accordance with submitted written scheme of investigation with further investigation and reporting post demolition).
6. Surface water drainage scheme.
7. Foul water drainage scheme.
8. Precise details of the materials and finishes to external walls, windows/doors, cladding, roof detailing, rainwater goods, louvres, screen details and hard landscaping to courtyard to be agreed (before the construction of the development above ground).
9. Notwithstanding details submitted, details of cycle provision to be provided and agreed and then retained thereafter. (before the construction of the development above ground).
10. Scheme for security measures (before the construction of the development above ground).
11. Before any A3 use occupies the lower ground floor of the building, details of the hours of operation, sound attenuation measures (between floors) and any ventilation and extraction systems to be installed shall first be submitted to and agreed. Such measures will thereafter be retained.
12. Hours of construction.
13. Provision of refuse facilities and access to such facilities to be provided and retained.
14. Noise mitigation to be implemented and retained.
15. Use condition controlling ground floor to be limited A1, A2 and A3 use only.
16. Restriction of residential accommodation to students.
17. Removal of permitted development rights relating to telecommunications, renewable energy and exterior painting.
18. Ecology condition covering the timing of demolition and a scheme for biodiversity enhancement measures.

31 ST THOMAS CENTRE, MARTON STREET, LANCASTER

A7	18/00405/FUL	Relevant Demolition of existing 2 storey Church Centre building and erection of a replacement 2.5 storey Church Centre building, including single storey lean-to and single storey link to the adjacent Church and alterations to existing carpark, including creation of steps and resurfacing.	Castle Ward	A
----	--------------	--	-------------	---

A site visit was held in respect of this item on 18th June 2018 minute 16 (2018/2019) refers.

It was proposed by Councillor Helen Helme and seconded by Councillor Sylvia 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 Planning Permission be granted subject to the following conditions:

1. Standard three year timescale.
2. Approved plans.
3. Secure contract for construction prior to demolition.
4. Archaeological watching brief.
5. Arboricultural Method Statement.
6. Contaminated land assessment and remediation.
7. Drainage scheme.
8. Scheme of highway improvement works: road widening; pedestrian links; road markings; review of street lighting to Peter Street and parking arrangements on Marton street.
9. Materials/details including – stone; render; roofing materials; cladding; eaves verge and ridge details; rooflights; flues and vents; boundary treatments, including gates and fencing to churchyard; surfacing materials; windows and doors; window surrounds; barrier to car park; any repairs to the plaque; louvres; glazed extension to church.
10. Landscaping Scheme.
11. Development in accordance with Arboricultural Implications Assessment.
12. Surfacing and marking to car park.
13. Provision of cycle storage.
14. Inclusion of existing plaque, as shown on the drawings.
15. Hours of construction.

32 ST THOMAS CHURCH, PENNY STREET, LANCASTER

A8	18/00543/LB	Listed building application for a single-storey glazed extension to connect the former choir vestry of the church and the proposed replacement Church Centre building, alterations to the former choir vestry including the removal of an existing timber door and replacement with timber-framed partition and the removal of arched windows to the south elevation and replacement with fire escape	Castle Ward	A
----	-------------	---	-------------	---

door, installation of new perimeter security gates adjoining the Penny Street and Marton Street elevations, and alterations to the boundary wall to Victoria Place including the addition of a wrought iron railings.

A site visit was held in respect of this item on 18th June 2018 minute 16 (2018/2019) refers.

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

“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 Listed Building Consent be granted subject to amendments to the gates and fencing and the following conditions:

1. Standard listed building timescale.
2. Approved plans.
3. Materials/details including – stone; render; roofing materials; cladding; eaves verge and ridge details; roof lights; flues and vents; gates and fencing to churchyard; windows and doors; window surrounds; barrier to car park; louvres; glazed extension to church.

***Councillors Jon Barry and Stuart Bateson left the meeting at this point and did not return.
The meeting adjourned at 13:00 and reconvened at 13:30.***

33 CARNFORTH BUSINESS PARK, OAKWOOD WAY, CARNFORTH

A9	18/00269/FUL	Erection of office (B1a) and storage and distribution (B8) building with associated parking, access and boundary fencing.	Carnforth and Millhead Ward	A(C)
----	--------------	---	-----------------------------	------

It was proposed by Councillor Ian Clift and seconded by Councillor Robert 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 Planning Permission be granted subject to the following conditions:

1. Standard 3 year timescale.
2. Development to be in accordance with listed plans.
3. Sales trade showroom to be ancillary to the main use, displaying and selling only those products stored within the B8 use to tradespersons only.
4. Sales trade showroom to be limited to the area shown on the approved plans.
5. Removal of permitted development rights for changes of use and mezzanine floors.
6. Off-site highways improvement works.
7. Travel plan.
8. Car parking and turning areas provision, secure and covered cycle parking and provision of electric vehicle charging points.
9. Surface water drainage scheme (discharge restricted to 10 litres per second from site).
10. Foul drainage.
11. Surface water management and maintenance plan.
12. Materials.
13. Landscaping.
14. Ecological mitigation.
15. Development to be carried out in accordance with the updated Arboricultural Implications Assessment.

Councillor Jane Parkinson had previously declared an interest in the following item.

34 SITE OF FORMER FILTER HOUSE, SCOTFORTH ROAD, LANCASTER

A10	18/00637/VCN	Erection of two 4-storey student accommodation buildings comprising of 28 6-bed cluster flats (C4) with associated car parking and bin and cycle stores (pursuant to the variation of condition 2 on planning permission 16/00847/FUL for amendments to floor plans and elevations to provide 12 7-bed cluster flats (sui generis) and 14 6-bed cluster flats (C4) including amendments to the fenestration and heights of the buildings).	University and Scotforth Rural Ward	A(P)
-----	--------------	--	---	------

It was proposed by Councillor Robert Redfern and seconded by Councillor June Ashworth:

“That the application be approved.”

Upon being put to the vote, 9 Members voted in favour of the proposition and 2 against, with 2 abstentions, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Planning Permission be granted but delegated back to the Planning Manager, to obtain amended plans to reconfigure the internal communal living space within the 13 week determination period (otherwise refuse planning under delegated powers) and subject to the following conditions:

1. Timescales (amend so that development has to be implemented by 12 February 2020).
2. Approved Plans (amend to reflect updated floor plans and elevations).
3. Ecological Mitigation.
4. Submission of finished floor levels.
5. Access Details.
6. Offsite Highway Works.
7. Car Parking in accordance with approved details including submission of a car parking management plan.
8. Access to the south of the site to be permanently stopped up.
9. Cycle Facilities.
10. Contaminated Land.
11. Foul Drainage.
12. Surface Water Drainage.
13. Landscaping (Hard and soft landscaping).
14. Building Materials (Accommodation blocks, refuse, motorcycle, cycle and refuse stores, fencing and gates and acoustic fencing).
15. Noise Mitigation.
16. Ventilation.
17. Student Accommodation Only.
18. Security Measures.
19. Electric Vehicle Charging Points.

35 FORMER RIDGE HOTEL SITE, 10 PATERDALE ROAD, LANCASTER

A13	18/00756/VCN	Erection of two 2-storey buildings comprising of 16 one-bed affordable flats (C3) with associated parking and landscaping (pursuant to the variation of condition 2 on planning permission 17/01572/FUL to alter the finished site and floor levels).	Bulk Ward	A
-----	--------------	---	-----------	---

It was proposed by Councillor Dave Brookes and seconded by Councillor Alan Biddulph:

“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 Planning Permission be granted subject to the following conditions:

1. Standard 3 year timescale.
2. In accordance with plans.

3. Watching brief for contamination.
4. In accordance with construction management plan.
5. Implement drainage system.
6. Development in accordance with External Materials Schedule.
7. Provision of access, parking and turning facilities.
8. Provision of bin and cycle storage.
9. Windows in the side elevations of flats 7, 8, 9 and 10 to be fitted with fixed obscure glazing only.
10. The development in accordance with the Affordable Housing Statement.
11. Implement landscaping scheme.

36 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

The Committee considered a report to approve an amendment to the Scheme of Delegation to Officers in respect of matters within its terms of reference.

It was proposed by Councillor Robert Redfern and seconded by Councillor Helen Helme:

“That the recommendation as set out in the report 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:

- (1) That the delegations to Officers as set out in Appendix 1 of the report, be approved and included in the Council's Constitution as part of the Scheme of Delegation to Officers.

37 DELEGATED PLANNING LIST

The Planning Manager 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 1.58 p.m.)

**Any queries regarding these Minutes, please contact
Tessa Mott, Democratic Services: telephone (01524) 582074 or email
tmott@lancaster.gov.uk**