

**PLANNING REGULATORY  
COMMITTEE**

**10.30 A.M.**

**13TH SEPTEMBER 2021**

**PRESENT:-** Councillors Keith Budden (Chair), Sandra Thornberry (Vice-Chair), Paul Anderton, Victoria Boyd-Power, Dave Brookes, Roger Cleet, Tim Dant, Kevin Frea, Mel Guilding, Janice Hanson, Cary Matthews, Joyce Pritchard, Robert Redfern and Malcolm Thomas

Apologies for Absence:-  
Councillor Abbott Bryning

Officers in attendance:-

Mark Potts	Interim Service Manager Development Management
Rephael Walmsley	Solicitor
Eric Marsden	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W	-	Withdrawn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
SD	-	Split Decision

**15 MINUTES**

The minutes of the meeting of 19<sup>th</sup> July 2021 were agreed as a true record, and would be signed by the Chair (the meeting of 16<sup>th</sup> August 2021 had been cancelled).

**16 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR**

There were no items of urgent business.

**17 DECLARATIONS OF INTEREST**

There were no declarations of interest.

## COUNCILLOR KEVIN FREA JOINED THE MEETING AT 10:36

## APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

## 18 LAND AT ASHTON ROAD, LANCASTER, LANCASHIRE

A5	20/00305/OUT	Outline planning application for up to 55 residential units and creation of a new access.	Scotforth West Ward	A(106)
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Under the scheme of public participation, Brian Hopkins highlighted points for consideration, Councillor Tim Hamilton-Cox spoke against the application, and Siobhan Sweeney (Story Homes) responded for the developer.

It was proposed by Councillor Janice Hanson and seconded by Councillor Sandra Thornberry:

“That the application be approved subject to securing a Section 106 Agreement controlling the following:

- 30% affordable housing.
- Education contribution for secondary school provision (to be assessed at reserved matters stage).
- **£100,000** towards the 89/89H bus service.
- **£35,000** towards Boot and Shoe junction.
- **£15,000** towards the bus stop improvements works to relocate the bus stops on A6.
- Provision of footway along Ashford Road adjacent to Scotforth Cemetery.
- Management and maintenance of non-adopted infrastructure.
- Open space financial contribution to be agreed during reserved matters process.”

and the following conditions:

- 1 Time Limit (2 year).
- 2 Approved plans list.
- 3 Employment Skills Plan.
- 4 Written Scheme of Investigation Archaeology.
- 5 Homeowner Packs and Ecology Enhancement Measures.
- 6 Provision of updated AIA.
- 7 Scheme for housing mix.
- 8 Site levels and finished floor levels to include private gardens, amenity space.
- 9 Access details.
- 10 Offsite highway works.
- 11 Surface water drainage scheme.
- 12 Foul Water drainage.
- 13 Environmental Management Plan.
- 14 A scheme for the Protection of the Canal Embankment.
- 15 Cycle provision and EV charging.
- 16 Sustainable design.
- 17 Surface Water Management Plan.
- 18 Play Space and Open Space.

- 19 Lighting Scheme in the interests of protecting protected species.
- 20 Travel Plan.
- 21 Protection of vis splays.
- 22 Dwellings to meet NDSS and 20% of total units to be M4(2) compliant.
- 23 Travel Plan.
- 24 Removal of permitted development rights.
- 25 Unforeseen contaminated land condition.

Upon being put to the vote, 10 Councillors voted in favour, with 3 against, and 1 abstained, whereupon the Chair declared the proposal to be carried.

**Resolved:**

That the application be approved subject to securing a Section 106 Agreement controlling the following:

- 30% affordable housing.
- Education contribution for secondary school provision (to be assessed at reserved matters stage).
- **£100,000** towards the 89/89H bus service.
- **£35,000** towards Boot and Shoe junction.
- **£15,000** towards the bus stop improvements works to relocate the bus stops on A6.
- Provision of footway along Ashford Road adjacent to Scotforth Cemetery.
- Management and maintenance of non-adopted infrastructure.
- Open space financial contribution to be agreed during reserved matters process.

and subject to the following conditions:

- 1 Time Limit (2 year).
- 2 Approved plans list.
- 3 Employment Skills Plan.
- 4 Written Scheme of Investigation Archaeology.
- 5 Homeowner Packs and Ecology Enhancement Measures.
- 6 Provision of updated AIA.
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- 18 Play Space and Open Space.
- 19 Lighting Scheme in the interests of protecting protected species.
- 20 Travel Plan.
- 21 Protection of vis splays.
- 22 Dwellings to meet NDSS and 20% of total units to be M4(2) compliant.
- 23 Travel Plan.

- 24 Removal of permitted development rights.
- 25 Unforeseen contaminated land condition.

***Following Officer advice, the Chair brought forward item A7 20/01073/FUL in order that it could be considered before item A6 20/01072/REM.***

**19 LAND SOUTH EAST OF CHURCH BANK, CHURCH BANK, OVER KELLET, LANCASHIRE**

A7 20/01073/FUL Erection of 7 dwellings and Kellet Ward R  
associated access road.

Under the scheme of public participation, David Whiteley, Martin May and Graham Agnew spoke against the application. Paul Tunstall (JWPC) spoke in support of the application.

It was proposed by Councillor Dave Brookes and seconded by Councillor Cary Mathews:

“That the application be refused in line with the officer recommendation as set out in the Committee Report.”

Upon being put to the vote, 13 Councillors voted in favour, with none against, and 1 abstained, whereupon the Chair declared the proposal to be carried.

***Resolved:***

That the application be refused in line with the officer recommendation as set out in the Committee Report:

1. The proposed development is considered aggregate to the wider outline planning permission for 15 dwellings that prevails across the land and accordingly, the proposed development must contribute to affordable housing provision and other s106 contributions deemed necessary to mitigate the impacts of the development. In this case, Policy DM3 dictates that the scheme should deliver an affordable housing quantum of 40% but it presently proposes no affordable units at all. The proposal fails to sufficiently justify the lack of affordable housing (through the submitted viability argument) as part of the scheme and the proposed development is therefore considered contrary to policy DM3 of the Development Management Development Plan Document and paragraphs 58 and 63 of the 2021 National Planning Policy Framework.

**20 LAND SOUTH EAST OF CHURCH BANK, CHURCH BANK, OVER KELLET, LANCASHIRE**

A6 20/01072/REM Reserved matters application Kellet Ward A(C)  
for the erection of 15 dwellings.

Under the scheme of public participation, David Whiteley, Martin May and Graham Agnew spoke against the application. Paul Tunstall (JWPC) spoke in support of the application.

It was proposed by Councillor Janice Hanson and seconded by Councillor Paul Anderton:

“That the application be approved subject to the conditions set out in the Committee Report and subject to the following additional condition:

- An amended layout and landscaping plan of the area associated with application 20/01073/FUL.”

Upon being put to the vote, 10 Councillors voted in favour, with 4 against, and none abstained, whereupon the Chair declared the proposal to be carried.

***Resolved:***

That the application be approved subject to the conditions set out in the Committee Report:

1. Time limit for reserved matters.
2. Development to be in accordance with approved plans:
  - Layout (to be amended)
  - Floor plans
  - Elevations
  - Landscaping (to be amended)
3. Details, samples and specifications of external materials to include slate, render and reconstituted stone (including retaining stone wall) to be used on dwellings to be submitted before development above ground.
4. Details of cycle storage to be submitted prior to development above ground and thereafter maintained.
5. Parking and driveways to be constructed in accordance with agreed details and thereafter maintained.
6. Internal estate road to be built to at least base course level.
7. Landscaping to be implemented and maintained.
8. Removal of Permitted Development rights for enlargements.
9. Compliance with submitted energy statement.

and subject to the following additional condition:

- An amended layout and landscaping plan of the area associated with application 20/01073/FUL.

**APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION**

**THE MEETING ADJOURNED AT 12:35 AND RECONVENED AT 12:44**

**21 LAND EAST OF FOREST HEIGHTS, HALTON, LANCASHIRE**

A8	21/00290/FUL	Erection of 7 dwellings (C3) with associated access, parking and landscaping.	Halton- with- Aughton Ward	R
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It was proposed by Councillor Kevin Frea and seconded by Councillor Joyce Pritchard:

“That the application be refused subject to the conditions set out in the Committee Report and subject to the following amendment to refusal reason number 2:

The proposed development, by virtue of its siting and layout with the parking court to the rear, poorly relates to the existing built form and settlement pattern of the village. It would result in an isolated pocket of development, separated by intervening areas of open space and landscaping, from surrounding development that would diminish the sensitive transition from the built environment to the surrounding countryside secured as part of the original planning permission for the wider site. Consequently, the proposal is considered to constitute poor design, which does not positively contribute to its surroundings and would result in localised visual harm, contrary to policies DM4, DM29 and DM46 of the Development Management DPD Section 12 of the National Planning Policy Framework.”

Upon being put to the vote, all 14 Councillors voted unanimously in favour, whereupon the Chair declared the proposal to be carried.

***Resolved:***

That the application be refused subject to the conditions set out in the Committee Report:

1. The proposed development is considered aggregate to the wider development and in the absence of securing policy compliant affordable housing as part of the original planning permission, the proposed development must contribute to affordable housing provision and other s106 contributions deemed necessary to mitigate the impacts of the development. The proposed development is considered contrary to policy DM3 of the Development Management Development Plan Document and paragraphs 58 and 63 of the National Planning Policy Framework, as the applicant has failed to sufficiently justify the lack of affordable housing (as part of their viability argument) as part of the proposal.

and subject to the following amendment to refusal reason number 2:

2. The proposed development, by virtue of its siting and layout with the parking court to the rear, poorly relates to the existing built form and settlement pattern of the village. It would result in an isolated pocket of development, separated by intervening areas of open space and landscaping, from surrounding development that would diminish the sensitive transition from the built environment to the surrounding countryside secured as part of the original planning permission for the wider site. Consequently, the proposal is considered to constitute poor design, which does not positively contribute to its surroundings and would result in localised visual harm, contrary to policies DM4, DM29 and DM46 of the Development Management DPD Section 12 of the National Planning Policy Framework.

**THE MEETING ADJOURNED AT 13:05 AND RECONVENED AT 13:15**

**22 MARSH UNITED FOOTBALL CLUB, WILLOW LANE, LANCASTER, LANCASHIRE**

A9	21/00126/FUL	Temporary siting of two cabin buildings for use as toilet block and welfare facilities.	Marsh Ward	A
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It was proposed by Councillor Robert Redfern and seconded by Councillor Mel Guiding:

“That the application be approved subject to the conditions set out in the Committee Report.”

Upon being put to the vote, all 14 Councillors voted unanimously in favour, whereupon the Chair declared the proposal to be carried.

***Resolved:***

That the application be approved subject to the conditions set out in the Committee Report:

1. Standard three year timescale.
2. Development in accordance with plans.
3. Temporary Permission of 3 years.
4. Separate foul and surface water drainage.

**23 DELEGATED LIST**

The Service Head for Planning and Place submitted a Schedule of Planning Applications dealt with under the Scheme of Delegation of Planning Functions to Officers.

***Resolved:***

That the report be noted.

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Chair

(The meeting ended at 1.20 p.m.)

**Any queries regarding these Minutes, please contact  
Eric Marsden - Democratic Services: email [emarsden@lancaster.gov.uk](mailto:emarsden@lancaster.gov.uk)**