

**PLANNING REGULATORY
COMMITTEE**

10.30 A.M.

28TH FEBRUARY 2022

PRESENT:- Councillors Keith Budden (Chair), Sandra Thornberry (Vice-Chair), Paul Anderton, Victoria Boyd-Power, Dave Brookes, Abbott Bryning, Roger Cleet, Tim Dant, Kevin Frea, June Greenwell, Mel Guilding, Colin Hartley (Substitute for Councillor Hanson), Cary Matthews, Robert Redfern and Malcolm Thomas

Apologies for Absence:-
Councillor Janice Hanson

Officers in attendance:-

Mark Potts	Interim Service Manager
David Forshaw	Principal Planning Officer
Andrew Cotton	Principal Planning Consultant
Charlotte Greenhow	Planning Assistant
Kim Ireland	Planning Assistant
Patrick Hopwood	Planning Assistant
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W	-	Withdrawn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

76 MINUTES

The minutes of 31st January 2022 were agreed as a true record and signed by the Chair.

77 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

78 DECLARATIONS OF INTEREST

Councillors Dave Brookes and Tim Dant each declared an interest in agenda item A9 21/01344/FUL 29 Alderman Road, Lancaster. The reason being that one of the applicants was a city councillor in the Green Party group. Consequently, both Councillors would recuse themselves from the meeting for the duration of consideration of this item.

Councillors Dave Brookes, Cary Matthews and Sandra Thornberry each declared an interest in agenda item A11 21/01528/FUL Lancaster Music Co-op 1 Lodge Street, Lancaster. The reason being that each of them were members of the Cabinet of Lancaster City Council and this item was directly related to one which had been previously discussed at Cabinet. Consequently, all three Councillors would recuse themselves from the meeting for the duration of consideration of this item.

There were no other declarations of interest.

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

79 LAND OFF ASHTON ROAD, LANCASTER

A5	21/00784/FUL	Erection of 59 dwellings (C3) with associated vehicular and cycle/pedestrian access, parking, land regrading, landscaping, provision of open space and equipped play area and construction of an attenuation basin.	Scotforth West Ward	A(106)
----	--------------	---	---------------------	--------

Under the scheme of public participation, Philip Rowland spoke against the application, and Daniel Ratcliffe (JWPC Ltd) responded in favour of the application.

It was proposed by Councillor Tim Dant and seconded by Councillor Kevin Frea:

“That the application be deferred in order for the Head of Planning and Place to negotiate with Lancashire County Council regarding offsite highway contributions”

Following debate, Councillor Dant with the agreement of Councillor Frea withdrew the proposal.

It was proposed by Councillor Colin Hartley and seconded by Councillor James Thomas:

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

- the provision of acoustic barriers during construction

and that the Head of Planning and Place be delegated to continue and resolve discussions with Lancashire County Council regarding offsite highway contributions to include:

1. Provision of bus service contribution.
2. Monies towards improvement to pedestrian and cycling infrastructure.
3. Road infrastructure improvements such as carriageway re-alignment and narrowing.”

Upon being put to the vote, 10 Councillors voted in favour, with none against and 5 abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

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

- the provision of acoustic barriers during construction

and that the Head of Planning and Place be delegated to continue and resolve discussions with Lancashire County Council regarding offsite highway contributions to include:

1. Provision of bus service contribution.
2. Monies towards improvement to pedestrian and cycling infrastructure.
3. Road infrastructure improvements such as carriageway re-alignment and narrowing.

and subject to a s106 legal agreement to secure:

- **£138,370.50** for provision of 6 secondary school places;
- **£95,092.20** towards outdoor sports provision (changing facilities at Royal Albert playing fields);
- Highways/sustainable travel contribution (to be confirmed by the Highway Authority & councillors updated verbally);
- On site play area;
- Long term maintenance of landscaping, open space and non-adopted drainage and highways and associated street lighting;
- Viability review mechanism with ability to achieve affordable housing contributions if viability improves sufficiently.

and the following conditions:

1. Standard Timescale – 3 years.
2. Approved Plans.
3. Access/Off Site Highway Works.
4. Street Management/Maintenance.
5. Boundary Details.
6. Estate Road Construction.
7. Scheme for cycle provision and refuse.
8. Lighting scheme.
9. Electric Vehicle Charging Points.
10. Scheme for frontage hedgerow to be transplanted and gapped up.
11. Materials Sample Panels.
12. Drainage Maintenance and Verification.
13. Visibility Splays.
14. Homeowner Packs.
15. Approved Landscaping Implementation.

16. Nesting Birds.
17. Separate Drainage Systems.
18. Wheel washing.
19. In Accordance with Ecological Mitigation Measures.
20. In Accordance with FRA/drainage strategy.
21. In Accordance with Energy Statement.
22. In accordance with ESP.
23. Hours of Construction.
24. In accordance with approved Construction Phase Surface Water Management Plan.
25. In Accordance with Approved AIA.
26. Retention of trees and hedgerows.
27. NDSS/M4(2).
28. Remove boundary PD for frontage plots.
29. Remove PD Rights.
30. In Accordance with Air Quality Mitigation Details.
31. In accordance with Construction Method Statement.
32. Unforeseen Contamination.
33. In Accordance with Travel Plan framework.

**APPLICATION A7 21/01247/FUL WAS BROUGHT FORWARD IN THE AGENDA
BY THE CHAIR**

80 LAND EAST OF HAZELRIGG LANE, HAZELRIGG LANE, SCOTFORTH, LANCASHIRE

A7	21/01247/FUL	Construction of a solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments.	University and Scotforth Rural Ward	A
----	--------------	--	-------------------------------------	---

Under the scheme of public participation, Winifred Clark expressed the concerns of residents near to the application, and Philip Morris (Lancaster University) responded for the applicant.

It was proposed by Councillor Kevin Frea and seconded by Councillor Mel Guilding:

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

Upon being put to the vote, all 15 Councillors voted in favour, with none against and no abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

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

1. Standard 3 year timescale.
2. Approved plans.
3. Landscaping scheme implementation.
4. Development carried in accordance with the submitted Flood Risk Assessment.
5. Work outside bird nesting season.
6. Implementation of Construction Traffic Management Plan.

7. Decommissioning after 25 years of use.
8. All cabling to be underground.
9. Final Sustainable Drainage Strategy to be submitted.
10. Survey of the adopted highway.
11. Surfacing of access.
12. Provision of visibility splays.
13. Implementation of a programme of archaeological works.
14. Invasive species method statements.
15. Offsite highways work.
16. Flood risk mitigation scheme.
17. Details of colours/materials (including boundary treatments).
18. Operation and Maintenance Plan & Verification Report of Sustainable Drainage System.
19. Implementation of BNG measures.
20. Construction Phase Surface Water Management Plan.
21. Implementation of landscape and biodiversity management plan.
22. Provision of wheel washing facilities.
23. Implementation of planting surrounding residential properties.

THE CHAIR ADJOURNED THE MEETING AT 12:10 P.M. AND RECONVENED AT 12:20 P.M.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

81 SOUTH LODGE GREAVES ROAD LANCASTER LANCASHIRE

A6	21/01186/FUL	Relevant demolition of existing lean to and outbuilding, erection of a single storey side/rear extension, construction of roof and projecting walls over existing courtyard, creation of terrace, installation of external steps, erection of stone wall and erection of detached outbuilding and installation of an Air Source Heat Pump.	Scotforth West Ward	A(C)
----	--------------	--	---------------------	------

A site visit was held in respect of this application on Monday 21st February 2022 by Councillors Paul Anderton, Victoria Boyd-Power, Dave Brookes, Keith Budden, Roger Cleet, Tim Dant, Cary Matthews, Robert Redfern, Malcolm Thomas and Sandra Thornberry. In attendance were Officers Mark Potts, Jennifer Rehman, Charlotte Greenhow, Alex Harrison and Eric Marsden.

It was proposed by Councillor Tim Dant and seconded by Councillor Sandra Thornberry, contrary to the officer's recommendation in the report:

"That the scheme, given its secluded nature, will not be harmful to the Non-Designated Heritage asset and the Conservation Area and that its scale, massing and design

including an updated palette of materials is considered acceptable, and that the application be approved subject to the following conditions:

1. Timescales.
2. Approved Plans.
3. Building Materials to include natural stone.
4. Development in accordance with the approved AIA.”

Upon being put to the vote, 12 Councillors voted in favour, with 3 against and no abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the scheme, given its secluded nature, will not be harmful to the Non-Designated Heritage asset and the Conservation Area and that its scale, massing and design including an updated palette of materials is considered acceptable, and that the application be approved subject to the following conditions:

1. Timescales.
2. Approved Plans.
3. Building Materials to include natural stone.
4. Development in accordance with the approved AIA.

COUNCILLORS FREA AND HARTLEY LEFT THE MEETING AT 12:55 P.M.

82 DEVELOPMENT LAND, BOLD STREET, HEYSHAM

A8	21/01557/VCN	Demolition of existing garages and dwelling, and erection of a 3 storey building comprising 20 two bed apartments and 22 one bed apartments (C3) with associated accesses and construction of a bike and bin store (pursuant to the variation of condition 2 to amend the plans, removal of condition 13 in relation to details of canopies and submission of details required by conditions 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16 on planning permission 20/00668/FUL).	Heysham North	A Ward
----	--------------	---	---------------	-----------

It was proposed by Councillor Robert Redfern and seconded by Councillor Mel Guilding:

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

Following debate, Councillor Robert Redfern with the agreement of Councillor Mel Guilding withdrew the proposal.

It was later proposed by Councillor Tim Dant 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, 9 Councillors voted in favour, with 1 against, and 3 abstentions, 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 to be within 3 years of the original consent.
2. Approved plans.
3. Bird Nesting.
4. Site access construction.
5. Approved drainage scheme construction.
6. Implementation of surface water drainage management and maintenance plan.
7. Approved foul drainage scheme construction.
8. Off site highway works implementation.
9. Electric vehicle charging points implementation/7kW.
10. Approved material samples.
11. Approved landscaping scheme.
12. Approved Homeowner Packs.
13. Approved boundary treatments.
14. Approved Security measures.
15. Car Park Layout.
16. Car park management strategy.
17. Cycle store and refuse provision.
18. Unforeseen contamination.
19. Construction Hours of Work (0800-1800 Mon to Fri and 0800-1400 Sat only).
20. Development in accordance with the Flood Risk Assessment.

COUNCILLORS BROOKES AND DANT LEFT THE MEETING AT 13:20 P.M.

83 29 ALDERMAN ROAD LANCASTER LANCASHIRE

A9	21/01344/FUL	Erection of single storey front extension, installation of new window and air source heat pump to the side elevation and erection of a single storey rear extension.	Scotforth West Ward	A
----	--------------	--	---------------------	---

It was proposed by Councillor James Thomas and seconded by Councillor Sandra Thornberry:

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

Upon being put to the vote, all 11 Councillors voted in favour, with none against, and no abstentions, 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 Planning Permission Timescale.
2. Development in accordance with Amended Plans.
3. Minimise noise from air source heat pump.

**COUNCILLORS BROOKES AND DANT RETURNED TO THE MEETING
AT 13:25 P.M.**

84 DUNALD MILL QUARRY LONG DALES LANE NETHER KELLET

A10	22/00107/CCC	County Council Consultation request for the variation of condition 2 of planning permission LCC/2017/0035 to extend the operation period to 21 February 2034 in line with the extension proposed by tarmac on application LCC/2021/0058.	Kellet Ward	NO
-----	--------------	--	-------------	----

It was proposed by Councillor Keith Budden and seconded by Councillor James Thomas:

“That the City Council has no objection to the proposal subject to the conditions set out in the Committee Report.”

Upon being put to the vote, 12 Councillors voted in favour, with none against, and 1 abstention, whereupon the Chair declared the proposal to be carried.

Resolved:

That the City Council has no objection to the proposal, on the assumption that application LCC/2021/0058 is supported by the County Council, and subject to the imposition of conditions associated with the parent consent remaining.

**COUNCILLORS BROOKES, MATTHEWS AND THORNBERRY LEFT THE
MEETING AT 13:30 P.M.**

85 LANCASTER MUSIC CO-OP 1 LODGE STREET LANCASTER

A11	21/01528/FUL	Installation of replacement windows and doors to east facing elevation, installation of rooflight and replacement windows to north facing elevation, installation of a	Bulk Ward	A
-----	--------------	--	-----------	---

replacement window to the west facing elevation and installation of replacement windows and doors and replacement stonework to the front elevation.

It was proposed by Councillor Robert Redfern and seconded by Councillor Paul Anderton:

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

Upon being put to the vote, all 10 Councillors voted in favour, with none against, and no abstentions, 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 3 Year Timescale.
2. Approved Plans.
3. Submission of details of door and windows.

COUNCILLORS BROOKES, MATTHEWS AND THORNBERRY RETURNED TO THE MEETING AT 13:35

86 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.

Chair

(The meeting ended at 1.40 p.m.)

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