

**PLANNING REGULATORY  
COMMITTEE**

**10.30 A.M.**

**27TH FEBRUARY 2023**

**PRESENT:-** Councillors Sandra Thornberry (Chair), Keith Budden (Vice-Chair), Victoria Boyd-Power, Roger Cleet, Roger Dennison, Kevin Frea, June Greenwell, Mel Guilding, Tim Hamilton-Cox (Substitute), Colin Hartley, Mandy King, Jack Lenox, Robert Redfern, Sue Tyldesley and Peter Yates (Substitute)

Apologies for Absence:-

Councillors Dave Brookes and Malcolm Thomas

Officers in attendance:-

|                  |  |
|------------------|--|
| Mark Potts       | Service Manager - Development Management |
| Mark Jackson     | Planning Applications Manager            |
| Andrew Clement   | Senior Planning Officer                  |
| Lucy Livesey     | Graduate Planner                         |
| Rephael Walmsley | Senior Solicitor                         |
| Hannah Little    | Legal Assistant                          |
| 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| W      | - | Withdrawn  |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   |

**98 MINUTES**

The minutes of 30<sup>th</sup> January 2023 were agreed as a true record and signed by the Chair.

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

There were no items of urgent business.

**100 DECLARATIONS OF INTEREST**

Councillor Robert Redfern declared an interest in agenda item A5: 21/01008/FUL Land North of Quernmore Road, Quernmore, Lancaster. The reason being that he knew the applicants. Councillor Redfern would recuse himself from the meeting for the duration of consideration of the item.

Councillor Tim Hamilton-Cox declared an interest in agenda item A5: 21/01008/FUL Land North of Quernmore Road, Quernmore, Lancaster. The reason being that he was Ward Councillor, and in that capacity had met the agent of the applicants. Councillor Hamilton-Cox stated that he would be viewing the application fairly and with an open mind.

Councillor Tim Hamilton-Cox declared an interest in agenda item A10: 22/01432/VCN J Wedlake And Son, Wheatfield Street, Lancaster. The reason being that his mother lived in a neighbouring property. Councillor Hamilton-Cox would recuse himself from the meeting for the duration of consideration of the item.

Councillor Colin Hartley declared an interest in agenda item A11: 22/01482/FUL 5 Laureston Avenue, Heysham. The reason being that he was the Ward Councillor. Consequently, Councillor Hartley would abstain during the vote.

There were no other declarations of interest.

**COUNCILLOR REDFERN LEFT THE MEETING AT 10:35 FOLLOWING HIS DECLARATION ABOVE.**

**APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION:**

**101 LAND NORTH OF QUERNMORE ROAD QUERNMORE ROAD LANCASTER LANCASHIRE**

|    |              |  |                        |          |
|----|--------------|--|------------------------|----------|
| A5 | 21/01008/FUL | Erection of 116 dwellings (C3) with associated access, landscaping, public open space, electricity substation, foul water pumping station, sustainable urban drainage and associated infrastructure. | Lower Lune Valley Ward | A(106/C) |
|----|--------------|--|------------------------|----------|

A site visit was held in respect of this application on Monday 31<sup>st</sup> October 2022 by Councillors Vicki Boyd-Power, Dave Brookes, Keith Budden, Roger Cleet, Roger Dennison, Kevin Frea, June Greenwell, Mel Guilding, Robert Redfern, Malcolm Thomas, Sandra Thornberry and Sue Tyldesley. In attendance were Officers Eleanor Fawcett and Eric Marsden.

Under the scheme of public participation, Sarah Howe spoke against the application; and Matthew Dawber of Barton Willmore spoke in favour.

It was proposed by Councillor Tim Hamilton-Cox and seconded by Councillor Kevin Frea, contrary to the officer's recommendation in the report:

“That the principle of development be accepted but a decision by the planning committee be deferred for a period of 12 weeks in order to provide time for further negotiations to take place on mitigating off-site highways impacts and on addressing on-site and off-site flood risk.”

Upon being put to the vote, four Councillors voted in favour of the proposal with nine against and one abstention, whereupon the Chair declared the proposal to have been rejected.

It was proposed by Councillor Roger Dennison and seconded by Councillor June Greenwell:

“That the application be approved subject to the conditions in the Committee Report and subject to an additional condition regarding the bund and an additional condition regarding the visibility splays and subject to satisfactory completion of the related s278 Agreement and then delegated back to the Head of Planning and Place to resolve any outstanding issues.”

Upon being put to the vote, eight Councillors voted in favour of the proposal with six 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 and subject to an additional condition regarding the bund and subject to an additional condition regarding the visibility splays, and subject to satisfactory completion of the related s278 Agreement and then delegated back to the Head of Planning and Place to resolve any outstanding issues, and:

subject to a legal agreement to secure:

- Provision of 30% affordable housing as detailed in the submission;
- Financial contribution towards the provision of secondary school places;
- Financial contribution to support the bus service;
- Provision of open space;
- Travel Plan contribution;
- Setting up of a management company; and
- Management and Maintenance of all landscaping, unadopted roads, lighting and drainage infrastructure and on-site open space;

and the following conditions:

1. Timescale for commencement (2 years);
2. Development in accordance with Approved Plans;
3. Details of and erection of fence along boundary with M6;
4. Detailed construction plan working method statement relating to site development earthworks and drainage alongside the M6;
5. Final surface water sustainable drainage strategy to be submitted;
6. Submission of construction surface water management plan;
7. Details of an appropriate emergency access in relation to flood risk;
8. Submission of construction management plan;

9. Phased scheme of archaeological work;
10. Details of finished floor and site levels (including gardens and open space);
11. Submission of an Employment and Skills Plan;
12. Ecology mitigation – including bird nesting season, information in relation to bats of T1-T4 proposed to be removed and details of bird nesting and bat roosting opportunities;
13. Contamination – following recommendations of the report;
14. Full details of site access, including footway along frontage;
15. Scheme for the full engineering, drainage and construction details of the internal estate roads;
16. Requirements of M4(2) accessibility and adaptability;
17. Full details of noise mitigation measures;
18. Details of vehicle charging points for properties with shared parking including infrastructure for future charging points and cycle storage provision;
19. Details of materials including: sample panel of stone; render; brick; heads and cills; details of porches/ canopies; eaves, verge and ridge details; rainwater goods; windows and doors; external surfacing materials; boundary treatments (including retaining structures);
20. Scheme for street lighting and any lighting in the areas of open space;
21. Scheme for off-site highway works – possible measures to influence speeds on Quernmore Road, drop crossings to footways, review of streetlighting, review of footway widths to west of site;
22. Sustainable drainage system operation and maintenance manual;
23. Verification report of constructed sustainable drainage system;
24. Travel plan;
25. Landscape and Ecological Management Plan;
26. Landscaping scheme – details of area to the bund required as could change;
27. Implementation of Arboricultural Implications Assessment;
28. Roads to be provided to base course before first occupation and completed in full before completion of the development, unless alternative phased timetable is first agreed in writing with the LPA;
29. Development carried out in accordance with the principles within site specific flood risk assessment;
30. No works to take place on land within the ownership of National Highways;
31. No drainage from the development shall be connected to the drainage system of the M6;
32. Turning and parking to be provided in full before first occupation, unless an alternative timetable for implementation is agreed;
33. Removal of permitted development.

**THE CHAIR ADJOURNED THE MEETING AT 12:00 AND  
RECONVENED AT 12:10.**

**COUNCILLOR REDFERN RETURNED TO THE MEETING AT 12:10.**

**APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION:**

**102 MILL HALL MOOR LANE LANCASTER LANCASHIRE**

|    |              |  |           |   |
|----|--------------|--|-----------|---|
| A6 | 22/00879/FUL | Change of use of 96-bed into 62 one-bed self contained student accommodation | Bulk Ward | R |
|----|--------------|--|-----------|---|

units, erection of a four storey front extension with roof terrace above linking the Mill and annexe and demolition of part of enclosure wall.

It was proposed by Councillor Tim Hamilton-Cox and seconded by Councillor Colin Hartley, contrary to the officer's recommendation in the report:

"That the application be refused on the grounds that it fails to satisfy the following requirements:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area."

Upon being put to the vote, eight Councillors voted in favour of the proposal with six against and one abstention, whereupon the Chair declared the proposal to have been carried.

**Resolved:**

That the application be refused on the grounds that it fails to satisfy the following requirements:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

**103 MILL HALL MOOR LANE LANCASTER LANCASHIRE**

|    |             |  |           |   |
|----|-------------|--|-----------|---|
| A7 | 22/00880/LB | Listed building application to facilitate the conversion from 96-bed into 62 one-bed self contained student accommodation units, erection of a four storey front extension with roof terrace above linking the Mill and annexe and demolition of part of enclosure wall. | Bulk Ward | R |
|----|-------------|--|-----------|---|

It was proposed by Councillor Tim Hamilton-Cox and seconded by Councillor Colin Hartley:

“That the application be refused on the grounds that it fails to satisfy the following requirements:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area; and

that, as application 22/00879/FUL Mill Hall, Moor Lane, Lancaster had been refused, Listed Building consent cannot therefore be carried out as the principle of development is unacceptable.”

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

**Resolved:**

That the application be refused on the grounds that it fails to satisfy the following requirements:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area; and

that, as application 22/00879/FUL Mill Hall, Moor Lane, Lancaster had been refused, Listed Building consent cannot therefore be carried out as the principle of development is unacceptable.

**THE CHAIR ADJOURNED THE MEETING AT 13:05 AND  
RECONVENED AT 13:10.**

**104 LAND TO THE SOUTH OF MIDDLETON CLEAN ENERGY PLANT MIDDLETON ROAD  
MIDDLETON LANCASHIRE**

|    |              |  |              |        |
|----|--------------|--|--------------|--------|
| A8 | 22/00668/FUL | Erection of a substation compound comprising of a transformer, HV equipment, switchgear control room, welfare cabin and DNO substation building with associated boundary fencing, access road and column mounted CCTV cameras. | Overton Ward | A(106) |
|----|--------------|--|--------------|--------|

It was proposed by Councillor Sandra Thornberry and seconded by Councillor Roger Dennison:

“That the application be approved subject to a s106 agreement and subject to the conditions in the Committee Report.”

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

**Resolved:**

That the application be approved subject to a s106 agreement and subject to the conditions in the Committee Report:

1. Timescale;
2. Approved plans;
3. Decommissioning and removal in the event of the site becoming non-operational;
4. Construction Environmental Management Plan;
5. Construction Traffic Management Plan;
6. Surface water and foul drainage strategy;
7. Standard contaminated land condition;
8. Control of invasive species;
9. District Level Licencing Confirmation;
10. Details of materials: colour and finish to containers; details of fencing; details of surfacing; details of green roof; details of building colours;
11. Details of external lighting;
12. Soft landscaping scheme;
13. Development in accordance Ecological Impact Assessment mitigation strategy.

**105 LAND TO THE SOUTH OF MIDDLETON CLEAN ENERGY PLANT MIDDLETON ROAD MIDDLETON LANCASHIRE**

|    |              |  |              |        |
|----|--------------|--|--------------|--------|
| A9 | 22/00839/FUL | Construction of 100 MWh energy storage facility with associated boundary fencing, access road and column mounted CCTV cameras. | Overton Ward | A(106) |
|----|--------------|--|--------------|--------|

It was proposed by Councillor Sandra Thornberry and seconded by Councillor Roger Dennison:

“That the application be approved subject to a s106 agreement and subject to the conditions in the Committee Report.”

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

**Resolved:**

That the application be approved subject to a s106 agreement and subject to the conditions in the Committee Report:

1. Timescale;
2. Approved plans;
3. Decommissioning and removal in the event of the site becoming non-operational;
4. Construction Environmental Management Plan;
5. Construction Traffic Management Plan;
6. Surface water drainage strategy;
7. Standard contaminated land condition;
8. Control of invasive species;
9. District Level Licencing Confirmation;
10. Details of materials: colour and finish to containers; details of fencing; details of surfacing; details of green roof; details of building colours;
11. Details of external lighting;
12. Soft landscaping scheme;
13. Details and installation of road upgrades;
14. Development in accordance Ecological Impact Assessment mitigation strategy.

**COUNCILLOR HAMILTON-COX LEFT THE MEETING AT 13:30 FOLLOWING HIS DECLARATION ABOVE.**

**106 J WEDLAKE AND SON WHEATFIELD STREET LANCASTER LANCASHIRE**

|     |              |  |             |      |
|-----|--------------|--|-------------|------|
| A10 | 22/01432/VCN | Change of use and conversion of existing warehouse (B8) to student accommodation (C3) comprising of 16 1-bed studios, erection of 3-storey side extension, installation of dormer extensions, installation of new window and door openings, installation of rooflights and solar panels to the roof and erection of a 3-storey building for student accommodation comprising 8 1-bed studios with associated plant room and bin store and erection of a bin store and installation of drainage infrastructure (pursuant to the variation of condition 2 on planning permission 20/00964/FUL to amend approved plans by moving position of proposed new 3-storey building away from the North boundary by 925mm). | Castle Ward | A(C) |
|-----|--------------|--|-------------|------|

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



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

Upon being put to the vote, 14 Councillors voted in favour of the proposal 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. Time limit;
2. Approved plans;
3. Details and sample of materials to be agreed – Stone walling, render, quoins, window surrounds, boundary treatments, bin store walling and fencing;
4. Contaminated land assessment;
5. Employment Skills Plan;
6. Homeowner Information Packs;
7. Cycle storage details;
8. Security and lighting details;
9. Provision of parking spaces;
10. Provision of two 7.3kW electric vehicle charging points;
11. Provision of bin storage facilities;
12. Windows in accordance with noise assessment glazing specifications;
13. Drainage Operation and Maintenance Plan and Verification Report;
14. Details agreed - slate and ridge tiles, zinc cladding, windows and doors, rooflights, ridges, verges and eaves, dormers, rainwater goods and soil vent pipes, flues and vents, gates, solar panels;
15. Surface water drainage strategy;
16. Foul drainage strategy;
17. Ventilation details;
18. Landscaping details;
19. Approved tree works;
20. Ecological mitigation measures;
21. Hours of construction;
22. Gated access arrangement set back a minimum of 5 metres from highway;
23. Restriction to student accommodation.

**COUNCILLOR HAMILTON-COX RETURNED TO THE MEETING AT 13:35.**

**107 5 LAURESTON AVENUE HEYSHAM MORECAMBE LANCASHIRE**

|     |              |  |                    |      |
|-----|--------------|--|--------------------|------|
| A11 | 22/01482/FUL | Demolition of existing rear extension, erection of a single storey rear extension with raised balcony, erection of a detached garage to the rear and construction of a new driveway. | Heysham South Ward | A(C) |
|-----|--------------|--|--------------------|------|

It was proposed by Councillor Robert Redfern and seconded by Councillor Jack Lenox:

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

Upon being put to the vote, 14 Councillors voted in favour of the proposal with none against and one abstention, 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 Planning Permission Timescale;
2. Development in accordance with Amended Plans;
3. Driveway Surface Materials;
4. Privacy Screen;
5. Side windows to be obscure glazed.

**108 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 1.40 p.m.)

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