

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

27TH JUNE 2005

PRESENT:- Councillors Roger Sherlock (Chairman), Eileen Blamire (Vice-Chairman), Evelyn Ashworth, Ken Brown, Abbott Bryning, Keith Budden, Maggie Chadwick (substitute for Judith Jones), Anne Chapman, Susie Charles, Chris Coates, John Day (substitute for John Gilbert), Sheila Denwood, Mike Greenall, Helen Helme, Jean Jones, David Kerr, Pat Quinton, Joseph Ravetz, Sylvia Rogerson and Paul Woodruff

Apologies for Absence

Councillor John Gilbert

Officers in attendance:-

Andrew Dobson	Head of Planning and Building Control Services
David Hall	Development Control Manager
Andrew Roe	Assistant Development Control Manager
Alan Humphreys	Senior Solicitor
Alison Hesketh	Planning Advice Officer
Liz Bateson	Democratic Support Officer

17 SITE VISIT

At the meeting of the Planning and Highways Regulatory Committee held on 23rd May, 2005, Members had requested that Site Visits be held in respect of the following applications:-

05/00375/FUL A9	39 Lindeth Road, Silverdale.	Silverdale
	Erection of one dwelling on land to rear for B.Lisle and S.M. Murray.	
05/00333/FUL A14	60 Marine Drive, Slyne with Hest.	Slyne with Hest
	Erection of a two storey side Extension for Mr & Mrs J. Hughes.	

The following Members were present at the Site Visits, which took place on Monday 20th June, 2005:-

Councillors Roger Sherlock (Chairman), Pat Quinton, Sheila Denwood, Maggie Chadwick, Abbott Bryning, Keith Budden, Sylvia Rogerson, Kenneth Brown, and Mike Greenall.

Officers in attendance:-

Andrew Roe and Peter Rivet – Planning and Building Control Services
Jenny Kay – Administration Services

18 MINUTES

The Minutes of the meeting held on 23rd May, 2005 were signed by the Chairman as a correct record.

19 URGENT BUSINESS

The Chairman advised Members that he had agreed to an item of Urgent Business to be considered at the meeting – Planning Application 05/00701/FUL. The reason for urgency was that this application required a decision prior to the next meeting to meet performance target for minor applications. The Chairman informed Members that this would be the first item on the agenda.

The Chairman also notified Members that he had agreed that Planning Application 05/00375/FUL would be brought forward on the agenda and heard after the item of Urgent Business.

20 PLANNING APPLICATIONS

The Head of Planning and Building Control 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) Schedule 1

NOTE

A	-	Approved
R	-	Rejected
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

Councillors Day and Quinton declared personal and prejudicial interests in respect of the following item, left the room during consideration thereof and did not vote on the application.)

<u>Application No.</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
21	5 HAWTHORN CLOSE, BROOKHOUSE.		
05/00701/FUL	Erection of a conservatory to rear for Mr & Mrs Langhorn.	CATON	A

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

(Under the scheme of public participation Mr Norman Spenley addressed the Committee as an objector to the following application. Mr Lisle, as applicant, reiterated his support for the application.)

<u>Item</u>	<u>Application No.</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
22	39 LINDETH ROAD, SILVERDALE.			
	05/00375/FUL A9	Erection of one dwelling on land to rear for B. Lisle and S.M. Murray.	Silverdale	A(C)

The main objections as raised by Mr Spenley were detailed as follows:-

- The outline planning permission in 2002 was for a two bedroom cottage – this proposal is for 5 bedrooms.
- In Mr Spenley's opinion, the discrepancies outlined in April 2005 have not been included in the summary document.
- The number of objections has increased.
- Mr Spenley expressed his concerns with regard to access and parking. As this was now a 5 bedroom development the number of cars accessing the property would increase and there would be an increase in traffic.
- Members were advised that in his capacity as a Councillor at Warrington, Mr Spenley had never come across a recommendation for approval which was so inconsistent and stretched planning regulations.
- If this development was allowed to proceed it would be setting a precedent for future developers.

Mr Lisle, as applicant, reiterated his support for the application as follows:_

- The application had been resubmitted to accommodate the needs of the applicant's disabled son, who was reliant on total care. The bungalow design needed to take into account the need for wider doors and openings.
- The development was policy compliant with regard to access for disabled people.
- There were excellent facilities in Silverdale for his son including Bleasdale

School and he would be able to enjoy the facilities at Beaumont College, Lancaster in later years.

- In Mr Lisle's opinion the development would not cause any traffic problems and he did not regard the access issue as a problem.

It was proposed by Councillor Blamire and seconded by Councillor Quinton:-

"That planning permission be granted."

Upon being put to the vote, 19 Members voted in favour of the proposal and 1 Member abstained, whereupon the Chairman declared the proposal to be carried.

The application was therefore approved, subject to the following additional conditions (suitably worded.)

- (1) Existing boundary fence to the northern site boundary to be reduced to 1.8m and dark stained.
- (2) Eastern boundary (to limestone pavement) to be left unfenced. Any proposals to demark this boundary to be approved by Local Planning Authority.

23 134 WEST END ROAD, MORECAMBE.

(Under the scheme of public participation Vivien Williams addressed the Committee as an objector to the following application.)

<u>Item</u>	<u>Application No.</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
A10	05/00647/CU	Change of use of single dwelling to form two dwellings, including erection of an extension to the side for Mr G. Rigby.	Harbour	R

The main objections raised by Mrs Williams were as follows:-

- The proposed development was aggressive and an over-development of the plot which would dwarf her garden.
- She lived on a main road with two young children whose play area was their garden. This development would rob her of any privacy and light and blight the outside area.
- She had bought the property 12 years ago knowing it was a fully-developed area and had no idea she would face this prospect.
- The proposed development would benefit no one within the local area. The area was not in need of regeneration and the proposal would not improve the aesthetics of the area.

It was proposed by Councillor Chapman and seconded by Councillor Budden:-

"That the application be refused."

Upon being put to the vote, 15 Members voted in favour of the proposition, 3 voted

against and 2 Members abstained, whereupon the Chairman declared the proposal to be carried.

(Under the scheme of public participation June Fawcett, Marie Hewitt , Jean Ann Naylor and Mr Beeson addressed the Committee as an objector to the following application. In accordance with the Council's Constitution, Councillor Airey, as Ward Councillor, also addressed the Committee on the following application.)

<u>Item</u>	<u>Application</u> <u>No.</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
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24 2 MELLING HALL, WENNINGTON ROAD, MELLING.

The main observations raised by Ms Fawcett were as follows:-

- Ms Fawcett advised Members of the dismay and concern expressed at a recent Parish Council meeting with regard to the change of use of Melling Hall.
- She had lived in Melling for almost 40 years, the first 16 of which she had lived opposite the hotel and was well aware of it as a focus for social life.
- She stressed the impact of closure on the community and regarded the hotel as a neutral and welcoming environment, a place for social interaction.
- With the closure of the hotel/licensed premises there was no public place to provide refreshment and nowhere to provide hospitality to newcomers and visitors.
- Young people find the village dead and everyone misses the opportunity to walk to the local pub.

The main observations raised by Ms Hewitt were as follows:-

- Ms Hewitt was a newcomer to the village and on viewing her house had been given the impression that Melling Hall was a pivotal part of village life.
- She had lived there for 2 years now and it was apparent that village life had diminished.
- The Hall had been used by many groups for various occasions and was spoken of with great affection.

The main observations raised by Ms Naylor were as follows:-

- When Ms Naylor was formerly clerk to the Parish Council, the Council had voted against the change of use of this site in 2003.
- In her opinion the then applicant had submitted 'lies.'
- The appeal had granted permission for two dwellings and 1 had been implemented. In her opinion the owners had blocked off a third property without permission.
- An archaeological survey had not been carried out.
- The proposed amendments were radically different and gave cause for alarm.
- In her opinion the full picture had never been presented.
- Ms Naylor urged Members not to vote for the interests of one family but to stick with policy and principles as expected of a democratically elected Planning Committee.

The main points expressed by Mr Beeson were as follows:-

- Less than 2 years ago the planning application was rejected but the Planning Inspector had overturned the decision.
- The building was now divided into 3 parts and the Officers report had been altered to reflect this.
- If the Central unit was self-contained the east and west units should be also but permission had only been given for 2 dwellings.
- In his opinion, the application was an acknowledgment that neither the Officers nor the applicant believed approval was needed for the east wing.
- He had been advised that if there was a 'void' it enjoyed previous rights, so these should not be lost.
- The application should have been a change of use from food establishment.
- The speakers today and those who have attended Parish meetings etc. had shown the demand for a food and drink establishment. The vital importance of food and drink establishments to village communities was recognised.

The main comments made by Councillor Airey were as follows:-

- It was the most important application he had dealt with on his ward.
- It was the last attempt to save Melling's only major public asset and the last chance of having a public bar facility for people to meet.
- Residents had warned the Committee that the application would spiral and it had with the application for a third house in a 'void' created by the applicants.
- There was a chance that this 'void' could become a public house again.
- Public houses survive in other small villages with the support of the local community.
- The applicants bought the site as a going concern, a pub and in his opinion regarded it as a way of making a quick buck at the expense of the local community.
- Councillor Airey asked the Committee to back the residents and Parish Council.

It was proposed by Councillor Ravetz and seconded by Councillor Quinton:

"That planning permission be granted."

Upon being put to the vote, 13 Members voted in favour of the proposal, 6 voted against and 1 Member abstained, whereupon the Chairman declared the proposal to be carried.

Please note this is a Minute 24 is a revised Minute and will be presented for consideration at the meeting scheduled for 22nd August 2005 for consideration.

(Under the scheme of public participation Mr Rutherford addressed the Committee as an objector to the following application.)

<u>Item</u>	<u>Application</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
25	LAND TO REAR OF 17-49 BULK ROAD, LANCASTER.			
	05/00428/FUL A23	Demolition of storage unit and	Bulk Ward	D

garages and erection of new
office building to provide 4335 sqm
accommodation for LPN Ltd.

The main observations raised by Mr Rutherford were as follows:-

- Mr Rutherford was expressing the concerns of Bulk Road residents.
- Whilst the development had been scaled down it was still, in the opinion of local residents, an over-development which would block out the view from the rear of their properties and compromise their light.
- Many of the residents were elderly.
- There were concerns over parking provision which was inadequate and would put further pressure on the roads.
- It was felt that such a development would encourage the gathering of youths and this would be intensified by the creation of an alley-like area.
- Residents believed that their quality of life would deteriorate if the rear of the office block degenerated in a similar way to Comets and Halfords and was subjected to graffiti, vandalism and arson.
- If the Council permitted the development it should be scaled down with proper landscaping and security gates to protect the residents and allay their fears.
- Concern was also expressed with regard to the stability of the properties which could be affected by the removal of quantities of earth and Mr Rutherford had sought the advice of engineers.
- Mr Rutherford asked Members to consider Councillor Whitelegg's letter of 23rd June, 2005 which had been circulated prior to the meeting.

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

"That the matter be deferred to enable Officers to give greater consideration to car parking arrangements, access, ownership of the alleyway entrances, the extensive excavation works and a Green Travel Plan."

Upon being put to the vote, 12 Members voted in favour of the proposition and 8 Members voted against, whereupon the Chairman declared the proposition to be carried.

***(The meeting was adjourned at 12.55pm. The meeting was reconvened at 1.30pm.
Councillor Chadwick left the meeting.)***

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

(With the approval of the Chairman the following two items were moved up the agenda.)

<u>Item</u>	<u>Application No.</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
26	60 MARINE DRIVE, SLYNE WITH HEST.			
	05/00333/FUL A14	Erection of a two storey side extension for Mr & Mrs J. Hughes.	Slyne-with-Hest	A(C)

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

“That planning permission be refused.”

Upon being put to the vote, 6 Members voted in favour of the proposal, 11 against and 2 Members abstained, whereupon the Chairman declared the proposal to be lost.

It was then proposed by Councillor Blamire and seconded by Councillor Quinton:-

“That planning permission be granted.”

Upon being put to the vote, 11 Members voted in favour of the proposal, 6 against and 2 abstained, whereupon the Chairman declared the proposal to be carried.

Approved, subject to the following additional conditions:-

- (1) Amended plan excluding the back door at the end of the property.
- (2) Removal of permitted development rights to insert new windows/doors at the side without planning permission.
- (3) Ensure render on extension is white to match the existing and maximise light.

27 SCALESTONES POINT, MARINE ROAD EAST, MORECAMBE.

05/00633/FUL A15	Siting of a sculpture for Mr S. Johnstone.	Bare	A
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The main observations raised by Councillor Bray were as follows:-

- The content of the sculpture bore no relation to Morecambe at all.
- The sculpture was originally designed for St. George’s Quay, Lancaster with the help of young women from Rylands and depicted the Romans and working class women of Lancaster. If it was more in keeping with the TERN project it might be more acceptable.
- If it was not good enough for Lancaster it was not good enough for Morecambe.
- The ideal place would be on the revamped Rylands Estate.
- Since the proposed site is on Council land who would be responsible for any safety aspects and insurance. Children are likely to climb it and fall off.
- If is located temporarily and then moved to another site who will pay for the removal and making good.

It was proposed by Councillor Ashworth and seconded by Councillor Kerr:-

“That planning permission be refused.”

Upon being put to the vote, 7 Members voted in favour of the proposal, 10 against and 2 Members abstained, whereupon the Chairman declared the proposal to be lost.

It was then proposed by Councillor Chapman and seconded by Councillor Coates:-

“That planning permission be granted.”

Upon being put to the vote, 10 Members voted in favour of the proposal, 7 against and 2 Members abstained, whereupon the Chairman declared the proposal to be carried.

<u>Item</u>	<u>Application No.</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
28	GROSVENOR HOTEL, SANDYLANDS PROM, HEYSHAM.			
	05/00591/FUL A5	Erection of 37 apartments for Rowland Homes Ltd.	Heysham Central	A(C)
	Approved, subject to an additional condition to ensure communal parking as requested by County Highways.			
29	LAND ADJACENT 4 OUT MOSS LANE, MORECAMBE.			
	05/00605/FUL A6	Erection of a row of 7 terraced houses for MMW Projects Ltd.	Poulton	A(C)
	Approved, subject to an additional amendment of condition 2, precise details of the car and access/visibility to be agreed.			
30	194 - 196 EUSTON ROAD, MORECAMBE.			
	05/00604/FUL A7	Demolition of premises at 196, change of use of dental surgery to 3 flats at 194 and erection of 7 new flats with retail unit to the ground floor of 196 for Mr S. Wojciechowicz.	Poulton	R
	<i>(Councillor Quinton declared a personal and prejudicial interest in the following item, left the room during discussion thereof and did not vote on the application. Mr Dobson declared a personal interest in the following item and left the room.)</i>			
31	GAIT BARROWS NATIONAL NATURE RESERVE, MOSS LANE, SILVERDALE.			
	05/00654/FUL A8	Construct disabled parking area and turning area, retaining wall, limestone infill and terram geo-textile and vehicular barrier for English Nature.	Silverdale	A(C)
	Approved subject to an additional condition requiring details of the means of controlling the use of the gate to be agreed and access to be limited to disabled users only.			
32	LAND TO REAR OF 18 TO 24 MONKSWELL AVENUE, BOLTON LE SANDS.			
	05/00533/OUT A11	Outline application for residential development for Mr D. Coxon.	Bolton-le-Sands	R
	Refused, with an additional reason for refusal being the loss of a valuable area of greenspace within the village, contrary to policy H7 of the Local Plan.			

<u>Item</u>	<u>Application No.</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
33	4 AND 5 HIDINGS COURT LANE.			
	05/00674/CU A12	Change of use of footpath to form garden area and closure of footpath for Mr P. Heartwell and Mr J. Dring.	Harbour	A
34	LAND NORTH OF MELLISHAW LANE, HEATON WITH OXCLIFFE.			
	05/00047/OUT A13	Outline application for mixed use development incorporating industrial B1-B8 uses, a DIY Retail warehouse with ancillary garden centre, builders yard and associated works for Prime Sites UK and Consolidated Property.	Overton	D

It was proposed by Councillor Blamire and seconded by Councillor Day:-

“That the application be deferred to enable further highways submissions to be assessed by County Highways.”

Upon being put to the vote, Members voted unanimously in favour of the proposal, whereupon the Chairman declared the proposal to be carried.

35	HAPPY MOUNT PARK, MARINE ROAD EAST, MORECAMBE.			
	05/00261/FUL A16	Change of use of land adjacent to create new adventure golf course for Happy Mount Park Catering Ltd.	Bare	A(C)

Approved, subject to an amendment to the description from ‘change of use’ to ‘operational development to create new adventure golf course.’

36	70 SANDYLANDS PROMENADE, HEYSHAM.			
	05/00640/CU A17	Change of use to three maisonettes for Ms. C. Lemmer.	Heysham North	A(C)

The application was approved, subject to the following additional conditions (suitably worded.)

- (1) Precise details of bin storage arrangements to be agreed.
- (2) Hours of work during construction period to be agreed.

<u>Item</u>	<u>Application No.</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
37		THISTLEDENE, FIVE ASHES LANE, LANCASTER.		
	05/00670/FUL A18	Removal of existing bungalow and erection of new two storey house with first floor accommodation located in roof space for Mr C. Colbourne.	Ellel	A(C)
		The application was approved subject to an additional condition requiring the agreement of hours of working during construction period.		
38		YMCA FLEET SQUARE, NEW ROAD, LANCASTER.		
	05/00560/FUL A20	Demolition of single storey and two storey garages and erection of a three storey residential development comprising two houses and seven flats for YMCA Lancaster and District.	Duke's	A(C)
		Approved, subject to the following additional conditions requested by the Conservation Officer:-		
		<ul style="list-style-type: none"> (1) Natural stone quoins, string courses and door/window surrounds (2) Details of stonework, coursing and pointing. (3) Amend condition 4 to include details of metal gates, sliding sash windows, eaves, verges and ridge details to be agreed. 		
39		YMCA FLEET SQUARE, LANCASTER.		
	05/00552/LB A21	Listed Building Application for demolition of one and two storey garage buildings and erection of two houses and seven flats for YMCA Lancaster and District.	Duke's	A
40		15 KNOWLYS DRIVE, HEYSHAM.		
	05/00559/FUL A22	Application for regularise retention of windows and door in southern elevation, erection of screen wall and fence and disabled access and addition of balcony to western elevation for Mr and Mrs H.G. Maskrey.	Heysham Central	R

<u>Item No.</u>	<u>Application</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
41		LAND ADJACENT CANAL, HAMMERTON HALL LANE, LANCASTER.		
	05/00419/OUT A24	Outline application for category 2 and low cost housing comprising 16 three bedroom units, 20 two bedroom units and 8 one bedroom units with associated extra works for Mr J. Critchley.	Skerton East	R

(Councillor Robinson declared a personal and prejudicial interest in the following two items, left the room during consideration thereof and did not vote on the applications. Councillor Woodruff declared a personal interest in the following two items and remained in the room during discussion thereof.)

<u>Item No.</u>	<u>Application</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
42		HALTON MILL, MILL LANE, HALTON WITH AUGHTON.		
	05/00376/CU A25	Change of use of land to car parking and conversion of disused workshop into offices at freestanding stone building (former workshop) for Time and Tide Homes Ltd.	Halton-with Aughton	A
43		HALTON MILL, MILL LANE, HALTON WITH AUGHTON.		
	05/00562/REM A26	Erection of two new B1/B2 commercial units for Time and Tide Homes Ltd.	Halton-with Aughton	A(P)

The application was approved with a supplemental Section 106 Agreement in connection with application 00/00920/out to be agreed. Committee accepted that it would not be necessary to complete the agreement in advance of the notice being issued. The following conditions were added at the request of the Environmental Health Officer:-

- (1) Noise assessment required.
- (2) Hours of working during construction to be agreed.
- (3) Hours of use for business premises to be agreed to minimise residential impact.

44		FORMER MARTON STREET DEPOT, LANCASTER.		
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05/00848/FUL A27	Erection of 139 apartments, public house/café (A3 Use), office accommodation (B1 Use) and associated parking for Merewood Group Ltd.	Duke's	A(106)
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The proposal was approved subject to completion of a Section 106 agreement, provision of canal moorings to Section 106 requirements, and the following conditions requested by the Environmental Health Officer:-

- (1) Hours of working during construction period to be agreed.
- (2) Air quality management measures to be agreed.
- (3) Details of measures to control odour to be agreed.
- (4) No hot food takeaway use from pub/café (now A3/A4).

Proposals for Development by a District Council

<u>Item</u>	<u>Application No.</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
45		11 KENTMERE GROVE, MORECAMBE.		
	05/00639/FUL A28	Change of use of land and erection of single storey extension to side to provide two bedrooms, bathroom and kitchen for children with severe disabilities.	Westgate	A
46		GRASS VERGE OPPOSITE MARITIME MUSEUM, ST GEORGES QUAY, LANCASTER.		
	05/00596/DPA A29	Amendment to previously approved application 04/01528/ DPA for erection of memorial Public art piece for Lancaster City Council.	Castle	A
47		61 - 63 ALBERT ROAD, MORECAMBE.		
	05/00540/DPA A30	Change of use of ground floor flat into temporary office accommodation for a period of 12 months for Lancaster City Council.	Harbour	A
48		99 RYELANDS ROAD, LANCASTER.		
	05/00729/DPA A31	Change of use from Citizens Advice Bureau to dwelling for Lancaster City Council.	Skerton West	A

49 SCHEDULE 2 - LIST OF DELEGATED PLANNING DECISIONS

The Head of Planning and Building Control Services submitted a Schedule of Planning Applications dealt with under the Scheme of Delegation of Planning Functions to Officers.

50 QUARTERLY APPEAL STATISTICS

Members considered a report of the Head of Planning and Building Control Services which detailed the current situation regarding Planning Appeals made against the Council.

Resolved:-

That the report be noted.

51 PLANNING ENFORCEMENT SCHEDULE

The Head of Legal Services submitted a report with regard to enforcement action being taken by the Council.

Resolved:-

That the report be noted.

Chairman

(The meeting ended at 3.22 p.m.)

**Any queries regarding these Minutes, please contact
Liz Bateson, Administration Services - telephone (01524) 582047 or email
ebateson@lancaster.gov.uk**