

**PLANNING AND HIGHWAYS  
REGULATORY COMMITTEE**

10.30 A.M.

26TH JUNE 2006

**PRESENT:** Councillors Roger Sherlock (Chairman), Evelyn Ashworth (substitute for Keith Budden), Eileen Blamire, Ken Brown, Abbott Bryning, Maggie Chadwick, Anne Chapman, Susie Charles, Chris Coates, John Gilbert, Mike Greenall, Helen Helme, Jean Jones, David Kerr, Pat Quinton, Robert Redfern, Sylvia Rogerson, Joyce Taylor and Paul Woodruff

Apologies for Absence:

Councillors Keith Budden and Sheila Denwood

Officers in attendance:

Andrew Dobson	Head of Planning Services
David Hall	Development Control Manager
Andrew Roe	Principal Planning Officer
Anita Budworth	Senior Administrative Assistant
Martin Brownjohn	Senior Environmental Health Officer
Jane Glenton	Democratic Support Officer

**17 APPOINTMENT OF VICE-CHAIRMAN**

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

“That Councillor Budden be appointed Vice-Chairman of the Planning and Highways Regulatory Committee for the Municipal Year.”

It was proposed by Councillor Chadwick and seconded by Councillor Redfern:

“That Councillor Blamire be appointed Vice-Chairman of the Planning and Highways Regulatory Committee for the Municipal Year.”

Upon being put to the vote, nine Members voted in favour of Councillor Budden and nine Members voted in favour of Councillor Blamire, whereupon the Chairman used his casting vote in favour of Councillor Blamire.

***Resolved:***

That Councillor Blamire be appointed Vice-Chairman of the Planning and Highways Regulatory Committee for the Municipal Year.

**18 MINUTES**

The Minutes of the meeting held on 22<sup>nd</sup> May 2006 were signed by the Chairman as a correct record.

19 SITE VISITS

Site visits were held in respect of the following applications:

A12 06/00174/FUL	Land on the North West side of Ashton Road, Lancaster	SCOTFORTH WEST WARD
A21 05/01617/FUL	Bradshaw Barn, Craggs Farm, Craggs Lane, Tatham	LOWER LUNE VALLEY WARD

The following Members were present at the site visits, which took place on Monday, 19<sup>th</sup> June 2006.

Councillors Ken Brown, Maggie Chadwick, Anne Chapman, Susie Charles, Sheila Denwood, John Gilbert (Application No. A12 06/00174/FUL only), Pat Quinton and Sylvia Rogerson.

Officers in Attendance:

Andrew Roe – Planning Services  
Jacqui Barwise – Planning Services  
Martin Brownjohn – Health and Strategic Housing Services  
Jane Glenton – Democratic Services

20 PLANNING APPLICATIONS

The Head of Planning 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       | - | 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                                               |

**APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION**

**21 GREENLANDS FARM, BURTON ROAD, PRIEST HUTTON**

<u>Item</u>	<u>Application</u>	<u>Proposal and Applicant</u>	<u>Ward</u>	<u>Decision</u>
A19	06/00539/CU	Continuation of use from agricultural as grass boarding centre with associated works: field adjacent to for Markus Harvey	KELLET WARD	D

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

“That the application be deferred to enable a Site Visit to take place.”

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 application be deferred to enable a Site Visit to take place.

**22 BRADSHAW BARN CRAGGS FARM, CRAGGS LANE, TATHAM**

***(Under the scheme of public participation, Joanne Woodhouse, Robert Guy and Caroline Throver addressed the Committee as objectors to the application. Gary Hoerty, on behalf of the applicant, reiterated his support for the application.)***

A21	05/01617/FUL	Application to modify/remove conditions 6, 7, 9 and 12 on application 01/00201/FUL for Mr. A. D. Holland	LOWER LUNE VALLEY WARD	A (C)
-----	--------------	----------------------------------------------------------------------------------------------------------	------------------------	-------

Joanne Woodhouse addressed the Committee and informed Members that she and her fiancé lived in the vicinity and that the family had farmed in the area for over 60 years. Referring to Condition 6, stipulating the hours of operation, she advised of the noise and nuisance that already existed, which caused disturbance to other residents, including that emanating from the loading and unloading of vehicles on a Sunday. She advised Members that there was no respite. Referring to Condition 12, stipulations with regard to deliveries, she advised that the drive to Mr. Holland's residence was owned by her brother. Vehicles were driven close to the front door in an area where children played. Customers and delivery vehicles parked on the drive, when they should be parked at Mr. Holland's farm. Mr. Holland was unable to comply with previous conditions limiting the size of his business. All this had an impact on family life and to modify conditions imposed would compound the situation further.

Robert Guy addressed the Committee and advised Members that he wished to register his disagreement to the business, which he felt should be run from Southmire, rather than Craggs Farm. When plans were passed, he had been led to believe there would be restrictions and that the business would be a low-key affair, not one which would be a nuisance to neighbours. The business should be moved from Craggs Farm and to Southmire, in which event everyone would be happy.

Caroline Thrower addressed the Committee and informed Members that she had lived in the vicinity for six years and objected to the proposed changes. During the time she had lived there, she had seen changes to the number of vehicles frequenting the farm. The vehicles serving the business had increased, to include a four-wheel bike and cattle trailer. Privacy was impossible due to the traffic. She did not think it acceptable that people called at her property wanting to purchase meat products when Mr. Holland was out. The use of Southmire would be a solution.

Gary Hoerty addressed the Committee as Agent for the Applicant and advised Members that he was a Rural Practice Chartered Surveyor and supported Mr. Holland's application. With reference to the objectors, he advised that no business use restrictions had been imposed on Mr. Holland. With reference to the children playing near a road, this was an access road and therefore it was not a good idea for them to play there. Mr. Holland was operating within the limits imposed under conditions and there was no growth in output of the business. In assessing the application, a significant part of the complaints were regarding farming activities and not to matters affecting the application. With reference to Condition 12, the main operation would be impossible with such restrictions, and reference to the limitation of deliveries and times in the proposal should be modified.

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

"That the application be approved, subject to exclusion of modifications contained within Condition 6, which are to be refused, and approval of modifications as set out in Conditions 7, 9 and 12, subject to amendment of Condition 12 to exclude 'and shall not take place outside the hours specified in Condition 6'."

Upon being put to the vote, 15 Members voted in favour of the proposition, with 4 abstentions, whereupon the Chairman declared the proposal to be carried.

***Resolved:***

That the application be approved, subject to exclusion of modifications contained within Condition 6, which are to be refused, and approval of modifications as set out in Conditions 7, 9 and 12, subject to amendment of Condition 12 to exclude 'and shall not take place outside the hours specified in Condition 6'.

23 SOUTHMIRE BARN, LOWGILL LANE, TATHAM

*(In the absence of any objectors to the application, the agent for the applicant was advised that he would be unable to speak.)*

A22	06/00358/OUT	Outline application for the conversion and extension of a stone barn to provide agricultural workers dwelling and the construction of an agricultural building for the use as a coldroom, preparation area and storage for Mr. A. D. Holland	LOWER LUNE VALLEY WARD	A (106)
-----	--------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------	---------

24 SOUTH VIEW, MAIN STREET, ARKHOLME

*(Under the scheme of public participation, Graham Dixon addressed the Committee as an objector to the application. Karen Pavely, as applicant, reiterated her support for the application.)*

A23	06/00544/FUL	Erection of 2 storey rear extension single storey garden room and new porch and double garage and landscape work for Mr. and Mrs. Pavely	KELLET WARD	A
-----	--------------	------------------------------------------------------------------------------------------------------------------------------------------	-------------	---

Graham Dixon addressed the Committee and advised Members that he was speaking on behalf of the owner of an adjacent property, as she was unable to attend the meeting. He informed Members of concerns regarding the planned building and landscaping work. The original drawings had shown that the proposed garage building was immediately adjacent to the corner of the garden wall of Undercroft. Land Registry Title No. LA838071, relating to South View, showed that there was a right to the owners of Undercroft to enter through the gateway leading from the village to access the back garden wall and the outbuilding of Undercroft. The applicants' agent had advised that it was the intention of the applicants to remove some of the Leylandii hedge along the wall and to prune back some of the trees immediately behind the hedge. An invitation to view the trees, which were of a considerable height, was received, but this was withdrawn a few days later and no further invitation had been received. The height of the trees was illustrated in the photographs displayed at the meeting. There were two major aspects for concern. The Planning Inspector stated in his report that access to the property, as implied by the owners of Undercroft, and seeking to have adjustments made to the existing planting in the garden, were "not strictly speaking regarded as matters relevant to the application". It was felt that those points were relevant with regard to access as confirmed by the Land Registry entry, and they should be noted in the consideration of the planning application and mandated on the applicant. The first point of concern was regarding the location of the garage, which was some 3.2 metres from the garden wall of Undercroft. The location should not hinder access to the outside of the garden wall. The second point was regarding both the existing planting and the proposed plantings as shown on the Garden and Landscape Design Plan, which would form a potentially even more imposing hedge than the existing Leylandii, which would be intrusive and would further hinder access to the wall and outbuilding of Undercroft and

deprive the rear of the house of even more light. Mr. Dixon requested that a condition requiring the applicant to ensure access to the Undercroft wall and outbuilding was free from obstruction and that the pruning and grading of trees nearer to Undercroft should be stated as a condition of approval.

Karen Pavely, the applicant, addressed the Committee and informed Members that she felt that neighbours did not object to the extension itself. The architect had met with neighbours and explained the architectural proposals. They, the applicants, would remove the boundary hedge and would not remove the boundary right. The situation of the hedge and trees had been stable for 18 years and no written objections had been received in that period.

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

"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 application be approved.

**APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION**

***(Councillor Rogerson declared a personal and prejudicial interest in the following item, her husband having a warehouse on Mill Lane and a new replacement warehouse as part of the development, and left the room during consideration thereof. Councillor Woodruff declared a personal interest in the following item as a member of Halton-with-Aughton Parish Council.)***

**25 HALTON MILL, MILL LANE, HALTON-WITH-AUGHTON**

A5	04/01300/FUL	Demolition of existing building and erection of 48 apartments, associated parking and access road (revised scheme to 03/00476) for Ebonview Properties	HALTON-WITH-AUGHTON WARD	A (106)
----	--------------	--------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------	---------

**26 LOT 2 HAMPSON FARM, STONEY LANE, GALGATE**

A6	05/01619/FUL	Alterations to eastern elevation, reinstatement of former vehicular access track (removal of unauthorised access track) and modifications to vehicular entrance for C. Newhouse	ELLEL WARD	A
----	--------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------	---

*(Councillors Brown and Greenall declared personal interests in the following item, being Ward Councillors for Heysham South.)*

**27 BUS TERMINUS, MAIN STREET, HEYSHAM**

A7	06/00576/FUL	Erection of a sculpture for Britain in Bloom and Heysham Events	HEYSHAM SOUTH WARD	A
----	--------------	-----------------------------------------------------------------	--------------------	---

**28 LAND TO THE REAR OF THE VICARAGE, ST JOHNS CHURCH, CHURCH LANE, TUNSTALL**

A8	06/00213/CU	Change of use and works to facilitate the creation of a car park for St. John's Baptist Church	UPPER LUNE VALLEY WARD	A
----	-------------	------------------------------------------------------------------------------------------------	------------------------	---

**29 LAND TO THE REAR OF THE VICARAGE, ST JOHNS CHURCH, CHURCH LANE, TUNSTALL**

A9	06/00212/LB	Listed Building Application for works to facilitate the creation of a car park for St. John's Baptist Church	UPPER LUNE VALLEY WARD	A
----	-------------	--------------------------------------------------------------------------------------------------------------	------------------------	---

*(Councillor Greenall declared a personal interest in the following item, being an employee of British Energy.)*

**30 OFF WALNEY ISLAND, CUMBRIA**

A10	00513/SU	Proposed construction of the West of Duddon offshore windfarm in the Irish Sea for Department of Trade and Industry		NO
-----	----------	---------------------------------------------------------------------------------------------------------------------	--	----

There were no objections to the application and the matter was approved, subject to an additional comment from the Highways Manager requiring details of landfall works to be required in respect of anything affecting the highway network.

*(Councillor Greenall declared a personal interest in the following item, being an employee of British Energy.)*

**31 OFF WALNEY ISLAND, CUMBRIA**

A11	06/00621/SU	Proposed construction of the Walney Offshore Wind Farm for Department of Trade and Industry	NO
-----	-------------	---------------------------------------------------------------------------------------------	----

There were no objections to the application and the matter was approved, subject to an additional comment from the Highways Manager requiring details of landfall works to be required in respect of anything affecting the highway network.

**32 LAND ON THE NORTH WEST SIDE OF, ASHTON ROAD, LANCASTER**

A12	06/00174/FUL	Erection of stables, multi-use barn and semi-permanent timber worm beds for Mr. and Mrs. D. Watson	SCOTFORTH WEST WARD	R
-----	--------------	----------------------------------------------------------------------------------------------------	---------------------	---

**The meeting was adjourned at 12.40 for lunch.**

**Councillor Woodruff left the meeting at this point.**

**The meeting was reconvened at 1.10 p.m.**

**33 FORMER ABBEYFIELD HOME, BOWERHAM ROAD, LANCASTER**

A13	06/00231/CU	Retrospective application for the retention of the use of the building for a mixed use of student accommodation and essential worker housing for Licia Koc and Gerald Boardman	SCOTFORTH WEST WARD	A
-----	-------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------	---

Temporary consent was approved, subject to the addition of an Advice Note to indicate that the premises would have to operate outside the Residents Parking Scheme should this scheme be introduced.

*(Councillors Chapman and Coates declared personal and prejudicial interests in the following item, being acquainted with the applicants, and left the room during consideration thereon.)*

**34 98 ALDCLIFFE ROAD, LANCASTER, LANCASHIRE**

A14	06/00617/FUL	Construction of extended dormer on rear elevation for Gina Dowding and Dominic Harrison	CASTLE WARD	A
-----	--------------	-----------------------------------------------------------------------------------------	-------------	---



*(Councillor Gilbert declared a personal and prejudicial interest in the following item, being acquainted with one of the objectors to the application, and left the meeting during consideration thereon.)*

**35 BOOT AND SHOE HOTEL, SCOTFORTH ROAD, LANCASTER**

A15 06/00464/FUL Erection of a single storey extension linking to function room, various internal alterations and provision of additional car parking spaces for Mitchells of Lancaster Ltd SCOTFORTH D  
EAST WARD

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

“That the application be deferred to enable a Site Visit to take place.”

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 application be deferred to enable a Site Visit to take place.

**36 26 QUEEN STREET, MORECAMBE, LANCASHIRE**

A16 06/00523/FUL Modification of condition no. 1 on application no. 01/84/1000 regarding hours of opening – to permit opening hours from 9.00 a.m. to 5.00 a.m. daily for Mr. M. Riasat POULTON R  
WARD

**37 20 HALA ROAD, LANCASTER, LANCASHIRE**

A17 06/00543/CU WITHDRAWN SCOTFORTH W  
EAST WARD

**38 HIGHER MOOR HEAD BUNGALOW, RAKEHOUSE BROW, QUERNMORE**

A18 06/00112/FUL Retrospective application for the erection of a sand blasting contractors depot for Mr. Darren Atkinson ELLEL R  
WARD

39 1 WESTBOURNE ROAD, LANCASTER, LANCASHIRE

A20 06/00319/CU Change of use of office (A2) into CASTLE R  
Cafe (A3) on the ground floor for WARD  
Paul Wilcock

40 DELEGATED PLANNING DECISIONS

The Head of Planning Services 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 1.36 p.m.)

**Any queries regarding these Minutes, please contact  
Jane Glenton, Democratic Services - telephone (01524) 582068 or email  
jglenton@lancaster.gov.uk**