

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

2ND FEBRUARY 2015

PRESENT:- Councillors Helen Helme (Chairman), Keith Budden (Vice-Chairman), Eileen Blamire, Dave Brookes, Roger Dennison, Sheila Denwood, Tony Johnson, Andrew Kay, Geoff Marsland, Margaret Pattison, Robert Redfern, Sylvia Rogerson, Roger Sherlock and Paul Woodruff

Apologies for Absence:-

Councillor Richard Rollins

Officers in attendance:-

Mark Cassidy	Planning Manager
Nick Howard	Environment Health Manager
Andrew Drummond	Development Manager (Planning Applications)
Angela Parkinson	Senior Solicitor
Sarah Grandfield	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W	-	Withdrawn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

114 MINUTES

The Minutes of the meeting held on 5th January 2015 were signed by the Chairman as a correct record.

115 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

116 DECLARATIONS OF INTEREST

Councillor Tony Johnson declared an interest in item A5 14/00938/FUL – Heysham Port Ltd, North Quay, Heysham Harbour, the nature of the interest being that he is a member of English Heritage and item 14/00629/OUT Land at Carnforth Brow, Carnforth, and the nature of which being that he is a member of Carnforth Parish Council.

ITEMS SUBJECT TO PUBLIC PARTICIPATION

117 HEYSHAM PORT LTD, NORTH QUAY HEYSHAM HARBOUR, HEYSHAM

A5 14/00938/FUL Heysham Port Ltd, North Overton Ward A(C)
Quay Heysham Harbour,
Heysham

Under the scheme of public participation Jack Billington spoke in opposition to the application and James Glynn, agent, spoke in support of the application.

Councillor Kay entered the room part way through the Public Speakers representations. Councillor Kay did not participate in the vote.

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

“That Planning Permission be granted.”

Upon being put to the vote 9 members voted in favour of the proposition, 3 voted against, with 2 abstentions, whereupon the Chairman declared the motion to be carried.

Resolved:

- (1) That Planning Permission be granted subject to the following conditions:
1. Standard Time Limit
 2. Plans and details approval list
 3. Turbine and associated infrastructure shall be removed from site and land reinstated in accordance with a scheme to be agreed with the local planning authority before the expiry of 25 years from the turbine being operational
 4. The wind farm operator shall notify the local planning authority within 1 month of the wind farm being operational
 5. If the turbine fails to produce electricity to the grid for a continuous period of

- 6 months, it and associated infrastructure shall be removed and the land reinstated in accordance with a scheme to be agreed with the local planning authority
6. Subject to EDF comments micro-siting condition to allow 10m or precise location of turbine to be agreed (TBC)
 7. Operations and maintenance programme to be agreed (given sensitive site location) this shall include confirmation that the turbine shall be fitted with vibration sensors/control system
 8. Details of the design and external appearance of proposed turbine and substation to be agreed. No adverts on the turbine towers or blades.
 9. Details of control building to be submitted including, siting, design and use of materials and any associated enclosures
 10. No development shall commence until a Construction and Environment Management Plan has been submitted and agreed (this would include for example, a programme of phasing of construction works, noise and dust control, details of pile driving, health and safety measures, details of temporary site compounds, wheel washing facilities, drainage, temporary lighting, cable trenches, post-construction restoration of the site)
 11. Construction hours – standard restrictions with ability to work later with prior written agreement of the local planning authority (Mon-Fri 0800 -1800, Sat 0800-1400, no work Sundays or Bank Holidays)
 12. Details of a Construction Traffic Management Method Statement and its implementation, including pre-condition highway survey to be undertaken before delivery of abnormal loads (if abnormal loads are due by road) following delivery, a post highway condition to be undertaken. Any defects arising from the number/type of abnormal loads would require the developer to reinstate the highway within a prescribed period with the local planning authority
 13. Habitat Mitigation to be secured and implemented before commencement of development and maintained for the lifetime of the development including mitigation measures at the former helipad
 14. Shadow flicker – scheme for the avoidance and mitigation of shadow flicker to include turbine shut down in the even to predicted shadow flicker periods, to be agreed and implemented
 15. All cabling on the site shall be installed underground
 16. Aviation lighting – scheme to be agreed
 17. Noise condition to ensure ETSU-R-97 limits are not exceeded
 18. In the event of any complaint of noise being received, within 28 days of the local planning authority receiving a complaint, the wind farm operator will appoint a consultant (approved by the local planning authority) to assess noise levels and provide the results of that assessment to the local planning authority. Where the noise limits reported exceed the limits, mitigation will be required to reduce the noise levels to the limits set out in the above condition
 19. The wind turbine shall not be brought into use until a scheme to secure the investigation, alleviation and mitigation of any electro- magnetic interference to terrestrial and digital TV caused by the operation of the turbine.
 20. Development to be carried out in accordance with submitted FRA
 21. Contaminated land assessment
 22. Before commencement of development, the wind farm operator should notify the local planning authority of a nominated representative to act as

point of contact for local residents with the local planning authority in relation to complaints

The Environment Health Manager left the room after the conclusion of this item.

118 ANCHOR BUILDING, 1 PENROD WAY, HEYSHAM

A6 14/01236/FUL Anchor Building, 1 Penrod Heysham D
Way South Ward

Under the scheme of public participation Jack Billington and Andy Askham spoke in opposition to the application and Jane Watson, applicant, spoke in support of the application.

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

“That the application be deferred.”

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

It was then proposed by Councillor Margaret Pattison and seconded by Councillor Dennison:

“That a site visit take place prior to the application returning to the Committee.”

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

Resolved:

- (1) That the application be deferred.
- (2) That a site visit takes place prior to the application returning to the Committee.

The Committee adjourned at 11.55am, and reconvened at 12.05pm.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

119 19 CHURCH GROVE, OVERTON, MORECAMBE

A7 14/00366/OUT 19 Church Grove, Overton, Overton Ward A(C)
Morecambe

It was proposed by Councillor Margaret Pattison and seconded by Councillor Kay:

“That the application be granted.”

Upon being put to the vote 12 Members voted in favour of the proposition, with 2 abstentions, whereupon the Chairman declared the motion to be carried.

Resolved:

- (1) That outline Planning Permission be granted subject to the following conditions:
1. Standard outline condition – all matters reserved
 2. The details of the scale and design of the dwellings indicated on the drawings submitted shall be regarded as illustrative only and are not approved as part of the application
 3. Prior to the start of the development, a joint survey shall be carried out between the developer and the planning authority (in conjunction with the highway authority) to determine the condition of Church Grove (between St Helens Road and the development site). A similar survey shall be carried out within six months of the completion of the development, and the developer shall make good any damage to this section of Church Grove to return it to the pre-construction situation
 4. Construction Method Statement
 5. Details of parking and turning facilities
 6. Tree Protection Plan
 7. No tree within the site or on any immediately adjacent property or land shall be cut-down, up-rooted, topped, lopped or destroyed, nor any hedge within the site cut-down or grubbed out, other than those identified within the approved application, without the prior written approval of the local planning authority and before any site activity is commenced in association with the development
 8. Landscaping scheme with 10 year maintenance
 9. Tree Works Schedule and Arboricultural Method Statement
 10. Lighting scheme
 11. Ecological mitigation set out in 6.3 and 6.4 of the submitted ecology report
 12. Surfacing materials
 13. Scheme for surface water drainage
 14. Finished floor levels
 15. Hours of construction
 16. Unforeseen soil contamination
 17. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no window or door openings shall be created at upper floor level in the west elevations of the dwellings hereby approved without the express permission of the local planning authority

120 LAND AT CARNFORTH BROW, CARNFORTH

A8 14/00629/OUT Land at Carnforth Brow, Carnforth A(C)
Carnforth Ward

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

“That the application be granted.”

Upon being put to the vote 12 Members voted in favour of the proposition, with 2 abstentions, whereupon the Chairman declared the motion to be carried.

Resolved:

- (1) That outline Planning Permission be granted with the following conditions:
1. Standard outline condition with all matters reserved
 2. Drawings illustrative only (in particular the delineation of the PROW)
 3. Height of the dwelling limited to two storeys only
 4. Design principles of the dwellings as set out in the Noise and Vibration Statement
 5. Highway design to be agreed
 6. Visibility splays (including speed survey) to be determined and provided
 7. Access design and construction to be agreed
 8. Completion of approved access arrangements
 9. Provision of a Construction Method Statement and undertaking in accordance with agreed scheme
 10. Hours of Construction
 11. No vegetation clearance works, demolition work or other works that may affect nesting birds should take place between 1st March and 31st August inclusive, unless surveys by a competent ecologist show that nesting birds would not be affected.
 12. Scheme for the disposal of foul and surface
 13. No tree/hedges within the site or on any immediately adjacent property or land shall be cut-down, up-rooted, topped, lopped or destroyed, nor any hedge within the site cut-down or grubbed out, other than those identified within the approved application, without the prior written approval of the local planning authority and before any site activity is commenced in association with the development.
 14. Submission of a tree protection plan
 15. Site landscaping to be agreed
 16. No impact pile driving, except in accordance with a scheme for noise control
 17. Finished floor and site levels

121 LUNESIDE WEST DEVELOPMENT SITE, THETIS ROAD, LUNE BUSINESS PARK

A9 14/01204/FUL Luneside West Castle Ward A(C)
Development Site, Thetis
Road, Lune Business Park

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

“That the application be granted.”

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

Resolved:

(1) That Planning Permission be granted subject to the signing and completing of a legal agreement covering:

- Tying the planning permission into the legal agreement attached to planning permission 10/00660/FUL
- Updating the affordable housing schedule and descriptions within the legal agreement attached to planning permission 10/00660/FUL to allow for 20% provision of social rented and shared ownership dwellings within the Redrow phases

and the following conditions:

1. Standard 3 year timescale
2. Development in accordance with approved plans - list
3. Materials – as per the approved schedule
4. Access roads
5. Off-site highway works
6. Parking facilities – to be provided for associated dwelling prior to first occupation of that dwelling
7. Travel Plan
8. Separate drainage system
9. Surface water management scheme
10. Flood Risk Assessment, including finished floor levels
11. Flood evacuation procedure
12. Use of garages
13. Removal of PD rights
14. Hours of construction (Mon to Fri 0800-1800 and Sat 0800-1400 only)
15. Air quality mitigation
16. Contamination
17. Construction management plan, including dust control, wheel cleaning facilities, pile driving, bunding of tanks
18. Invasive plants - treatment
19. Refuse and cycle storage for flats
20. Archaeology
21. Landscaping Scheme

122 CAR PARK AND PLAY AREA, MARINE ROAD CENTRAL, MORECAMBE

A10 14/01316/CU Car Park and Play Area, Poulton Ward A(C)
Marine Road Central,
Morecambe

It was proposed by Councillor Johnson and seconded by Councillor Brookes:

“That the application be granted.”

Upon being put to the vote 13 Members voted in favour of the proposition with 1 abstention, whereupon the Chairman declared the motion to be carried.

Resolved:

- (1) That Planning Permission be granted, subject to the following conditions:
1. Standard 3 year time limit
 2. Development to accord with approved plans
 3. Implementation (construction) of consent restricted to April to September
 4. Scheme to prevent surface water runoff entering Morecambe Bay
 5. Disposal of surface water runoff from approved car park via existing drains
 6. Construction method statement for traffic management measures
 7. Delivery of off-site highway improvement works

123 DELEGATED DECISIONS

The Chief Officer (Regeneration and Planning) submitted a schedule of planning applications dealt with under the scheme of delegation of planning functions of officers.

Resolved:

- (1) That the report be noted.

124 QUARTERLY PLANNING PERFORMANCE FIGURES

Members received the quarterly planning performance figures report from the Development Management Service.

Resolved:

- (1) That the report be noted.

Chairman

(The meeting ended at 12.40 p.m.)

**Any queries regarding these Minutes, please contact
Sarah Grandfield, Democratic Services: telephone (01524 582132) or email
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