

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

27TH JULY 2015

PRESENT:- Councillors Roger Sherlock (Chairman), Helen Helme (Vice-Chairman), June Ashworth, Carla Brayshaw, Dave Brookes, Susie Charles (substitute for Sylvia Rogerson), Sheila Denwood, Mel Guilding (substitute for Stuart Bateson), Tim Hamilton-Cox (substitute for Andrew Kay), James Leyshon, Margaret Pattison, Robert Redfern, David Smith (substitute for Eileen Blamire) Malcolm Thomas and Peter Yates.

Apologies for Absence:-

Councillors Eileen Blamire, Stuart Bateson, Andrew Kay, Sylvia Rogerson.

Officers in attendance:-

Andrew Dobson	Chief Officer (Regeneration and Planning)
Andrew Drummond	Development Manager (Planning Applications)
Eleanor Fawcett	Planning Officer
Angela Parkinson	Senior Solicitor
Sarah Moorghen	Democratic Support Officer
Annabelle Holloway	Legal Apprentice

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W	-	Withdrawn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

38 MINUTES

The minutes of the meeting held on 29th June 2015 were signed by the Chairman as a correct record.

39 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

40 SITE VISIT

A site visit was held in respect of the following application:

A6	15/00096/FUL	Land Adjacent to JE Clarke, Agricultural Buildings, Melling Road, Melling.	Upper Lune Valley ward
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The following members were present at the site visit, which took place on Monday 20th July 2015;

Councillors Roger Sherlock (Chairman), Mel Guilding, Malcolm Thomas and Peter Yates.

Officers in Attendance:

Andrew Drummond	-	Development Manager (Planning Applications)
Sarah Moorghen	-	Democratic Support Officer

41 DECLARATIONS OF INTEREST

There were no declarations of interest.

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

42 LAND SOUTH OF, LOW ROAD, HALTON

A5	14/01344/OUT	Outline application for the development of 60 dwellings with associated access for Mr F Towers	Halton-with- Aughton Ward	A(C)
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Under the scheme of public participation, Guy Anderson, Gordon Douglas, Sarah MacIntosh, John Toder, Chris Knowles and Paul Hartley spoke in opposition to the application. Councillor Paul Woodruff spoke as Ward Councillor in opposition to the application.

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

“That the application be refused.”

Upon being put to the vote, 7 Members voted in favour of the proposition and 7 against with 1 abstention, whereupon the Chairman, in accordance with Council Procedure Rule 19.2, used his casting vote and declared the proposal to be lost by virtue of his casting vote.

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

“That the application be approved.”

Upon being put to the vote, 7 Members voted in favour of the proposition and 7 against with 1 abstention, whereupon the Chairman, in accordance with Council Procedure Rule 19.2, used his casting vote and declared the proposal to be carried by virtue of his casting vote.

Resolved:

That Outline Planning Permission be granted subject to the signing/completing of a s106 agreement to cover the following planning obligations:

- 40% provision of affordable housing (percentage, tenure, size, type, phasing to be agreed at Reserved Matters stage based on local housing needs and viability).
- Open space provision and ongoing maintenance arrangements.
- Education Contribution.

and subject to the following planning conditions, as set out in the case officers report, with amendments to conditions 5 (creating a new condition 6), and conditions 7, 9, 10 and 14 as renumbered:

1. Standard outline condition with all matters reserved except access.
2. Drawings illustrative only.
3. Access details.
4. Off-site highway works.
5. Scheme for the disposal of foul water drainage.
6. Scheme for surface water drainage.
7. Implementation of SuDS and ongoing maintenance/management for the lifetime of the development.
8. Submission of an external lighting scheme, designed to minimise impact on bats.
9. Landscape and Ecology Management Plan incorporating a landscaping scheme, landscaping management and a scheme for compensation of habitat loss/wildlife buffer.
10. Ecology mitigation measures including bird and bat boxes (including need for updated species and habitat surveys on any subsequent full or reserved matters applications, measures to prevent pollution of river during construction and timing in relation to nesting birds, survey for invasive species).
11. Arboricultural Method Statement.
12. Submission of a tree protection plan.
13. Finished floor and site levels.
14. Construction Management Scheme – also including wheel cleaning, dust control, hours of construction.

15. Contaminated land condition (suitably worded) as per Preliminary Risk assessment.
16. Standard condition - Importation of soil, materials and hardcore.

43 LAND ADJACENT TO J E CLARKE, AGRICULTURAL BUILDINGS, MELLING ROAD, MELLING

A6 15/00096/FUL Erection of an agricultural workers dwelling with creation of access and raised patio area for JE and AC Clarke Upper Lune Valley Ward A(C)

Under the scheme of public participation, Councillor Peter Williamson spoke as Ward Councillor in support of the application.

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

“That the application be approved.”

(The proposal was contrary to the case officer’s recommendation that the application be refused.)

Upon being put to the vote, 12 Members voted in favour of the proposition and 2 against with 1 abstention, whereupon the Chairman declared the proposal to be carried.

Resolved:

That the Planning Permission be granted subject to a unilateral undertaking tying the house to the business and the following conditions:

1. Standard 3 year timescale.
2. Listed of approved (amended) plans.
3. Off-site highway works.
4. Tree Protection Plan.
5. Tree Works Schedule and Arboricultural Method Statement.
6. Landscaping scheme and maintenance.
7. Finished flood levels.
8. Materials, including elevations and surfaces.
9. Boundary treatments.
10. Visibility splays.
11. Removal of PD rights.
12. Unforeseen contamination.
13. Foul drainage system.

The meeting adjourned at 12.40pm

The meeting reconvened at 1.10pm

44 PHARMACY, HEYSHAM HEALTH CENTRE, MIDDLETON WAY, HEYSHAM

A7	15/00294/CU	Change of use of pharmacy (D1) to foodstore (A1), recladding existing elevations, erection of an extension to the front and side elevations, creation of additional parking and associated landscaping works for ML (Heysham) Limited	Heysham South Ward	A(C)
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Under the scheme of public participation, Kathleen Broadhead spoke in opposition to the application. Matthew Sobic, Agent, spoke in support of the application and Councillor Colin Hartley spoke as Ward Councillor in opposition to the application.

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

“That the application be approved.”

Upon being put to the vote, 12 Members voted in favour of the proposition and 2 against with 1 abstention, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Planning Permission be granted subject to the following conditions as set out in the case officers report, with amendments to condition 3 (creating an additional condition 4) and conditions 5, 11 and 14 as renumbered:

1. Standard time condition.
2. In accordance with amended plans.
3. Scheme for offsite highway works including improvement of existing bus stops facilities.
4. Review of existing Traffic Regulation Orders along the frontage of the site with Middleton Way, implementation of pedestrian refuge provision, alteration of Middleton Way carriageway centre line markings in the vicinity of the sites point of access, removal of pedestrian guard rail.
5. Details of materials.
6. Details of bin store to include customer bins within the carpark.
7. Details of cycle stands.
8. Lighting details (notwithstanding plans).
9. The development shall be carried out in accordance with the submitted Arboricultural Implications Assessment and Arboriculture Method Statement.
10. Access, parking, turning and bike stands provided prior to first use/trading.
11. Landscaping scheme implemented to include maintenance regime.
12. Hours of construction.
13. Protection of visibility splays.
14. Hours of deliveries – 0730 and 1900 Monday to Saturday and 1000 to 1600 Sundays and Public Holidays.
15. Opening hours - 0700 to 2200 Monday – Saturday and 1000 to 1800 Sundays and Public Holidays.

And subject to the following additional condition (suitably worded):

16. Plant noise.

45 WOODBURN FARM, 52 LOW ROAD, MIDDLETON

A8 15/00238/OUT Outline application for the Overton A(C)
demolition of existing farm
buildings and erection of 9
dwellings for Mr and Mrs W,
Mr and Mrs P, Mr and Mrs F
and Mr J Mashiter

Under the scheme of public participation, Councillor Andrew Gardiner spoke as Ward Councillor in support of the application.

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

“That the application be approved.”

(The proposal was contrary to the case officer’s recommendation that planning permission be refused.)

Upon being put to the vote, 8 Members voted in favour of the proposition and 6 against with 1 abstention, whereupon the Chairman declared the proposal to be carried.

Resolved:

That the planning permission be granted subject to the following conditions:

1. Standard outline condition timescale (all matters reserved).
2. Drawings illustrative only.
3. Demolition method statement.
4. Bat survey.
5. Contamination.
6. Hours of work.
7. Tree protection plan.
8. Arboricultural Impact Assessment.
9. Flood mitigation measures.
10. Finished floor levels.
11. Foul and surface water drainage systems, and management.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

46 GRASSCROFT, BORWICK AVENUE, WARTON

A9 15/00425/FUL Erection of three dwellings Warton A
with garages and associated
access and landscaping for Mr
Julian Stainton

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

“That the application be approved.”

Upon being put to the vote, 13 Members voted in favour of the proposition with 2 abstentions, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Planning Permission be granted subject to the following conditions as set out in the case officer’s report:

1. Standard 3 year timescale.
2. Development to be completed in accordance with the approved plans.
3. Amended plans received 26 June 2015.
4. Parking areas to be provide and maintained.
5. Submission agreement and implementation of a detailed Arboriculture Implications Assessment.
6. No tree/hedges to be felled other than those agreed.
7. Landscaping/planting scheme to be submitted, agreed and implemented.
8. The hedgerow boundary to Borwick Avenue shall be retained at it current height of 2.0m unless otherwise agreed.
9. Details/samples of all external materials to be submitted and agreed.
10. Details of all boundaries including internal plot boundaries to be agreed.
11. Details of construction and finish to windows and doors.
12. Details of rainwater goods, eaves and fascia.
13. Implementation of off-site highway works (white-lining) to be undertaken prior to occupation of the development.
14. The use of the garage to Plot 1 shall be ancillary to the dwelling only.
15. Obscure glazing to be provided and maintained to all first floor gable windows.
16. GDO tolerance removed window and door openings.
17. GDO tolerances removed extension.
18. Hours of construction.
19. Unforeseen contamination.

47 GREAVES HOTEL, GREAVES ROAD, LANCASTER

A10	15/00520/VCN	Erection of 54 extra care apartments for the over 70s (use Class C2) with associated landscaping and car parking (pursuant to the variation of conditions 2, 6 and 13 on Planning Permission 12/00632/FUL to amend the layout of the parking and external amenity space) for YourLife Management Services Ltd	Scotforth West Ward	A
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It was proposed by Councillor Redfern and seconded by Councillor Denwood:

“That the application be approved.”

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

Resolved:

That planning permission be granted subject to the following conditions, as set out in the case officer’s report:

1. Approved plans – existing condition amended to include amendments etc.
2. Use restriction limited to an Extra-care, Assisted Living facility – retained.
3. Operational Management Plan – retained but updated to refer to approved plan.
4. Vehicular access detail - retained but updated to refer to approved details.
5. Car parking provision – retained but updated to refer to revised plans and Car Park Management Strategy.
6. Secure cycle storage and changing facilities - retained but updated to refer to approved details.
7. Off-site highway works – added to ensure agreed works are implemented prior to first occupation.
8. Construction Method Statement - retained but updated to refer to approved details.
9. Details of new stonework - retained but updated to refer to approved details.
10. Stonework cleaning - retained but updated to refer to approved details.
11. Materials samples - retained but updated to refer to approved details.
12. Boundary treatments - retained but updated to refer to approved details.
13. Landscaping scheme – retained.
14. Landscaping Implementation and Maintenance – retained.
15. Bat survey and mitigation measures – retained but updated to refer to approved details.
16. Ecological mitigation and enhancements - retained but updated to refer to approved details.
17. Contamination - retained but updated to reflect details already approved.
18. Contamination (Imported soils) – added after receiving confirmation from the applicant that imported soils would be used.
19. Noise mitigation – retained.
20. Obscure glazing – retained.

Councillor Denwood left the room at 2.22pm and re-entered the room at 2.27pm

48 QUARTERLY REPORTING - APRIL TO JUNE 2015

Members received the quarterly planning reports from Development Control.

Resolved:

That the reports be noted.

49 DELEGATED PLANNING DECISIONS

The Chief Officer (Regeneration and Planning) submitted a Schedule of Planning Applications dealt with under the Scheme of Delegation of Planning Functions to the Officers.

Resolved:

That the report be noted.

Chairman

(The meeting ended at 2.30 p.m.)

**Any queries regarding these Minutes, please contact
Sarah Moorghen, Democratic Services: telephone (01524) 582132 or email
smoorghen@lancaster.gov.uk**