

**PLANNING AND HIGHWAYS  
REGULATORY COMMITTEE**

10.30 A.M.

16TH NOVEMBER 2015

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

Apologies for Absence:-

Councillor Carla Brayshaw

Officers in attendance:-

Mark Cassidy	Planning Manager
Andrew Drummond	Development Manager (Planning Applications)
Sarah Hope	Solicitor
Sarah Moorghen	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W	-	Withdrawn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

**89 MINUTES**

The minutes of the meeting held on 19<sup>th</sup> October 2015 were signed by the Chairman as a correct record.

**90 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN**

There were no items of urgent business.

**91 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**92 SITE VISIT**

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

A5	15/00091/FUL	Land to the rear 38 to 42 North Road, Nile Street, Lancaster	Bulk Ward
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The following members were present at the site visit, which took place on Monday, 9<sup>th</sup> November, 2015;

Councillors Dave Brookes, Sheila Denwood, Mel Guilding, Margaret Pattison, Robert Redfern, Sylvia Rogerson, Malcolm Thomas and Peter Yates.

Officers in Attendance:

Andrew Drummond	-	Development Manager (Planning Applications)
Eleanor Fawcett	-	Planning Officer
Mark Potts	-	Major Applications Planning Officer
Sarah Moorghen	-	Democratic Support Officer

**APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION**

**93 LAND TO THE REAR 38 TO 42 NORTH ROAD, NILE STREET, LANCASTER**

A5	15/00091/FUL	Erection of a 3 storey building for student accommodation comprising of one 3-bed cluster, one 4-bed cluster, two 5-bed clusters and five 1-bed studios for Bayt Ltd	Bulk Ward	R
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Under the scheme of public participation, Councillor Caroline Jackson spoke as Ward Councillor in support of the application.

**The meeting was adjourned at 11.00 am to observe a minutes silence in respect of the victims of the November 13<sup>th</sup> 2015 Paris terror attacks. The meeting recommenced at 11.01pm.**

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

“That the application be refused.”

Upon being put to the vote, 10 Members voted in favour of the proposition and 5 against, whereupon the Chairman declared the proposal to be carried.

***Resolved:***

That Planning Permission be refused for the following reasons, as set out in the case officer's report, with reason 4, as set out in the report, being removed:

1. By reason of its scale, height, massing and design, the proposed development would unduly impact upon the appearance of the Lancaster townscape and the wider setting of the Lancaster Conservation Area. It is therefore considered that the proposal does not represent high quality design and will not preserve or enhance the character of the Conservation Area. As such the development is contrary to the aims and objectives of the National Planning Policy Framework, in particular the core planning principles, and Sections 7 and 12, Policy SC5 of the Lancaster District Core Strategy and policies DM31, DM32 and DM35 of the Development Management Development Plan Document.
2. As a result of its scale, height, massing and design the proposal would unduly impact upon the character and setting of the adjacent Grade II\* Listed Building. As such the development is contrary to the aims and objectives of the National Planning Policy Framework, in particular the core planning principles, Section 7 and Section 12, Policy SC5 of the Lancaster District Core Strategy and policy DM32 of the Development Management Development Plan Document.
3. By reason of the proximity of the development to the rear of 38-42 North Road, the proposal will have a detrimental impact on the amenities of the occupier of the studio apartment at the ground floor and will result in an unacceptable standard of accommodation. It is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular the core planning principles and Section 7, and Policies DM35, DM46 and Appendix D of the Development Management Development Plan Document.

**94 LAND NORTH EAST OF BRIARLEA ROAD, BRIARLEA ROAD, NETHER KELLET**

A6 15/01172/OUT Outline application for the Kellet Ward A  
erection of 10 dwellings for  
The Late James Cottam  
(Senior) Will Trust

Under the scheme of public participation, John Tyson spoke in objection to the application and Julian Handy of Mason Gillibrand Architects, agent for the applicant, spoke in support.

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

“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 clearly carried.

***Resolved:***

That Outline Planning Permission be granted subject to a S.106 Agreement with delegation back to officers for refusal if this is not signed by the 23<sup>rd</sup> December 2015 and subject to the following conditions, as set out in the case officer's report:

1. Reserved Matters to be submitted (scale, layout, landscaping and appearance).
2. Development in accordance with plan.
3. Construction details for the access.
4. Offsite highway works – bus stop upgrade and white lining.
5. Scheme for Foul Water to be submitted.
6. Surface Water Drainage Scheme.
7. SuDs Management and Maintenance Plan.
8. Construction Method Statement.
9. AMS to be submitted.
10. Finished Floor Levels and site levels to be submitted.
11. Scheme for electric vehicle charging points.
12. Landscaping Management Plan.
13. Contaminated Land.

**95 LAND OPPOSITE GREENDALE DRIVE, MILL LANE, WARTON**

A7 15/00720/REM Reserved Matters application Carnforth and A  
for the erection of 21 Millhead Ward  
residential dwellings with  
associated access for L & W  
Wilson

Under the scheme of public participation, Gail Escolme, Christopher Neill and James Pritcher spoke in objection to the application.

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

“That the application be approved.”

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

***Resolved:***

That the reserved matters application be approved subject to a Deed of Variation requiring the provision of 6 affordable houses on site and the following conditions, as set out in the case officer's report, with amendments to conditions no. 6, 7 and 8:

1. Standard reserved matters timescale.
2. Development in accordance with approved plans (*in respect of layout, Drawing No 1803-10 Rev C; in respect of scale and appearance of the houses and bungalows, Drawings 1803-20 Rev A, 1803-21 Rev A, 1803-22 Rev A, 1803-23 Rev A, 1803-27 Rev A*).
3. Scheme of off-site highway works (to accord with Section 278 Agreement).

4. Construction of internal pedestrian/vehicular access road in accordance with "Specification for Construction of Estate Roads (2011)".
5. Proposals for retention of the hedge fronting Mill Lane (except for access) by "pushing" back into the site, shall be submitted and approved prior to commencement of development.
6. No development above ground shall commence until details and samples of materials and finishes are submitted and approved.
7. No development above ground shall commence until details of windows and doors are submitted and approved.
8. No development above ground shall commence until details of boundary treatments to be submitted and approved.
9. Details of finished floor levels to be submitted and approved prior to commencement of development.
10. Removal of PD rights (Parts 1, 2 and 14) and building/paving over soakaways.

**96 LAND TO THE SOUTH OF ALDCLIFFE HALL DRIVE, LANCASTER**

A9 15/00009/FUL Erection of 6 dwellings with Scotforth West D  
associated access and Ward  
landscaping for Mr Michael  
Stainton

The application was deferred (for future consideration) prior to the Committee meeting and no presentation or debate took place.

**APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION**

**Councillor Sylvia Rogerson left the room before the following item began and did not return to the meeting.**

**Councillor Robert Redfern left the room before the following item began and re-entered during the presentation. Councillor Redfern abstained from the vote.**

**97 RIVERSIDE CARAVAN PARK, LANCASTER ROAD, HEATON WITH OXCLIFFE**

A8 15/00626/FUL Change of use of land for Overton Ward R  
siting static caravans for  
holiday occupation 12 months  
of the year for Britaniacrest Ltd

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

"That the application be refused."

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

***Resolved:***

That Planning Permission be refused for the following reasons, as set out in the case

officer's report:

1. The proposed development would result in the significant loss of several large swathes of trees from within the site. These trees represent valuable landscape features and perform a much-needed screening and greening role within this sensitive riverside landscape. As a consequence of the proposed tree loss, the proposal would be detrimental to the character and appearance of the landscape, and would therefore be contrary to Development Management DPD Policies DM14, DM28 and DM29, and Lancaster District Core Strategy Policies SC1 and E1. The proposal would also fail to accord with all three dimensions of sustainable development as advocated by NPPF Paragraph 7, and the Core Planning Principles as defined in NPPF Paragraph 17.
2. The increase in the number of static caravans would, when combined with the year-round nature of the proposed use, and the proposal to remove significant numbers of trees, adversely affect the visual amenity of the wider locality, particularly in views from adjacent to the Lune Estuary. It is considered that the replanting proposals are inadequate to mitigate against these adverse impacts. As such the proposal is contrary to Development Management DPD Policies DM14, DM28 and DM29, and Lancaster District Core Strategy Policies SC1 and E1. The proposal would also fail to accord with all three dimensions of sustainable development as advocated by NPPF Paragraph 7, and the Core Planning Principles as defined in NPPF Paragraph 17.

## **98 DELEGATED PLANNING DECISIONS**

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

***Resolved:***

That the report be noted.

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Chairman

(The meeting ended at 12.20pm)

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