

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

11TH JANUARY 2016

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

Apologies for Absence:-

Councillors Eileen Blamire, James Leyshon and Robert Redfern

Officers in attendance:-

| | |
|------------------|---|
| Mark Cassidy | Planning Manager |
| Andrew Drummond | Development Manager (Planning Applications) |
| Angela Parkinson | Senior 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| W | - | Withdrawn |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 |

114 MINUTES

The Minutes of the meeting held on 14th December 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 Abbott Bryning declared a non-pecuniary interest in A9 15/01282/OUT – Land North of New Quay Road, Lancaster, the nature being that he was a former member of the Lancaster Port Commissioners.

Councillor Stuart Bateson declared a disclosable pecuniary interest in item A13 15/01512/LB – 15 Middleton Road, Heysham, Morecambe, the nature being that he is the Applicant.

117 SITE VISIT

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

| | | | |
|----|--------------|--|---------------------------|
| A5 | 15/01176/FUL | 12 Pinewood Avenue, Brookhouse, Lancaster | Lower Lune Valley Ward |
|----|--------------|--|---------------------------|

The following members were present at the site visit, which took place on Wednesday 6th January 2016;

Councillors Stuart Bateson, Dave Brookes, Margaret Pattison, Robert Redfern, Sylvia Rogerson and Peter Yates.

Officers in Attendance:

| | | |
|----------------|---|----------------------------|
| Mark Cassidy | - | Planning Manager |
| Robert Clarke | - | Graduate Planner |
| Sarah Moorghen | - | Democratic Support Officer |

118 12 PINWOOD AVENUE, BROOKHOUSE, LANCASTER

| | | | |
|----|--------------|--|-----------------------------|
| A5 | 15/01176/FUL | Erection of a single storey side extension with dormer windows to the front and rear elevations and construction of a front porch for Mr Andrew Kehoe. | Lower Lune A Valley Ward |
|----|--------------|--|-----------------------------|

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

“That the application be approved.”

Upon being put to the vote, 11 Members voted in favour of the proposition with 3 against, 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 three year timescale.

2. Development in accordance with plans.
3. Amended plan ref: Project: 103 drawing No: 102 Revision: 2 as received by email on the 09/11/2015.
4. Front and rear dormers to be tile hung.

And, subject to the following additional condition (suitable worded):

5. Removal of permitted development rights for new openings windows and doors.

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

119 LAND SOUTH OF CINDERBARROW LANE, LANCASTER

| | | | | |
|----|--------------|--|-------------|---|
| A6 | 15/00949/FUL | Installation of arrays of 2.5 metre high PV panels, underground cabling, substation/control room building, 1.9 metre high security fencing, 4 metre high CCTV masts, associated landscaping, temporary construction compound, and construction of an access point and internal roads to form a solar farm for Mr Martin Cole | Kellet Ward | A |
|----|--------------|--|-------------|---|

Under the scheme of public participation, Dawn Hancock spoke, on behalf of Yealand Conyers Parish Council, in opposition of the application and Louise Leyland, agent for the applicant, spoke in support of the application.

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

“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 Planning Permission be granted, subject to the following conditions, as set out in the case officer’s report, with an amendment to condition no. 13:

1. Development within three years.
2. Development in accordance with the approved plans.
3. Time limited to 25 years following commercial generation.
4. Notification of date of commencement.
5. Decommissioning Plan.
6. 6 month period if the scheme fails to generate to be removed.
7. Construction Traffic Management Plan.
8. Construction Environmental Management Plan.
9. Ecological Management Plan submission.
10. Geophysical Survey, WSI and implementation of archaeological work.

11. Scheme for access point construction.
12. Protection of visibility splays.
13. Building Materials/Finishes (Substation, CCTV Columns, Fencing and Gate).
14. Cabling to be underground and inverters to be string inverters.
15. Drainage Scheme.
16. Surface water/pollution prevention.
17. AMS/AIA submission.

And, subject to the following additional conditions (suitably worded):

18. Development must accord with the Glint and Glare technical Assessment and anti-glare finish to be provided and maintained.
19. Landscaping scheme and maintenance.

120 5 AND 6 CABLE STREET, LANCASTER, LANCASHIRE

| | | | | |
|----|--------------|--|-----------|---|
| A7 | 15/01368/FUL | Demolition of the rear extension to no. 5 Cable Street, change of use of no. 5 Cable Street from a social club to student accommodation comprising 4 studios, 2 bed cluster flat and common rooms and erection of a part 2, 4 and 5 storey student accommodation building comprising 84 studios with a single storey link building and relevant demolition of an unlisted building (no. 6 Cable Street) in a Lancaster Conservation Area for Lancaster SPV Limited | Bulk Ward | A |
|----|--------------|--|-----------|---|

Under the scheme of public participation, Councillor Tim Hamilton-Cox spoke, as Ward Councillor, in opposition of the application and Mark Harris, agent for the applicant, spoke in support of the application.

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

“That the application be approved.”

Upon being put to the vote, 7 Members voted in favour of the proposition and 4 against, with 3 abstentions, whereupon the Chairman declared the proposal to be carried.

Resolved:

Subject to no objections being raised by the Local Lead Flood Authority, and amended plans being received in relation to cycle storage and rooflights, that Planning Permission and consent for Relevant Demolition be granted, subject to delegation back to officers to re-consult Historic England, Conservation and neighbours on minor amendment, and subject to the following conditions, as set out in the case officer’s report, with

amendments to conditions no. 12 and 14:

1. Standard 3 year timescale.
2. Development in accordance with approved plans.
3. Construction Management Scheme – including wheel cleaning, dust control, parking, storage of equipment/materials/waste (pre-demolition).
4. Contamination, including asbestos (pre-demolition).
5. Building recording of nos. 5 and 6 (pre-demolition).
6. Surface water drainage scheme, including interceptors (pre-construction).
7. Foul drainage scheme (pre-construction).
8. Flood evacuation procedure (pre-construction above ground level).
9. Materials – details of all elevational, rainwater goods, roof and surface materials required (pre-construction above ground level).
10. Security measures, including lighting (pre-construction above ground level).
11. Landscaping, including bird/bat boxes (pre-occupation).
12. Making good the highway to adoptable standards post demolition of no.6, closure of the existing access and the infilling of the barrel drop (pre-occupation) and creation of new access.
13. Refuse and cycle storage facilities (pre-occupation).
14. Finish floor level in line with the LLFA's amended comments.
15. Noise mitigation measures (subject to confirmation from Environmental Health).
16. Hours of demolition/construction/fit-out, including deliveries – 0800-1800 Monday to Friday, and 0800-1400 Saturday only.
Advice note – parking Zone A.

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

17. Turning place to be provided and retained.

121 5 AND 6 CABLE STREET, LANCASTER, LANCASHIRE

| | | | | |
|----|-------------|---|-----------|---|
| A8 | 15/01369/LB | Listed Building application for the demolition of no. 6 Cable Street, the rear extension to no. 5 Cable Street and the 2 terraces of garages, works to facilitate the change of use of no. 5 Cable Street from a social club to student accommodation comprising 4 studios, a 2 bed cluster flat and common rooms, erection of a single storey link building to the rear and alterations to the boundary wall for Lancaster SPV Limited | Bulk Ward | A |
|----|-------------|---|-----------|---|

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

“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 Listed Building Consent be granted subject to the following conditions, as set out in the case officer's report, with amendments to conditions no. 1 and 7:

1. Standard 3 year timescale for Listed building consent.
2. Works in accordance with approved plans.
3. Building recording.
4. Details of external materials required:
 - New windows.
 - Front door and fanlight.
 - Rainwater goods.
 - Conservation rooflights.
 - External vents, extraction and plumbing (including location).
5. Details of external works required:
 - Stonework repairs, including sample of mortar/pointing.
 - Infilled cellar hatch.
6. Details of internal materials required:
 - New internal doors.
 - New staircases.
 - Internal plaster finishes.
7. Details of internal works required:
 - Works to attic staircase.
 - Schedule of repairs to decorative plasterwork.
 - Internal elevation at first floor where partition to be removed to show the extent of plasterwork retention.
 - Details of glazed balustrade to mezzanine.
 - Details of structural steelwork required to create the mezzanine.
 - Details of glazing to first floor arch.
 - Details of first floor suspended chimney piece.
 - Schedule of decorative joinery retention and repairs (e.g. windows, shutters, panelled reveals, panelling, skirting, staircases, architraves, doors (details of their re-use elsewhere in the building)).
 - Secondary glazing.
8. Boundary walls – methodology of wall repairs and maintenance (including materials) to a height of between 2m and 2.5m (other than the section of wall on the street side of the gatepost serving St John's Mews – to be 1m in height).

122 LAND EAST OF RAILWAY LINE, ST MICHAELS LANE, BOLTON LE SANDS

| | | | | |
|-----|--------------|---|-----------------------|---|
| A11 | 15/01167/FUL | Erection of 20 dwellings with associated new access for Mr Gary Middlebrook | Bolton and Slyne Ward | A |
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Under the scheme of public participation, Jonathan Whittaker spoke in opposition of the application and Daniel Hughes, agent for the applicant, spoke in support of the application.

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

“That the application approved.”

Upon being put to the vote, 9 Members in favour of the proposition and 3 against, with 2 abstentions, whereupon the Chairman declared the proposal to be carried.

Resolved:

That, subject to the satisfactory resolution of the issues regarding Network Rail’s drainage assets, and delegation back to officers to gain detailed comments from the LLFA and County Highways, Planning Permission be granted subject to the signing and completing of a legal agreement (prior to the determination date) securing:

- 40% (8 units) on site affordable housing provision (2 1-bed, 4 2-bed and 2 3-bed dwellings with a 50/50 split between social rented and intermediate housing); and
- Education contribution of £79,444.28 (£61,047 for Bolton-le-Sands Primary School and £18,397.28 for Carnforth High School); and
- Off site open space contribution of £25,000 (£10,000 for equipped play areas, £10,000 for children and young people, and £5,000 for parks and gardens)

And, subject to the following conditions, as set out in the case officer’s report, with amendments to conditions no. 7 and 8 and removal of conditions no. 9, 16 and 17 and 18:

1. Standard time condition.
2. Development to be in accordance with approved drawings.
3. Notwithstanding plans, details of all external materials to be agreed (and samples where necessary).
4. Notwithstanding plans, details of all boundary treatments and footway surfaces to be agreed.
5. Foul and surface water to be drained on separate systems.
6. Surface water lifetime Management and Maintenance Plan.
7. Notwithstanding plans, no structures within 8m of an ordinary watercourse (the open/culverted watercourse) and details of access to the open/culverted watercourse and to Network Rail’s land required.
8. Landscaping maintenance scheme and ongoing management of Japanese knotweed.
9. Provision of adequate glazing and ventilation systems.
10. Scheme for noise mitigation to be submitted, agreed, implemented and maintained thereafter.
11. Construction Management Plan, including a scheme for control of dust and agreed route for all construction vehicles.
12. Hours of construction - 0800 – 1800 Monday to Friday, 0800 – 1400 Saturday.
13. Landscaping scheme to be provided (including replacement hedge planting where possible).
14. Maintenance of visibility to level crossing, including existing level crossing signage.

And, subject to the following additional conditions (suitably worded):

15. Conditions as required by County Highways and deemed reasonable by the Local Planning Authority.

16. Details of excavation and/or earthworks work along the western boundary (to protect the stability of railway land).

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

The meeting adjourned at 12.55pm and reconvened at 1.25pm.

Councillors June Ashworth and Sheila Denwood left the meeting at this point and did not return to the meeting after the adjournment.

123 LAND NORTH OF NEW QUAY ROAD, LANCASTER, LANCASHIRE

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|----|--------------|---|------------|---|
| A9 | 15/01282/OUT | Outline application for the erection of up to 14 dwellings for Lancaster Port Commissioners | Marsh Ward | W |
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The application was withdrawn prior to the Committee and no presentation took place.

Councillor Andrew Kay left the room during the following item and returned during the questions. Councillor Kay did not participate in the vote.

124 LAND TO THE REAR OF BURR TREE COTTAGE, LONG LEVEL, COWAN BRIDGE

| | | | | |
|-----|--------------|---|------------------------|---|
| A10 | 15/01355/VLA | Variation of legal agreement attached to planning permission 15/00537/FUL to amend affordable housing provision for Mr Richard Morton | Upper Lune Valley Ward | R |
|-----|--------------|---|------------------------|---|

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

“That the application be refused.”

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 legal agreement attached to planning permission 15/00537/FUL remain unvaried unless the applicant is willing to enter into a Deed of Variation to secure the delivery of 6 affordable houses (intermediate housing) on site rather than 7 (3 social rented and 4 intermediate housing).

125 LAND AT COASTAL ROAD, BOLTON LE SANDS

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|-----|--------------|---|-----------------------|---|
| A12 | 15/01278/FUL | Erection of 30 dwellings with associated access and landscaping for Mr Gary | Bolton and Slyne Ward | A |
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Middlebrook

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

“That the application be approved.”

Upon being put to the vote, 10 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 signing and completing of a section 106 agreement (and if not to be delegated back to officers for refusal) securing:

- 40% affordable housing comprising 12 affordable dwellings (two 1-bed dwellings and ten 2-bed dwellings).
- Off-site contributions as required by the City Council’s Open Space Contributions from Residential Development Planning Advisory Note (June 2015). The following contributions apply: £14,920 for young people’s facilities and £9,276 to parks and gardens.

And, subject to the following conditions, as set out in the case officer’s report, with amendment to condition no.3:

1. Standard time condition.
2. List of approved plans.
3. All external materials to be agreed (samples where necessary), notwithstanding plans, details of materials (including samples) to be agreed.
4. All boundary treatments and footway surfaces to be agreed.
5. No development shall commence until details of finished floor levels and road levels have been submitted and approved.
6. No development shall commence until a scheme for the control of all dust arising from demolition, site clearance and construction has been submitted and approved.
7. No development shall commence until details of an appropriate Management and Maintenance Plan for the sustainable drainage system for the lifetime of the development have been submitted and approved.
8. No development shall commence until an Ecology Management Plan, including mitigation measures has been submitted and approved.
9. No development shall commence until a scheme for the control of noise and vibration during site preparation and construction has been submitted and approved.
10. No development shall commence until details of the hard and soft landscaping of the site have been submitted and approved. If trees/hedgerows are identified for removal, replacement planting will be required at a minimum ratio of 3:1 (3 new trees for each tree removed or damaged). The approved scheme shall be maintained for a period of not less than 10 years.
11. No occupation of development until completion of SUDS in accordance with an agreed SUDS Scheme and Management and Maintenance Plan.
12. Public Realm Management and Maintenance Plan to be agreed and implemented.
13. Attenuation tank to be constructed and operational prior to main construction

- phase / occupation.
14. Standard unforeseen contamination condition (as per condition 4 on the approval for 13/00029/FUL).
 15. Hours of construction: 0800-1800 Monday to Friday, and 0800-1400 on Saturdays.
 16. The development shall be carried out in accordance with the submitted Tree Protection Plan and Arboriculture Method Statement (AMS) (August 2015).
 17. The development shall be carried out in accordance with the approved Tree Survey, dated August 2015.

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

18. Removal of Permitted Development Rights.
19. Details of canal link to be agreed, and implemented prior to first occupation.

Councillor Stuart Bateson had declared a disclosable pecuniary interest in the following item. Councillor Bateson left the meeting at this point and returned after determination of the item.

126 15 MIDDLETON ROAD, HEYSHAM, MORECAMBE

| | | | | |
|-----|-------------|--|-----------------------|---|
| A13 | 15/01512/LB | Listed Building Application for the new window arrangement on the south elevation, installation of a flue, reinstatement of chimney pots to existing stacks, installation of double sided fireplace including the removal of the back of the fireplace, and removal of internal walls with the insertion of steel beams and relocation of internal doors on the ground floor for Mr Stuart Bateson | Heysham South Ward | A |
|-----|-------------|--|-----------------------|---|

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

“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 Listed Buildings Consent be granted, subject to the following conditions:

1. ST02 – Standard 3 year timescale.
2. ST08 - Development to be carried out in accordance to approved plans.
3. Finish of flue pipe in matt black colour.

127 10 PLOVER DRIVE, HEYSHAM, MORECAMBE

A14 15/01520/FUL Erection of a single storey Heysham A
front, side and rear extension South Ward
for Ms K. Haddon

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

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

1. Standard three year time limit.
2. Development in accordance with approved plans.
3. Materials to match existing.

128 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 Officers.

Resolved:

That the report be noted.

Chairman

(The meeting ended at 1.45 p.m.)

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