

**PLANNING AND HIGHWAYS  
REGULATORY COMMITTEE**

10.45 A.M.

7TH MARCH 2016

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

Apologies for Absence:-

Councillors Eileen Blamire and Sheila Denwood

Officers in attendance:-

Andrew Drummond	Development Manager (Planning Applications)
Mark Potts	Major Applications Planning Officer
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W	-	Withdrawn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

**144 MINUTES**

The minutes of the meeting held on 8<sup>th</sup> February 2016 were signed by the Chairman as a correct record.

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

There were no items of urgent business.

146 DECLARATIONS OF INTEREST

Councillor James Leyshon declared a disclosable pecuniary interest in item A6 16/00117/VCN – Land for Proposed Bailrigg Business Park, Bailrigg Lane, Lancaster, the nature being that he is employed by Lancaster University.

**APPLICATION SUBJECT TO PUBLIC PARTICIPATION**

147 38 HEST BANK LANE, HEST BANK, LANCASTER

A10	15/01623/FUL	Construction of a first floor balcony to the rear elevation with block wall to the side and replace obscure glazed side window with clear glass for Mr Paul Newton	Bolton and Slyne	D
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Under the scheme of public participation, Lorraine Marcellini was registered to speak in objection to the application and Paul Newton, the applicant, was registered to speak in support of the application.

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

“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.

The public speakers elected to be re-invited to speak at the meeting when the application is reconsidered following the site visit.

***Resolved:***

That the application be deferred to enable a site visit to take place.

***Councillor Abbot Bryning arrived at the meeting during the public speaking on the following item. Councillor Bryning abstained from the vote.***

148 LAND ADJACENT, CAMPBELL DRIVE, LANCASTER

A5	15/00813/FUL	Demolition of existing maintenance buildings and erection of 42 houses, 20 flats and a retail unit (use class A1) with associated parking, landscaping and access for Mr Andrew McMurtrie	Bulk Ward	A
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Under the scheme of public participation, Jenny Martin, Radmila Balastikova, Phil Tubman, Christopher Jones, Pete Wood and Carolyne Walsh spoke in objection to the

application. Steve Alcock, Agent for the applicant, spoke in support of the application and Councillor Tim Hamilton-Cox spoke as Ward Councillor in objection to the application.

It was proposed by Councillor Andrew Kay and seconded by Councillor Dave Brookes:

“That the application be refused.”

Upon being put to the vote, 4 Members voted in favour of the proposition, and 10 against with 1 abstention, whereupon the Chairman declared the proposal to be lost.

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

“That the application be approved.”

Upon being put to the vote, 10 Members voted in favour of the proposition, and 4 against with 1 abstention, whereupon the Chairman declared the proposal to be carried.

***Resolved:***

That, subject to receiving amended plans reflecting advice provided regarding the retention of more trees, no objections being raised relating to noise and bats, and agreeing obligations relating to open space contributions and affordable housing provision with the applicant, Planning Permission be granted subject to a legal agreement covering:

- Financial contribution of £65,000 towards local bus services;
- Financial contribution of £70,000 for the drainage and marking at Far Moor and provision of 2 x U12 football pitches;
- The retail unit to be open for trading prior to the occupation of no more than 50% of the dwellings; and
- Securing the services of a management company to maintain the landscaping.

And, subject to the following conditions, as set out in the case officer’s report:

1. Standard 3 year timescale.
2. Development in accordance with the list of approved plans.
3. Precautionary bat measures and relocation of the bat box.
4. Construction management scheme.
5. Tree protection plan and arboricultural method statement.
6. Standard contamination condition.
7. Asbestos removal.
8. Access details, including visibility splay provision and protection.
9. Off-site highway works (footpath to site frontage, relocation of bus stop, road markings, street lighting and pedestrian refuge to Quernmore Road).
10. Surface water drainage scheme.
11. Four drainage scheme.
12. Notwithstanding plans, materials, including natural stone, natural slate, mortar, render, rainwater goods, eaves/verges/ridges, doors, windows, garage doors, boundary treatments, gates, surface treatments.
13. Natural stone wall boundary to Quernmore Road frontage – details required.
14. Landscaping scheme – details required (incorporating recommendations from the Preliminary Ecology Appraisal).
15. Travel Plan.

16. Ventilation/extraction details for retail unit.
17. Cycle and bin storage for retail unit.
18. Cycle and bin storage for apartments.
19. Electric charging points.
20. Parking to be provided prior to the associated development being occupied / brought into use.
21. Noise mitigation measures.
22. In accordance with Flood Risk Assessment.
23. Hours of demolition / construction (0800-1800 Mon to Fri, and 0800-1400 Sat only).
24. Hours of operation for the retail unit (0700-2200 Mon to Sat, and 1000-1800 Sun and public holidays).
25. Hours of deliveries for the retail unit (0730-1900 Mon to Sat, and 1000-1600 Sun and public holidays).
26. Retail unit – convenience store only.
27. Removal of PD rights (Parts 1 A-G, 2 and 14).
28. Garage use restriction.
29. Existing natural stone on site to be securely stored and reused on gateway “lodge” house (plot 1).

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

**APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION**

**149 LAND FOR PROPOSED BAILRIGG BUSINESS PARK, BAILRIGG LANE, LANCASTER**

A6	16/00117/VCN	Renewal of application 09/00330/DPA for the outline application for a science park (approx 34,000 sq m of B1 use floorspace) and full application for a new access off the A6, construction of an internal spine road and provision of landscaping (pursuant to the variation and removal of conditions 3, 4, 5, 6, 7, 8, 9, 11, 12, 15, 16, 17, 18, 19, 21, 22, 23, 24 and 27 on the full planning permission 12/00626/RENU to enable phased implementation and remove duplicated requirements) for Lancaster University	University and A Scotforth Rural Ward
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It was proposed by Councillor Carla Brayshaw and seconded by Councillor Helen Helme:

“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, subject to no adverse comments arising from consultees that cannot be overcome, that Conditions 3, 4, 5, 6, 7, 8, 9, 11, 12, 15, 16, 17, 18, 19, 21, 22, 23, 24 and 27 on the full planning permission part of planning consent 12/00626/RENU be varied and removed as follows, as set out in the case officer's report, with deletion of condition no. 27 and amendments to conditions 3, 4, 5, 6, 7, 8, 12, 19 and 24:

3. No development or any site clearance and preparation associated with the development shall commence in any particular phase (as defined by the phased programme in conditions 25 and 26) until a landscaping scheme has been submitted to, and approved in writing by, the Local Planning Authority. Details shall also indicate the types and numbers of trees and shrubs, their distribution on site, those areas seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening. The approved scheme shall be implemented in accordance with a phased programme to be submitted to, and agreed in writing by, the Local Planning Authority. The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species, and shall be agreed in writing by the Local Planning Authority. The replacement tree or shrub must be of similar size to that originally planted.  
Reason: In the interests of the amenity of the area.
4. No development or any site clearance and preparation associated with the development, in any particular phase (as defined by the phased programme in conditions 25 and 26) shall commence until a Habitat Management and Creation Plan has been submitted to, and agreed in writing by, the Local Planning Authority. The associated phase of development shall be constructed in full accordance with the approved details and thereafter maintained in accordance with the approved details.  
Reason: In the interests of the amenity of the area.
5. No development or any site clearance and preparation associated with the development, (collectively known as the “construction period”) in any particular phase (as defined by the phased programme in conditions 25 and 26) shall commence until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
  - the parking of vehicles of site operatives and visitors;
  - loading and unloading of plant and materials;
  - storage of plant and materials used in constructing the development;
  - the erection and maintenance of security hoarding;

- details of wheel washing facilities;
- measures to control noise and vibration;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- vehicle routeing plan to and from the site, including hours of movement; and
- details of any proposed temporary closing of any roads or streets.

The Plan should also demonstrate that:

- No cement washout areas shall be created within 20m of any tree, hedgerow or watercourse (Ou Beck); and
- Any tanks containing fuel, oils and/or chemicals shall be situated within impervious bunds with special attention to the leak-proof and lockable design of any draw-off or drainage facilities, in accordance with Environment Agency guidance. Each bunded area shall have a minimum capacity of at least 110% of the volume of the largest tank within that bund, and shall accommodate any spillages from fill or draw pipes. Details of this containment system shall be submitted to, and approved in writing by, the Local Planning Authority prior to any such tanks being brought onto the site.

Reason: To preserve highway safety and efficiency and in the interest of the amenity of the area.

6. No development or any site clearance and preparation associated with the development, shall commence in any particular phase (as defined by the phased programme in conditions 25 and 26) until the mitigation measures indicated in the plans and supporting documents hereby approved have been fully implemented by a competent, professional person (as approved by the Wildlife Trust) to protect the habitat of bats, water voles and badgers. These measures shall be retained within the development at all times thereafter.

Reason: To ensure that adequate provision is made for these protected species.

7. No development or any site clearance and preparation associated with the development, shall commence in any particular phase (as defined by the phased programme in conditions 25 and 26) until a scheme for the protection of all trees/hedges being retained as part of the approved Landscaping Scheme has been submitted to, and approved in writing by, the Local Planning Authority. Details submitted shall be compliant with 'BS 5837 (2012) Trees in relation to construction – recommendations' and shall include details of trees and hedges to be retained or removed, root protection zones, barrier fencing, and a method statement for all works in proximity to those trees or hedges to be retained during the development and construction period. No development or site activities shall commence in any particular phase until the approved scheme of protection has been fully implemented and inspected on site by the Tree Protection Officer. The protection measures shall be retained for the duration of the works, and only removed once the associated phase of development is complete and all machinery and works material removed.

Reason: To prevent damage to trees/hedges during construction works.

8. No development or any site clearance and preparation associated with the development, in any particular phase (as defined by the phased programme in conditions 25 and 26) shall commence until an Arboricultural Method Statement

for works in proximity to trees and hedgerows and a Tree Works Schedule have been submitted to, and approved in writing by, the Local Planning Authority. The associated phase of development shall be implemented in full accordance with the approved details.

Reason: To prevent damage to trees/hedges during construction works.

9. No tree within the site, other than those identified for removal within the approved Landscaping Scheme, shall be cut-down, up-rooted, topped, lopped or destroyed, nor any hedge within the site cut-down or grubbed out, without the prior written approval of the Local Planning Authority.  
Reason: In the interests of the amenity of the area.
11. Remove – merged into condition 5.
12. No development or any site clearance and preparation associated with the development, in any particular phase (as defined by the phased programme in conditions 25 and 26) shall commence until a Surface Water Drainage Strategy has been submitted to, and approved in writing by, the Local Planning Authority. The associated phase of development shall be implemented in full accordance with the approved details. Uncontrolled surface water discharges into watercourses will not be permitted and will be limited to the predevelopment / greenfield site. The Environment Agency has agreed that a predevelopment runoff for a 1 in 200 Year storm event in this catchment would discharge a maximum of 10 litres per second per hectare.  
Reason: In order that the land drainage arrangements serving the site are of a satisfactory standard.
15. Remove – merged into condition 5.
16. Remove – merged into condition 5.
17. Remove – merged into condition 5.
18. Remove – merged into condition 5.
19. No development or any site clearance and preparation associated with the development, in any particular phase (as defined by the phased programme in conditions 25 and 26) shall commence until the following measures have been implemented:
  - (a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority (LPA).
  - (b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation Method Statement) have been submitted to and approved in writing by the LPA.
  - (c) The works specified in the Remediation Method Statement have been completed in accordance with the approved scheme.
  - (d) If during remediation works any contamination is identified that has not been considered in the Remediation Method Statement, then remediation proposals for this material shall be agreed in writing with the LPA.
  - (e) A Validation Report and Certificate, confirming achievement of the

Remediation Method Statement's objectives has been submitted to and approved in writing by the LPA, including confirmation of any unforeseen contamination encountered during remediation.

Reason: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, together with those to controlled waters and ecological systems and to ensure that site workers are not exposed to the unacceptable risks from contamination during construction.

21. No occupation, or use of the development, shall occur in any particular phase (as defined by the phased programme in conditions 25 and 26) until an assessment relating to that phase has been submitted to, and approved in writing by, the Local Planning Authority to address the following measures:
- An assessment by a competent person having suitable knowledge and experience shall be made of the potential for any reasonably foreseeable activity on the site to cause contamination of land or water. The requirements of the Local Planning Authority shall be fully established before the assessment is made, and the assessment shall conform to any such requirement.
  - All reasonable precautions shall be taken by way of design, operation, maintenance and security arrangements to ensure that any risk of contamination of land or water is effectively prevented or, where prevention is not practicable, minimised.
  - A written contingency scheme to effectively prevent, contain and/or remove any accidental spillage that may lead to contamination of land or water. The scheme shall be reviewed and updated where necessary at regular intervals by the applicant.

Reason: To control pollution of land or water.

22. Remove – merged into condition 5.

23. Remove – merged into condition 5.

24. No development or any activity associated with the development, including site clearance and preparation, in any particular phase (as defined by the phased programme in conditions 25 and 26) shall commence until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: The site is considered to be of archaeological significance.

27. Remove.

All other conditions will remain and therefore will be repeated on the new decision, including those attached to the outline consent.

***The meeting adjourned at 12.25pm and reconvened at 12.35pm.***



150 LANCASHIRE FIRE AND RESCUE SERVICE, FIRE STATION AND 38 CABLE STREET, LANCASTER

A7 15/01510/FUL Erection of new appliance bay building with attached canopy to cover proposed ambulance parking bays, a 2.4m high perimeter wall and gate and replacement drill tower, associated parking and soft and hard landscaping, change of use of 38 Cable Street from offices (B1) to mixed use ancillary office, washing/changing and sleeping accommodation and relevant demolition of existing fire station for Mr Ben Bourke  
Bulk Ward A

It was proposed by Councillor Helen Helme and seconded by Councillor Stuart Bateson:

“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:**

1. Standard 3 year consent.
2. Development as per approved plans.
3. The following materials and finishes to be agreed (and development implanted in accordance with approved details):
  - Details of new windows and all modifications to 38 Cable Street (including louvres, fixed screens and doors).
  - Samples of stone heads and cills to 38 Cable Street.
  - Samples of all external materials to the new build, including curtain walling, roofing (including profile), staff entrance (arch, surround and glazed doors), timber gates, and raised bed materials.
  - Details of materials and finishes to new the Drill Tower and canopies.
  - Details and sample of all boundary treatments, including stonework and coping.
  - Details of mortar and pointing.
4. Construction Management Plan (including Hours of Work (0800-1800 Mon-Fri, 0800-1400 Sat); Scheme for Dust Control, and development to be undertaken in accordance with the agreed details.
5. Construction Traffic Management Plan (including construction parking, unloading and loading, storage of plant and materials during construction, any security hoardings, and any HGV routing that may be necessary during construction). Development to be undertaken in accordance with the agreed details.
6. Scheme for off-site highway works (Cable Street).
7. Cycle and motorcycle provision.
8. Vehicles to enter and exit in forward gear.
9. Surface water drainage scheme (including implementation in accordance with approved details).

10. Lifetime Management and Maintenance Plan for the sustainable drainage system.
11. Flood defence system/measures to be implemented and maintained at all times thereafter.
12. Landscaping scheme to be agreed and implemented.
13. Scheme of archaeological recording and analysis.
14. Standard land contamination condition.
15. Prevention of new contamination.
16. Bunding of tanks.
17. No importation of soils, materials and hardcore.

**151 113 WHITE LUND ROAD, MORECAMBE, LANCASHIRE**

A8 16/00050/FUL Erection of 10 dwellings and Westgate A(C)  
creation of a new vehicular Ward  
access for Mr Tom Hill

It was proposed by Councillor Margaret Pattison and seconded by Councillor David Smith:

“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 a legal agreement being agreed, signed and completed by the 13 week determination date or delegated back to officers for refusal, to secure;

- A contribution of £46,805 for affordable housing provision in the District; and
- A contribution of £8,164 towards off-site open space at Westminster Close.

And, subject to the following conditions as set out in the case officer's report, with deletion of condition no.16 and an amendment to condition no.3:

1. Standard time condition.
2. Development to accord with approved drawings.
3. Sample of external elevation and roof materials to be agreed (including precise render colour) and details of boundary treatment to be agreed.
4. No development shall commence until full detailed plans, including construction details pertaining to the site's internal pedestrian/vehicular carriageway surface and connection to the existing highway network, are submitted to, and approved in writing by, the Local Planning Authority.
5. Internal pedestrian/access road to be constructed in accordance with LCC Specification for Construction of Estate Roads to at least base level.
6. No part of the development shall commence until a scheme for the construction of all off-site highway improvement works is submitted to, and approved in writing by, the Local Planning Authority.
7. No development shall take place, including any form of excavation activities, until a Construction Method Statement has been submitted to, and approved in writing

- by, the Local Planning Authority.
8. No development above 1m in height in the visibility splay (removal of PD rights).
  9. No part of the development shall be occupied until the off-site highway improvement works have been constructed and completed in accordance with the approved scheme details.
  10. The development to be carried out in accordance with the approved Flood Risk Assessment (FRA) and the mitigation measures detailed within the FRA.
  11. Landscaping details to be agreed in writing (including proposed planting beds and low level planting/hedge) and maintained thereafter to the satisfaction of the Local Planning Authority.
  12. Hours of construction – 0800-1800 Monday to Friday, 0800-1400 Saturday.
  13. Scheme for dust control – earth moving and construction activities.
  14. Standard contaminated land condition.
  15. Contaminated land - importation of soils, materials and hard core.
  16. Bunding of tanks.
  17. Foul and surface water to be drained on separate systems.
  18. No part of the development shall commence until a scheme for surface water drainage is submitted to, and approved in writing by, the Local Planning Authority.

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

19. Use of garages for domestic purposes only.

Advice Note: Pedestrian footpath onto site – details required for Conditions 4 and 5.

***Councillor David Smith left the meeting prior to the following item and did not return to the meeting.***

**152 TESCO, LANCASTER ROAD, CARNFORTH**

A9	15/01438/VCN	Erection of a food retail store and relocation of existing plant hire company including demolition works and ancillary servicing and alterations to access (pursuant to the variation of condition 20 on planning permission 14/01079/VCN in relation to hours of deliveries) for Tesco Stores Ltd.	Carnforth and Millhead Ward	A
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It was proposed by Councillor Helen Helme and seconded by Councillor Robert Redfern:

“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:

- 20 Servicing and delivery of goods to the supermarket shall only take place between the hours of 0630 to 2130 Monday to Sunday, the only exception being between midnight and 0200 on the basis that a delivery vehicle (to be restricted to one on a daily basis) visits the site.

*All the other conditions (including a new HGV delivery log condition) attached to planning permission 14/01079/VCN will be applied to the new planning permission but varied to account for details approved under conditions or those which are no longer applicable.*

**153 66 SUNNYBANK ROAD, BOLTON LE SANDS, CARNFORTH**

A11 16/00078/FUL Demolition of existing Bolton and A  
conservatory and erection of a Slyne Ward  
single storey rear extension for  
Mr Andy Beaumont

It was proposed by Councillor June Ashworth and seconded by Councillor Sylvia 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 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. Materials to match.

**154 93 DALE STREET, LANCASTER, LANCASHIRE**

A12 16/00099/FUL Retention of a single storey John O'Gaunt A  
rear extension for Mr Ismail Ward  
Thagia

It was proposed by Councillor Helen Helme and seconded by Councillor James Leyshon:

"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. Works to the cill/proposed ridge detail to be completed within 6 months of the date of consent.
2. Development in accordance with plans.
3. Materials to match.

**155 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.

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Chairman

(The meeting ended at 1.20 p.m.)

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