

**PLANNING AND HIGHWAYS  
REGULATORY COMMITTEE**

10.30 A.M.

27TH JUNE 2016

**PRESENT:-** Councillors Carla Brayshaw (Chairman), Helen Helme (Vice-Chairman), June Ashworth, Stuart Bateson, Eileen Blamire, Dave Brookes, Andrew Kay, James Leyshon, Margaret Pattison, Sylvia Rogerson and Peter Yates Robert Redfern (Substitute for Councillor Sherlock) and Mel Guiding (Substitute for Councillor Thomas)

Apologies for Absence:-

Councillors Claire Cozler, Sheila Denwood, Roger Sherlock and Malcolm Thomas

Officers in attendance:-

Mark Cassidy	Planning Manager
Andrew Drummond	Development Manager (Planning Applications)
Luke Gorst	Solicitor
Tessa Mott	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W	-	Withdrawn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

**15 MINUTES**

The minutes of the meeting held on the 31<sup>st</sup> May 2016 were signed by the Chairman as a correct record.

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

There were no items of urgent business.

**17 DECLARATIONS OF INTEREST**

Councillor Margaret Pattison declared an interest in item A10 16/00504/FUL Meadowfield Bungalow, Middleton Road, Heysham, having requested that the item be brought to Committee.

Councillor Dave Brookes declared an interest in item A13 16/00053/CU Green Dragon Hotel, 54 Main Road, Galgate, the nature being that the applicant is his neighbour.

Councillor Carla Brayshaw declared an interest in item A14 16/00222/FUL Land Between 24 and 25 Hestham Crescent, Morecambe, the nature being that she is related to the applicant.

Councillor Stuart Bateson declared an interest in item A15 16/00555/LB 15 Middleton Road, Heysham, Morecambe, the nature being that he owns the property and is the applicant.

***With the Committee's agreement the Chairman moved item A14 to the end of the agenda.***

**APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION**

**18 WHITTINGTON FARM, MAIN STREET, WHITTINGTON**

A5	16/00397/OUT	Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings for Mr Edward Mackereth	Upper Lune Valley Ward	A(C)/A(106)
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Under the scheme of public participation, Eric Pelter spoke in support of the application.

It was proposed by Councillor Eileen Blamire 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 Outline Planning Permission be granted (subject to signing a Section 106 Agreement) but delegated back to the Chief Officer to allow the Cumbria County Council consultation to expire and for discussions to continue regarding the relocation of the play area, subject to the following conditions;

1. Standard outline condition with just landscaping reserved for future consideration
2. Development in accordance with the list of approved plans
3. Construction management scheme
4. Tree protection plan and arboricultural method statement
5. Standard contamination condition
6. Access details, including visibility splay provision and protection; footpath linkages; amendment to the boundary walls.
7. Off-site highway works (footpath to site frontage, road markings and gateway treatment measures)
8. Surface water drainage scheme
9. Surface Water Management and ongoing Maintenance
10. Four drainage scheme
11. Notwithstanding plans, materials, including natural stone, natural slate, mortar, render, rainwater goods, eaves/verges/ridges, doors, windows, garage doors, boundary treatments, gates, surface treatments
12. Parking to be provided prior to the associated development being occupied / brought into use
13. Hours of demolition / construction (0800-1800 Mon to Fri, and 0800-1400 Sat only)
14. Hours of operation for the retail/tea rooms (0700-1900 Mon to Sat, and 1000-1700 Sun and public holidays)
15. Tearoom/Shop – restricting use.
16. Removal of PD rights (Parts 1 A-G, 2 and 14)
17. Garage use restriction
18. Archaeological Written Scheme of Investigation
19. Maintenance of Open Space/Play Area
20. Details of landscaping and play equipment to be submitted for consideration.
21. Accordance with Protected Species Bat Survey and Mitigation.

**APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION**

**19 WHITTINGTON FARM, MAIN STREET, WHITTINGTON**

A6	16/00399/LB	Listed building application for internal and external alterations to facilitate the change of use of barn to a mixed use comprising of a dwelling and shop/tearoom and removal of the site entrance walls for Mr Edward Mackereth	Upper Lune Valley Ward	A
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It was proposed by Councillor Eileen Blamire 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 Listed Building Consent be granted subject to the following conditions:

1. Standard 3 year timescale
2. Development in accordance with approved plans – list
3. Materials (including finishes and colours) –
  - stone (including mortar, pointing and coursing);
  - windows and doors
  - roof (including trims and soffits);
  - surfacing treatments
  - re-use of stone wall materials and samples of new stone/slate to be agreed.
4. Details –
  - window and door setbacks;
  - stone panel joint finishes;
  - floor edge trims;
  - rainwater goods;
  - roofing detail;
5. Programme of archaeological work
6. Hours of demolition, construction and fit-out, including associated deliveries (Mon to Fri 0800-1800 and Sat 0800-1400 only)

**20 LAND OFF, MARSH LANE AND MAIN STREET, COCKERHAM**

A7	16/00494/OUT	Outline application for the erection of up to 11 dwellings and associated access for Mr P Hewitt	Ellel Ward	A
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It was proposed by Councillor Helen Helme and seconded by Councillor Stuart Bateson:

“That the application be approved.”

Upon being put to the vote, 11 Members voted in favour of the proposition, with 1 abstention, whereupon the Chairman declared the proposal to be carried.

***Resolved:***

That Outline Planning Permission be granted (subject to signing a Section 106 agreement) and subject to Officers enclosing a covering letter explaining their preferred approach regarding the size and quality of open space provision. Furthermore, subject to the following conditions:

1. Reserved Matters to be submitted and timescales for implementation.
2. Approved Plans
3. Details to be submitted for off-site highway works.
4. Submission of details for the site access.
5. Protection of visibility splays.
6. Finished Floor levels.
7. Development in accordance with the FRA.
8. Submission of Surface Water drainage scheme
9. Maintenance Programme for SUDS system
10. Foul drainage scheme to be submitted and approved.
11. Construction Environmental Management Plan
12. Unforeseen contamination condition
13. Submission of Arboricultural Method Statement, to include tree protection plan, and geocell details.
14. Protection of existing trees on site.
15. Scheme for ecological mitigation and enhancement.
16. Details submitted for hard and soft landscaping.
17. Removal of Permitted Development Rights
18. Illustrative landscape scheme for site entrance
19. Landscape Management
20. Electronic vehicle points

**21 SCALE HOUSE FARM, CONDER GREEN ROAD, GALGATE**

A8	16/00623/RCN	Change of use and conversion of existing redundant barn to create 4 self-contained holiday accommodation (C3) and conversion of existing outbuilding to create external storage area (pursuant to the variation of condition 17 and removal of conditions 18 and 19 on planning permission 14/00784/CU in relation to the curtilage and to allow the holiday units to be used as unfettered residential dwellings) for Mr & Mrs Wilson	Ellel Ward	D
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It was proposed by Councillor Dave Brookes and seconded by Councillor Margaret Pattison:

“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.

***Resolved:***

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

***Councillor Robert Redfern left the room prior to the following item and did not participate in the vote.***

**22 BOOTHS, 338 LANCASTER ROAD, MORECAMBE**

A9	16/00478/CU	Change of use from retail shop (A1) to dental surgery (D1) for Mr Zumarad Ajab	Torrisholme Ward	A
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It was proposed by Councillor Eileen Blamire and seconded by Councillor June Ashworth:

“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:

1. Standard 3 year timescale
2. Development to be carried out in accordance to approved plans
3. Development to be carried out in accordance with the revised site plan and the transport statement
4. Details of secure cycle storage facilities to be submitted
5. A Framework Travel Plan to be submitted and approved in writing prior to first use, and then implemented at all times thereafter whilst the use is operational
6. Details of the upgrades to the property’s forecourt to the west and south of the building to be submitted.

***Councillor Margaret Pattison had declared an interest in the following item. Councillor Andrew Kay arrived at the meeting during the following item and did not participate in the vote.***

**23 MEADOWFIELD BUNGALOW, MIDDLETON ROAD, HEYSHAM**

A10	16/00504/FUL	Demolition of existing bungalow and siting of two park homes for Mr Sheddy Nelson	Heysham South Ward	R
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It was proposed by Councillor Margaret Pattison and seconded by Councillor Mel Guilding:

“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 Planning Permission be refused for the following reasons:

1. Development of the site in the manner proposed will lead to a reduction in the level of car parking provision across the park home site and omission of allocated resident parking spaces to the detrimental of the amenities of the site and a number of existing residential occupiers. In the opinion of the local planning authority, the development is contrary to the aims and objectives of national planning policy guidance and policies DM22 and DM35 of the Development Management DPD which seeks to ensure the provision of a high quality choice of housing which accords with key design principles and vehicle parking provision.

**24 LAND ADJACENT TO, CATON ROAD, LANCASTER**

A11	16/00551/FUL	Erection of a two storey restaurant with associated drive-thru, canopy, car parking, landscaping, retaining wall and raised land levels for McDonald's Restaurants Ltd	Lower Lune Valley Ward	A
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It was proposed by Councillor Helen Helme and seconded by Councillor James Leyshon:

“That the application be approved.”

Upon being put to the vote, 11 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 granted subject to the following conditions with the determination being delegated to the Chief Officer to enable the following S106 agreement to be drafted, signed and endorsed.

*- The S106 legal agreement/Deed of Variation to provide for £6,000 to aid the assessment of the audited travel plans by the County Council.*

1. 3 year time limit
2. Development in accordance with the approved plans (General arrangement, foundation plan, external finishes, retaining wall construction, site levels, lighting arrangement, landscaping plan)
3. Off-site highway works as approved plans
4. Off-site works to be implemented prior to occupation
5. Agreed Travel plan to be audited and updated
6. Developed in accordance with the agreed Car Park Management and Delivery Plan/Strategy
7. Developed in accordance with the agreed Construction Management plan
8. Developed in accordance with the agreed Flood Risk Assessment
9. Developed in accordance with the agreed Ground gas and Radon Assessment
10. Developed in accordance with the agreed Remediation Strategy and Verification Plan
11. Developed in accordance with the agreed Arboricultural Impact Assessment and Method Statement
12. Gross floor areas not to be increase or parking areas reduced

13. Redundant vehicle crossing to be reinstated at the developer's expense
14. Development to drained on a separated system
15. Hours of Construction

**25 1 SPRING GARDEN STREET, LANCASTER, LANCASHIRE**

A12	16/00519/FUL	Part demolition and alteration of existing building and erection of a two and three storey building above existing ground floor, with retail (A1) at ground floor and two 4-bed and one 3-bed student cluster flats (C4) on upper floors for Mr Stephen Wilkinson.	Castle Ward	W
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The application was withdrawn prior to the Committee and no presentation took place.

***Councillor Dave Brookes had declared an interest in the following item.***

**26 GREEN DRAGON HOTEL, 54 MAIN ROAD, GALGATE**

A13	16/00053/CU	Change of use of public house/café (A4/A3) to a 6-bed house of multiple occupancy (C4), a 2-bed flat (C3) and creation of a new access point for Mr Lookman Thagia	Ellel Ward	R
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It was proposed by Councillor Helen Helme and seconded by Councillor Andrew Kay:

“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 Planning Permission be refused for the following reasons:

1. The proposal will result in the conversion of the main part of the building to a large House in Multiple Occupancy (HMO) without sufficient justification as to how this form of accommodation will address local housing needs and imbalances in the local housing market. It is not considered that the scheme will provide an appropriate form of residential accommodation and is contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Planning Principles and Section 6, and Policies DM41 and DM44 of the Development Management Development Plan Document.
2. Insufficient evidence has been provided to justify the loss of the local facility within this rural settlement. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Planning



Principles and Section 8, and Policy DM49 of the Development Management Development Plan Document.

3. Insufficient information has been provided in order to assess any potential impacts on protected species, in particular bats, as a result of the works required to the loft space of the single storey element on the building to provide a means of escape in the event of flooding. The proposal therefore fails to comply with the aims and objectives of the National Planning Policy Framework, in particular the Core Planning Principles and Section 11, and policy and DM27 of the Development Management Development Plan Document.

***Councillor Stuart Bateson had declared an interest in the following item. Councillor Bateson left the room at this point and returned after determination of the item.***

**27 15 MIDDLETON ROAD, HEYSHAM, MORECAMBE**

A15	16/00555/LB	Listed building application for removal of existing ground floor floorboards and replace with solid floor construction with under-floor heating and removal of part chimney breast in first floor bathroom for Mr Stuart Bateson	Heysham South Ward	A
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It was proposed by Councillor Eileen Blamire and seconded by Councillor June Ashworth:

“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:

1. Standard 3 year timescale
2. Development to be carried out in accordance to approved plans

**28 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.

*The Chairman, Councillor Carla Brayshaw, had declared an interest in the following item. The Chairman vacated the Chair and the room during consideration of the item and did not participate in the vote.*

*The Vice-Chairman, Councillor Helen Helme, took the Chair.*

**29 LAND BETWEEN 24 AND 25 , HESTHAM CRESCENT, MORECAMBE**

A14 16/00222/FUL      Erection of two dwellings and      Harbour Ward      R  
three garages with associated  
access for Mrs C Stebbing

It was proposed by Councillor Dave Brookes and seconded by Councillor Mel Guilding:

“That the application be refused.”

Upon being put to the vote, 11 Members voted in favour of the proposition and 1 against, whereupon the Chairman declared the proposal to be carried.

***Resolved:***

That Planning Permission be refused for the following reasons stated in the Case Officer’s update:

1. By reason of the size and height of the proposed garages and their proximity to the boundary of number 25 Hestham Crescent, the proposed garages will have an overbearing and detrimental impact on the residential amenity of the occupiers of the neighbouring property. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Planning Principles and Section 7, and Policy DM35 of the Development Management DPD.
2. Insufficient evidence has been provided to demonstrate that surface water within the site can be adequately disposed of, in particular in relation to the adjacent railway network infrastructure. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular Section 10, and Policies DM35 and DM39 of the Development Management DPD.

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Chairman

(The meeting ended at 12.05 p.m.)

**Any queries regarding these Minutes, please contact  
Tessa Mott, Democratic Services: telephone (01524) 582074 or email  
tmott@lancaster.gov.uk**