

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

12TH DECEMBER 2016

PRESENT:- Councillors Carla Brayshaw (Chairman), Helen Helme (Vice-Chairman), June Ashworth, Stuart Bateson, Eileen Blamire, Dave Brookes, Claire Cozler, Andrew Kay, Margaret Pattison, Robert Redfern, Roger Sherlock, Sylvia Rogerson, Malcolm Thomas and Peter Yates

Apologies for Absence:-

Councillor Abbott Bryning

Officers in attendance:-

Andrew Drummond	Development Manager (Planning Applications)
Mark Cassidy	Planning Manager
Mark Potts	Major Applications Planning Officer (items 94-98)
Rachel Stainton	Senior Environmental Health Officer (items 94-98)
Angela Parkinson	Senior 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W	-	Withdrawn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

94 MINUTES

The minutes of the meeting held on the 14th November 2016 were signed by the Chairman as a correct record.

95 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

96 DECLARATIONS OF INTEREST

There were no declarations of interest.

97 SITE VISIT

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

16/00276/OUT	Lune Industrial Estate, Lancaster	Marsh Ward
16/00335/OUT	Land Between Brewers Barn And The A601(M), Carnforth	Carnforth and Millhead Ward
16/01271/OUT	Land To The South West Of Thorneycroft, Arkholme	Kellet Ward

The following members were present at the site visit, which took place on Monday 5th December 2016:

Councillors Eileen Blamire, Stuart Bateson, Carla Brayshaw, Claire Cozler, Mel Guilding, Malcolm Thomas and Peter Yates.

Officers in Attendance:

Jennifer Rehman – Major Applications Planning Officer
Tessa Mott – Democratic Support Officer

98 23 - 25 NORTH ROAD, LANCASTER

A5	16/00274/FUL	Phased change of use and conversion of bar, nightclub and shop (A1/A4) to student accommodation comprising four 7-bed, two 8-bed and one 9-bed cluster flats (sui generis), one 3-bed and two 5-bed cluster flats and 32 residential studios (C3) and gym area with associated internal and external alterations, erection of two 2-storey rear extensions, associated landscaping and carparking and Relevant Demolition of existing rear extensions for Bargh Estates & CityBlock Ltd	Bulk Ward	A
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A site visit took place in respect of this item on 23rd May 2016 minute 5 (2016/2017) refers.

Under the scheme of public participation, Sophie Tarif and Alistair Burg-Broquere spoke against the application, Councillor Lucy Atkinson and Nathan Burns spoke neutrally about the application and Richard Barton on behalf of the applicant, spoke in support.

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:

That Planning Permission and consent for Relevant Demolition be granted subject to the following conditions:

1. Standard 3 year timescale.
2. Development in accordance with approved plans.
3. Construction Management Scheme. (Pre-commencement)
4. Contamination Assessment. (Pre-commencement)
5. Archaeological Building Recording. (Pre-commencement)
6. Surface water drainage scheme. (Pre-commencement)
7. Foul drainage. (Pre-commencement)
8. Flood evacuation procedure and development in accordance with Flood Risk Assessment including measures.
9. Materials - details of all elevational, rainwater goods, roof and surface materials required (pre-construction above ground level).
10. Security Measures.
11. Landscaping scheme for rear façade courtyard (details of the materials and landscaping). (Pre-occupation)
12. Refuse and Cycle storage. (Pre-occupation)
13. Improvement of Bus Stops. (Pre-occupation)
14. Finished Floor Levels as per Flood Risk Assessment.
15. Noise Condition (*47dB Leq at 63Hz and 41dB Leq at 125Hz within bedrooms, and 52dB Leq at 63Hz and 46dB Leq at 125 Hz within living rooms with windows shut and other means of ventilation provided*). Scheme to be implemented in accordance with the specification as contained within PDA September 2016 Noise report (Ref 8885/1936/ECE/02).
16. Prior Occupation condition to ensure that noise limits described in condition 15 are met (Prior Occupation).
17. Means of Ventilation to be provided for. (Prior to Occupation)
18. Scheme for the Protection of the Mill Race. (Culvert)
19. Restriction of accommodation to students.

Councillors Kay and Redfern left the room at this point and were not present for the determination of item A6.

99 23 - 25 NORTH ROAD, LANCASTER

A6	16/00275/LB	Listed building application for internal and external alterations to facilitate the	Bulk Ward	A
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phased change of use and conversion of bar, nightclub and shop (A1/A4) to student accommodation comprising four 7-bed, two 8-bed and one 9-bed cluster flats (sui generis) one 3-bed and two 5-bed cluster flats, and 32 residential studios (C3) and gym area, erection of two 2-storey rear extensions and demolition of existing rear extensions for Bargh Estates & CityBlock Ltd

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:

That, subject to the referral to the Secretary of State resulting in no adverse response, Listed Building Consent be granted subject to the following conditions:

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 (colour and finish);
 - Front doors;
 - Rainwater goods;
 - Doors (colour and finish);
 - Conservation rooflights;
 - External vents and extraction;
 - Rear Glass façade materials, materials to be utilised for the lowering of the existing staircase;
 - New stone lintels, cills and details of lime putty for stone roof features; and
 - Retention of the stained glass windows adjacent to the main access door.
5. Details of external works required:
 - Stonework repairs, including sample of mortar/pointing;
 - Replacement roof;
 - Cross sections of windows and transoms;
 - Removal of the external metal cage (covering stained glass) – Holes to be made good;
 - Details of any cleaning method (including stone and stained glass windows); and
 - Surfacing materials for rear amenity space
6. Details of internal materials required:
 - New internal doors;

- New staircases;
 - Transom panels; and
 - Mezzanine floors.
7. Details of internal works required:
- Works to staircase;
 - Schedule of repairs to decorative plasterwork;
 - Details of transom panel to mezzanine;
 - Details of structural steelwork required to create the mezzanine; and
 - Cast iron columns to be retained as detailed on plan.

Councillors Kay and Redfern returned to the meeting at this point.

100 LANCASTER LEISURE PARK, WYRESDALE ROAD, LANCASTER

A7	16/01183/VCN	Erection of 71 dwellings including associated parking and landscaping (pursuant to the variation of condition 2 on planning permission 12/01109/FUL to vary the amended plans) for Mr Simon Jones	John O'Gaunt Ward	A
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A site visit took place in respect of this item on 18th July 2016, minute 33 (2016/2017) refers.

It was proposed by Councillor Dave Brookes and seconded by Councillor Claire Cozler:

“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 signing and completion of a Deed of Variation and the following conditions (though if the Deed is not signed and completed on or prior to the determination date the application is to be refused):

1. Standard 3 year timescale – **Remove**
2. Development in accordance with approved plans – **Amend**
3. Materials - elevational and roof, surface and site/plot boundary treatments – **Revise**
4. Sustainable construction - affordable housing to meet at least Code level 3 and open market housing to exceed Building Regulations 2010 Part L levels by at least 10% - **Retain**
5. Highway access - details required to Lancashire's adoptable standards – **Amend**
6. Visibility splays - provision and protection – **Retain**
7. Off-site highway works:
 - cycle improvements along Wyresdale Road

- upgrades of the closest bus stops to Quality Bus Stops
 - Traffic Regulatory Order for the extension of the existing 30mph zone along Wyresdale Road
 - reconfiguration of kerb lines at the junction within Wyresdale Road / Coulston Road
 - traffic calming gateway to Wyresdale Road including pedestrian refuse and street lighting **Amend**
8. Construction Method Statement incl. dust control and wheel cleaning facilities – **Amend**
 9. Separate drainage system – **Retain**
 10. Development to be carried out in accordance with revised (10 October 2013) FRA and Drainage Strategy Report – **Retain**
 11. Scheme for surface water drainage to be designed to a 1 in 100 year plus climate change critical storm to prevent risk of flooding off site – **Amend**
 12. Tree protection plan – **Amend**
 13. Arboricultural Method Statement and Tree Works Schedule – **Amend**
 14. Landscaping scheme - details required. To be maintained at all times thereafter – **Amend**
 15. Public open space and equipped play area provision - details required. To be maintained at all times thereafter – **Amend**
 16. No pile driving – **Retain**
 17. Hours of construction - 0800-1800 Mon to Fri and 0800-1400 Sat only – **Retain**
 18. Standard land contamination condition – **Amend**
 19. Prevention of new contamination – **Amend**
 20. Importation of soil, materials and hardcore – **Amend**
 21. Bunding of tanks – **Amend**
 22. Ecology Measures - **Retain**
 23. Garages solely used for vehicles – **Retain**
 24. Cycle Storage / Bin Store– **Amend**
 25. Car Parking Areas brought into use –**Retain**
 26. Travel Plan – **Retain**
 27. In accordance with Noise Mitigation - **Retain**

101 LAND REAR OF INGLEBOROUGH VIEW, STATION ROAD, HORNBY

A8	16/00745/OUT	Outline application for the development of 11 residential dwellings and creation of a new access for Mr & Mrs Norris	Upper Lune Valley Ward	W
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The application was withdrawn prior to Committee and no presentation took place.

102 FORMER FRONTIERLAND SITE, MARINE ROAD WEST, MORECAMBE

A9	16/01239/VCN	Redevelopment of former amusement park to form retail units, restaurants, family pub/restaurant, hotel,	Harbour Ward	A
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associated car parking, landscaping and public art and new access (pursuant to the variations of condition 2, 3 and 4 on planning permission 16/00159/VCN to amend the approved plans, use classes and retail floorspace) for Opus Land North (Morecambe) Ltd & Wm Morrison Supermarket.

It was proposed by Councillor Margaret Pattison and seconded by Councillor June Ashworth:

“That the application be approved.”

Upon being put to the vote, 13 Members voted in favour of the proposition and 1 against, whereupon the Chairman declared the proposal to be carried.

Resolved:

That conditions 2, 3 and 4 on planning permission 16/00159/VCN be varied as follows:

2. Amended Plans List Approved.
3. Amendment to use class condition (as defined in this report).
4. Retail Floor Area (as defined in this report).

NB: All other conditions as imposed on 14/00388/FUL will be carried forward, though updated where necessary to reflect where conditions have been previously discharged in part or full.

Councillor Kay left the room at this point and did not return to the meeting.

103 THE TRACTOR YARD, CAPERNWRAY ROAD, CAPERNWRAY

A10	16/01060/FUL	Demolition of existing buildings and erection of five industrial buildings comprising mixed use Light Industrial (B1) and Storage and Distribution (B8) with associated access road and parking for Mr S Wightman	Kellet Ward	R
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It was proposed by Councillor Eileen Blamire and seconded by Councillor Roger Sherlock: “That the application be refused.”

Upon being put to the vote, 8 Members voted in favour of the proposition and 4 against, with 1 abstention, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Planning Permission be refused for the following reasons:

1. The site is in an unsustainable location within the open countryside, remote from services. Sufficient justification has not been provided to warrant the erection of the industrial units in this isolated location. As a consequence, the proposal is contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Principles and Section 3, Policy SC1 of the Lancaster District Core Strategy and Policies DM7, DM15 and DM20 of the Development Management Development Plan Document.

The meeting adjourned at 12:27pm and reconvened at 12:54pm.

104 BURROWBECK GRANGE NURSING HOME, SCOTFORTH ROAD, LANCASTER

A11	16/01248/FUL	Demolition of existing care home and outbuilding and erection of a replacement 63 bed care home with associated landscaping, car parking and alterations to the existing access for Active Pathways	Scotforth East 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 Planning Permission be granted subject to the receipt of appropriate amended plans and the following conditions:

1. Standard timescale.
2. Approved (amended) plans.
3. Surface water drainage scheme.
4. Surface water lifetime management and maintenance plan.
5. Materials – details and samples including brick, cladding, roofing material, eaves verge and ridge details, rainwater goods, windows and doors, surfacing.
6. Landscaping scheme.
7. Works to the access and creation of parking and turning, including for cycles and motorbikes.
8. Works in accordance with Arboricultural Implications Assessment.
9. Bat mitigation – including details of bat boxes and location.
10. Restriction of use to care home within use class.
11. Hours of construction.

105 14 DAMSIDE STREET AND 20 WOOD STREET, LANCASTER, LANCASHIRE

A12	16/01268/FUL	Redevelopment of properties and land adjacent, comprising of change of use of first and second floors of 20 Wood Street to one 3 bedroom student cluster flat, erection of first and second floors to 14 Damside Street to create two 3 bedroom and two 5 bedroom student cluster flats and erection of a new 3 storey building of one 4 bedroom and one 6 bedroom student cluster flats and 9 bay car park at rear for AHB Property Holdings	Bulk Ward	A
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A site visit took place in respect of this item on 23rd May 2016, minute 5 (2016/2017) refers.

It was proposed by Councillor Dave Brookes and seconded by Councillor Claire Cozler:

“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 receipt of appropriate amended plans and the following conditions:

1. Standard timescale.
2. Approved plans.
3. Scheme of archaeological recording and analysis.
4. Assessment of contamination.
5. Surface water drainage scheme and management.
6. Scheme of offsite highway works.
7. Noise and air quality mitigation measures - a scheme for mechanical ventilation and glazing specification details.
8. Materials – details and samples including stonework, method of render removal (14 Damside Street), render, doors and windows, roofing material, ridge, verge and eaves details, heads, cills and window surrounds, rainwater goods, materials for cycle store, surfacing material, all means of enclosure including wall to balcony/terrace, external lighting.
9. In accordance with mitigation in flood risk assessment, including floor levels and emergency measures in flood events.
10. Bin store and bike store.
11. Student accommodation restriction.
12. Hours of construction.

106 ASHTON GOLF CENTRE , ASHTON ROAD, ASHTON WITH STODDAY

A13	16/01180/FUL	Change of use of golf driving range (D2) for the siting of 14 holiday chalets (C1) for Mr & Mrs Lake	Ellel Ward	W
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The application was withdrawn prior to Committee and no presentation took place.

107 LAND AT CANAL BANK STABLES, ASHTON ROAD, LANCASTER

A14	16/00764/FUL	Erection of a detached dwelling (C3) and associated access for Miss Emma Wilson	Scotforth West Ward	R
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A site visit took place in respect of this item on 7th November 2016 minute 88 (2016/2017) refers.

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

“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, 5 Members voted in favour of the proposition and 7 against, with 1 abstention, whereupon the Chairman declared the proposal to be lost.

It was then proposed by Councillor Roger Sherlock and seconded by Councillor Claire Cozler:

“That the application be refused.”

Upon being put to the vote, 7 Members voted in favour of the proposition and 5 against, with 1 abstention, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Planning Permission be refused for the following reasons:

1. The proposal seeks to develop a new dwelling within areas designated as Key Urban Landscape and Urban Greenspace as defined within the development plan which seek to safeguard these areas of land, protecting natural features and only supporting development that preserves the open nature of the area and the character and appearance of its surroundings. Whilst limited expansion of existing uses will be permitted for exceptional essential educational and community related facilities the submission has failed to propose a development, by reason of its scale, location and form, that safeguards and preserves the open nature and landscape value of the area to the detriment the character and appearance of the area. As such the proposal is considered to be contrary to saved policies E4, E29

and E31 of the Lancaster District local Plan, policy SC5 of the Core Strategy, and policies DM28 and DM35 of the Lancaster District Development Management DPD and Section 7 of the National Planning Policy Framework.

2. The proposal seeks to develop a rural enterprise dwelling to support the neighbouring Canal Bank Stables. In the opinion of the local planning authority the proposal as submitted fails to fully consider or demonstrate a functional need for the dwelling. The development is therefore considered to be contrary to Policy DM43 of the Development Management DPD and the provisions of the National Planning Policy Framework, in particular paragraph 55.

Councillor Stuart Bateson left the room at this point and did not return to the meeting.

108 95 MAIN STREET, WARTON, CARNFORTH

A15	16/0137/TCA	Fell a single conifer for Mr Kevin Richards	Warton Ward	NO
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It was proposed by Councillor Dave Brookes and seconded by Councillor Malcolm Thomas:

“That the Committee has no objections.”

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 there is no objection to the intended tree work subject to the following advice:

1. That in respect of T1 – Conifer – Fell to ground level.

Councillors Claire Cozler and Margaret Pattison left the room at this point and did not return to the meeting.

109 DENNY BANK, MAIN STREET, ARKHOLME

A16	16/0142/TCA	Fell a single conifer for Mr Peter Thomas Williamson	Kellet Ward	NO
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It was proposed by Councillor Robert Redfern and seconded by Councillor Peter Yates:

“That the Committee has no objections.”

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 council has no formal objection to the intended works subject to the following advice notes:

1. That in respect of T1 – Conifer, Lancaster City Council has no objection to the removal of the tree.
2. That all work must be undertaken in accordance to British Standard (BS) 3998 (2010) – Tree Work.
3. Standard condition Nesting Birds and Bats.

110 NORTH WEST COAST CONNECTIONS PROJECT: STAGE 3 (S42) FORMAL CONSULTATION RESPONSE

The Committee received a report from the Chief Officer (Regeneration & Planning) to enable the Committee to give formal views on behalf of the City Council to National Grid, on the route and siting proposals for the national infrastructure project, with particular reference to the tunnel-head proposals at Middleton (Heysham).

It was proposed by Councillor Eileen Blamire and seconded by Councillor Malcolm Thomas:

‘That the recommendations set out in the report be agreed.’

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) That the Committee agrees to submit the report and Appendix 1 as the Council’s response to National Grid’s formal consultation on the North West Coast Connections Project, and authority is delegated to the Chief Officer (Regeneration & Planning) to agree any amendments.
- (2) That the Committee delegates authority to the Chief Officer (Regeneration & Planning) to approve the technical response prepared by the consultant team on behalf of the Council and the local authorities within the Planning Performance Agreement group.

111 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 1.50 p.m.)

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