

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

9TH JANUARY 2017

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

Apologies for Absence:-

Councillor Eileen Blamire

Officers in attendance:-

Mark Cassidy	Planning Manager
Andrew Drummond	Development Manager (Planning Applications)
Rachel Stainton	Senior Environmental Health Officer (items 112-115)
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W	-	Withdrawn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

112 MINUTES

The minutes of the meeting held on the 12th December 2016 were signed by the Chairman as a correct record.

With the Committee's agreement the Chairman moved item 3 'Items of Urgent Business authorised by the Chairman' towards the end of the agenda.

113 DECLARATIONS OF INTEREST

Councillor Margaret Pattison declared an interest in both items A5 16/01155/FUL St Leonards House, St Leonards Gate, Lancaster and A6 16/01156/LB St Leonards House, St Leonards Gate, Lancaster. The nature being that she is a Cabinet Member and the building being used for development is owned by Lancaster City Council.

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

Councillor Margaret Pattison had declared an interest in the following two items. Councillor Pattison left the room during the determination of these two items and did not participate in the vote.

114 ST LEONARDS HOUSE, ST LEONARDS GATE, LANCASTER

A5	16/01155/FUL	Change of use of offices (B1) to student accommodation comprising of 80 studios, four 4-bed, seven 5-bed and eight 6-bed cluster flats (C3), student gym (D2) and ancillary communal facilities with associated internal demolition and alterations, installation of a replacement roof to create additional living accommodation and recladding of existing rear stairwells for Mr Dan White	Bulk Ward	A
----	--------------	---	-----------	---

A site visit took place in respect of this item on 7th November 2016 (minute 88 (2016/2017) refers).

Under the scheme of public participation, Matt McIlroy spoke in objection to the application and Sean Hedley of Hedley Planning Services Limited, agent for the applicant, spoke in support.

It was proposed by Councillor Roger Sherlock and seconded by Councillor Sheila Denwood:

“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 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.
12. Refuse and Cycle storage (Pre-occupation).
13. Section 278 works on St Leonards Gate to reduce vehicle speeds (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*). *Scheme to be implemented in accordance with the specification as described within the recommendations as noted by Red Acoustics.*
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. Restriction of accommodation to students.

115 ST LEONARDS HOUSE, ST LEONARDS GATE, LANCASTER

A6	16/01156/LB	Listed building application for the removal and reinstallation of the internal structure of the building, installation of a replacement roof to create additional living accommodation, recladding of existing rear stairwells, installation of replacement windows and doors to all elevations, insertion of partition walls to all floors, reinstate windows, removal of ground floor canopy and windows and installation of louvers to the rear elevation, installation of a window to the side elevation, rendering of walls to concrete framed building to facilitate the change of use of offices to student accommodation for Mr Dan White	Bulk Ward	A
----	-------------	---	-----------	---

A site visit took place in respect of this item on 7th November 2016 (minute 88 (2016/2017) refers).

It was proposed by Councillor Roger Sherlock and seconded by Councillor Sheila Denwood:

“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 referral to the Secretary of State, Listed Building Consent be granted subject to the following conditions:

1. Three-year time limits.
2. Development in accordance with plans.
3. Window Detail (material, colour and finish), details of the cladding to the stair towers (including a sample), detail of the replacement roofing material and materials for the attic glazing structure (including sample), rainwater goods, stonework to be made good were needed.
4. Location and re-use of cast iron columns.
5. Building recording condition.

Councillor Pattison returned to the meeting at this point.

116 LAND ADJACENT TO BULK ROAD, LANCASTER

A7	16/01084/FUL	Erection of eight buildings up to eleven storeys in height to create student accommodation comprising 125 studios (C3), 50 cluster flats (C3/sui generis), 19 shared townhouses (sui generis), with ancillary communal facilities, study library (D1), gymnasium (D2), new vehicular and pedestrian accesses, car parking, servicing bays, public realm and landscaping for Mr Alex Knapp	Bulk Ward	A
----	--------------	---	-----------	---

A site visit took place in respect of this item on 7th November 2016 (minute 88 (2016/2017) refers).

Under the scheme of public participation, Cheryl Beveridge spoke in objection to the application, the applicant Alex Knapp spoke in support, and Councillor Tim Hamilton-Cox spoke neutrally as Ward Councillor.

It was proposed by Councillor Helen Helme and seconded by Councillor Malcolm Thomas:

“That the application be approved.”

Upon being put to the vote, 13 Members voted in favour of the application, with 2 against, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Planning Permission be granted but delegated back to Officers to conclude an issue regarding Television reception, and also subject to the following conditions:

1. Development to commence within three years.
2. List of approved plans.

Pre-commencement

3. Phasing Plan of the respective blocks.
4. Access Details.
5. Section 278 highway works.
6. Finished Floor Levels.
7. Site Investigation.
8. Land Contamination Report.
9. Construction Management Plan.
10. Written scheme of investigation followed by programme of archaeological work.
11. Surface Water Drainage Scheme to include maintenance strategy.
12. Foul drainage scheme.

Above Ground

13. Landscaping details.
14. Public Realm Surfacing and Landscaping.
15. Refuse, provision for drop off and cycle storage (including detail of cycle storage).
16. Security Measures (CCTV).
17. Glazing Measures.
18. Ventilation Measures.
19. Building Materials.

Pre-occupation conditions

20. Travel Plan.
21. Servicing and maintenance plan.
22. Refuse storage arrangements.
23. External lighting.
24. Façade cleaning and Maintenance regimes of the elevations.
25. Communal Satellite systems.
26. Flood evacuation measures.
27. Sustainable Energy.

Control Conditions

28. Removal of Permitted Development Rights (GPDO 2015 Schedule 2 Part 16 - Communications).
29. Student Occupation Only.
30. Development in accordance with Flood Risk Assessment.

31. Vegetation clearance (only to be undertaken during bird breeding season if ecology walkover undertaken) – the walkover is to include the City Council's consultee.
32. Development in accordance with the AIA.

***Councillor Kay left the room at this point and did not return to the meeting.
The meeting adjourned at 12:20pm and reconvened at 12:50pm.***

117 LAND SOUTH OF ALDCLIFFE HALL LANE, LANCASTER, LANCASHIRE

A10	16/01226/OUT	Outline application for erection of up to 11 dwellings with associated access for Mr M Mister	Scotforth West Ward	R
-----	--------------	--	------------------------	---

Under the scheme of public participation, John Rollins, Chris Norman, Tim Dant, Janet Taylor, Nicholas Webster and Emma Wolstencroft spoke in objection to the application. Graham Salisbury of Graham Anthony Associates, agent for the applicant, spoke in support.

It was proposed by Councillor Robert Redfern and seconded by Councillor Margaret Pattison:

"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 Outline Planning Permission be refused for the following reasons:

1. In order to achieve adequate visibility at the site's point of access, to create a safe and appropriate means of access and safe refuge for pedestrians, extensive works and hedge removal would be required which would overly-urbanise this stretch of rural road and the locality in general, to the detriment of the existing hamlet and surrounding rural landscape. The proposal is therefore contrary to the aims and objectives of the NPPF, in particular the Core Planning Principles and Sections 7 and 11, saved policy E4 of the Lancaster District Local Plan and policies DM28, DM35, DM41 and DM42 of the Development Management Development Plan Document.
2. By reason of the site's predominantly elevated position to the south of the existing settlement, and the area occupied by the proposal, the development will appear overly-prominent, poorly related to the hamlet, conflicting with the natural grain of the low coastal drumlins and as a consequence will unacceptably encroach on the countryside to the detriment of the character and appearance of the landscape. The proposal is therefore contrary to the NPPF, in particular the Core Principles and Section 11, saved policy E4 of the Lancaster District Local Plan, policies DM28, DM35, DM41 and DM42 of the Development Management Development Plan Document.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

118 LAND TO THE SOUTH WEST OF THORNEYCROFT, KIRKBY LONSDALE ROAD, ARKHOLME

A8	16/01271/OUT	Outline application for the erection of 12 dwellings with associated vehicular access, field access road and new pedestrian links for Mr T Jenkinson	Kellet Ward	W
----	--------------	--	-------------	---

A site visit took place in respect of this item on 5th December 2016 minute 97 (2016/2017) refers.

This application was withdrawn prior to the Committee and no presentation took place.

119 LAND TO THE REAR OF DRAGONS HEAD HOTEL, MAIN STREET, WHITTINGTON

A9	16/01373/FUL	Demolition of outbuildings, conversion of barn to dwelling, erection of 3 dwellings with associated landscaping, parking and alterations to the existing access for Mr Simon Nutter	Upper Lune Valley Ward	D
----	--------------	---	------------------------	---

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

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

Upon being put to the vote, 7 Members voted in favour of the proposition and 7 against, whereupon the Chairman, in accordance with Council Procedure Rule 19.2, used her casting vote and declared the proposal to be carried by virtue of her casting vote.

Resolved:

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

120 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

In accordance with Section 100(B)(4) of the Local Government Act 1972 the Chairman had agreed with this item being considered as an item of urgent business. The reason being that the 28 day notification period for Lancaster City Council to respond to the notification expires on 12 January 2017, which is prior to the next meeting of the Planning Committee.

The Committee considered a report from the Lancaster City Council Conservation Team, to provide information to the Committee about the erection of a 7.3m high wooden telegraph pole with associated overhead wires at the land adjacent to Dean Cottage, Kirkby Lonsdale Road, Over Kellet. The report stated that the Conservation Team have no

objection to the siting of the telegraph pole and its location will not have an adverse impact on the architectural or historic interest of the area.

Resolved:

That the report be noted.

121 ENFORCEMENT REVIEW - MOORLANDS HOTEL, LANCASTER

The Committee received a report from the Chief Officer (Regeneration & Planning) to report the current position regarding enforcement activity concerning Moorlands Hotel. This was in order to allow the Committee to consider the different options that are open to the Council and to make recommendations based upon the public interest issues that arise.

It was proposed by Councillor Robert Redfern and seconded by Councillor Claire Cozler:

“That the recommendations as 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 an Enforcement Notice be served against the use of the property for student accommodation.
- (2) That current, separate enforcement action in respect of the temporary external staircase should continue.

122 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 1.40 p.m.)

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