

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

9TH MAY 2018

PRESENT:- Councillors Carla Brayshaw (Chairman), Helen Helme (Vice-Chairman), June Ashworth, Jon Barry, Eileen Blamire, Dave Brookes, Abbott Bryning, Claire Cozler, Mel Guilding (Substitute for Susan Sykes), Janice Hanson (Substitute for Andrew Kay), Jane Parkinson, Robert Redfern, Sylvia Rogerson and Malcolm Thomas

Apologies for Absence:-

Councillors Ian Clift, Andrew Kay and Susan Sykes

Officers in attendance:-

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|-----------------|---|
| Andrew Drummond | Development Manager (Planning Applications) |
| Jennifer Rehman | Major Applications Planning Officer |
| John Maher | Locum Lawyer |
| 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.

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| 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| W | - | Withdrawn |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 |

153 MINUTES

The minutes of the meeting held on 6th April 2018 were signed by the Chairman as a correct record.

154 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

155 DECLARATIONS OF INTEREST

Councillor Helen Helme declared an interest in item A6 17/00944/OUT Ward Field Farm, Main Road, Galgate. The reason being that she is a member of Ellel Parish Council but stated that she would view the application with an open mind.

Andrew Drummond – Development Manager (Planning Applications) also declared an interest in item A6 17/00944/OUT Ward Field Farm, Main Road, Galgate. The reason being that he lives in Galgate near the application site. Mr Drummond stated that he had previously had no involvement with the application.

156 SITE VISIT

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

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|--------------|---|-----------------------------|
| 18/00103/OUT | Land Adjacent to 25 Crag Bank Crescent, Carnforth | Carnforth and Millhead Ward |
| 18/00365/OUT | Land Off Scotland Road, Carnforth | Carnforth and Millhead Ward |
| 17/00944/OUT | Ward Field Farm, Main Road, Galgate | Ellel Ward |

The following Members were present at the site visit, which took place on Monday 30th April 2018:

Councillors Stuart Bateson, Carla Brayshaw, Dave Brookes, Abbott Bryning, Ian Clift, Mel Guilding, Helen Helme, Jane Parkinson, Sylvia Rogerson and Malcolm Thomas.

Officers in Attendance:

Andrew Drummond – Development Manager (Planning Applications)
Jennifer Rehman – Major Applications Planning Officer
Eleanor Fawcett – Planning Officer
Tessa Mott – Democratic Support Officer

APPLICATIONS SUBJECT TO PUBLIC PARTICPATION

157 LAND ADJACENT TO 25 CRAG BANK CRESCENT CARNFORTH

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| A5 | 18/00103/OUT | Outline application for the erection of one dwelling and creation of a new access for Mrs S Robinson. | Carnforth and Millhead Ward | R |
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A site visit was held in respect of this item on 30th April 2018 minute 156 (2017/2018) refers.

Under the scheme of public participation, Ronald Nelson, Alastair Cameron and James Whelan all spoke against the application. Richard Wooldridge agent for the application

spoke in support. Ward Councillors John Reynolds and Peter Yates both spoke finally against the item.

It was proposed by Councillor Mel Guilding and seconded by Councillor Jon Barry:

“That the application be refused.”

(The proposal was contrary to the case officer’s recommendation that the application be approved).

Members clarified the reasons for the contrary proposal, being that, the proposed development, by virtue of its back land position, the proposed means of access and the sloping nature of the site, would fail to contribute positively to existing urban form, townscape character and the visual amenity of the area, especially given that the proposed dwelling would be situated lower than existing development and the adjacent extant consent. As a consequence the development fails to meet the high quality design objectives set out in Paragraph 17 and Section 7 of the NPPF, saved policy E4 of the Local Plan, Policy SC5 of the Core Strategy and Policy DM35 of the Development Management DPD.

Upon being put to the vote, 6 Members voted in favour of the proposition and 6 against, with 2 abstentions, 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 refused for the following reasons:

The proposed development, by virtue of its back land position, the proposed means of access and the sloping nature of the site, would fail to contribute positively to existing urban form, townscape character and the visual amenity of the area, especially given that the proposed dwelling would be situated lower than existing development and the adjacent extant consent. As a consequence the development fails to meet the high quality design objectives set out in Paragraph 17 and Section 7 of the NPPF, saved policy E4 of the Local Plan, Policy SC5 of the Core Strategy and Policy DM35 of the Development Management DPD.

Councillor Helen Helme had previously declared an interest in the following item.

Mr Andrew Drummond left the meeting at this point and returned after determination of the following application.

158 WARD FIELD FARM, MAIN ROAD, GALGATE

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|----|--------------|--|------------|--------|
| A6 | 17/00944/OUT | Outline application for the demolition of existing agricultural buildings, retention and residential conversion of stone barn for up to 2 dwellings and erection of up to 68 dwellings | Ellel Ward | A(106) |
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with associated access for
Hollins Strategic Land LLP.

A site visit was held in respect of this item on 30th April 2018 minute 156 (2017/2018) refers.

Under the scheme of public participation, Stephen Constantine Representative of Citizens of Lancaster Opposed to Unnecessary Development (CLOUD) and Andrew Poulter both spoke against the application. Matthew Symons agent for the application spoke in support.

It was proposed by Councillor Helen Helme and seconded by Councillor Jon Barry:

“That the application be refused.”

(The proposal was contrary to the case officer’s recommendation that the application be approved).

Members clarified the reasons for the contrary proposal, being that, the development would increase the risk of flooding off-site, that there would be an adverse impact on the townscape of Galgate and the extension northwards towards the proposed Bailrigg Garden Village would comprise the village character, as well as there being concerns with the effect on air quality as outlined by the objection from the air quality officer.

Upon being put to the vote, 5 Members voted in favour of the proposition and 6 against, with 3 abstentions, whereupon the Chairman declared the proposal to be lost.

It was then proposed by Councillor Claire Cozler and seconded by Councillor Janice Hanson:

“That the application be approved.”

Upon being put to the vote, 6 Members voted in favour of the proposition and 6 against, with 2 abstentions, 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 approved subject to the applicant providing a demolition plan (for clarity purposes), the signing and completing of a legal agreement securing:

- the provision of up to 40% affordable housing and not less than 30%;
- the provision of amenity space, and children’s and young person’s play provision on site,
- the payment of an off-site financial contribution towards outdoor sports facilities at the village recreation grounds;
- the payment of an education financial contribution towards primary and secondary school places; and
- the setting up of an appropriate management scheme to maintain open space, landscaping, unadopted roads and SuDS features,

and the following conditions as per the report and verbal update:

1. Time Limit (Outline).
2. Approved plans condition including the developable area plan.
- Pre-commencement conditions**
3. Surface water drainage scheme.
4. Foul drainage details.
5. Phasing of development (including infrastructure).
6. Scheme for mitigation measures to control pollutant emissions during construction
7. Access details.
8. Scheme for off-site highway improvements including footway provision between the site and the village centre, a pedestrian crossing facility over the A6 and pedestrian improvements at the Tanhouse junction to provide links between the site and the school, an extension of the 30mph limit as part of a gateway treatment scheme.
9. Scheme for archaeological investigation and building recording.
10. Site investigation condition (contamination).
11. Arboricultural Implications Assessment to be submitted and agreed including tree/hedgerow protection measures.
12. Noise and ventilation mitigation to be agreed.
13. Scheme for the protection of the railway embankment.
14. Scheme for ecological mitigation and enhancement to be submitted and agreed.
15. Finish floor levels of the dwellings and proposed finished ground levels for all external space (gardens, landscaping, open space, roads).
- Before construction of the dwellings and associated roads**
16. Scheme for EV charging facilities for each household to be agreed.
17. Details of external lighting to be agreed.
18. Precise details of boundary treatments between the site and Network Rail's operation land to be agreed.
19. Travel Plan condition.
- Control conditions**
20. Existing access to Ward Field Farm to be closed off in accordance with phased programme of implementation to be agreed with the Local Planning Authority pursuant to condition 5.
21. Development to be carried out in accordance with Flood Risk Assessment and addendum reports.
22. Removal of permitted development relating to permeable surfaces.
23. Hours of construction work and deliveries limited to Monday – Friday 0800-1800, Saturdays 0800 – 1400 and no working on Sundays and Bank Holidays.
24. Limiting demolition to that set out on the Demolition Plan.

The meeting adjourned at 12:31 and reconvened at 13:03.

Councillors Jon Barry, Helen Helme and Sylvia Rogerson left the meeting at this point and did not return.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

159 ANIMAL CARE SANCTUARY, BLEA TARN ROAD, LANCASTER

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| A7 | 17/01452/FUL | Erection of a building comprising kennels, cattery and reception area for the existing Animal Care Centre and creation of new access road, car parking, steps, hard landscaping and retaining wall with associated re-profiling of land for Animal Care (Lancaster and Morecambe). | University and Scotforth Rural Ward | A |
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It was proposed by Councillor Robert Redfern and seconded by Councillor Eileen Blamire:

“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 time condition.
2. Development to accord with listed plans.
3. Site restricted to be tied to use for kennels and cattery.
4. Site restricted to be used as part of existing Animal Care Centre.
5. Details of all materials.
6. Maintenance scheme of the vegetation at the access and junction with Blea Tarn Road to provide and retain the required visibility splays.
7. Scheme for secure and covered cycle storage.
8. Surface water drainage system. No drainage to connect to motorway drainage system, no run off from the site onto the M6, and scheme to be watertight.
9. Foul drainage system, including how the system is watertight.
10. Construction Plan Working Method Statement relating to earthworks and the protection of the United Utilities' trunk main.
11. Details of boundary treatments, including restricting access onto the M6.
12. Noise mitigation , including hours of opening, hours of use of the external exercise area, maximum number of dogs using the external exercise area at any one time, and hours of deliveries.
13. Provision of electric vehicle charging point.
14. Travel plan.
15. Implementation of Arboricultural Implications Assessment and Tree Protection Plan.
16. Arboricultural Method Statement for works within 1m of Root Protection Areas and within 1m of the tree protection fences.

160 HEATON HALL, MORECAMBE ROAD, LANCASTER

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| A8 | 17/01502/FUL | Change of use and conversion of the tavern into five dwellinghouses (C3) including the demolition of the existing conservatory and associated motel building and the erection of nine dwellinghouses (C3) with associated landscaping and vehicular parking for Tom Hill. | Skerton West Ward | A |
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It was proposed by Councillor June Ashworth 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, subject to the applicant signing and completing a legal agreement to secure:

- the provision of an affordable housing contribution of £18,831.
- the long term maintenance of landscaping, open space and non-adopted drainage and highways and associated street lighting.

Planning Permission be granted subject to the following conditions:

1. Timescales.
2. Approved Plans.
3. Surface Water drainage details.
4. Surface water management.
5. Finished floor level.
6. Contaminated land study.
7. Details of all materials (elevation, roof, windows, doors, rainwater goods, surface and boundary treatments) including colours and finishes.
8. Development in accordance with recommendations in the Ecological Appraisal.
9. Submission of an amended Arboricultural Method Statement.
10. Landscaping scheme.
11. Details of cycle parking.
12. Car parking shall be hard surfaced before development being brought into use, and at least one space allocated to each residential unit.
13. Electric vehicle charging points.
14. Permitted Development rights removal.

161 HEATON HALL, MORECAMBE ROAD, LANCASTER

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| A9 | 17/01503/LB | Listed building application for internal and external works, comprising the insertion of partition walls and demolition of internal walls, provision of new windows, construction of a single storey extension to the north and east facing elevations and demolition of the existing motel units for Tom Hill. | Skerton West Ward | A |
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It was proposed by Councillor June Ashworth 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 Listed Building Consent should be granted subject to the following conditions:

1. Standard Listed building consent.
2. Works in accordance with the approved plans.
3. Archaeology recording (level 3).
4. Notwithstanding the details on the approved plans, the following details to be provided and agreed in writing:
 - Repair methodology for historic plasterwork and detailing (where retained);
 - Methodology for stonework repair (including part rebuilding of outbuilding);
 - Details and schedule of window repair and upgrading (e.g. secondary glazing);
 - Schedule of repair for internal doors and any new internal doors;
 - Details of new windows (sections, material, colour and finish);
 - Internal wall and floor treatments (e.g. fire proofing and soundproofing);
 - Details of roof-lights;
 - Details of external doors;
 - Details of vents and flues; and
 - Details of balustrade and gate pier repairs.

162 GREEN FARM, MEWITH LANE, TATHAM

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| A10 | 17/01575/FUL | Retrospective application for the change of use of existing stable and kennel to single | Lower Lune Valley Ward | R |
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storey dwelling (C3) for holiday use and erection of two front single storey extensions for Michael Harrison.

It was proposed by Councillor Jane Parkinson and seconded by Councillor Mel Guilding:

“That the application be refused.”

(The proposal was contrary to the case officer’s recommendation that the application be approved).

Members clarified the reasons for the contrary proposal. Firstly, the proposal for visitor accommodation is: not located within one of the District’s urban areas or smaller settlements that is served by basic service provision; is not on a site which is allocated for such use; does not serve the needs of an existing visitor facility or attraction or located adjacent to it; and does not involve the conversion or re-use of a suitable existing rural building without significant major extensions. It is therefore deemed to be contrary to Development Management Policy DM13. Secondly, it was stated that the development proposes to more than double the footprint of the existing stable building. It is therefore considered that the conversion and re-use of this existing rural building for visitor accommodation is unachievable without significant major extensions, which is contrary to the provisions of Development Management Policy DM8.

Upon being put to the vote, 8 Members voted in favour of the proposition and 1 against, with 2 abstentions, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Planning Permission be refused for the following reasons:

1. The proposal for visitor accommodation is not located within one of the District’s urban areas or smaller settlements that is served by basic service provision, is not on a site which is allocated for such use, does not serve the needs of an existing visitor facility or attraction or located adjacent to it, and does not involve the conversion or re-use of a suitable existing rural building without significant major extensions. It is therefore deemed to be contrary to Development Management Policy DM13.
2. The development proposes to more than double the footprint of the existing stable building. It is therefore considered that the conversion and re-use of this existing rural building for visitor accommodation is unachievable without significant major extensions, which is contrary to the provisions of Development Management Policy DM8.

163 CAR PARK, CABLE STREET, LANCASTER

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| A11 | 18/00367/FUL | Regrading of land to incorporate one small car park into the adjacent larger car park. | Bulk Ward | A |
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It was proposed by Councillor Claire Cozler and seconded by Councillor Mel Guilding:

“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 three year timescale.
2. Works to be carried out in accordance with the approved plans.
3. Provision of car parking spaces – as set out on the approved plan.

164 DELEGATED PLANNING LIST

The Planning Manager 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 1.44 p.m.)

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