

**PLANNING AND HIGHWAYS  
REGULATORY COMMITTEE**

**10.30 A.M.**

**25TH JUNE 2018**

**PRESENT:-** Councillors Helen Helme (Vice-Chairman), Jon Barry, Alan Biddulph, Eileen Blamire, Dave Brookes, Abbott Bryning, Ian Clift, Mel Guilding (Substitute for Susan Sykes), Colin Hartley (Substitute for Carla Brayshaw), Andrew Kay (for mins 19-24) (Substitute for Jean Parr), Jane Parkinson, Robert Redfern, Sylvia Rogerson and Malcolm Thomas (Substitute for Stuart Bateson)

Apologies for Absence:-

Councillors Carla Brayshaw (Chairman), June Ashworth, Stuart Bateson, Jean Parr and Susan Sykes

Officers in attendance:-

Andrew Drummond	Development Manager (Planning Applications)
Petra Williams	Planning Officer
Tom Graham	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.

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W	-	Withdrawn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

**13 MINUTES**

The minutes of the meeting held on 4<sup>th</sup> June 2018 were signed by the Vice-Chairman as a correct record.

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

There were no items of urgent business.

**15 DECLARATIONS OF INTEREST**

Councillor Colin Hartley declared an interest in agenda item A10 17/00848/OUT Land South of Playing Field Trumacar Lane, Middleton Road, Heysham. The reason being that he had previously made an objection with Officers regarding the percentage of affordable homes on the development.

Councillor Ian Clift declared an interest in agenda item A11 18/00234/FUL Bay Scaffolding, Northgate, White Lund Industrial Estate, Morecambe. The reason being that he attended a Parish Council about the application but stated that he made no comment regarding the matter.

Councillors Sylvia Rogerson and Malcolm Thomas both declared an interest in agenda item A8 18/00491/CU Thortindale Cottage, Coastal Road, Bolton Le Sands. The reason being that they are Ward Councillors for Bolton and Slyne Ward.

**16 SITE VISIT**

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

18/00405/FUL	St Thomas Centre, Marton Street, Lancaster	Castle Ward
18/00588/FUL	85-89 Penny Street, Lancaster	Castle Ward
18/00308/FUL	1 Downham Cottages, Chapel Lane, Galgate	Ellel Ward
18/00075/FUL	Land to the North of Foundry Lane, Halton	Halton-with-Aughton Ward
18/00491/CU	Thortindale Cottage, Coastal Road, Bolton Le Sands	Bolton and Slyne Ward

The following Members were present at the site visit, which took place on Monday 18<sup>th</sup> June 2018:

Councillors Alan Biddulph, Dave Brookes, Abbott Bryning, Ian Clift, Helen Helme, Jane Parkinson, Jean Parr, Sylvia Rogerson and Malcolm Thomas.

Officers in Attendance:

Eleanor Fawcett – Planning Officer  
Jennifer Rehman – Major Applications Planning Officer  
Sam Robinson – Graduate Planner  
Andrew Drummond – Development Manager (Planning Applications)  
Petra Williams – Planning Officer  
Andrew Clement – Planning Assistant  
Tessa Mott – Democratic Support Officer

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

17 1 DOWNHAM COTTAGES, CHAPEL LANE, GALGATE

A5 18/00308/FUL Erection of a two storey side extension. Ellel Ward R

A site visit was held in respect of this item on 18<sup>th</sup> June 2018 minute 16 (2018/2019) refers.

Under the scheme of public participation, Andrew Poulter spoke against the application and John Barnes the applicant spoke in favour.

It was proposed by Councillor Sylvia Rogerson and seconded by Councillor Jane Parkinson:

“That the application be approved.”

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

Members clarified the reasons for the contrary proposal, being that, contrary to the Officer recommendation in the report, the proposed development would not have a detrimental impact on the listed building or neighbouring properties.

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

It was then proposed by Councillor Brookes and seconded by Councillor Ian Clift:

“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 Vice-Chairman declared the proposal to be carried.

**Resolved:**

That Planning Permission be refused for the following reasons:

1. The application site is considered to be too narrow for the siting of a 4.15m wide, two storey side extension and by reason of this excessive width and overdevelopment of the site, the proposal would significantly unbalance the row of four terraced properties leading to an incongruous dwelling when viewed from the wider area. As such it is considered that the proposed development is contrary to Policy DM35 of the Development Management DPD and the provisions of the National Planning Policy Framework (NPPF), paragraphs 17 and 56.
2. The proposed two storey extension would be inappropriately sited adjacent to the neighbouring properties, including the Grade II Listed Building of Chapel Cottage, by reason of its separation distance and elevated position of the application site. Consequently the development proposal is thought to have an over-dominant and

overbearing effect on the immediate setting of the Listed Building and nearby residential occupiers. As such it is considered that the proposed development is contrary to Policy DM30, DM32 and DM35 of the Development Management DPD and the provisions of the NPPF, paragraphs 17, 56, 132 and 134.

**18 LAND SOUTH EAST OF LANCASTER LEISURE PARK, WYRESDALE ROAD, LANCASTER**

A7	17/00945/FUL	Erection of 44 dwellings with associated access and landscaping.	John O'Gaunt Ward	R
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A site visit was held in respect of this site location on 18<sup>th</sup> July 2016 minute 33 (2016/2017) refers.

Under the scheme of public participation, Mark Hutton, Paul Barrow, John Allen and Nick Walker (LA14 Flood Group Representative) all spoke against the application. Anna Relph agent for the application spoke in favour.

It was proposed by Councillor Dave Brookes and seconded by Councillor Eileen Blamire:

“That the application be refused.”

Members clarified the reasons for the contrary proposal, being that, there is an unacceptable level of amenity to plot 13 given the risk of flooding to the garden of this property as emphasised by the required mitigation measures to this plot.

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

Upon being put to the vote, 10 Members voted in favour of the proposition and 3 against, whereupon the Vice-Chairman declared the proposal to be carried.

***Resolved:***

That planning permission be refused for the following reason:

The submitted Flood Risk Assessment recommends a number of mitigation measures, including the erection of a post and wire/rail fence to the western boundary of Plot 13 and the grading of its garden to ensure that floodwater cannot encroach into or adjacent to the building. These measures therefore acknowledge that the garden of this dwelling is at risk of flooding, leading to an unacceptable level of amenity to this property, contrary to paragraph 17 of the NPPF and DM35 of the Development Management DPD.

***The meeting adjourned at 11:53 and reconvened at 11:59.***

***Councillor Andrew Kay arrived at the meeting at this point.***

***Councillors Sylvia Rogerson and Malcolm Thomas had both previously declared an interest in the following item.***

19 THORTINDALE COTTAGE, COASTAL ROAD, BOLTON LE SANDS

A8	18/00491/CU	Change of use of dwelling (C3) into residential care home for children (C2) and alterations to existing access.	Bolton and Slyne Ward	A
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A site visit was held in respect of this site location on 18<sup>th</sup> June 2018 minute 16 (2018/2019) refers.

Under the scheme of public participation, John Dixon, Keith Douglas, John Boardman, Jacqueline Lloyd, Louise Belcher, Raymond Holroyd, Edward Briggs, Robert Swain, John Westmoreland, Noel Cooper, Teresa Waddington, Noel Kelly all spoke against the application. Paul Johnson the applicant spoke in favour of the application. Ward Councillor John Wild spoke finally against the application.

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

“That the application be approved.”

Upon being put to the vote, 10 Members voted in favour of the proposition and 4 against, whereupon the Vice-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. Implement the mitigation measures in the TPP and retention of existing trees and hedges.
4. Submit details of signage, to be agreed with Canal and River Trust, and implemented prior to use and retained.
5. Provision of surfacing, 4.1m wide passing places and parking prior to use and retained – the details of the surfacing material to be submitted, agreed, implemented and maintained.
6. No more than 4 young persons shall be in receipt of care by the residential care home at any one time.
7. Notwithstanding the provisions of the Use Class Order, the property shall be restricted to children’s care home and no other use within Use Class C2 without the express consent of the Local Planning Authority.

***The meeting adjourned at 13:13 and reconvened at 13:43.***

**APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION**

20 LAND TO THE NORTH OF, FOUNDRY LANE, HALTON

A6	18/00075/FUL	Change of use of agricultural land to a gypsy/traveller site comprising 2 static caravans and 3 touring caravans, 2	Halton-with-Aughton Ward	W
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utility blocks, access track, a septic tank and a 2.1m boundary fence.

A site visit was held in respect of this item on 18<sup>th</sup> June 2018 minute 16 (2018/2019) refers.

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

**21 LAND OFF IMPERIAL ROAD, HEYSHAM**

A9	18/00154/FUL	Erection of an industrial unit (B2) with associated offices (B1), storage and distribution (B8), creation of new access and car parking, provision of surface water attenuation ponds, regrading of land, erection of retaining walls, cycle and smoking shelters and waste compactors.	Overton Ward	A(P)
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It was proposed by Councillor Andrew Kay and seconded by Councillor Colin Hartley:

“That the application be approved.”

Upon being put to the vote, 12 Members voted in favour of the proposition and 2 against, whereupon the Vice-Chairman declared the proposal to be carried.

***Resolved:***

That the application be approved but delegated back to the Planning Manager to resolve the outstanding matters of trees and ecology, and the completion of a legal agreement to secure the shuttle bus service and the off-site highway works and subject to the following conditions:

1. 3 year timescale.
2. Development in accordance with approved plans.
3. Surface water drainage scheme.
4. Surface water management scheme.
5. Foul water drainage scheme.
6. Contaminated land condition, including the submission of a verification report to demonstrate compliance with the remediation report.
7. Submission of access details.
8. Scheme for the provision of off-site highway works.
9. Transport management plan including:
  - Car parking provision.
  - Management Plan for the car park.
  - Secure and covered cycle parking.
  - Staff Travel Plan.
  - Provision of 9 fast charge electric vehicle charging points.
10. Submission of finished floor and site levels, including details of retaining

- structures.
11. Submission of building materials and lighting details.
  12. Provision of a landscaping scheme and associated management plan.
  13. Ecological mitigation and enhancement.
  14. Environmental Management Plan during the construction period.
  15. Removal of relevant permitted rights.

***Councillor Colin Hartley had previously declared an interest in the following item. Councillor Hartley left the meeting room prior to the following item and did not participate in the vote.***

**22 LAND SOUTH OF PLAYING FIELD TRUMACAR LANE, MIDDLETON ROAD, HEYSHAM**

A10 17/00848/OUT Outline application for the erection of up to 75 dwellings with associated access. Overton Ward A(106)

It was proposed by Councillor Eileen Blamire and seconded by Councillor Andrew Kay:

“That the application be approved.”

Upon being put to the vote, 12 Members voted in favour of the proposition with 1 abstention, whereupon the Vice-Chairman declared the proposition to be carried.

***Resolved:***

That Outline Planning Permission be granted subject to the signing and completing of a S106 agreement to secure the following obligations:

- The provision of a minimum of 18.66% of affordable housing to be based on a 50:50 (social rented : shared ownership) tenure split as required by policy (percentage, tenure, size, type, phasing to be addressed at Reserved Matters stage based on local housing needs);
- Education contribution of £56,869.24 for four primary school places to be agreed (to be reviewed at the Reserved Matters stage when the unit numbers and number of bedrooms are known);
- The above 3 obligations are reviewed at the Reserved Matters stage;
- Long term maintenance of landscaping, open space and non-adopted drainage and highways and associated street lighting.

and the following conditions:

1. Timescales.
2. Working Programme.
3. Access Details.
4. Visibility Splays to be implemented measuring 2.4m x 90m.
5. Offsite Highways Works (to include improvements to the existing footways along Middleton Road to support a shared surface for cycling and pedestrian movement, traffic calming together with bus stop provision on Middleton Road or Provision for a point of access to Trumacar Playing fields.
6. Submission of Arboricultural Implications Assessment, Tree and Hedgerow Protection Plan, Arboricultural Method Statement and Tree Works Schedule.

7. Provision for home owner packs.
8. Written scheme of archaeological investigation and subsequent implementation of such scheme.
9. Contaminated Land Assessment and recording.
10. Surface Water Drainage Scheme.
11. Surface Water Management Scheme.
12. Provision for foul water drainage details.
13. Development in accordance with the principles contained within the Flood Risk Assessment.
14. Development in accordance with the principles contained within the Ecological appraisal.
15. Finished floor and site levels.
16. Open space provision, maintenance and management.
17. No development over the public sewer that crosses the site.
18. Electric vehicle charging points.

***Councillor Ian Clift had previously declared an interest in the following item.***

***Councillor Jon Barry left the meeting at this point and did not return.***

**23 BAY SCAFFOLDING, NORTHGATE, WHITE LUND INDUSTRIAL ESTATE,  
MORECAMBE**

A11	18/00234/FUL	Demolition of factory building and erection of 4 industrial units, installation of a raised replacement roof and erection of a single storey infill extension to the front and first floor side extension to existing industrial unit.	Westgate Ward	A
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A site visit was held in respect of this site location on 6<sup>th</sup> November 2017 minute 80 (2017/2018) refers.

It was proposed by Councillor Sylvia Rogerson and seconded by Councillor Jane Parkinson:

“That the application be approved.”

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

Members clarified the reasons for the contrary proposal, being that, the applicant had provided sufficient justification for the loss of the non-designated heritage asset.

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

***Councillor Eileen Blamire left the meeting at this point and did not return.  
Councillor Blamire did not participate in the rest of the voting on this item.***



It was then proposed by Councillor Colin Hartley and seconded by Councillor Ian Clift:

“That the application be refused.”

Upon being put to the vote, 5 Members voted in favour of the proposition and 5 against, with 2 abstentions, whereupon the Vice-Chairman in accordance with Council Procedure Rule 19.2, used her casting vote and declared the proposal to be lost by virtue of her casting vote.

It was then proposed by Councillor Sylvia Rogerson and seconded by Councillor Jane Parkinson:

“That the application be approved.”

Upon being put to the vote, 5 Members voted in favour of the proposition and 5 against, with 2 abstentions, whereupon the Vice-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 Planning Permission be approved and subject to the following conditions:

1. Standard 3 year timescale.
2. Development in accordance with list of approved plans.
3. Standard contamination condition.
4. Tree protection measures and Arboricultural Method Statement.
5. Surface water drainage scheme and management plan.
6. Foul drainage.
7. Details of all materials – roof, walls, doors, windows, surface treatments.
8. Details of security measures – CCTV, external lighting, boundary treatments and gates.
9. Secure and covered cycle storage within the buildings.
10. Car parking and turning areas to be marked out and provided in full prior to occupation of any unit, and retained at all times thereafter for their intended purpose.
11. Provision of oil interceptor to parking/turning areas.
12. Hours of construction 0800-1800 Mon to Sat.
13. No external storage.

***Councillor Jane Parkinson left the meeting at this point and did not return.***

**24 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.

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Chairman

(The meeting ended at 2.53 p.m.)

**Any queries regarding these Minutes, please contact  
Tessa Mott, Democratic Services: telephone (01524) 582074 or email  
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