

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

12TH NOVEMBER 2018

PRESENT:- Councillors Carla Brayshaw (Chairman), Helen Helme (Vice-Chairman), June Ashworth, Jon Barry, Stuart Bateson, Alan Biddulph, Eileen Blamire, Abbott Bryning, Ian Clift, Tim Hamilton-Cox (Substitute for Dave Brookes), Colin Hartley (Substitute for Robert Redfern), Jane Parkinson, Jean Parr and Sylvia Rogerson

Apologies for Absence:-

Councillors Dave Brookes, Mel Guilding and Robert Redfern

Officers in attendance:-

Andrew Drummond	Development Manager (Planning Applications)
Mark Potts	Major Applications Planning Officer
Neil Weeks	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W	-	Withdrawn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

64 MINUTES

The minutes of the meeting held on 15th October 2018 were signed by the Chairman as a correct record.

With the Committee's agreement the Chairman reordered the agenda from this point.

65 DECLARATIONS OF INTEREST

Councillor Helen Helme declared an interest in item A11 18/00889/PLDC Woodlands, Garstang Road, Cockerham. The reason being that she is the applicant.

66 LAND AT CHAPEL LANE, GALGATE

A7	18/00335/FUL	Erection of 32 dwellings (C3) with associated access and landscaping.	Ellel Ward	D
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The application was deferred for consideration at a future meeting.

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

67 LAND TO THE NORTH OF, FOUNDRY LANE, HALTON

A6	18/00921/FUL	Change of use of agricultural land to a gypsy/traveller site comprising of 2 static caravans and 3 touring caravans, 2 utility blocks demolition of existing stable and erection of a replacement stable building, installation of a septic tank, regrading of land levels, creation of a 1.2m bund and retention of hardstanding and 2.1m boundary fence.	Halton-with-Aughton Ward	D
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A site visit was held in respect of this site location on 18th June 2018 minute 16 (2018/2019) refers.

It was proposed by Councillor Carla Brayshaw and seconded by Councillor Helen Helme:

“That the application be deferred to enable further legal advice to be sought by Officers.”

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

At this point, Andrew Drummond declared an interest as he is known to one of the public speakers and left the room. Mr Drummond returned to the meeting after the public speaking had concluded.

Under the scheme of public participation, Peter Nightingale spoke against the application and the applicant Sarah Varey spoke in support.

Resolved:

That the application be deferred to enable further legal advice to be sought by Officers.

68 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

That, in accordance with Section 100(B)(4) of the Local Government Act 1972 the Chairman had agreed with an item of urgent business. The reason being that the Development Manager deemed it imperative that Members were advised of the following information before consideration of any further items on the agenda and subsequent agendas.

The Committee considered an oral report of the Development Manager to inform the Committee of a consultation published by Government on 26th October 2018, which is due to close on 7th December 2018. The consultation was regarding changes to planning policy and guidance including the standard method for assessing local housing need.

The Development Manager outlined that the consultation paper mainly addresses the issue of housing land supply by seeking to amend the standard methodology for calculating local housing need. Government is seeking to make a number of short term amendments including using 2014 based data for the demographic baseline for assessment of local housing need, not the 2016 projections from the Office of National Statistics, and ensuring that lower numbers through the 2016 based projections do not qualify as exceptional circumstances that justify a departure from the standard methodology. In parallel government is seeking to amend the definition of “deliverability” as it relates to the availability of housing sites. These changes will have an impact on the Council’s ability to demonstrate a 5 year land supply, and therefore whether the “tilted balance” is applied or not in decision-making on applications for residential development. Lastly, the consultation deals with an unrelated matter of appropriate assessments. Following the European Court of Justice’s ruling on an Irish case, appropriate assessment of habitats impacts is required in plan-making and decision-making whenever there is a potential impact on a habitats site, regardless of any mitigation measures proposed.

Resolved:

That the oral report and briefing note from the Development Manager be noted.

69 LAND ALONG THE EAST BANK OF THE RIVER LUNE BETWEEN THE A683 VIADUCT AND SKERTON BRIDGE AND LAND ALONG THE WEST BANK OF THE RIVER LUNE EAST OFF HALTON ROAD/MAIN STREET

A5	18/00751/FUL	Erection of flood defence walls, security fences, lighting columns, alterations to footpaths and demolition of former pumping station and storage tanks.	Bulk Ward	A
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Under the scheme of public participation, Tim Dant, Richard Follows (Representative of Dynamo, Lancaster & District Cycle Campaign Group), Matt Hodges (Representative of the charity Cycling UK) and John Butler all spoke against the application.

It was proposed by Councillor Eileen Blamire and seconded by Councillor Jane Parkinson:

“That the application be approved, and condition 4 to be amended to state that the scheme for an alternative cycle route is to be agreed prior to commencement of the development, as well as condition 16 to be amended to include dog waste bins.”

Upon being put to the vote, 12 Members voted in favour of the proposition, with 2 abstentions, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Planning Permission be granted subject to the following conditions:

1. Standard timescales.
2. Approved plans.
3. Implementation of a programme of archaeological work in accordance with a written scheme of investigation.
4. Scheme for alternative cycle route to be agreed prior to commencement of the development.
5. Construction and traffic management method statement.
6. Construction and environmental method statement.
7. Ecological mitigation measures.
8. Revised AMS - A further detailed assessment of the impact of the proposed development on trees that are currently proposed for retention will be required prior to commencement of the development.
9. Revised Arboricultural impact assessment.
10. Scheme for replacement planting and landscaping on-site informed by revised AMS.
11. Scheme for off-site tree planting.
12. Details of all materials.
13. Full details of up-and-overs.
14. Any deviation from the proposed localised earthworks to be agreed by LPA.
15. Methodology for tying flood wall into embankments supporting Skerton Bridge and Lune Aqueduct.
16. Location and details of new refuse bins, dog waste bins and lighting.
17. Details of security fencing.
18. Landscape and environmental management plan.
19. Method statement detailing control and/or avoidance of invasive species.
20. Hours of construction Mon to Fri 0800-1800 and Sat 0800-1400 (no night time working).

The meeting adjourned at 11:59 and reconvened at 12:06.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

70 LAND TO THE REAR OF THE MANOR INN, COCKERHAM

A8	18/00877/OUT	Outline application for the erection of up to 24 dwellings (C3) and associated access.	Ellel Ward	A
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It was proposed by Councillor Colin Hartley and seconded by Councillor Helen Helme:

“That the application be approved.”

Upon being put to the vote, 13 Members voted in favour of the application, with 1 abstention, whereupon the Chairman declared the proposal to be carried.

Resolved:

That subject to the applicant entering into a Section 106 Agreement to secure the obligations contained within Paragraph 8.1, that Outline Planning Permission be granted subject to the following conditions:

1. Standard Timescales;
2. Approved Plans;
3. Surface Water Drainage Scheme;
4. Foul Water Drainage Scheme;
5. Access Works;
6. Off-site Highway Improvements;
7. Development to be in accordance with an updated AIA and Tree Protection Plan;
8. Linkage to the public right of way and improvements;
9. Finished Floor Levels (to include plots, gardens, open space and roads);
10. Scheme for open space;
11. Unforeseen contamination;
12. Ecological mitigation to be carried out as per the approved plans;
13. Scheme for electric vehicle charging points to be submitted to and approved;
14. Surface Water Management and Maintenance Programme;
15. Environmental Construction Method Statement.
16. Provision of home owner packs.

71 MELLING HOUSE, HALA ROAD, LANCASTER

A9	18/00900/FUL	Change of use of former managers house (C3) to 2 self-contained 1-bed flats (C2) and installation of a new external door.	Scotforth East Ward	A
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It was proposed by Councillor Eileen Blamire and seconded by Councillor Alan Biddulph:

“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 be carried out in accordance with approved plans.
3. To be owned and operated as part of the sheltered housing scheme at Melling House only.

72 GREENFINGERS ALLOTMENT, SMITHY LANE, HEYSHAM

A10	18/01216/FUL	Part retrospective application for the retention of a metal storage container, retention of hardstanding and erection of a polytunnel.	Heysham South Ward	A
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It was proposed by Councillor Colin Hartley and seconded by Councillor Alan Biddulph:

“That the application be approved and condition 3 regarding temporary consent be removed.”

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 accord to approved plans.

Councillor Helen Helme had declared an interest in the following item. Councillor Helme left the meeting at this point and returned after deliberation of the item.

73 WOODLANDS, GARSTANG ROAD, COCKERHAM

A11	18/00889/PLDC	Proposed Lawful Development Certificate for conversion of detached garage to create ancillary accommodation in association with Woodlands.	Ellel Ward	A
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It was proposed by Councillor June Ashworth and seconded by Councillor Jon Barry:

“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 a Certificate of Lawfulness of Proposed Use or Development be granted.

74 COUNCILLOR REFERRALS TO PLANNING AND HIGHWAYS REGULATORY COMMITTEE

The Committee considered a report of the Planning Manager to enable the Committee to consider a change to its delegations to Officers regarding referral of planning applications to the Committee by Councillors.

It was proposed by Councillor Carla Brayshaw and seconded by Councillor Tim Hamilton-Cox:

That the report be deferred to enable Members' concerns to be addressed and clarified, and that the Monitoring Officer (or their representative) return to the meeting to address those concerns as listed below:

- Increase the number of days from 14 to 21 (from the date the application appears on the planning weekly list) for Members to refer an application to Committee, to be aligned with the statutory consultation period;
- Further consideration/justification of the need to utilise a 'specific form' as this may delay the process and Members might miss the deadline for requesting a referral;
- Further consideration/justification of the need for the referral to be solely from the relevant Ward Councillor, as there were concerns that the Ward Councillor may be disinterested whilst other Non-Ward Councillors may believe that a legitimate reason exists for the application to be referred;
- Clarification as to what constitutes a 'legitimate reason' for the referral request.
- Clarification regarding what constitutes a 're-submission' so it is clear that this refers to applications of the same type that have been withdrawn or determined within the last 12 months; and
- Clarification with Democratic Services' arrangements whereby a Member speaking on one item has to exclude themselves from the whole agenda and not simply that item they are speaking on.

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

Resolved:

That the report be deferred to enable Members' concerns to be addressed and clarified, and that the Monitoring Officer (or their representative) return to the meeting to address those concerns as listed above.

75 QUARTERLY REPORTS

Members received the Quarterly Planning Reports from the Development Management Services.

Resolved:

That the report be noted.

76 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 1.06 p.m.)

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