

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

10TH DECEMBER 2018

PRESENT:- Councillors Carla Brayshaw (Chairman), Helen Helme (Vice-Chairman), June Ashworth, Jon Barry, Alan Biddulph, Eileen Blamire, Dave Brookes, Abbott Bryning, Ian Clift, Jean Parr, Robert Redfern, Sylvia Rogerson, Susan Sykes (Substitute for Mel Guilding), Malcolm Thomas (Substitute for Stuart Bateson) and Peter Yates (Substitute for Jane Parkinson)

Apologies for Absence:-

Councillors Stuart Bateson, Mel Guilding and Jane Parkinson

Officers in attendance:-

Andrew Drummond	Development Manager (Planning Applications)
Mark Potts	Major Applications Planning Officer (for mins 77-81)
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W	-	Withdrawn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

77 MINUTES

The minutes of the meeting held on 12th November 2018 were signed by the Chairman as a correct record.

78 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

79 DECLARATIONS OF INTEREST

Mr Andrew Drummond declared an interest in agenda item A5 18/00921/FUL Land to the North of Foundry Lane, Halton. The reason being that he is known to one of the public speakers.

Councillor June Ashworth declared an interest in agenda item A10 18/01436/CU Bus Station, Central Drive, Morecambe. The reason being that she had been part of discussions regarding this item at Morecambe Town Council.

Councillor June Ashworth declared an interest in agenda item A12 18/0134/FUL Land West of Barrows Lane, Heysham. The reason being that she was currently a Director at the Morecambe Bay Partnership.

Councillor Peter Yates declared an interest in agenda item A12 18/0134/FUL Land West of Barrows Lane, Heysham. The reason being that he was currently a board member for the Morecambe Bay Partnership.

Mr Andrew Drummond left the meeting at this point and returned after deliberation of the following item.

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

80 LAND TO THE NORTH OF FOUNDRY LANE HALTON

A5	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	A
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A site visit was held in respect of this item on 18th June 2018 minute 16 (2018/2019) refers.

Under the scheme of public participation, Guy Anderson spoke against the application and Ward Councillor Kevin Frea spoke in support.

It was proposed by Councillor Eileen Blamire and seconded by Councillor Helen Helme:

“That the application be approved.”

Upon being put to the vote, 10 Members voted in favour of the proposition and 1 against, with 4 abstentions, whereupon the Chairman declared the proposal to be carried.

Resolved:

That temporary Planning Permission be granted subject to the following conditions:

1. Standard timescale.
2. Temporary consent for 3 years with the provision of a restoration scheme.
3. Development in accordance with approved plans.
4. Site design and construction plan.
5. Site access improvements.
6. Details of hard and soft landscaping.
7. Details of surface water sustainable drainage scheme.
8. Details/samples of external materials, lighting, bin storage and surface treatment.
9. Full details of the foul drainage system.
10. Details and installation of the acoustic fences.
11. Details and installation vehicle restraint barrier system.
12. Surfacing of access prior to occupation.
13. Access from the site to Foundry Lane shall be constructed to a (minimum) width of 5 metres.
14. Development in accordance with AIA.
15. Retention of 2.1m high solid timber panel fencing.
16. Unforeseen Contamination.
17. Stable for personal use.
18. Use of the site limited to Gypsies and Travellers.
19. Limited to number and location of units shown on plan.
20. Removal of permitted development rights.
21. Removal of two containers within two months of permission being granted.

81 LAND EAST OF ARKHOLME METHODIST CHURCH, KIRKBY LONSDALE ROAD, ARKHOLME

A6 18/00645/REM Reserved matters application Kellet Ward A
for the erection of 16
dwellings (C3).

Under the scheme of public participation, Clive Saul spoke against the application and Shelley Coffey agent for the application spoke in support.

It was proposed by Councillor Helen Helme and seconded by Councillor Ian Clift:

“That the application be approved.”

Upon being put to the vote, 14 Members voted in favour of the proposition, with 1 abstention, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Reserved Matters Consent be granted subject to the following conditions:

1. Timescales;
2. Approved Documents;
3. Materials for dwelling houses (natural stone, natural slate, timber windows, timber doors, aluminium rainwater goods);
4. Boundary Treatments for the plots and replacement church car park (for the dwellings to consist of stone walling and hedgerows);
5. Surfacing Materials (to include the calming feature on the spine road);
6. Updated landscaping scheme;

7. Detailed Arboriculture Method Statement (AMS);
8. Archaeological Written Scheme of Investigation;
9. Amenity space to be in place prior to the occupation of the 14th dwelling.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

82 CARNFORTH BUSINESS PARK, KELLET ROAD, CARNFORTH

A7	18/01144/FUL	Erection of office (B1a) and storage and distribution (B8) building with associated parking and access.	Carnforth and Millhead Ward	A
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It was proposed by Councillor Carla Brayshaw and seconded by Councillor Malcolm Thomas:

“That the application be approved.”

Upon being put to the vote, 13 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 3 year timescale.
2. Development to be in accordance with listed plans.
3. Use of the warehouse building for B8 use only.
4. Sales trade showroom to be ancillary to the main use, displaying and selling only those products stored within the B8 use to tradespersons only.
5. Sales trade showroom to be limited to the area shown on the approved plans.
6. Removal of permitted development rights for changes of use and mezzanine floors.
7. Off-site highways improvements including 7.5T weight limit on Kellet Road and Traffic Regulatory Order on Boundary Lane.
8. Parking and turning, including electric vehicle charging points.
9. Travel Plan.
10. Secure and covered cycle parking.
11. Surface water drainage scheme (discharge restricted to 15 litres per second from the site).
12. Surface water management and maintenance plan.
13. Foul drainage.
14. Materials.
15. External lighting scheme.
16. Landscaping scheme.
17. Ecological mitigation.
18. Contamination.

83 ALDI, MARINE ROAD WEST, MORECAMBE

A8	18/01423/VCN	Demolition of existing supermarket, bowling alley	Harbour Ward	A(P)
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and retail units and erection of a replacement supermarket with associated car parking and hard and soft landscaping (Pursuant to the variation of condition 17 to allow for unrestricted servicing hours).

It was proposed by Councillor Robert Redfern and seconded by Councillor June Ashworth:

“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 but delegated back to the Planning Manager to allow the statutory consultation period to expire and the decision to be issued in line with the Committee’s resolution, resolved in principle to remove conditions 1 (timescales for commencement of development) and condition 17 (hours of deliveries and servicing) and subject to the following conditions:

1. Development in accordance with the approved plans.
2. Development in accordance with the approved surface water drainage scheme.
3. Development in accordance with the approved contaminated land assessment.
4. Development in accordance with the approved environmental management plan.
5. Development in accordance with the approved material samples.
6. Development in accordance with the approved landscaping scheme.
7. Development in accordance with the approved storage of refuse.
8. Development in accordance with the approved scheme of ventilation.
9. Development in accordance with the approved motorcycle and parking detail.
10. Development in accordance with the approved electric vehicle charging points.
11. Development in accordance with the approved car parking management plan (to be fully implemented by 17 December 2018).
12. Off-site highway condition to remain.
13. Development in accordance with the approved CCTV and lighting system.
14. Development in accordance with the approved external canopy maintenance scheme.
15. Separate foul and surface water condition – control condition remain.
16. Store Opening times to remain.
17. Restriction in terms of the importation of materials.
18. Limitation on net sales floorspace.
19. Pedestrian route shall be available for pedestrians at all times.

84 65 LYMM AVENUE, LANCASTER

A9	18/01412/FUL	Demolition of existing rear conservatory and erection of a part two part single storey	Skerton West Ward	R
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side extension and single
storey rear extension.

It was proposed by Councillor Robert Redfern and seconded by Councillor Dave Brookes:

“That the application be refused.”

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

Resolved:

That Planning Permission be refused for the following reason:

1. The proposed two storey side extension would be inappropriately located beyond the established building line along Burton Avenue in a highly visible location and as a consequence the development would have a detrimental impact upon the visual amenity of the street scene. Furthermore the excessive width of the proposed two storey side extension would significantly unbalance the pair of semi-detached 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 Section 12 of the National Planning Policy Framework (NPPF).

The meeting adjourned at 11:45 and reconvened at 11:51.

Councillor Eileen Blamire left the meeting at this point and did not return.

Councillor June Ashworth had declared an interest in the following item and did not participate in the discussion or the vote.

85 BUS STATION, CENTRAL DRIVE, MORECAMBE

A10	18/01436/CU	Change of use of bus shelter to young persons assembly and recreation building (D2).	Poulton Ward	A(C)
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It was proposed by Councillor Dave Brookes and seconded by Councillor Susan Sykes:

“That the application be approved with an additional third condition regarding a scheme for removal or blocking-up of the toilets and cleaning cupboard.”

Upon being put to the vote, 12 Members voted in favour of the proposition, with 1 abstention, 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 be carried out in accordance with approved plans.
3. Notwithstanding the details on the approved plans, a scheme for removal or blocking-up of the toilets and cleaning cupboard, or an alternative such scheme

to secure these facilities, to be submitted, agreed and implemented by 31 March 2019.

86 PEDESTRIAN HIGHWAY , CHURCH STREET, LANCASTER

A11 18/01364/CU Change of use of pedestrian highway for the temporary siting of 6 market cabins. Castle Ward A

It was proposed by Councillor Robert Redfern 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. Operational between 15 November and 15 January each year, plus 3 days construction/dismantling time.
2. Development in accordance with plans.
3. Implement alternative accessible parking signage.

Councillors June Ashworth and Peter Yates both declared an interest in the following item. Councillors Ashworth and Yates did not take part in the discussion of the following item or participate in the vote.

87 LAND WEST OF BARROWS LANE, HEYSHAM

A12 18/01346/FUL Installation of a sculpture. Heysham South Ward A

It was proposed by Councillor Ian Clift 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 Planning Permission be granted subject to the following conditions:

1. Standard three year timescale.
2. Development in accordance with plans.
3. Implemented in accordance with the Construction Method Plan.

88 9 BEECH AVENUE, GALGATE, LANCASTER

A13 18/01229/FUL Change of use of a shop (A1) to dwelling (C3), erection of Ellel Ward A

single storey extensions to the side and rear, construction of a ramp to the front, installation of replacement window and replacement of a door with a window.

It was proposed by Councillor Helen Helme and seconded by Councillor Ian Clift:

“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 to accord to approved plans.

89 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 Jon Barry and seconded by Councillor Dave Brookes:

That the recommendations as set out in the report be approved subject to the definition for re-submissions included in paragraph 3.4 of the report being included in the Scheme of Delegation for clarity.

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 following the Committee's agreement, the Monitoring Officer prepare a report to Council seeking approval to amend the Scheme of Delegation in the Council's Constitution to the following:
 - i. *Applications in the major category which are recommended for approval and are the subject of any objections;*
 - ii. *Applications recommended for approval which are departures from the Development Plan;*
 - iii. *Applications made by the City Council or major applications made by the County Council;*
 - iv. *Applications by Members or officers of the Council and other parties where considerations of probity indicate that a Committee decision is required;*

- v. *Any applications which the Chief Officer (Regeneration and Planning) considers should be determined by the Committee; or,*
- vi. *Any application which a Member of the Council asks to be referred to the Committee. This request must be made to the Case Officer within 21 days of the application appearing on the Weekly List of Applications; it must be submitted on the requisite form (which can be emailed); and the request cannot be made on a resubmitted application (an application submitted within 12 months of a refusal or withdrawal of an application with the same or similar description, unless the initial application was referred to Committee within its 21 day period before it was withdrawn).*

NB: In respect of (vi) - the Ward Councillor submitting the request, where that Councillor is also a Member of the Planning and Highways Regulatory Committee, that Member would be expected to register to speak at the Planning and Highways Regulatory Committee Meeting. In those circumstances, the Ward Councillor could either choose to send a Substitute Member to take their place on the Committee for the duration of the Committee Meeting; or they could alternatively choose to register to speak as a Ward Councillor on that single item, in the knowledge that (as a speaker) they couldn't participate in debate or voting on that particular item. The Ward Councillor would however, be permitted to return to the Committee benches to be able to participate in debate and vote on other items on the committee agenda.

90 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 12.26 p.m.)

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