

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

7TH JANUARY 2019

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

Apologies for Absence:-

Councillor Jane Parkinson

Officers in attendance:-

Andrew Drummond	Development Manager (Planning Applications)
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W	-	Withdrawn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
SD	-	Split Decision

With the Committee's agreement the Chairman moved the approval of the previous minutes until the end of the meeting.

91 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

92 DECLARATIONS OF INTEREST

Councillor Sylvia Rogerson declared an interest in agenda item A9 18/00832/FUL Grand Theatre, St Leonards Gate, Lancaster. The reason being that she is part of a group who rents the theatre for one week a year.

Councillor Alan Biddulph declared an interest in agenda item A9 18/00832/FUL Grand Theatre, St Leonards Gate, Lancaster and agenda item A10 18/00852/LB Grand Theatre, St Leonards Gate, Lancaster. The reason being that he is on the board of the Grand Theatre.

Councillor Dave Brookes declared an interest in agenda item A15 18/01377/FUL 4 High Street, Lancaster and agenda item A16 18/01378/LB 4 High Street, Lancaster. The reason being that the applicant is a relative of a Ward Councillor colleague.

93 DEVELOPMENT SITE, BULK ROAD, LANCASTER

A5	18/00820/FUL	Erection of four buildings up to six storeys in height to create student accommodation comprising fourteen two bedroom apartments (C3), 19 shared townhouses (sui generis), with ancillary communal facilities, new vehicular and pedestrian accesses, car parking, servicing bays, retaining walls and structures, public realm and landscaping.	Bulk Ward	A(P)
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It was proposed by Councillor Carla Brayshaw and seconded by Councillor Helen Helme:

“That the application be approved.”

Upon being put to the vote, 12 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 granted in principle but delegated back to the Planning Manager for further details to be agreed with the Highway Authority regarding the provision (by the developer) of the pedestrian crossing over Back Caton Road, subject to the following conditions:

1. Standard 3 year timescale.
2. Approved plans.
3. Flood risk measures.
4. Building materials.
5. Landscaping.
6. Off-site highway scheme.

7. Access details.
8. Archaeology.
9. Surface water drainage scheme.
10. Surface water management.
11. Access road and surfacing.
12. Cross site access route.
13. Off-site highway works.
14. Hard and soft landscaping.
15. Construction environmental management Plan.
16. Finished floor levels.
17. Noise attenuation measures in respect of glazing.
18. Crime prevention measures.
19. Sustainable energy measures for each building.
20. Flood warning and evacuation plan (FEP).
21. Façade cleaning and maintain Strategy.
22. Travel Plan.
23. Delivery, servicing and maintenance.
24. Foul water drainage scheme.
25. Contaminated land assessment.
26. Development in accordance with AIA.
27. Development only to be utilised by students.
28. Removal of Part 16 of the Town and Country Planning (General Permitted Development) Order 2015.
29. Lighting details.

94 WHITTINGTON FARM, MAIN STREET, WHITTINGTON

A6	18/01224/VCN	Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings (pursuant to the variation of conditions 2 and 13 on planning permission 16/00397/OUT to alter the site layout and remove the play area).	Upper Lune Valley Ward	R
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It was proposed by Councillor Dave Brookes and seconded by Councillor Mel Guilding:

“That the application be refused.”

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 this Section 73 planning application be refused for the following reasons:

The development by virtue of the layout and house types are considered to significantly erode the architectural interest of the Whittington Conservation Area, and would contrast and detract from the architectural character of the two Listed buildings that frame the site. It is considered that the proposal does not respect the character of the Whittington Conservation Area with respect to the design and would lead to a level of harm on the visual amenity and wider setting of the Conservation Area. The scheme fails to accord to Policy DM31 and DM32 of the Development Management DPD.

The layout and house types do not positively respond to the identity and character of the area by virtue of poor quality design, lack of regard to local distinctiveness and layout. On balance it is considered that the scheme does not accord with Policy DM35 of the Development Management Development Plan Document and Paragraph 130 of the National Planning Policy Framework.

95 LAND BETWEEN LOW ROAD AND FORGE LANE, HALTON

A7	18/01117/REM	Reserved matters application for the erection of 76 dwellings with associated landscaping.	Halton-with-Aughton 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 Approval of Reserved Matters be granted subject to the following conditions:

1. Time limit for reserved matters.
2. Development to be constructed in accordance with approved plans (list of drawings).
3. **Details to be agreed before construction of the super structures**
Precise details of the pedestrian connection to the east of the site adjacent to plot 21, together with a timetable for implementation. The link shall be retained at all times thereafter.
4. Notwithstanding the details submitted, samples and specifications of all materials to the external face of the dwellings (and sub-station), including stonework detailing, to be agreed with the LPA.
5. Notwithstanding the details submitted, the location, size and finish of secure external cycle storage for plots without garages to be agreed and implemented before occupation of respective dwellings and retained at all times thereafter.
6. **Control conditions**
Landscaping to be implemented and maintained.
7. Tree protection and implementation in accordance with amended Arboricultural Implications Assessment and Arboricultural Method Statement.
8. Parking to be provided in accordance with approved details and provided before occupation and thereafter retained with garages use limited to parking/storage.

9. Removal of PD (extensions, roof additions, outbuildings, hardstanding and fencing).
10. No insertion of new, altered windows/doors.

96 UNIT, 1 KINGSWAY RETAIL PARK, CATON ROAD, LANCASTER

A8	18/01069/VCN	Alterations/conversion of Bridge Houses, construction of new link blocks between existing building for A1,A3,B1 use. Construction of 1915sqm for A1/A3 development to 2 new buildings, new access, car parking/servicing area and cycle link (pursuant to the variation of condition 22 on planning permission 03/01371/FUL to permit the sale of food).	Bulk Ward	A(P)
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It was proposed by Councillor Dave Brookes and seconded by Councillor Helen Helme:

“That the application be approved but delegated back to agree hours of operation/deliveries.”

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 in principle but delegated back to the Planning Manager to agree and condition hours of operation and hours of deliveries with the applicant and Environmental Health, subject to the following conditions (which includes a variation to condition 22 on planning permission 03/01371/FUL):

1. Permission relates only to specified plans – replicated from condition 2 of 03/01371/FUL.
2. Relates only to specified plans – replicated from condition 2 of 03/01371/FUL.
3. Car parking and cycle storage– replicated from condition 10 of 03/01371/FUL.
4. Green Travel Plan – amend condition 13 of 03/01371/FUL to require implementation of agreed plan.
5. Travel Plan for Unit 1 retail food store.
6. Surface water through trapped gullies– replicated from condition 15 of 03/01371/FUL.
7. Control of floor space, future subdivision and restriction to A1 use - amendment of condition 22 of 03/01371/FUL.
8. Restriction of use of unit 2 to be A1 (non-food retail) or A3 restaurant use. Restriction from use as public house. replicated from condition 23 of 03/01371/FUL.
9. Decorative glazed panel advert feature – replicate from condition 25 of 03/01371/FUL.

10. Electrical vehicle charging points.

Councillor Sylvia Rogerson had previously declared a non-prejudicial interest in the following application.

Councillor Alan Biddulph had previously declared a prejudicial interest in both the following two applications. Councillor Biddulph left the meeting at this point and returned following the deliberation of agenda item 10.

97 GRAND THEATRE, ST LEONARDS GATE, LANCASTER

A9	18/00832/FUL	Relevant Demolition of part of Music Co-op building, boundary walls and external stairwells and ramps, erection of a 2-storey extension to the Grand Theatre and a retaining wall, and repair to exposed facades of Music Co-op building.	Bulk Ward	A
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It was proposed by Councillor Robert Redfern and seconded by Councillor Stuart Bateson:

“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. S278 off-site highways improvements works for the creation of a new access, including new dropped kerb, reinstatement of the footway and review of position of lighting column.
4. Standard contamination condition.
5. Surface water drainage details, including percolation tests.
6. Separate foul drainage system.
7. Cycle storage .
8. Implementation of parking and turning.
9. Following demolition of extensions and outbuildings, details of stonework repairs to be submitted (including to boundary walls to the south east of the site).
10. Details and samples of all external materials:
 - cladding
 - roof materials
 - frames
 - fin details
 - glazing
 - external doors

- balustrades and bollards
 - surfacing treatments
 - external lighting, including any lighting to window arches
 - flues and vents
 - rainwater goods
11. Details of fixtures to the main building (inc. details of connection to exposed window arches).
12. Waste and delivery strategy.

98 GRAND THEATRE, ST LEONARDS GATE, LANCASTER

A10 18/00852/LB	Listed building application for removal of external stairwells and ramps and erection of a 2-storey extension to the Grand Theatre.	Bulk Ward	A
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It was proposed by Councillor Robert Redfern and seconded by Councillor Stuart Bateson:

“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 be granted subject to the following conditions:

1. Standard listed building consent timescale.
2. Development to accord with listed plans.
3. Details and samples of all external materials:
 - cladding
 - roof materials
 - frames
 - fin details
 - glazing
 - external doors
 - balustrades and bollards
 - surfacing treatments
 - external lighting, including any lighting to window arches
 - flues and vents
 - rainwater goods
4. Details and samples of all internal materials: internal doors, internal fixtures (including bar and storage space).
5. Details of fixtures to the main building (inc. details of connection to exposed window arches).

With the Committee’s agreement, the Chairman brought forward agenda item A13 to avoid delay for the Members of the Public in attendance.

99 MIDDLETON CLEAN ENERGY PLANT, MIDDLETON ROAD, MIDDLETON

A13 18/01203/FUL	Installation of a 49.9MW battery storage facility including 2m security fence, battery units, cabling and creation of attenuation ponds.	Overton Ward	A(P)
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It was proposed by Councillor Mel Guilding 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 but delegated back to the Planning Manager to allow for the expiry of the consultation period in relation to the amended plans, a legal agreement securing a financial contribution towards the management of the adjacent Biological Heritage Site, subject to the following conditions:

1. Standard 3 year timescale.
2. Development in accordance with amended plans.
3. Assessment and remediation of contamination.
4. Surface water drainage system and maintenance.
5. Construction Environmental Management Plan.
6. Containment, control and removal of Japanese knotweed.
7. All materials (including finishes and colours) to be agreed.
8. External lighting details.
9. Landscaping scheme.

The meeting adjourned at 11:59 and reconvened at 12:08.

100 LAND TO THE EAST OF 315 HEALTH CLUB, MANNIN WAY, LANCASTER

A11 18/01418/FUL	Change of use of car park to facilitate the erection of a three storey office building (B1) with associated parking, access road, bin store, landscaping and boundary fencing.	Lower Lune Valley Ward	A
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It was proposed by Councillor Robert Redfern and seconded by Councillor Malcolm Thomas:

“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 amended plans.
3. Agreement of details of soil permeability test and surface water drainage and flooding scheme.
4. Accord with Geo-Environmental Appraisal Report recommendations.
5. Accord with the arboricultural details.
6. Accord with Habitat Survey Report recommendations, including external lighting details.
7. Accord with Air Quality Report recommendations, namely 2 electric vehicle charging points.
8. Provide parking, bike and bin store, retain and maintain at all times for the office and leisure centre uses.
9. Implement landscaping and planting scheme.
10. Surface water drainage management scheme.

101 GIBRALTAR FARM CAMPSITE, LINDETH ROAD, SILVERDALE

A12	18/01239/FUL	Creation of hard standings for 37 caravan pitches and associated access roads.	Silverdale Ward	A
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It was proposed by Councillor Helen Helme and seconded by Councillor Mel Guilding:

“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 Planning Permission be granted subject to the receipt of acceptable amended plan and the following conditions:

1. Standard three year timescale.
2. In accordance with amended plans.
4. Surfacing.
5. Landscaping.
6. Avoidance of mound or archaeological investigation.

102 CHANCELLORS WHARF, ALDCLIFFE ROAD, LANCASTER

A14	18/01420/FUL	Demolition of two cycle shelters, erection of three cycle shelters, landscaping works including paving and planting, perimeter wall and access gates.	Castle Ward	SD
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It was proposed by Councillor Sylvia Rogerson and seconded by Councillor Eileen Blamire:

“That the split decision as outlined in the report 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 split decision for Planning Permission is reached. In the first instance that planning permission for the proposed pedestrian gates be refused for the following reason:

1. The proposed gates would form a physical and perceived barrier to the site, which would impede access for some users with reduced mobility, whilst the association of the closed gates with a private site would discourage public use of this pedestrian route. A legal agreement for the consent for the student accommodation at this site included a route permitting public access linking to the canal towpath either side of the site at all times, which would be inhibited through this proposal, conflicting to this legal agreement. The development is found to be contrary to the provisions of Policy DM3, DM20 and DM21 of the Development Management DPD and the provisions of Paragraphs 91, 98, 108 and 110 of the National Planning Policy Framework (NPPF), which promote street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, use of clear and legible pedestrian routes, protection and enhancement of public rights of way and access, ensuring safe and suitable access to the site can be achieved for all users and addressing the needs of people with disabilities and reduced mobility.

That planning permission for the proposed demolition of two cycle shelters, erection of three cycle shelters, landscaping and paving works and perimeter walls be granted subject to the following conditions:

1. Standard timescale.
2. Development in accordance with approved amended plans and details.
3. Tree Protection Plan.
4. Sample panel of boundary wall.
5. Walls to be topped with coping stones.
6. Remove existing bicycle stores on completion or first use of new bicycle stores.

***Councillor Dave Brookes had declared an interest in the following two applications.
Councillor Dave Brookes left the meeting at this point and returned following the
deliberation of agenda item 16.***

103 4 HIGH STREET, LANCASTER

A15	18/01377/FUL	Change of use of 2 2-bed ground floor flats with associated basement storage to a 2-bed maisonette over ground and first floors,	Castle Ward	A
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installation of replacement doors to the rear elevation and construction of glazed canopy to the rear elevation.

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

“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 timescale.
2. Development in accordance with approved amended plans and details.
3. Method statement and details of basement windows, including protection of railings.
4. Method statement and details of basement floor and walls, retaining sandstone flags.
5. Details of glazed canopy, external doors, internal doors, partition of staircase, partition walls and any flues, grilles or vents.
6. Details of bike and bin storage for upper floor flats.

104 4 HIGH STREET, LANCASTER

A16 18/01378/LB	Listed building application for the installation of replacement basement windows to the front elevation and doors to the rear elevation, construction of glazed canopy to the rear elevation, new internal structural openings, replacement internal screen, removal and erection of partition walls, installation of internal doors and relocation of gas and electricity meters.	Castle Ward	A
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It was proposed by Councillor Helen Helme and seconded by Councillor Sylvia Rogerson:

“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 be granted subject to the following conditions:

1. Standard timescale.
2. Development in accordance with approved amended plans and details.
3. Method statement and details of basement windows, including protection of railings.
4. Method statement and details of basement floor and walls, retaining sandstone flags.
5. Details of glazed canopy, external doors, internal doors, partition of staircase, partition walls and any flues, grilles or vents.
6. Details of any external stonework repairs, including any repointing.
7. Details of any thermal upgrades or secondary glazing to existing ground floor windows.
8. Architraves to be retained around fixed closed doors.

105 CANAL QUARTER, EDWARD STREET, LANCASTER

A17	18/01485/ADV	Advertisement application for the display of 4 standalone signs within the Canal Quarter development site.	Bulk Ward	A
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It was proposed by Councillor Robert Redfern and seconded by Councillor Malcolm Thomas:

“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 Advertisement Consent be granted subject to the following conditions:

1. Standard advertisement timescale (3 years).
2. Advertisements to be carried out in accordance to approved plans.
3. No advertisement is to be displayed without the permission of the owner of the site.
4. No advertisement shall be sited or displayed so as to obscure or hinder various transportation signs or signals.
5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
7. Where an advertisement is required under the Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
8. Works accord with Arboricultural Method Statement.

**106 BRIEFING NOTE: SECURING AMENITY IMPROVEMENTS THROUGH THE USE OF
(SECTION 215) PLANNING POWERS - ANNUAL UPDATE**

The Committee considered a report of the Planning Manager to update the Planning and Highways Regulatory Committee on progress made through the Amenity Improvements Scheme.

Resolved:

That the report be noted.

107 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.

108 MINUTES

The minutes of the previous meeting were discussed and it was proposed by Councillor Dave Brookes and seconded by Councillor Jon Barry:

That the minutes of the meeting held on 10th December 2018 be signed by the Chairman as a correct record subject to the additional wording '*or an alternative such scheme to secure these facilities*' being added to condition 3 of agenda item A10, minute 85 (2018/2019) refers.

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:

The minutes of the meeting held on 10th December 2018 were signed by the Chairman as a correct record with the additional wording '*or an alternative such scheme to secure these facilities*' added to condition 3 of agenda item A10.

Chairman

(The meeting ended at 12.47 p.m.)

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