

**PLANNING AND HIGHWAYS
REGULATORY COMMITTEE**

10.30 A.M.

4TH MARCH 2019

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

Apologies for Absence:-

Councillors Jon Barry, Eileen Blamire and Jane Parkinson

Officers in attendance:-

Andrew Drummond	Development Manager (Planning Applications)
Luke Gorst	Solicitor
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W	-	Withdrawn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

124 MINUTES

The minutes of the meeting held on 4th February 2019 were signed by the Chairman as a correct record.

125 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

126 DECLARATIONS OF INTEREST

Councillors Ian Clift, Jean Parr and Robert Redfern all declared an interest in agenda item A5 18/01493/FUL Land off Bye Pass Road and Land Rear of 18 to 24 Monkswell Avenue, Bolton Le Sands. The reason being that they are all members of the Co-op.

Councillor Alan Biddulph declared an interest in agenda item A12 18/01623/LB Grand Theatre, St Leonards Gate, Lancaster. The reason being that he is on the board of the Grand Theatre.

Councillor June Ashworth declared an interest in agenda item A13 18/01623/FUL Smithy Lane, Heysham. The reason being that she is a Director/Trustee of Morecambe Bay Partnership.

127 SITE VISIT

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

19/00019/FUL	13 Dalton Square, Lancaster	Castle Ward
18/00472/FUL	Land off Wyresdale Road, Lancaster	John O'Gaunt Ward
18/01348/FUL	Land west of Littledale Road, Brookhouse	Lower Lune Valley Ward

The following members were present at the site visit, which took place on Monday 25th February 2019:

Councillors Alan Biddulph, Carla Brayshaw, Dave Brookes, Abbott Bryning, Ian Clift, Jane Parkinson, Jean Parr and Robert Redfern.

Officers in Attendance:

Andrew Drummond – Development Manager (Planning Applications)
Mark Potts – Major Applications Planning Officer
Kim Ireland – Planning Assistant
Jenny Kay – Civic & Ceremonial Democratic Support Officer

Councillors Ian Clift, Jean Parr and Robert Redfern had all previously declared an interest in the following item.

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

**128 LAND OFF BYE PASS ROAD AND LAND REAR OF 18 TO 24 MONKSWELL AVENUE
BOLTON LE SANDS**

A5	18/01493/FUL	Erection of three dwellinghouses (C3) and a retail unit (A1) with associated parking and access.	Bolton and Slyne Ward	A(C)
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Before public speaking commenced, it was proposed by Councillor Malcolm Thomas and seconded by Councillor Mel Guilding:

“That the application be deferred to enable a site visit to take place.”

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 lost by virtue of her casting vote.

Under the scheme of public participation, Vince Hart, Michael Foster, Margaret Hutchinson, Alan Wilkinson, Steve Foxcroft (Representative of Bolton Le Sands Cricket Club) all spoke against the application. Sam Miller the applicant spoke in support of the application. Ward Councillor John Wild spoke finally against the application.

It was proposed by Councillor Helen Helme and seconded by Councillor Stuart Bateson:

“That the application be approved with an additional condition to limit the sill heights of the roof lights on the rear roof slope of Plot 3.”

Upon being put to the vote, 10 Member voted in favour of the proposition and 2 against, 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. Approved plans.
3. Materials (including finish and colour of the cricket ball fencing and other boundary treatments).
4. Refuse storage.
5. Landscaping (including tree planting, ecology mitigation and cricket ball fencing) and maintenance plan.
6. In accordance with Arboricultural Impact Assessment.
7. External lighting.
8. Construction Method Statement.
9. Access road details.
10. Visibility splays.
11. Car parking areas and cycle parking.
12. Off-site highway works, including public right of way enhancements to the sections within the application site and works required to Bye Pass Road to accommodate the new access.
13. In accordance with Flood Risk Assessment.
14. Surface water system and maintenance plan.
15. Foul water systems (on different system to surface water).
16. Removal of residential Permitted Development rights.
17. Convenience retailing only.
18. Delivery hours.
19. Construction hours.
20. Hours of operation (retail).
21. Noise mitigation from plant.

22. Sill heights of the roof lights on the rear roof slope of Plot 3 to be set at 1.5m high from the finished floor level of the first floor rooms.

129 LAND WEST OF LITLEDALE ROAD BROOKHOUSE

A7	18/01348/FUL	Erection of a detached dwelling (C3) with associated access.	Lower Lune Valley Ward	A
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A site visit was held in respect of this item on 25th February 2019 minute 127 (2018/2019) refers.

Under the scheme of public participation Ward Councillor Joan Jackson spoke against the application and Dan Ratcliffe agent for the application spoke in support.

It was proposed by Councillor Mel Guilding and seconded by Councillor Alan Biddulph:

“That the application be approved.”

Upon being put to the vote, 9 Members voted in favour of the proposition and 3 against, 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 accord to amended plans.
3. Details of construction of the site access and of site works to be submitted.
4. Details and samples of materials to be submitted.
5. Details of finished floor and site levels.
6. Planting scheme shall be as per agreed details.
7. Development shall be carried out as per Arboriculture Implications Assessment.
8. Visibility splays shall as per agreed details.
9. Site access for a minimum of 5m from the highway boundary shall be appropriately paved.
10. The relocation of the existing carriageway speed classification signage shall be reviewed.
11. Development shall be carried out as per flood risk assessment and associated drainage strategy.
12. Unforeseen Contamination.
13. Hours of Construction.

The meeting adjourned at 12:10 and reconvened at 12:15.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

130 LAND NORTH EAST OF EX SERVICEMENS CLUB SCOTLAND ROAD CARNFORTH

A6	18/01183/FUL	Erection of a care home building comprising of 118 bedrooms and communal,	Carnforth and Millhead Ward	D
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staff and services areas with associated internal road layout, car parking and landscaping, creation of a new access and construction of a new retaining wall.

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

“That the application be approved.”

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

Members clarified the reason for the contrary proposal being that there was need for more housing for the elderly in the area.

Upon being put to the vote, 5 Members voted in favour of the proposition and 8 against, with 1 abstention, whereupon the Chairman declared the proposal to be lost.

Councillor Robert Redfern left the meeting at this point and did not return.

It was then proposed by Councillor Mel Guilding and seconded by Councillor Tim Hamilton-Cox:

“That the application be deferred until the Committee meeting on 29 April 2019 to allow the applicant further time to submit additional supporting information.”

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

Resolved:

That the application be deferred until the Committee meeting on 29 April 2019 to allow the applicant further time to submit additional supporting information.

131 HEATON HALL MORECAMBE ROAD LANCASTER

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.	Skerton West Ward	A(P)(106)
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Members were advised that the application was now recommended for approval due to information that had been submitted following agenda publication.

It was proposed by Councillor Sylvia Rogerson and seconded by Councillor Tim Hamilton-Cox:

“That the application be approved in principle but delegated back to the Planning Manager to refuse the application if the required legal agreement is not signed and completed by 17 April 2019.”

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 approved in principle but delegated back to the Planning Manager to refuse the application (as per the 4 March 2019 Committee report) if the required legal agreements are not signed and completed by 17 April 2019 and 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.

132 HEATON HALL MORECAMBE ROAD LANCASTER

A9	17/01502/FUL	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.	Skerton West Ward	A(P)(106)
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It was proposed by Councillor Sylvia Rogerson and seconded by Councillor Tim Hamilton-Cox:

“That the application be approved in principle but delegated back to the Planning Manager to issue a split decision if the required legal agreement is not signed and completed by 17 April 2019.”

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

Resolved:

Subject to the required legal agreements being signed and completed by 17 April 2019, Listed Building Consent be granted in principle but delegated back to the Planning Manager to issue a split decision (as per the 4 March 2019 Committee report, if the legal agreements are not signed) and 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.

133 LUNESIDE EAST ST GEORGES QUAY LANCASTER

A10	18/01543/VCN	Demolition of existing mill building, erection of 3 buildings comprising ground floor ancillary uses (Classes A1-A4, B1a, D1 and D2) and student accommodation above and 1 building of student accommodation, conversion of existing pump house to a mixed use communal facility (Classes A2, B1a and D1), and associated access, parking, servicing and landscaping /	Marsh Ward	A
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public realm works (pursuant to the variation of conditions 2 and 17 on planning permission 16/00574/FUL to reconfigure the layout of the student accommodation to provide additional student bedrooms in Blocks B and C, smaller cluster flats to Blocks A and D and associated changes to the elevations including the insertion of perforated metal sheets to windows openings, and to revise the trigger for completing the remediation and validation process).

It was proposed by Councillor Stuart Bateson and seconded by Councillor Malcolm Thomas:

“That the application be approved.”

Upon being put to the vote, 11 Members voted in favour of the proposition and 1 against, with 1 abstention, whereupon the Chairman declared the proposal to be carried.

Resolved:

That Planning Permission be granted subject to the following conditions:

1. 3 year Time Limit.
2. Approved Plans List (to reflect new plans).
3. Phasing Plan.
4. Standard Demolition.
5. Submission of Construction Environment Management Plan (CEMP).
6. Access details.
7. Notwithstanding details a submitted scheme for off-site highway works to be delivered.
8. Submission of car parking management strategy.
9. Travel Plan.
10. Details of all external materials & detailing (brickwork including mortar and pointing; junctions between approved materials; rainwater goods; roofing detailing; window and door details; curtain glazing details).
11. Drainage on separate systems.
12. Full details of foul and surface water drainage scheme to be agreed.
13. Maintenance and management plan of drainage scheme.
14. Finished flood levels to be agreed.
15. Scheme for the protection of noise transmission between residential and commercial spaces including acoustic insulation and details of plant and rating levels.
16. Construction Noise – pile driving.
17. Site Investigation (referencing details submitted to date and allowing

- development of the remainder of the site to commence prior to remediation in the area of the mill).
18. Importation of Soil, materials and hard-core.
 19. Development to be carried out in accordance with the Ecological Report – precautionary bat/bird surveys to be carried out before demolition. Scheme for mitigation to be included and agreed.
 20. Tree Protection Measures.
 21. Sub-station details (position, appearance and enclosure details).
 22. Restriction of operating hours and hours of use of external space for the commercial elements of the scheme.
 23. Scheme for the management and maintenance of the public realm and landscaping areas, including the external gymnasium.
 24. Precise soft and hard landscaping details including schedule for re-use of stone to be submitted and agreed.
 25. Details of external lighting.
 26. Details of external refuse enclosure and refuse strategy to be agreed.
 27. Scheme for crime prevention measures including details of CCTV and access arrangement for the student accommodation including use of public realm under the arches.
 28. Scheme for Odour Control (for any A3/A4) uses.
 29. Notwithstanding the details submitted, the location of the two electric charging bays to be agreed and shall be located outside the adopted highway.
 30. Development to be carried out in accordance with the FRA.
 31. Parking provision and cycle provision to be provided in accordance with approved layout drawing.
 32. Development to be carried out in accordance with glazing and ventilation specifications set out in Noise and Vibration Report.
 33. No amplified external music unless otherwise agreed with the LPA.
 34. Hours of Construction.
 35. Student Use condition.
 36. Commercial Uses (as applied for only) removing commercial PD.
 37. Commercial Space to Block A to remain ancillary to the student accommodation.
 38. No single operator to occupy the ground floor commercial space indicated on drawings for each Block
 39. Maximum commercial unit size limited to 300sq.m.
 40. Removal of PD (Part 2 Minor Operations Class A) gates, fences and walls.
 41. Restrict use of flat roofs to prevent sitting out/garden areas.
 42. No use/occupation until loading bays have been provided.

Councillor June Ashworth left the meeting at this point and did not return.

134 29 COMBERMERE ROAD HEYSHAM

A11	18/01556/FUL	Change of use of vacant land to form part of domestic curtilage and erection of a boundary fence.	Heysham South Ward	A
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It was proposed by Councillor Stuart Bateson and seconded by Councillor Helen Helme:

“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 receipt of amended plans in relation to the fencing and following conditions:

1. Standard 3 year timescale.
2. Development in accordance with the approved plans.
3. Colour and finish to fence.

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

135 GRAND THEATRE ST LEONARDS GATE LANCASTER

A12	18/01623/LB	Listed building application for the installation of one CCTV camera.	Bulk Ward	A
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It was proposed by Councillor Ian Clift and seconded by Councillor Jean Parr:

“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 three year timescale.
2. Works in accordance with plans.
3. External colour and finish as agreed.
4. Remove if no longer operational.

136 PROPOSED SCULPTURE SMITHY LANE HEYSHAM

A13	18/01628/FUL	Installation of a sculpture with information panel.	Heysham South Ward	A
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It was proposed by Councillor Jean Parr 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. Development in accordance with plans.

137 QUARTERLY REPORTS

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

Resolved:

That the report be noted.

138 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 1.31 p.m.)

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