

**PLANNING REGULATORY
COMMITTEE**

10.30 A.M.

3RD JUNE 2019

PRESENT:- Councillors Sandra Thornberry (Chair), Richard Austen-Baker, Mandy Bannon, Alan Biddulph, Victoria Boyd-Power, Dave Brookes, Abbott Bryning, Keith Budden, Tim Dant, Jake Goodwin (Substitute for Cary Matthews), Mike Greenall (Substitute for Paul Anderton), Janice Hanson, Michael Mumford, Robert Redfern and Malcolm Thomas

Apologies for Absence:-

Councillors Paul Anderton and Cary Matthews

Officers in attendance:-

Mark Potts	Major Applications Planning Officer
Petra Williams	Planning Officer (for mins 1-6)
Ian Blinkho	Locum Planning 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W	-	Withdrawn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

1 APPOINTMENT OF VICE-CHAIR

The Chair requested nominations for the position of Vice-Chair of the Planning Regulatory Committee for the Municipal Year 2019/2020.

It was proposed by Councillor Malcolm Thomas and seconded by Councillor Richard Austen-Baker that Councillor Keith Budden be appointed Vice-Chair of the Planning Regulatory Committee for the Municipal Year 2019/2020.

It was then proposed by Councillor Tim Dant and seconded by Councillor Mandy Bannon that Councillor Dave Brookes be appointed Vice-Chair of the Planning Regulatory Committee for the Municipal Year 2019/2020.

At this point, Councillor Keith Budden asked for his nomination to be withdrawn.

There being no further nominations, the Chair declared the second proposal to be carried.

Resolved:

That Councillor Dave Brookes be appointed Vice-Chair of the Planning Regulatory Committee for the Municipal Year 2019/2020.

2 MINUTES

The minutes of the meeting held on 29th April 2019 were signed by the Chair as a correct record.

3 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

4 DECLARATIONS OF INTEREST

Councillor Richard Austen-Baker declared an interest in agenda item A13 19/00336/OUT Land off Bay Horse Lane, Bay Horse. The reason being that he knew of the applicant.

Councillor Michael Mumford declared an interest in agenda item A9 19/00088/FUL Land Adjacent to Meadowcroft, Hill Lane, Nether Kellet. The reason being that he knows the architect.

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

5 LAND ADJACENT TO MEADOWCROFT, HILL LANE, NETHER KELLET

A9	19/00088/FUL	Erection of a two storey dwelling with associated access and alterations to land levels.	Kellet Ward	A
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During the debate of this application, Councillor Michael Mumford declared an interest in this item and abstained when voting. The reason is stated clearly in minute number 4 above.

Under the scheme of public participation, Anne Williams, Emma Simpson, Henry Williams, Mary Brummitt and Susan Robison all spoke against the application. Scott Andrews agent for the application spoke in support.

It was proposed by Councillor Dave Brookes and seconded by Councillor Janice Hanson:

“That the application be approved.”

Upon being put to the vote, 8 Councillors voted in favour of the proposition and 4 against, with 3 abstentions, whereupon the Chair declared the proposal to be carried.

Resolved:

That Planning Permission be granted subject to the following conditions:

1. Standard timescale.
2. In accordance with the approved/amended plans.
3. Submission of a foul and surface water drainage scheme (prior to the commencement of development).
4. Prior to commencement - Land stability assessment and associated construction methodology.
5. Prior to commencement - Detailed finished floor and ground levels, including in relation to retained field access.
6. Details of materials including: slate; timber cladding; windows and doors; eaves verge and ridge details; rainwater goods; external surfacing materials; boundary treatments
7. Landscaping scheme
8. Unforeseen contamination
9. Creation of extended pavement
10. Creation of access, parking and turning, and visibility splays
11. Removal of Permitted Development rights – alterations, extensions and outbuildings and boundary treatments (Parts 1 and 2)

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

6 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, 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.	Carnforth and Millhead Ward	A(C)
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It was proposed by Councillor Robert Redfern and seconded by Councillor Alan Biddulph:

“That the application be approved.”

Upon being put to the vote, 14 Councillors voted in favour of the proposition and 1 against, whereupon the Chair 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. Surface water drainage strategy.

4. Foul water drainage strategy.
5. Surface water lifetime management and maintenance plan.
6. Materials – details and samples including elevational treatment, roofing material, eaves verge and ridge details, rainwater goods, windows and doors, surfacing and boundary treatments, external lighting.
7. Landscaping scheme.
8. Details of retaining walls and structures – including wheel wash provision.
9. Works in accordance with Arboricultural Implications Assessment.
10. Construction management plan.
11. Off-site highway works.
12. Car parking and access provision.
13. Cycle parking provision.
14. Air quality mitigation, including Travel Plan and electric vehicle charging points – including shuttle bus provision.
15. Hours of construction.
16. Details of gate to North Road access.
17. Provision of refuse storage.
18. Details of external plant equipment and extracts.
19. Use restriction – residential care only.
20. Removal of PD rights.
21. Employment skills plan.

7 WARTON GRANGE FARM, FARLETON CLOSE, WARTON

A7	18/01589/REM	Reserved matters application for the demolition of the existing farm buildings and the erection of 21 dwellings with associated access and landscaping.	Warton Ward	A(P)(C)
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It was proposed by Councillor Dave Brookes and seconded by Councillor Michael Mumford:

“That the application be approved in principle but final approval be delegated back to the Planning Manager to conclude viability discussions and the number of affordable units to be provided.”

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

Resolved:

That the application be approved in principle subject to the following conditions but final approval be delegated back to the Planning Manager to conclude viability discussions and the number of affordable units to be provided:

1. Standard Reserved Matters timescale.
2. Approved plans.
3. Approved materials.
4. Implementation of access.
5. Retention of private and shared parking areas.
6. Details of wildlife and balancing pond.

7. Implementation of landscaping scheme.
8. Implementation of tree protection measures and Arboricultural Method Statement.
9. Removal of residential Permitted Development rights.

The meeting adjourned at 12:19 and reconvened at 12:25.

8 WARTON GRANGE FARM, FARLETON CLOSE, WARTON

A8	18/01603/FUL	Erection of 4 dwellings with associated access, residential curtilage and landscaping.	Warton Ward	A
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It was proposed by Councillor Dave Brookes and seconded by Councillor Alan Biddulph:

“That the application be approved.”

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

Resolved:

That subject to the applicant entering into a Unilateral Undertaking in order to secure the provision of affordable units proposed pursuant to reserved matters 18/01589/REM prior to the occupation of any dwellings approved herein that Planning Permission be granted subject to the following conditions:

1. 3 year timescale.
2. Approved plans.
3. Materials.
4. Soft landscaping and tree works.
5. Access and parking.
6. Drainage.
7. Implement in accordance with FRA.
8. Land importation.
9. Unforeseen contamination.
10. Construction management plan.
11. Electric vehicle charging points.
12. Removal of PD rights.
13. Ecological mitigation.

9 THE CORNER HOUSE, WOODWELL LANE, SILVERDALE

A10	18/00380/FUL	Demolition of existing property and outbuilding, erection of replacement detached dwelling, alteration to vehicular access and associated landscaping.	Silverdale Ward	W
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This application was withdrawn from the agenda by Officers and no presentation took place.

Councillor Janice Hanson left the meeting at this point and did not return.

The meeting adjourned at 12:33 and reconvened at 13:05.

The Chair brought forward item A12 and A13 to avoid any further delay for the members of the public in attendance.

10 LAND OFF WYRESDALE ROAD, LANCASTER

A12 18/00472/FUL Erection of 27 dwellings (C3) John O’Gaunt A(C)
with associated access. Ward

A site visit took place in respect of this item on 25th February 2019 minute 127 (2018/2019) refers.

It was proposed by Councillor Robert Redfern and seconded by Councillor Mike Greenall:

“That the application be approved.”

Upon being put to the vote, 11 Councillors voted in favour of the proposition and 1 against, with 2 abstentions, whereupon the Chair declared the proposal to be carried.

Resolved:

That, subject to the applicant entering into a Section 106 Legal Agreement to secure the contributions as set out in Section 8.1, that Planning Permission be granted subject to the following conditions:

1. 2 year timescales;
2. Development in accordance with approved plans;
3. Access details;
4. Detail for off-site highways works and subsequent implementation;
5. Detail for surface water drainage;
6. Detail for foul drainage;
7. Surface water management and maintenance;
8. Finished floor level details;
9. Noise mitigation in accordance with submitted noise report;
10. Building Materials to be agreed on external facing elevations;
11. Hard and soft landscaping;
12. Boundary treatment detail;
13. Updated AIA to be submitted;
14. Protection of visibility splays;
15. Car parking to be provided for;
16. Garage use control;
17. Provision of cycle storage and electric vehicle charging points;
18. Implementation of the mitigation and enhancement measures outlined in the ecological appraisal.
19. Employment skills plan.

Councillor Richard Austen-Baker had previously declared an interest in the following item.

11 LAND OFF BAY HORSE LANE, BAY HORSE

A13	19/00336/OUT	Outline application for the erection of two dwellings and associated access.	Ellel Ward	R
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It was proposed by Councillor Keith Budden and seconded by Councillor Richard Austen-Baker, contrary to the officer's recommendation in the report:

"That the application be approved because the proposed development was considered to be appropriate development in a sustainable location and the small number of houses would not have a ribbon effect".

Upon being put to the vote, 5 Councillors voted in favour of the proposition and 6 against, with 3 abstentions, whereupon the Chair declared the proposal to be lost.

It was then proposed by Councillor Dave Brookes and seconded by Councillor Tim Dant:

"That the application be refused."

Upon being put to the vote, 9 Councillors voted in favour of the proposition and 4 against, with 1 abstention, whereupon the Chair declared the proposal to be carried.

Resolved:

That Outline Planning Permission be refused for the following reasons:

1. The site is located within the open countryside, divorced from key services and facilities and as such it is considered to be unsustainable in terms of its location. There are considered to be no special circumstances, in this instance, to justify two new dwellings in this unsustainable location. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular section 5, Policy SC1 of Lancaster District Core Strategy and Policies DM20 and DM42 of the Development Management Development Plan Document.
2. The development would result in an inappropriate form of ribbon development along this rural road within the open countryside and this would have a detrimental impact on the character and appearance of the area. It is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular Sections 12 and 15, and Policies DM28 and DM35 of the Development Management Development Plan Document.

12 LAND OFF HADRIAN ROAD, MORECAMBE

A11	18/01367/OUT	Outline application for erection of 13 dwellings (C3).	Torrisholme Ward	A(C)
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It was proposed by Councillor Keith Budden and seconded by Councillor Mike Greenall:

"That the application be approved."

Upon being put to the vote, 10 Councillors voted in favour of the proposition and 1 against, with 3 abstentions, whereupon the Chair declared the proposal to be carried.

Resolved:

That subject to the applicant entering into a Section 106 Legal Agreement to secure the following contributions:

- either provision of 3 on-site affordable housing units, or 2 on site and a financial contribution (based on the equivalent of 0.6 of an affordable housing unit) towards provision of affordable housing within the District; and
- Management of the public, unadopted space, including open space/landscaping, drainage and roads

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

1. Standard 3 year timescale.
2. Approved location plan.
3. Assessment and remediation of contamination.
4. Surface water and foul water drainage scheme.
6. Scheme of noise mitigation measures.
7. Details of the open space provision.
8. Arboricultural Implications assessment, including Arboricultural Method Statement and Tree Works Schedule.
9. Ecology mitigation – precautionary measures and bat roosting, bird nesting opportunities, lighting and possible works to ditches.
10. Development in accordance with the flood mitigation measures.
11. Submission of finished floor levels.
12. Air Quality Mitigation.
13. Electric vehicle charging points.

13 LAND SOUTH OF HALA CARR FARM, BOWERHAM ROAD

A14	19/00456/VCN	Erection of 25 dwellings and creation of a new access and access roads (pursuant to the variation of conditions 2, 4, 5, 10, 11, 12 and 17 on planning permission 18/01413/VCN to amend the list of approved plans, remove the southern footpath, and provide details of boundary treatments, landscaping scheme, surface water drainage, foul water drainage and materials).	Scotforth East Ward	A
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It was proposed by Councillor Mike Greenall and seconded by Councillor Robert Redfern:

“That the application be approved.”

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

Resolved:

That subject to no objection from United Utilities, this Section 73 planning application to vary conditions 2, 4, 5, 10, 11, 12 and 17 associated with planning permission 18/01413/VCN be granted subject to the following proposed conditions:

1. Development in accordance with approved plans;
2. Development in accordance with approved access detail;
3. Offsite highway works in accordance with the approved plans;
4. Boundary treatments;
5. Development in accordance with the approved measures within the noise mitigation document;
6. Vegetation clearance;
- 7.. Landscaped bund in accordance with approved documents;
8. Development in accordance with the submitted Arboricultural Implications Assessment;
- 9.. Development in accordance with the approved landscaping scheme;
10. Surface water drainage scheme implementation;
11. Foul water drainage scheme;
12. Garages and parking to be provided in full;
13. Finished floor levels;
14. Approved visibility splays;
15. Removal of Permitted Development rights;
16. Approved building materials;
17. Protection of the water main protection.

During the question section of the following item, Councillor Alan Biddulph left the room and returned shortly after.

14 WHITTINGTON FARM, MAIN STREET, WHITTINGTON

A15	19/00245/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	A
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It was proposed by Councillor Keith Budden and seconded by Councillor Malcolm Thomas:

“That the application be approved.”

Upon being put to the vote, 11 Councillors voted in favour of the proposition, with 3 abstentions, whereupon the Chair declared the proposal to be carried.

Resolved:

That this Section 73 planning application be granted subject to the following conditions:

1. Timescales (reserved matters to be submitted no later than 1 September 2019);
2. Approved plans;
3. Programme of archaeological recording;
4. Construction Method Statement;
5. Tree protection measures and Arboricultural Method Statement;
6. Contaminated land assessment;
7. Access details;
8. Surface water drainage scheme;
9. Management of surface water;
10. Foul water disposal;
11. Building materials;
12. Open space management and maintain;
13. Offsite highway improvements;
14. Development in accordance with Arboricultural Implications Assessment;
15. Car parking implementation;
16. Hours of construction;
17. Shop and café hours;
18. Shop/café restrictions;
19. Removal of Permitted Development rights;
20. Garage use restriction;
21. Bat roost potential;
22. Visibility splays.

15 WHITTINGTON FARM, MAIN STREET, WHITTINGTON

A16	19/00406/REM	Reserved matters application (consisting of landscaping only) for the demolition of existing buildings, erection of 18 dwellings, change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and associated landscaping.	Upper Lune Valley Ward	A
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It was proposed by Councillor Keith Budden and seconded by Councillor Mike Greenall:

“That the application be approved.”

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

Resolved:

The Reserved Matters relating to landscaping only be granted subject to the following conditions:

1. Timescales;
2. Approved plans;
3. Implementation of the soft landscaping and long term protection.

16 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.

Chair

(The meeting ended at 2.53 p.m.)

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