

**PLANNING REGULATORY
COMMITTEE**

10.30 A.M.

16TH SEPTEMBER 2019

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

Apologies for Absence:-

Councillors Paul Anderton, Richard Austen-Baker, Keith Budden and Michael Mumford

Officers in attendance:-

Andrew Drummond	Development Manager (Planning Applications)
Mark Potts	Major Applications Planning Officer
Ian Blinkho	Locum Planning Solicitor
Eric Marsden	Democratic Support Officer
Sarah Moorghen	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W	-	Withdrawn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

48 MINUTES

The minutes of the meeting held on 19th August 2019 were signed by the Chair as a correct record.

49 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

50 DECLARATIONS OF INTEREST

Councillor Dave Brookes declared an interest in agenda item A9 19/00697/FUL St Thomas Centre, Marton Street, Lancaster. The reason being that he is a shareholder in Morecambe Bay Renewables who are due to install solar panels on the new roof under a lease agreement. Councillor Brookes stated that he would leave the room during deliberation of this application.

Planning Officer Andrew Drummond declared an interest in agenda items A9 19/00697/FUL St Thomas Centre, Marton Street, Lancaster and A10 19/00634/LB St Thomas Centre, Marton Street, Lancaster. The reason being that he is a member of St Thomas Church. Andrew Drummond stated that he would leave the room during deliberation of these two applications.

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION**51 LAND NORTH OF KELLET ROAD, OVER KELLET**

A5	19/00545/HYB	Hybrid application comprising a full application for proposed alterations to land levels and associated access, and outline application for up to 8,400sqm of employment floor space (Use Classes B1(c), B2 and B8) with associated access	Kellet Ward	A(P)
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A site visit was held in respect of this item on 12th August 2019 (item 40 (2019-20) refers).

Under the scheme of public participation, Jane Ruscoe, Alistair J Eagles, Councillor John Reynolds, and Councillor Peter Yates all spoke in favour of the application.

It was proposed by Councillor Mel Guilding and seconded by Councillor Janice Hanson:

“That Outline Planning Permission be granted but the Planning Manager be given delegated authority to draft the conditions to be attached to the Outline Planning Permission”

The proposal was contrary to the case officer’s recommendation and the following reason was given for the proposal:

The site is a suitable location for employment use because of its transport links and the development in this location would prevent the need for vehicles to pass through the Air Quality Management Area, which outweighs any conflict with the Development Plan.

Upon being put to the vote, 13 Members voted in favour of the proposition, with 1 against, and 1 abstention, whereupon the Chair declared the proposal to be carried.

Resolved:

That Outline Planning Permission be granted but the Planning Manager be given delegated authority to draft the conditions to be attached to the Outline Planning Permission addressing the following:

1. Outline timescales.
2. Submission of reserved matters.
3. Provision of surface water drainage scheme.
4. Provision of surface water management system.
5. On site renewable measures and all development to meet BREEAM Excellent or Equivalent.
6. Car Parking Management Strategy.
7. Covered cycle storage and showers.
8. Service, delivery, waste collection, routing and operation management strategy.
9. Provision of a Business Travel Plan.
10. Restriction on floor area of development.
11. Air Quality Mitigation.
12. Ecology Mitigation – Including the prevention of the de-culverting of the brook.
13. Access Details.
14. De-regularising the A601 (M).
15. Provision of Offsite Highway work.
16. Lighting condition.
17. Construction Environmental Management Plan.

The Case Officer then advised the Committee that in view of its decision on the Outline Application his recommendation would be that planning permission be granted on the full application, subject to appropriate conditions as outlined to the Committee by the Case Officer.

It was proposed by Councillor Janice Hanson and seconded by Councillor Mel Guilding:

“That Planning Permission be granted but the Planning Manager be given delegated authority to draft the conditions to be attached to the planning permission”

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

Resolved:

That Full Planning Permission for proposed alterations to land levels and associated access be granted but the Planning Manager be given delegated authority to draft the conditions to be attached to the Planning Permission, addressing the following:

1. Standard 3 year timescale.
2. Development in accordance with approved plans.
3. Notification to the LPA of commencement of works.
4. Earthworks design and construction details.

5. Site works to be undertaken within 9 months of the date of the commencement of works and the site landscaped within 3 months.
6. Site landscaping scheme to be submitted to take account of planting, retaining structures and boundary treatments to be approved in writing by the LPA.
7. Only the approved access to be utilised.
8. Scheme for the protection or diverting of the water main.
9. Earthworks to be carried outside of bird breeding season.

The meeting adjourned at 11:40 A.M. and reconvened at 11:45 A.M.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

52 QUEEN VICTORIA MEMORIAL, DALTON SQUARE, LANCASTER

A6	19/00934/FUL	Construction of temporary ice rink, temporary siting of observation wheel, chillers, erection of temporary fencing and hoardings, and temporary siting of marquee, access ramps, ticket booth, market stalls and tents for skate hire and the sale of refreshments and erection of two electricity cabinets	Castle Ward	A(C)
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The Development Manager advised the Committee that discussions were still ongoing with the Highway Authority in respect of the highway issues.

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

“That Planning Permission be granted, subject to the conditions set out in the Committee Report with an amendment to condition 1 to cover only the ice rink, a separate condition providing for a 1 year permission for the observation wheel and a condition for the soundproofing of the electricity generator.”

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 Planning Permission be granted, subject to the following conditions and subject to the highway issues being resolved to the satisfaction of the Planning Manager:

1. Temporary consent for 5 years for a 6 week period, in addition to 2 weeks either side of the scheduled event for construction and dismantling.
2. Temporary 1 year consent for the observation wheel.
3. Development in accordance with approved plans including scaffolding sections.

4. Full highways method statement detailing the build phase, event phase, and dismantling phase to be submitted prior to commencement.
5. Notwithstanding the submitted details precise details of surfacing under the observation wheel to be submitted and agreed prior to commencement.
6. Notwithstanding the submitted details precise details of marquees/tents including layout to be submitted and agreed prior to installation.
7. Protection of the stone steps to the Queen Victoria Memorial.
8. Method statements and risk assessment to cover the construction and dismantling phases, and protection of the Queen Victoria Memorial and stone balustrade.
9. Method statement and risk assessment to cover the construction and dismantling phases for observation wheel.
10. AMS and TTP including cabinet installation and observation wheel.
11. No equipment/ advertisements/lighting to be attached to trees.
12. Photographic survey of the site (including all elevations of the Queen Victoria Memorial) to be carried out prior to the installation of the scaffolding as a record of the condition of the area prior to commencement and after the event (each year).
13. Hours of operation 10:00 to 22:00 seven days a week.
14. Scheme to be provided for the location/position of speakers and lighting.
15. Details of cabinets (including colour) and cabling.
16. Existing surfacing to be re-instated following installation of cabinets.
17. Details of protective fencing, barricades and hoardings.
18. Soundproofing to electricity generators if the electricity cabinet is not in situ and operational.

53 QUEEN VICTORIA MEMORIAL, DALTON SQUARE, LANCASTER

A7	19/00935/LB	Listed building application for the construction of temporary ice rink and erection of temporary fencing and hoardings	Castle Ward	A
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It was proposed by Councillor Robert Redfern and seconded by Councillor Alan Biddulph:

“That Listed Building Consent be granted, subject to the conditions set out in the Committee Report.”

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 Listed Building Consent be granted, subject to the following conditions:

1. Temporary consent for 5 years for a 6 week period in addition to 2 weeks either side of the scheduled event for construction and dismantling.
2. Development in accordance with approved plans including scaffolding sections.
3. Method statements and risk assessment to cover the construction and dismantling phases, and protection of the Queen Victoria Memorial and stone balustrade.
4. Protection of the stone steps to the Queen Victoria Memorial.

5. Photographic survey of the site (including all elevations of the Queen Victoria Memorial) to be carried out prior to the installation of the scaffolding as a record of the condition of the area prior to commencement and after the event (each year).

The Chair brought forward items A9 and A10 to avoid any further delay to members of the public in attendance.

Councillor Dave Brookes had previously declared an interest in the following item and left the room at this point (A9 19/00697/FUL).

Planning Officer Andrew Drummond had previously declared an interest in the following two items and left the room at this point (A9 19/00697/FUL and A10 19/00634/LB).

54 ST THOMAS CENTRE, MARTON STREET, LANCASTER

A9	19/00697/FUL	Relevant demolition of existing 2 storey Church Centre building and erection of a replacement 2.5 storey Church Centre building, including covered canopy link to the adjacent Church and alterations to existing carpark, including creation of steps and resurfacing	Castle Ward	A(C)
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It was proposed by Councillor Robert Redfern and seconded by Councillor Alan Biddulph:

“That Planning Permission be granted, subject to the conditions set out in the Committee Report and an additional condition splitting the materials/details condition into 2 conditions to allow the works to be phased between the new church centre and the existing church building.”

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 Planning Permission be granted, subject to the following conditions:

1. Standard three year timescale.
2. Approved plans.
3. Secure contract for construction prior to demolition.
4. Archaeological watching brief.
5. Arboricultural Method Statement.
6. Contaminated land assessment and remediation.
7. Drainage scheme.
8. Scheme of highway improvement works: road widening; pedestrian links; road markings; review of street lighting to Peter Street and parking arrangements on Marton Street.

9. Materials/details for the new church centre - including – stone; render; roofing materials; cladding; eaves verge and ridge details; rooflights; flues and vents; solar panels, boundary treatments, including gates and fencing; surfacing materials; windows and doors including opaque/coloured glazing; window surrounds; heads and cills; barrier to car park; any repairs to the plaque; louvres; details of canopy.
10. Materials/details for the existing church building - doors.
11. Landscaping Scheme.
12. Development in accordance with Arboricultural Implications Assessment.
13. Surfacing and marking to car park.
14. Provision of cycle storage.
15. Inclusion of existing plaque, as shown on the drawings.
16. Hours of construction.

55 ST THOMAS CENTRE, MARTON STREET, LANCASTER

A10	19/00634/LB	Listed building application for a single-storey glazed extension to connect the former choir vestry of the church and the proposed replacement Church Centre building, alterations to the former choir vestry including the removal of an existing timber door and replacement with timber-framed partition and the removal of arched windows to the south elevation and replacement with fire escape door, installation of new security gates and fencing adjoining the Penny Street, Marton Street and Peter Street elevations, and alterations to the boundary wall to Victoria Place including the addition of a wrought iron railings	Castle Ward	A(C)
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It was proposed by Councillor Robert Redfern and seconded by Councillor Alan Biddulph:

“That Listed Building Consent be granted, subject to the conditions set out in the Committee Report and an additional condition splitting the materials/details condition into 2 conditions to allow the works to be phased between the new church centre and the existing church building.”

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 Listed Building Consent be granted, subject to the following conditions:

1. Standard listed building timescale.
2. Approved plans.
3. Materials/details for the new church centre - including – stone; render; roofing materials; cladding; eaves verge and ridge details; rooflights; flues and vents; solar panels, boundary treatments, including gates and fencing; surfacing materials; windows and doors including opaque/coloured glazing; window surrounds; heads and cills; barrier to car park; any repairs to the plaque; louvres; details of canopy.
4. Materials/details for the existing church building - doors.

The meeting adjourned at 12:35 P.M. and reconvened at 13:10 P.M.

Councillor Dave Brookes and Planning Officer Andrew Drummond returned to the meeting.

56 LAND TO THE REAR OF THE MANOR INN, COCKERHAM

A8 18/00877/OUT Outline application for the Ellel Ward A(106)
erection of up to 24 dwellings
(C3) and associated access

It was proposed by Councillor David Whitworth and seconded by Councillor Robert Redfern:

“That subject to a Section 106 Agreement being entered into to secure the obligations contained in Paragraph 8.1 of the Committee Report Outline Planning Permission be granted, subject to the conditions set out in the Committee Report.”

Upon being put to the vote, 12 Members voted in favour of the proposition, with 3 abstentions, whereupon the Chair declared the proposal to be carried.

Resolved:

That, subject to the applicant entering a Section 106 Agreement to secure the obligations set out in Paragraph 8.1 of the Committee Report, 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.

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

57 LAND AT THE HAYLOFT BARN, ASHTON ROAD, ASHTON

A12	17/00965/VCN	Change of use of land to touring caravan site, erection of a facilities building, associated re-grading of land, landscaping, formation of access road, lay-bys and cycle link, and creation of wildlife pond (pursuant to the variation of conditions 2, 4, 6, 7 and 15 on planning permission 12/00212/CU to vary the timescales for the creation of the wildlife pond and implementation of the landscaping scheme, to amend the location of the link to the cycleway/footpath and for the addition of a vehicle barrier and bin compound)	Ellel Ward	A(C)
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It was proposed by Councillor Mel Guilding and seconded by Councillor Malcolm Thomas:

“That Planning Permission be granted, subject to the conditions set out in the Committee Report with amendments to conditions 5 and 6.”

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 Planning Permission be granted, subject to the following conditions:

1. Development to accord with approved plans.
2. Approved details – finish to facilities building, surfacing materials for access and hardstanding, external lighting, boundary treatments.
3. Retention of laybys in accordance with plan.
4. Retention of bio-disk treatment plant.
5. Creation/retention of cycle link with information on this link clearly available/visible to people staying at the site, and maintain/keep clear of vegetation.
6. Implementation of approved landscaping scheme including maintenance, and implementation of planting scheme within the next planting season.
7. Caravan site limited to 26 touring caravans.

8. No storage of caravans.
9. No residential occupation of caravans; bound register to be kept with evidence of site users main residences.

58 BAY VIEW NURSERY AND GARDEN CENTRE, MILL LANE, BOLTON LE SANDS

A11 19/01053/VCN Demolition of various Bolton and A
buildings, erection of Slyne Ward
glasshouse and open sided
canopies, construction of car
park and associated
landscaping (pursuant to the
variation of condition 2, 3, 5,
6, 7 and 8 on planning
permission 18/00639/FUL to
amend the approved
drawings, site layout,
Construction Method
Statement, the removal of
polytunnels, hard and soft
landscaping and off site
highways improvement)

It was proposed by Councillor Malcolm Thomas and seconded by Councillor Robert Redfern:

“That Planning Permission be granted, subject to the conditions set out in the Committee Report.”

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 Planning Permission be granted, subject to the following conditions:

1. Removed – Development has commenced on site.
2. Development to be carried out in accordance with the varied plans.
3. Implement construction management plan, site closed throughout the development on site.
4. Implementation of approved Arboricultural Implications Assessment through original permission.
5. Polytunnels and structure indicated on site plan removed permanently, resurfaced in accordance with plans prior to first use or completion.
6. Implement off-site highway improvements prior to first use or completion.
7. Amended parking provision and service yard provided in full prior to first use or occupation and retained for this purpose.
8. Implementation of approved landscaping scheme and maintained and retained at all times thereafter.

9. Sales area and café seating area as per floorplan. Café use incidental to main use and only open to public when garden centre is trading. Restriction for the sales of plants and garden related items only.

59 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 2.00 p.m.)

**Any queries regarding these Minutes, please contact
Democratic Services: telephone (01524) 582656 or email democracy@lancaster.gov.uk**