

**PLANNING REGULATORY
COMMITTEE**

10.30 A.M.

14TH OCTOBER 2019

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

Apologies for Absence:-

Councillor Michael Mumford

Officers in attendance:-

Andrew Drummond	Development Manager (Planning Applications)
Ian Blinkho	Locum Planning Solicitor
Eleanor Fawcett	Planning Officer
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W	-	Withdrawn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

60 MINUTES

The minutes of the meeting held on 16th September 2019 were signed by the Chair as a correct record.

61 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

62 DECLARATIONS OF INTEREST

Councillor Richard Austen-Baker declared an interest in agenda item A5 19/00746/FUL Lower Addington Farm, Birkland Barrow Road, Nether Kellet. The reason being that he knows one of the public speakers personally.

Planning Officer Andrew Drummond declared an interest in agenda item A5 19/00746/FUL Lower Addington Farm, Birkland Barrow Road, Nether Kellet. The reason being that he knows one of the public speakers personally. Andrew Drummond stated that he would take no part in the deliberation of this application.

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION

63 LOWER ADDINGTON FARM, BIRKLAND BARROW ROAD, NETHER KELLET

A5	19/00746/FUL	Erection of an agricultural building for free range hens with associated landscaping and parking	Kellet Ward	R
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Under the scheme of public participation, Dr Robin Jackson spoke against the application, and Richard Wooldridge spoke in favour of the application.

It was proposed by Councillor Richard Austen-Baker and seconded by Councillor Tim Dant:

“That the application be refused for the following reason:

The development will have a detrimental impact on the character and appearance of the landscape, including the incongruous and urbanising impact on this rural area. The proposal is therefore contrary to the aims and objectives of the Sections 12 and 15 of the National Planning Policy Framework, Saved Policy E4 of the Lancaster District Local Plan, and Policies DM28 and DM35 of the Development Management Development Plan Document.”

Upon being put to the vote, 8 Members voted in favour of the proposition, with 7 against, whereupon the Chair declared the proposal to be carried.

Resolved:

That the application be refused for the following reason:

The development will have a detrimental impact on the character and appearance of the landscape, including the incongruous and urbanising impact on this rural area. The proposal is therefore contrary to the aims and objectives of the Sections 12 and 15 of the National Planning Policy Framework, Saved Policy E4 of the Lancaster District Local Plan, and Policies DM28 and DM35 of the Development Management Development Plan Document.

The meeting adjourned at 11:35 A.M. and reconvened at 11:45 A.M.

64 71 NORTH ROAD, LANCASTER

A7 19/00496/FUL Retrospective change of Castle Ward A(C)
retail unit (A1) to takeaway
(A5) and installation of a flue
to the rear elevation

Under the scheme of public participation, Paul Cusimano spoke against the application, and Chris Weetman spoke in favour of the application.

It was proposed by Councillor Keith Budden and seconded by Councillor Malcolm Thomas:

“That Planning Permission be granted, subject to the conditions set out in the Committee Report, with the addition of a timetable for the completion of conditions 3 and 4.”

Upon being put to the vote, 7 Members voted in favour of the proposition and 5 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. Development to accord to approved plans.
2. The use shall not commence until a scheme for the treating, diluting and dispersing of fumes and odours has been implemented.
3. The existing flue shall be painted in a slate grey matt finish within 3 months of the date of consent and this shall be maintained at all times thereafter.
4. The existing shopfront shall be painted in a heritage Victorian DH red colour within 3 months of the date of consent.

65 LAND ADJACENT TO BULK ROAD, LANCASTER

A8 19/00962/RCN Erection of eight buildings up Bulk Ward A
to eleven storeys in height to
create student
accommodation comprising
125 studios (C3), 50 cluster
flats (C3/sui generis), 19
shared townhouses (sui
generis), with ancillary
communal facilities, study
library (D1), gymnasium (D2),
new vehicular and pedestrian
accesses, car parking,
servicing bays, public realm

and landscaping (pursuant to the removal of condition 20 on planning permission 18/01363/VCN in relation to the implementation of sustainable energy measures and amendment to condition 25 in regard to the approved foul drainage proposal)

Under the scheme of public participation, Ward Councillor Tim Hamilton-Cox spoke against the application.

It was proposed by Councillor Robert Redfern and seconded by Councillor Janice Hanson:

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

Upon being put to the vote, 10 Members voted in favour of the proposition, with 5 abstentions, whereupon the Chair declared the proposal to be carried.

Resolved:

That planning permission be granted, subject to the following conditions:

1. Approved Drawings.
2. Offsite Highway works implementation.
3. Access Works implementation.
4. Written Scheme of Investigation for Phase II.
5. Surface Water Drainage Scheme.
6. Retention of measures for refuse provision, drop off, cycle storage and cycle runners. Detail for Phase II to be agreed separately.
7. Phase II offsite highway works to be submitted.
8. Ventilation scheme for Phase I in accordance with approved scheme.
9. Landscaping for Phase I in accordance with approved scheme.
10. Public Realm surfacing for Phase I in accordance with approved scheme.
11. External materials for Phase I in accordance with approved scheme.
12. Boundary Treatments for Phase I in accordance with approved scheme.
13. CEMP to be submitted associated with Phase II.
14. Vegetation clearance condition associated with Phase II.
15. Finished Floor Levels agreed on Phase I to be provided associated with Phase II.
16. Development in accordance with the approved phasing plan.
17. Approved Glazing scheme for Phase I.
18. Crime prevention measures implemented for Phase I – Phase II to be submitted.
19. Approval of this application for sustainable energy measures – Phase II to be submitted.
20. Development in accordance with the approved Flood Evacuation Plan.
21. Satellite systems to be in accordance with approved detail for Phase I; Phase II to be submitted.
22. Development in accordance with the approved Travel Plan associated with the development.

23. Deliveries, servicing and maintenance in accordance with the agreed details.
24. Foul water drainage scheme to be developed in accordance with the approved scheme.
25. Remediation Certificate in connection with any contaminated land.
26. Restriction on soils.
27. Development in accordance with the submitted AIA.
28. Development in accordance with the submitted FRA.
29. Development to be occupied by only students.
30. Phase I to be cleaned and maintained in accordance with the approved façade cleaning and maintenance strategy.
31. Lighting for Phase I to be in accordance with the approved detail. Detail for Phase II to be submitted.
32. Permitted Development Rights to be removed under Part 16.

The Committee asked the Development Manager to write a letter to the developer to express the strength of disappointment voiced by Councillors at the Planning Regulatory Committee regarding the limited measures implemented to reduce the development's carbon emissions.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

Councillor Joyce Pritchard left the meeting at this point and did not return.

66 SITE OF FORMER FILTER HOUSE, SCOTFORTH ROAD, LANCASTER

A6	19/00996/VCN	Erection of two 4-storey student accommodation buildings comprising of 12 7-Bed cluster flats (sui generis) and 14 6-bed cluster flats (C4) with associated car parking and bin and cycle stores (pursuant to the variation of condition 6 on planning permission 18/00637/VCN to allow for a phased programme of offsite highway works)	University and Scotforth Rural Ward	A
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It was proposed by Councillor Robert Redfern and seconded by Councillor Richard Austen-Baker:

“That Planning Permission be granted, subject to the conditions set out in the Committee Report, with an amendment to condition 9 to itemise the works under Phase 1 and again under Phase 2, with all works to be undertaken prior to occupation or the development being brought into use, whichever the earlier. If Phase 2 works cannot be undertaken within this timescale, then they shall be implemented in accordance with a timetable that has been previously submitted to, and agreed in writing by, the Local Planning Authority.”

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

Resolved:

That Planning Permission be granted subject to the following conditions:

1. Development in accordance with the approved plans.
2. Surface Water Drainage including management and maintenance plan.
3. Building Materials (Accommodation blocks, refuse, motorcycle, cycle and refuse stores, fencing and gates and acoustic fencing).
4. Ventilation details.
5. Electric Vehicle Charging Points.
6. Car Parking in accordance with approved details including submission of a car parking management plan.
7. Cycle and motorcycle parking facilities.
8. Hand Soft Landscaping Scheme.
9. Offsite highway works to be itemised under Phase 1 and again under Phase 2, with all works to be undertaken prior to occupation or the development being brought into use, whichever the earlier. If Phase 2 works cannot be undertaken within this timescale, then they shall be implemented in accordance with a timetable that has been previously submitted to, and agreed in writing by, the Local Planning Authority.
10. Contamination and remediation partly agreed under application 18/00637/VCN.
11. Details of Access Road & Connection to Highway as agreed under application 18/00637/VCN.
12. Implementation of Environmental Management Plan as agreed under application 18/00637/VCN.
13. Finished floor levels as agreed under application 18/00637/VCN.
14. Foul Drainage Scheme as agreed under application 18/00637/VCN.
15. Security Measures as agreed under application 18/00637/VCN.
16. Noise Assessment and Glazing Specification as agreed under application 18/00637/VCN.
17. Scheme to Permanently Close Southern Access as agreed under application 18/00637/VCN.
18. Student Accommodation Only.

67 LUDUS DANCE, ASSEMBLY ROOMS, KING STREET, LANCASTER

A9	19/01103/LB	Listed building application for removal of external lighting from front elevation and replacement of a non-illuminated wall mounted sign and a non-illuminated hanging sign.	Castle Ward	A
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It was proposed by Councillor Keith Budden and seconded by Councillor Robert Redfern:

“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. Listed Building 3 year timescale.
2. Development to accord to approved plans.

68 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 1.10 p.m.)

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