

**PLANNING REGULATORY  
COMMITTEE**

**10.30 A.M.**

**20TH JULY 2020**

**PRESENT:-** Councillors Sandra Thornberry (Chair), Dave Brookes (Vice-Chair), Paul Anderton, Mandy Bannon, Alan Biddulph, Keith Budden, Roger Cleet, Tim Dant, Mel Guilding, Janice Hanson, Cary Matthews, Joyce Pritchard and Robert Redfern

Apologies for Absence:-  
Councillor Richard Austen-Baker

Officers in attendance:-

Mark Potts	Principal Planning Officer
Jennifer Rehman	Principal Planning Officer
Steve Simpson	Head of ICT
Rephael Walmsley	Solicitor
Jenny Kay	Civic & Ceremonial Democratic Support Officer
Eric Marsden	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W	-	Withdrawn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

**THE MEETING ADJOURNED AT 10:31 A.M. AND RECONVENED AT 10:36 A.M.**

**9 MINUTES**

The minutes of the meeting held on 22<sup>nd</sup> June 2020 were agreed as a true record, and would be signed by the Chair at a later date.

**10 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR**

There were no items of urgent business.

**11 DECLARATIONS OF INTEREST**

Councillor Mandy Bannon declared an interest in agenda item A6: 20/00367/FUL White Lodge Sunnyside Lane. The reason being that she had, as Ward Councillor, some previous involvement with the residents raising objections on the matter. Councillor Bannon stated that she would not take part in the deliberations nor in the vote for this application.

Councillor Mandy Bannon declared an interest in agenda item A7: 19/01457/FUL Herons Wood Farm Conder Green. The reason being that she had, as Ward Councillor, some previous involvement with the applicant on another matter. Councillor Bannon stated that she would not take part in the deliberations nor in the vote for this application.

Councillor Dave Brookes declared an interest in agenda item A6: 20/00367/FUL White Lodge Sunnyside Lane. The reason being that he is a Trustee of the Fairfield Association which manages land close to the application site. Councillor Brookes stated that he had no pecuniary interest and would be viewing the application fairly and with an open mind.

There were no other declarations of interest.

**12 LAND NORTH OF HALA CARR FARM BOWERHAM ROAD LANCASTER**

A5	19/01158/FUL	Erection of 34 dwellings with associated access and alterations to land levels.	University and Scotforth Rural Ward	A(106)
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It was proposed by Councillor Mel Guilding and seconded by Councillor Janice Hanson:

“Subject to Natural England being satisfied with the conclusions of the Appropriate Assessment and the flood risk and drainage consultees also being satisfied with the amended drainage and engineering details, together with the signing of the S106, that the application be approved subject to the conditions set out in the recommendation and any other conditions recommended in response to the outstanding consultation.”

Upon being put to the vote, 8 Councillors voted in favour, 1 voted against, and 2 abstained whereupon the Chair declared the proposal to be carried.

***Resolved:***

Subject to Natural England being satisfied with the conclusions of the Appropriate Assessment and the flood risk and drainage consultees also being satisfied with the amended drainage and engineering details, together with the signing of the S106, that the application be approved subject to the conditions set out in the recommendation and any other conditions recommended in response to the outstanding consultation, and subject to the following conditions:

the completion of a S106 securing the provision of four affordable housing units, the education contribution of £96,740.64 to be used at Lancaster Central High School or Our Lady's Catholic College, an off-site POS contribution of £65,380 towards equipped play provision and young person's provision to be used locally, on-site amenity space and

structural landscaping and the provision of an estate management company, and including:

1. Time limit (2 yrs).
2. Approved plans.

Pre-commencement

3. Development to be carried out in accordance with the Drainage Strategy and SW drainage scheme to be agreed.

Pre-commencement (above slab level)

4. Phasing of landscaping and infrastructure to be agreed.
5. Notwithstanding details submitted, external materials and samples to be agreed including external finishes to split-level housetypes.
6. Scheme for cycle storage provision and EV charging points.

Pre-occupation

7. Development in accordance with Air Quality mitigation / Travel Plan.
8. Ecology Mitigation including submission of homeowner pack.
9. Employment Skills Plan (verification stages to be submitted).

Control

10. AIA and tree protection measures to be implemented.
11. Construction Method Statement.
12. Drainage maintenance.
13. Development to be carried out in accordance with the site investigation with unforeseen contamination condition.
14. Provision of access and turning areas.
15. Provision of off-site highway works.
16. Protection of visibility splays.
17. Development in accordance with Acoustic Report and implementation of mitigation.
18. Landscaping implementation and maintenance.
19. Boundary treatments to be implemented and maintained – existing dry stone wall to be re-built.
20. Provision and protection of car parking and turning areas.
21. Removal of Permitted Development Parts 1 and 2.

## **APPLICATION SUBJECT TO PUBLIC PARTICIPATION**

### **13 WHITE LODGE SUNNYSIDE LANE LANCASTER**

A6	20/00367/FUL	Creation of vehicular access from Towneley Close, construction of a driveway and installation of gates.	Marsh Ward	A
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Under the scheme of public participation, a Democratic Services Officer read out one group response received against the application, followed by the response of the applicant in favour of the application.

It was proposed by Councillor Dave Brookes and seconded by Councillor Joyce Pritchard:

"That the application be approved subject to the conditions set out in the Committee Report including ensuring condition 4 relates to the existing driveway access and not the private road access to be closed off, and that the Head of Service be delegated to approve the application after the consultation period has expired subject to their being no new material planning issues raised in any further representations."

Upon being put to the vote, all 10 Councillors voted in favour, whereupon the Chair declared the proposal to be carried.

***Resolved:***

That the application be approved subject to the conditions set out in the Committee Report including ensuring condition 4 relates to the existing driveway access and not the private road access to be closed off, and that the Head of Service be delegated to approve the application after the consultation period has expired subject to their being no new material planning issues raised in any further representations, subject to the following conditions:

1. Standard 3 Year Timescale.
2. Approved Plans.
3. Fence panel materials to match existing boundary treatment.
4. Existing driveway access to be closed within 1 month of the proposed access becoming operational.
5. Surface materials.

**COUNCILLOR ALAN BIDDULPH AND COUNCILLOR KEITH BUDDEN  
JOINED THE MEETING AT 11:43 A.M.**

**APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION**

**14 HERONS WOOD FARM LANCASTER ROAD CONDER GREEN**

A7	19/01457/FUL	Part retrospective application for recladding and change of use of agricultural buildings and land to form associated reception building and dog training buildings with associated works comprising demolition of agricultural building and erection of a kennel building, demolition of lean-to and erection of an extension to dog training building, erection of a stables building, creation of hardstanding for parking and internal access road, creation of a pond, installation of a package treatment plant and	Ellel Ward	A(C)
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dog waste tank and erection  
of a 2.4m mesh fence.

It was proposed by Councillor Janice Hanson and seconded by Councillor Joyce Pritchard:

“That the application be approved subject to the conditions set out in the Committee Report with the addition of a time limit condition and details of flood lighting to be included in condition 3.”

Upon being put to the vote, all 12 Councillors voted in favour, whereupon the Chair declared the proposal to be carried.

***Resolved:***

That the application be approved subject to the following conditions:

1. Time limit condition.
2. Plans.
3. No further works until contaminated land investigation.
4. Details of colour and finish to walls and roof of the kennel building, extraction vents; all external surfacing materials including highway access; secured cycle storage; details of any boundary treatments, including gates, and flood lighting.
5. Landscaping scheme.
6. Foul and surface water drainage including details of dog waste tank.
7. Provision and protection of visibility splays.
8. Implemented in accordance with the details set out within the acoustic assessment.
9. Ecology mitigation.
10. Operated in accordance with management plan to be submitted and agreed to include maximum number of dogs on site; maximum number of dogs to be exercised outside, hours of operations.
11. Provision of parking prior to operation.
12. Use as boarding kennels and dog training only.

**15 LAND SOUTH OF HALA CARR FARM BOWERHAM ROAD LANCASTER**

A8	20/00307/VCN	Erection of 25 dwellings and creation of a new access and access roads (pursuant to the variation of condition 13 on planning permission 19/00456/VCN to amend the finished floor, and plot levels associated with plot number 1).	Scotforth East Ward	A
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It was proposed by Councillor Tim Dant 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, all 13 Members voted in favour of the proposition, whereupon the Chair declared the proposal to be carried.

***Resolved:***

That Planning Permission be granted to vary condition 13 on approved application 19/00456/VCN subject to the following conditions (with the removal of condition 6 of 19/00456/VCN relating to development outside of bird breeding season given development has commenced):

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. Landscaped bund in accordance with approved documents.
7. Development in accordance with the submitted Arboricultural Implications Assessment.
8. Development in accordance with the approved landscaping scheme.
9. Surface water drainage scheme implementation.
10. Foul water drainage scheme.
11. Garages and parking to be provided in full.
12. Finished floor levels.
13. Approved visibility splays.
14. Removal of Permitted Development rights.
15. Approved building materials.
16. Protection of the water main protection.

**THE MEETING ADJOURNED AT 12:13 P.M. AND RECONVENED AT 12:20 P.M.**

**16 G B PROPERTIES (LANCASTER) LIMITED LANCASTER LEISURE PARK  
WYRESDALE ROAD LANCASTER**

A9 19/00522/FUL Alterations to existing land levels to facilitate the construction of a car park consisting of 124 spaces. John O'Gaunt Ward R

It was proposed by Councillor Joyce Pritchard and seconded by Councillor Janice Hanson:

"That the application be refused for the reasons set out in the Committee Report."

Upon being put to the vote, all 13 Councillors voted in favour, whereupon the Chair declared the proposal to be carried.

***Resolved:***

That the application be refused for the following reasons:

1. The proposal would result in a partial loss of allocated open space without sufficient justification for the quantum of development required or adequate measures to mitigate or compensate for the loss. Therefore it is considered to be contrary to National Planning Policy Framework paragraph 97, saved Local Plan policy E29, Development Management DPD policies DM25 and DM26, emerging Strategic Policies and Land Allocations DPD Policies SC3 and SC4, and emerging Review of Development Management DPD Policy DM43.
2. The proposal seeks to provide an additional 124 car parking spaces without adequate justification for this level of provision. Furthermore, it has not been supported by any adequate measures to encourage more sustainable forms of travel. As such the proposal is considered to be contrary to National Planning Policy Framework paragraphs 102, 103, 108 to 111, Development Management DPD policies DM20 to DM23, and emerging Review of Development Management DPD Policies DM60 to DM63.
3. The proposed layout would lead to a conflict between pedestrians and vehicles to the detriment of pedestrian safety. Therefore the proposal is considered to be contrary to National Planning Policy Framework paragraphs 97, 102, 108, 110 and 127, Development Management DPD policies DM21 and DM35, and emerging Review of Development Management DPD Policies DM29, DM60 and DM61.
4. The application has been submitted without any details of percolation testing, so it is not possible to assess the impacts of the proposal on surface water run-off or to assess the risk of flooding within the site or elsewhere. Therefore the proposal is considered to be contrary to National Planning Policy Framework paragraph 163, Development Management DPD policy DM39, and emerging Review of Development Management DPD Policies DM34.

**17 LANCASTER BREWERY LANCASTER LEISURE PARK WYRESDALE ROAD LANCASTER**

A10 19/00804/FUL Erection of a single storey extension to the front and side. John O'Gaunt Ward R

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

"That the application be refused for the reasons set out in the Committee Report."

Upon being put to the vote, 9 Councillors voted in favour, with 1 against and 3 abstentions, whereupon the Chair declared the proposal to be carried.

***Resolved:***

That the application be refused for the following reasons:

1. The proposal seeks to substantially increase the function room floorspace and use of the site without adequately evidencing the additional trips or proposing suitable mitigation measures to accommodate the additional capacity of the site and associated increase in travel requirements. Furthermore, the application has not been supported by any adequate measures to encourage more sustainable forms of travel. As such the

proposal is considered to be contrary to National Planning Policy Framework paragraphs 102, 103, 108 to 111, Development Management DPD policies DM20 to DM23, and emerging Review of Development Management DPD Policies DM60 to DM63.

2. The proposed external layout and location of cycle storage provision and vehicle parking spaces would lead to a conflict between pedestrians and delivery vehicles accessing the external storage area, to the detriment of pedestrian safety. Therefore, the proposal is considered to be contrary to National Planning Policy Framework paragraphs 102, 108, 110 and 127, Development Management DPD policies DM21 and DM35, and emerging Review of Development Management DPD Policies DM29, DM60 and DM61.

**COUNCILLOR REDFERN LEFT THE MEETING AT 13:16  
AND DID NOT RETURN.**

**18 QUARTERLY REPORTS: TO 31 MARCH 2020**

Councillors received Quarterly Planning Reports to 31 March 2020 from the Development Management service.

***Resolved:***

That the report be noted.

**19 QUARTERLY REPORTS: TO 30 JUNE 2020**

Councillors received Quarterly Planning Reports to 30 June 2020 from the Development Management service.

***Resolved:***

That the report be noted.

**20 DELEGATED LIST**

The Development Manager (Planning Applications) submitted a Schedule of Planning Applications dealt with under the Scheme of Delegation of Planning Functions to Officers.

***Resolved:***

That the report be noted.

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Chair

(The meeting ended at 1.18 p.m.)

**Any queries regarding these Minutes, please contact  
Democratic Services: email [democracy@lancaster.gov.uk](mailto:democracy@lancaster.gov.uk)**