

**PLANNING REGULATORY
COMMITTEE**

10.30 A.M.

17TH AUGUST 2020

PRESENT:- Councillors Sandra Thornberry (Chair), Dave Brookes (Vice-Chair), Mandy Bannon, Alan Biddulph, Abbott Bryning, Keith Budden, Roger Cleet, Tim Dant, Mel Guilding, Cary Matthews, Joyce Pritchard and Robert Redfern Victoria Boyd-Power (Substitute for Councillor Anderton), Colin Hartley (Substitute for Councillor Hanson) and Peter Yates (Substitute for Councillor Austen-Baker)

Apologies for Absence:-

Councillors Paul Anderton, Richard Austen-Baker and Janice Hanson

Officers in attendance:-

Mark Potts	Principal Planning Officer
Debbie Chambers	Democratic Services Manager and Deputy Monitoring Officer
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W	-	Withdrawn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

21 MINUTES

The minutes of the meeting held on 20th July 2020 were agreed as a true record, and would be signed by the Chair at a later date.

22 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

23 DECLARATIONS OF INTEREST

Councillor Mandy Bannon declared an interest in agenda items A11: 20/00253/FUL Lancaster Music Co-op and A12: 20/00254/LB Lancaster Music Co-op. The reason being her husband had used Lancaster Music Co-op over several decades for rehearsing and recording with various bands and recorded an album there in 2019. Councillor Bannon stated that she had no pecuniary interest and would be viewing the application fairly and with an open mind.

Councillor Alan Biddulph declared in interest in agenda items A11: 20/00253/FUL Lancaster Music Co-op and A12: 20/00254/LB Lancaster Music Co-op. The reason being he was a Trustee of Lancaster Footlights. Councillor Biddulph stated that he would be viewing the application fairly and with an open mind.

Councillor Roger Cleet declared in interest in agenda item A6: 17/00848/OUT Land south of playing field Trumacar Lane Heysham. The reason being he was a Trustee of Heysham Community Pre-School (Heysham Youth and Community Playgroup) and was privy to information from Lancashire County Council regarding local schools. Councillor Cleet stated that he had no pecuniary interest and would be viewing the application fairly and with an open mind.

Councillor Roger Cleet declared in interest in agenda items A11: 20/00253/FUL Lancaster Music Co-op and A12: 20/00254/LB Lancaster Music Co-op. The reason being he had previously donated printed promotional material to the Grand Theatre: New Spaces Foyer project and provided promotional material to organisations that use the Grand Theatre. Councillor Cleet stated that he be viewing the application fairly and with an open mind.

There were no other declarations of interest.

APPLICATION SUBJECT TO PUBLIC PARTICIPATION

24 LAND AT ROYAL ALBERT FARM, PATHFINDERS DRIVE, LANCASTER, LANCASHIRE

A5	17/01074/HYB	Hybrid application comprising an outline application for up to 71 dwellings with associated upgrading works to Pathfinders Drive, and a full application for the conversion of Derby Home into six apartments (C3) and creation of associated parking.	Scotforth West Ward	A(106)
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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 agent in favour of the application.

It was proposed by Councillor Mel Guilding and seconded by Councillor Robert Redfern:

“That the application be approved subject to the signing of the Section 106 agreement and subject to the conditions set out in the recommendation.”

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

Resolved:

That Outline Planning Permission be granted subject to the signing of the Section 106 agreement and subject to the following conditions:

the signing of the Section 106 agreement to secure the following obligations:

- The provision of 30% of the total units on the site to be affordable homes based on a 50:50 (affordable rented:shared ownership) tenure split as required by planning policy based on housing needs at the time of the reserved matters application, viability and the use of Vacant Building Credit;
- The setting up of a Private Management Company to ensure the public open space, amenity space, non-adopted surface water drainage systems and private roads within the site are maintained at all times in perpetuity with associated long term maintenance plans in respect of these matters;
- Reviewing the requirement for an off-site financial contribution in connection with public open space dependent on the numbers of units and bedrooms to be re-assessed at the time of reserved matters;
- The contribution of £77,000 towards off-site highway improvement works and £70,000 towards bus service provision);
- Derby Home to be converted in accordance with the permission (no later than 75% of the open market homes associated with the outline permission being occupied);

and the following conditions:

1. Timescales.
2. Approved Plans.
3. Access Details.
4. Surface Water drainage scheme.
5. Foul Water Drainage Scheme.
6. Finished Floor Levels.
7. Provision of AIA.
8. Employment and Skills.
9. Provision of Nationally described space standards across all Units.
10. At least 20% of the units to be M4 (2) compliant (Accessible and Adaptable) and housing mix to be agreed.
11. Off-site Highway Works.
12. Provision of Home Owner Packs.
13. Provision of open space on site.
14. Electric Vehicle Charging.
15. Unforeseen contaminated land.
16. Removal of PD rights (Parts 1 - Classes A, B, E and F and Part 2).
17. Ecological Mitigation.
18. Garage use permitted development right restriction.
19. Development in accordance with the FRA;

and that regarding the full element of this hybrid application, Planning Permission for the conversion of Derby Home be granted subject to the following conditions:

1. Timescales.
2. Development in accordance with the plans.
3. Provision of additional bat surveys in connection with Derby Home.
4. Surface water drainage scheme.
5. Provision of an updated AIA.
6. Hard and Soft Landscaping.
7. Car Parking to be provided prior to occupation.

COUNCILLOR ABBOTT BRYNING JOINED THE MEETING AT 11:15 A.M.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION

25 LAND SOUTH OF PLAYING FIELD TRUMACAR LANE, MIDDLETON ROAD, HEYSHAM,

A6	17/00848/OUT	Outline application for the erection of up to 75 dwellings with associated access.	Overton Ward	A(106)
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It was proposed by Councillor Cary Matthews and seconded by Councillor Keith Budden:

“That Planning Permission be granted subject to the signing of the Section 106 agreement and subject to the conditions set out in the Committee Report.”

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

Resolved:

That Planning Permission be granted subject to the signing of the Section 106 agreement and subject to the following conditions:

the signing of the Section 106 agreement to secure the following obligations:

- The provision of 18.66% of affordable housing to be based on a 50:50 (affordable rented : shared ownership) tenure split as required by policy (percentage, tenure, size, type, phasing to be addressed at Reserved Matters stage based on local housing needs);
- Open space off-site contribution of £80,000;
- The above 2 obligations are reviewed at the Reserved Matters stage;
- Long term maintenance of landscaping, open space and non-adopted drainage and highways and associated street lighting;

and the following conditions:

1. Standard Timescales.
2. Working Programme.
3. Access Details.

4. Contaminated Land Assessment and Recording.
5. Surface Water Drainage Scheme.
6. Foul Water Drainage Scheme.
7. Written Scheme of Investigation Archaeology.
8. Finished Floor Levels.
9. Submission of AIA, Tree and Hedgerow Protection Plan.
10. Provision of Nationally described space standards across all units.
11. At least 20% of the units to be M4 (2) compliant (Accessible and Adaptable) and housing mix to be agreed.
12. Provision of electric vehicle charging points.
13. Offsite Highways Works (to include improvements to the existing footways along Middleton Road to support a shared surface for cycling and pedestrian movement, traffic calming together with bus stop provision on Middleton Road or provision for a point of access to Trumacar Playing fields.
14. Provision for home owner packs.
15. Open space provision, maintenance and management.
16. Surface Water Management Scheme.
17. Visibility Splays to be implemented measuring 2.4m x 90m.
18. Development in accordance with the principles contained within the Flood Risk Assessment.
19. Development in accordance with the principles contained within the Ecological appraisal.
20. No development over the public sewer that crosses the site.

26 LAND OFF WYRESDALE ROAD, LANCASTER, LANCASHIRE

A7 18/00472/OUT Erection of 27 dwellings (C3) John O’Gaunt A(106)
with associated access. Ward

It was proposed by Councillor Abbott Bryning and seconded by Councillor Keith Budden:

“That Planning Permission be granted subject to the signing of the Section 106 agreement and subject to the conditions set out in the Committee Report.”

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

Resolved:

That Planning Permission be granted subject to the signing of the Section 106 agreement, and subject to the following conditions:

the signing of the Section 106 agreement to secure the following obligations:

- Provision of six affordable housing units (four x 2 bedroom - affordable rent and two x 3 bedroom units shared ownership);
- Contribution of £30,000 towards the running of the local bus service (Number 18 - Lancaster - Lancaster via Williamson Park, Leisure Park, Lancaster Farms);
- Securing the provision of £71,212 towards secondary education spaces for three secondary school places at Central Lancaster High School;
- Long term maintenance of non-adopted open space, landscaping and non-adopted highways and drainage;

and the following conditions:

1. 2 year timescale.
2. Development in accordance with approved plans.
3. Access Details.
4. Surface Water Drainage.
5. Foul Water drainage.
6. Employment and Skills Plan.
7. Finished Floor Level detail.
8. Ecological Mitigation.
9. Detail for off-site highways works and subsequent implementation.
10. Building Materials to be agreed on external facing elevations.
11. Boundary treatments.
12. Hard and Soft Landscaping.
13. Provision of cycle and electric vehicle charging.
14. Surface Water Management.
15. Noise mitigation in accordance with the report.
16. Development in accordance with the AIA.
17. Protection of visibility splays.
18. Garage use condition.
19. Car Parking to be provided prior to occupation.

27 LAND TO THE REAR OF THE MANOR INN, COCKERHAM, LANCASHIRE

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

It was proposed by Councillor Keith Budden and seconded by Councillor Joyce Pritchard:

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

Upon being put to the vote, 12 Councillors voted in favour of the proposition, none against, and 3 abstained, whereupon the Chair declared the proposal to be carried.

Resolved:

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

- The provision of 30% of the total number of dwellings to be affordable housing to be based on a 50:50 (affordable rented : shared ownership) tenure split as required by policy (percentage, tenure, size, type, phasing to be address at Reserved Matters stage based on local housing needs);
- The payment of £94,949.12 for four secondary school places (to be assessed at reserved matters stage when the number of units and bedroom numbers is known);
- Off-site open space contribution to be assessed based on the needs of the village of Cockerham (at the time of the reserved matters application); and,
- Long term maintenance of non-adopted highways, open space, landscaping and creation of management-company;

and the following conditions:

1. Two year timescale.
2. Approved Plans.
3. Surface Water Drainage.
4. Foul Water.
5. Access works.
6. Environmental Construction Plan.
7. Submission of finished floor levels.
8. Employment and Skills Plan.
9. Offsite highway works.
10. Provision of nationally described space standards across all units.
11. At least 20% of the units to be M4 (2) compliant (Accessible and Adaptable) and housing mix to be agreed.
12. Scheme for the provision of open space.
13. Scheme for the connection to the Public Right of Way.
14. Provision of Homeowner Packs.
15. Electric vehicle charging points.
16. Surface Water management plan.
17. Development in accordance with the AIA and TPP.
18. Unforeseen contamination.
19. Ecological mitigation in accordance with the approved ecological report.

28 LAND TO THE EAST OF LANCASTER ROAD AND NORTH OF WILLEY LANE, LANCASTER ROAD, COCKERHAM, LANCASHIRE

A9	19/01223/OUT	Outline application for the erection of up to 24 dwellings (C3) and provision of new vehicular access, and pedestrian access to Willey Lane.	Ellel Ward	A(S106)
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It was proposed by Councillor Keith Budden and seconded by Councillor Mel Guilding:

“That Planning Permission be granted subject to the signing of the Section 106 agreement and subject to the conditions set out in the Committee Report.”

Upon being put to the vote, 12 Councillors voted in favour of the proposition, none against, and 3 abstained, whereupon the Chair declared the proposal to be carried.

Resolved:

That Planning Permission be granted subject to the signing of the Section 106 agreement and subject to the following conditions:

the signing of the Section 106 agreement to secure the following obligations:

- The provision of 30% of affordable housing to be based on a 50:50 (affordable rented: shared ownership) tenure split as required by policy (percentage, tenure, size, type, phasing to be address at Reserved Matters stage based on local housing needs addressed by condition);

- The payment of £48,370.32 for two secondary school places (to be assessed at reserved matters stage when the number of units and bedroom numbers is known);
- Off-site open space contribution to be assessed based on the needs of the village of Cockerham (at the time of the reserved matters application); and,
- Long term maintenance of non-adopted highways, open space, landscaping and creation of Management Company;

and the following conditions:

1. Two year timescale.
2. Development in accordance with the approved plan (red edge and access).
3. Access details to be submitted.
4. Scheme for Sustainable Surface Water Drainage.
5. Construction Environmental Management Plan.
6. Submission of Finished Floor and Site Levels.
7. Scheme for Foul Water Drainage Scheme.
8. Employment and Skills Plan.
9. Off-site Highway Works.
10. Provision of Nationally described space standards across all units.
11. At least 20% of the units to be M4 (2) compliant (Accessible and Adaptable) and housing mix to be agreed.
12. Scheme for the provision of open space.
13. Scheme for the connection to the Public Right of Way.
14. Scheme for external lighting.
15. Provision of electric vehicle charging points.
16. Provision of Home Owner Packs.
17. Vegetation clearance to be undertaken from 1st March to 31st July
18. Scheme to be undertaken in accordance with the ecological mitigation methods
19. Development in accordance with the submitted AIA.
20. Unforeseen contaminated land.

29 LAND TO THE REAR OF POINTER GROVE AND ADJACENT TO HIGH ROAD, HALTON, LANCASHIRE

A10	18/01422/OUT	Erection of 65 dwellings with associated access, landscaping, open space, drainage, highway and parking arrangements and land re-profiling works.	Halton with Aughton Ward	with A(106)
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THE MEETING ADJOURNED AT 12:20 P.M. AND RECONVENED AT 12:30 P.M.

It was proposed by Councillor Mel Guilding and seconded by Councillor Peter Yates:

“That Planning Permission be granted subject to the signing of the Section 106 agreement and subject to the conditions set out in the Committee Report.”

Upon being put to the vote, 11 Councillors voted in favour, none voted against, and 4 abstained, whereupon the Chair declared the proposal to be carried.

Resolved:

That Planning Permission be granted subject to the signing of the Section 106 agreement and subject to the following conditions:

the signing of the Section 106 agreement to secure the following obligations:

- Provision thirteen (13) units to be affordable (7 units to be shared ownership and 6 units to be affordable rented); and
- Long term maintenance of sustainable drainage systems, non-adopted highways, open space including on-site play provision and management company;

and the following conditions:

1. Two-year permission.
2. Development in accordance with approved plans (to be listed).
3. Detailed plans of site access (including internal adoptable standard roads).
4. Finished floor and site levels.
5. Employment and Skill Plan.
6. Arboricultural Method Statement to be submitted.
7. Submission of a drainage scheme to account to being phased across the site.
8. Reasonable avoidance methods for Great Crested Newts and Biodiversity enhancement (including home owner packs).
9. Submission of surface water drainage management and maintenance.
10. Offsite highway works.
11. Electric vehicle charging points.
12. Material samples.
13. Details of retaining walls and boundary treatments, including finishes.
14. Provision of landscaping scheme.
15. Landscaping management plan.
16. Open Space – provision of 5 pieces of play equipment, maintenance, timetable for implementation.
17. Covered cycle parking and refuse provision.
18. Car Parking provided.
19. Unforeseen land contamination.
20. Protection of visibility splays.
21. AIA.
22. Removal of Permitted Development rights.
23. Garage use restriction.
24. Development in accordance with the Flood Risk Assessment.
25. Development in accordance with the submitted surface water drainage proposals.
26. Vegetation removal outside of bird breeding season.
27. Construction Hours of Work (0800-1800 Mon to Fri and 0800-1400 Sat only).

30 LANCASTER MUSIC CO-OP, 1 LODGE STREET, LANCASTER, LANCASHIRE

A11	20/00253/FUL	Relevant demolition of existing rear extension, construction of buttresses to the rear, installation of a new roof, fascias, guttering, downpipes, chimney flashing and windows	Bulk Ward	A
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and lintels.

It was proposed by Councillor Robert Redfern and seconded by Councillor Dave Brookes:

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

Upon being put to the vote, all 15 Members voted 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 3 year listed building timescale.
2. Approved plans.
3. Submission of materials and finishes.
4. Rooflights and roof hatches as per submitted details.

31 LANCASTER MUSIC CO-OP, 1 LODGE STREET, LANCASTER, LANCASHIRE

A12	20/00254/LB	Listed building application for the installation for replacement of the valley gutter and the flashing adjacent to the Grand Theatre.	Bulk Ward	A
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It was proposed by Councillor Robert Redfern and seconded by Councillor Dave Brookes:

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

Upon being put to the vote, all 15 Members voted 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 3 year listed building timescale.
2. Approved plans.
3. Submission of materials and finishes.
4. Rooflights and roof hatches as per submitted details.

32 40 STRICKLAND DRIVE, MORECAMBE, LANCASHIRE LA4 6TD

A13	20/00660/FUL	Erection of a single storey side and rear extension.	Bare Ward	A
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It was proposed by Councillor Sandra Thornberry and seconded by Councillor Colin Hartley:

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

Upon being put to the vote, all 15 Members voted 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. Development in accordance with amended plans.
3. Retention of southern boundary fence.

33 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.

Chair

(The meeting ended at 1.05 p.m.)

**Any queries regarding these Minutes, please contact
Democratic Services: email democracy@lancaster.gov.uk**