

**PLANNING REGULATORY  
COMMITTEE**

**10.30 A.M.**

**10TH JANUARY 2022**

**PRESENT:-** Councillors Keith Budden (Chair), Sandra Thornberry (Vice-Chair), Paul Anderton, Mandy Bannon (Substitute for Councillor Dant), Victoria Boyd-Power, Kevin Frea, June Greenwell, Mel Guilding, Tim Hamilton-Cox (Substitute for Councillor Brookes), Janice Hanson, Cary Matthews, Robert Redfern and Malcolm Thomas

Apologies for Absence:-

Councillors Dave Brookes, Roger Cleet, and Tim Dant

Officers in attendance:-

Mark Potts	Interim Service Manager
David Forshaw	Principal Planning Officer
Rephael Walmsley	Solicitor
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W	-	Withdrawn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

**55 MINUTES**

The minutes of the meeting of 6<sup>th</sup> December 2021 were agreed as a true record and were signed by the Chair.

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

There were no items of urgent business.

**57 DECLARATIONS OF INTEREST**

Councillor Tim Hamilton-Cox declared an interest in agenda item A9: 21/000699/FUL Land Adjacent to 108 St Leonards Gate Lancaster. The reason being that he had posted an objection to the earlier application (19/01215/FUL) which had been considered and refused by the Planning Regulatory Committee. Councillor Hamilton-Cox stated that he would be viewing this new application fairly and with an open mind.

Councillor Paul Anderton declared an interest in agenda item A8: 21/01323/FUL Land South East of Church Bank, Church Bank, Over Kellet. The reason being that he had a professional interest in the application. Councillor Anderton stated that he would play no part in the discussion and would abstain in the vote.

There were no other declarations of interest.

**58 LAND OFF MARSH LANE AND MAIN STREET, COCKERHAM**

A5	21/01134/VCN	Erection of 36 dwellings, creation of vehicular access with associated landscaping, regrading of land levels and provision of surface water drainage scheme and public open space (pursuant to the variation of condition 8 on planning permission 19/00438/FUL to raise the finished floor levels of plots 3, 4, 5 and 6).	Ellel Ward	A(106)
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It was proposed by Councillor Robert Redfern and seconded by Councillor Janice Hanson:

“That the application be approved subject to the conditions set out in the Committee Report.”

Upon being put to the vote, 12 Councillors voted in favour, with none against and no abstentions, whereupon the Chair declared the proposal to have been carried.

***Resolved:***

That the application be approved subject to the conditions set out in the Committee Report and a variation to the s.106 agreement to reflect this permission:

1. Time Limit.
2. Approved Plans List.
3. SW Drainage.
4. Foul Water.
5. Employment and Skills Plan.
6. Pipework protection.
7. Highways and Access construction.

8. Finished Floor Levels.
9. NDSS/M42.
10. Footway Connection.
11. Off Site Highways.
12. Materials.
13. Boundary treatment.
14. Landscaping.
15. EV Charging.
16. POS Management and Maintenance.
17. Homeowner packs.
18. SW Management/Maintenance.
19. Visibility Splays.
20. Garage Use.
21. Parking provision.
22. Implementation of AIA.
23. Removal of PD Rights.

**59 15 CHINA STREET LANCASHIRE LA1 1ET**

A6	20/00677/FUL	Retrospective application for the change of use of the first and second floor managers accommodation (C3) to student accommodation comprising of one 7-bed flat (sui generis) and one 4-bed flat (C4).	Castle Ward	R
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It was proposed by Councillor Robert Redfern and seconded by Councillor Cary Matthews:

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

Upon being put to the vote, 12 Councillors voted in favour, with none against and no abstentions, whereupon the Chair declared the proposal to have been carried.

***Resolved:***

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

**60 15 CHINA STREET LANCASHIRE LA1 1ET**

A7	20/00678/LB	Listed Building application for the removal of a partition wall, installation of new partition walls and internal doors on the first floor, installation of partition walls and roof lights and infilling of external doors on the second floor and installation of	Castle Ward	R
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ventilation system.

It was proposed by Councillor Robert Redfern and seconded by Councillor Cary Matthews:

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

Upon being put to the vote, 12 Councillors voted in favour, with none against and no abstentions, whereupon the Chair declared the proposal to have been carried.

**Resolved:**

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

**COUNCILLOR PAUL ANDERTON JOINED THE MEETING AT 10:55 A.M. AND HAVING DECLARED AN INTEREST IN THE FOLLOWING ITEM (A8 21/01323/FUL) DID NOT PARTICIPATE IN ITS CONSIDERATION AND ABSTAINED IN THE VOTE.**

**61 LAND SOUTHEAST OF CHURCH BANK, CHURCH BANK, OVER KELLET, LANCASHIRE**

A8	21/01323/FUL	Erection of 7 dwellings and associated access road.	Kellet Ward	A
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It was proposed by Councillor Mel Guilding and seconded by Councillor Tim Hamilton-Cox:

“That the application be approved subject to the conditions set out in the Committee Report”

Upon being put to the vote, 12 Councillors voted in favour, with none against, and one abstention, 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:

A variation to the existing legal agreement to secure the following:

- Linking of 21/01323/FUL to 16/01572/OUT
- Delivery of affordable housing in accordance with submitted scheme (total of 9 units, 4 x social rent and 5 x shared ownership)
- Payment of £10,708.16 towards upgrade of village play area
- Management of open space across all development land
- Requirement to deliver *both* planning permissions 21/01323/FUL and 16/01572/OUT (inc REM)

and the following planning conditions to regulate the development:

1. Time limit for development.
2. Development to be in accordance with approved plans.
3. Development to be carried out in accordance with the approved highway access arrangements.
4. Installation of Newt Gully pots.
5. Delivery of approved off site highway and ped links.
6. Delivery of secure cycle storage sheds.
7. Delivery of EV charge points.
8. Installation of boundary treatments.
9. Materials as per submitted details.
10. Compliance with surface water and foul drainage details.
11. Compliance with energy statement.
12. Compliance with CEMP document.
13. Compliance with tree protection details.
14. Unforeseen contamination.
15. Removal of Permitted Development (Parts 1 and 2).

**62 LAND ADJACENT TO 108 ST LEONARDS GATE, LANCASTER LANCASHIRE**

A9	20/00699/FUL	Relevant (retrospective) demolition of existing workshop and the erection of a 3 and 4 storey building to create student accommodation comprising sixteen 1-bed studios and one 2-bed cluster flat (C3) and a bike/bin store room.	Bulk Ward	A
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It was proposed by Councillor Mel Guilding and seconded by Councillor Kevin Frea:

“That the application be approved subject to the conditions set out in the Committee Report.”

Upon being put to the vote, 10 Councillors voted in favour, 1 against, and 2 abstentions, 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:

1. Time limit.
2. Compliance with approved plans.
3. Contaminated land assessment.
4. Employment skills plan.
5. Surface water drainage.
6. Foul Drainage.
7. Invasive species protocol.
8. Archaeology.

9. Method statement for works.
10. Details of mechanical ventilation.
11. Agreement of materials – excluding roof.
12. Agreement of materials – roof only.
13. Hard landscaping scheme for courtyard.
14. Windows to be obscured.
15. Details and provision of cycle storage.
16. Provision of bin storage.
17. Installation of acoustic mitigation.
18. Drainage verification.
19. Compliance with flood risk mitigation.
20. Ecological packs for students.
21. Hours of construction.
22. Separate drainage systems.
23. Compliance with energy statement.
24. Restriction to students only.

**63 LAND ADJACENT TO 108 ST LEONARDS GATE, LANCASTER LANCASHIRE**

A10	20/00700/LB	Listed building application for removal of the buttresses and stone boundary wall from 108 St Leonards Gate and the erection of a 3 and 4 storey building.	Bulk Ward	A
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It was proposed by Councillor Janice Hanson and seconded by Councillor Mel Guilding:

“That the application be approved subject to the conditions set out in the Committee Report.”

Upon being put to the vote, 10 Councillors voted in favour, with one against, and two abstentions, 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:

1. Time limit.
2. Compliance with approved plans.
3. Method statement and details for removal of buttresses and stone wall of 108 St Leonards Gate, making good removal works and construction details.
4. Agreement of materials – excluding roof.
5. Agreement of materials – roof only.

**64 DELEGATED LIST**

The Service Head for Planning and Place 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 12.00 p.m.)

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