

**PLANNING REGULATORY
COMMITTEE**

10.30 A.M.

7TH NOVEMBER 2022

PRESENT:- Councillors Sandra Thornberry (Chair), Keith Budden (Vice-Chair), Victoria Boyd-Power, Dave Brookes, Abbott Bryning, Roger Cleet, Roger Dennison, Kevin Frea, June Greenwell, Mel Guilding, Mandy King, Jack Lenox, Robert Redfern, Malcolm Thomas and Sue Tyldesley

Apologies for Absence:-
None.

Officers in attendance:-

Jennifer Rehman	Principal Planning Officer
Eleanor Fawcett	Principal Planning Officer
Petra Williams	Planning Officer
Kim Ireland	Planning Assistant
Rephael Walmsley	Senior Solicitor
Hannah Little	Trainee 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W	-	Withdrawn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

53 MINUTES

It was noted that the draft minutes that had been previously circulated had mistakenly included “unanimously” in item 50. This had been amended, and the minutes of 10th October 2022 were agreed as a true record and signed by the Chair.

54 DECLARATIONS OF INTEREST

Councillor Roger Dennison declared an interest in agenda item A11 21/01588/LB Sunderland Point Mission Heritage Centre. The reason being a personal connection. Councillor Dennison would recuse himself from the meeting for the duration of consideration of the item.

There were no other declarations of interest.

55 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

**THE ORDER OF ITEMS WAS REVISED BY THE CHAIR TO:
A11, A5, A9, A10, A7, A8, A6, A12 AND A13 IN ORDER
TO ACCOMMODATE PUBLIC SPEAKERS.**

**COUNCILLOR ROGER DENNISON LEFT THE MEETING AT 10:35
FOLLOWING HIS DECLARATION.**

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION:

**56 SUNDERLAND POINT MISSION HERITAGE CENTRE THE LANE SUNDERLAND
POINT MORECAMBE LANCASHIRE LA3 3HS**

A11	21/01588/LB	Listed Building application for internal alterations to provide kitchen and wc including new treatment plant, provision of water supply and ventilation pipes and grills, reset floor levels, works to create ceilings, insulation, new partition doors, architraves, skirting and relocation of wall panel.	Overton Ward	A
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Under the scheme of public participation, David Andrew, Janie Hesketh, Stephen Loxam and Brendan Smith spoke against the application; Brian Holmes (applicant) and Edward Levey (applicant) responded in favour.

It was proposed by Councillor Dave Brookes and seconded by Councillor Sandra Thornberry:

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

Upon being put to the vote, 11 Councillors voted in favour of the proposal with 3 against and no abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application be approved subject to the conditions in the Committee Report:

- 1) Standard LB timescale.
- 2) In accordance with amended plans.
- 3) Notwithstanding the details indicated on the approved plans and supporting documents, details of how the wall panelling would be removed and then reinstated following installation of the water supply shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall then be constructed in accordance with the approved details, and retained as such at all times thereafter. Reason: In the interest of the appearance and character of the listed building.
- 4) Notwithstanding the details indicated on the approved plans and supporting documents, prior to their installation details and samples of the following materials shall be submitted to, and approved in writing by, the Local Planning Authority:
 - Large scale details of new panelling and other joinery at a scale of 1:20 (for elevations) and 1:2 (cross sections).
 - Details of oak doors.

The works shall then be constructed in accordance with the approved details, and retained as such at all times thereafter. Reason: In the interest of the appearance and character of the listed building.

COUNCILLOR ROGER DENNISON RETURNED TO THE MEETING AT 11:10.

57 LAND NORTH OF BULK ROAD AND EAST OF PARLIAMENT STREET, LANCASTER LANCASHIRE

A5	22/00332/FUL	Demolition of existing carpet store and car wash (Class E) and erection of one 8 storey building and one 6 storey building for purpose-built student accommodation comprising 388 studios (C3) with ancillary communal facilities, new pedestrian access, public realm and landscaping.	Bulk Ward	A(C)
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Under the scheme of public participation, Councillor Jean Parr and Henry Legat spoke against the application; and Duncan Melville (applicant) responded in favour.

It was proposed by Councillor Keith Budden and seconded by Councillor Mel Guiding:

“That the application be approved subject to the conditions in the Committee Report and then delegated back to the Head of Planning and Place to resolve the following outstanding issues:

- await the expiry of the publicity of the application and consider any additional representations received;
- negotiate a possible public open space contribution towards Green Ayre Open Space;
- attempt to secure appropriate evidence from LCC Highways to support a proportionate highway infrastructure contribution request towards sustainable travel in accordance with the CIL tests;
- if contributions can be secured a s106 legal agreement will be required to be completed before approval;

- and if highway evidence is not provided to support a highway infrastructure contribution and/or a public open space project would not meet the CIL tests, then approve without contributions and s106 legal agreement;
- additional Traffic Management CMP condition;

Upon being put to the vote, 13 Councillors voted in favour of the proposal with 2 against and no abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application be approved subject to the conditions in the Committee Report and then delegated back to the Head of Planning and Place to resolve the following outstanding issues:

- await the expiry of the publicity of the application and consider any additional representations received;
- negotiate a possible public open space contribution towards Green Ayre Open Space;
- attempt to secure appropriate evidence from LCC Highways to support a proportionate highway infrastructure contribution request towards sustainable travel in accordance with the CIL tests;
- if contributions can be secured a s106 legal agreement will be required to be completed before approval;
- and if highway evidence is not provided to support a highway infrastructure contribution and/or a public open space project would not meet the CIL tests, then approve without contributions and s106 legal agreement;
- additional Traffic Management CMP condition;

and subject to the conditions in the Committee Report:

1. Time Limit (3 years).
2. Approved Plans.
3. ESP.
4. CEMP (including pollution control, noise and vibration mitigation during construction and protection of protected species).
5. Surface Water Construction Management Plan and Scheme for the Protection of the Mill Race.
6. Notwithstanding the submitted WSI, an amended WSI to be submitted and approved.
7. Phasing Scheme.
8. Surface Water Drainage Scheme.
9. Foul Drainage Scheme.
10. Phase II Site Contamination Report and Remediation.
11. Highway access and off-site highway work details.
12. External materials and finishes, including samples, to building (including windows/doors, details of RWGs) and hard landscaping.
13. Habitat mitigation and enhancement scheme.
14. Precise details of the cycle store and trigger for full implementation.
15. Details of glazing and ventilation specification (informed by updated noise report).
16. Precise scheme for all renewable energy technology and associated plant.
17. External lighting details and security measures.
18. Planting Schedules including details of the green roofs.
19. Scheme for landscape maintenance including green roofs.
20. Homeowner Packs – HRA Mitigation.

21. Waste Management Strategy.
22. Sustainable Drainage Management and Maintenance Plan.
23. Servicing, Access, Parking Management and Maintenance Plan.
24. Travel Plan.
25. Parking to be provided and operational before first occupation.
26. In accordance with submitted FRA.
27. Noise limitation to plant.
28. Single Occupation Student Occupation Only.
29. Removal of PD (Telecoms).
30. BREEAM Very Good.

THE CHAIR ADJOURNED THE MEETING AT 12:30 AND RECONVENED AT 13:00.

COUNCILLOR VICKI BOYD-POWER LEFT THE MEETING AT 12:30.

58 LAND AND BUILDINGS SOUTH OF NUMBER 52 LOW ROAD MIDDLETON LANCASHIRE

A9	21/00864/FUL	Demolition of existing agricultural buildings and erection of 9 dwellings with access, parking, the raising of site levels and construction of retaining wall.	Overton Ward	R
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Under the scheme of public participation, Councillor Andrew Gardiner spoke in support of the application.

It was proposed by Councillor Dave Brookes and seconded by Councillor Sue Tyldesley:

“That the application be refused for the reasons given in the Committee Report with an additional reason for refusal relating to inadequate surface water drainage scheme.”

Upon being put to the vote, 9 Councillors voted in favour of the proposal with 4 against and 1 abstention, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application be refused for the reasons given in the Committee Report with an additional reason for refusal relating to inadequate surface water drainage scheme.

59 1A ALDER GROVE LANCASTER LANCASHIRE LA1 5SD

A10	21/01522/FUL	Demolition of existing managers house and erection of 2 storey building comprising of 4 1-bed flats (C3) and mixed use community room and office to serve wider sheltered housing scheme.	Marsh Ward	A(C)
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Under the scheme of public participation, Councillor Mandy Bannon spoke in favour of the application.

It was proposed by Councillor Keith Budden and seconded by Councillor Mel Guilding, contrary to the officer's recommendation:

"That the application be deferred for further discussions."

Upon being put to the vote, 3 Councillors voted in favour of the proposal with 11 against and no abstentions, whereupon the Chair declared the proposal to have been rejected.

It was proposed by Councillor Roger Dennison and seconded by Councillor June Greenwell, contrary to the officer's recommendation:

"That the conflict with flood risk policy, in particular failure to pass the sequential test, would not outweigh the specific social and environmental benefits of the proposal and that the application be approved with the following conditions:

1. Standard time limit.
2. Approved Plans.
3. Surface water drainage scheme and maintenance.
4. Foul drainage scheme.
5. Materials.
6. Tree protection measures.
7. Landscaping scheme.
8. Provision of EVP.
9. Provision of biodiversity enhancement.
10. Provision of homeowner packs.
11. Flood resilience and mitigation measures including flood evacuation.
12. Energy efficiency measures.

The precise drafting of conditions to be delegated back to officers."

Upon being put to the vote, 14 Councillors voted in favour of the proposal with none against and no abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the conflict with flood risk policy, in particular failure to pass the sequential test, would not outweigh the specific social and environmental benefits of the proposal and that the application be approved with the following conditions:

1. Standard time limit.
2. Approved Plans.
3. Surface water drainage scheme and maintenance.
4. Foul drainage scheme.
5. Materials.
6. Tree protection measures.
7. Landscaping scheme.
8. Provision of EVP.
9. Provision of biodiversity enhancement.

- 10. Provision of homeowner packs.
- 11. Flood resilience and mitigation measures including flood evacuation.
- 12. Energy efficiency measures.

The precise drafting of conditions to be delegated back to officers.

THE CHAIR ADJOURNED THE MEETING AT 14:30 AND RECONVENED AT 14:35.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION:

60 LAND OFF WYRESDALE ROAD LANCASTER LANCASHIRE

A7	22/00816/FUL	Engineering works to create a surface water management scheme.	John O’Gaunt Ward	A(106)
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It was proposed by Councillor Roger Dennison and seconded by Councillor Robert Redfern:

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

Upon being put to the vote, 14 Councillors voted in favour of the proposal with none against and no abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application be approved subject to a s106 agreement to reflect the permission in terms of drainage associated with the adjacent residential development approval (linking the two planning permissions) and drainage validation and subject to the conditions in the Committee Report:

- 1. Timescale.
- 2. Accord with approved plans.
- 3. Construction management plan (hours of construction, SW drainage, dust and protection of water main).
- 4. Contaminated land.
- 5. Soft landscaping.
- 6. AIA.
- 7. Implement/manage/maintain approved drainage details.
- 8. Ecological mitigation.
- 9. Grass seed all earthworks.

61 LAND OFF WYRESDALE ROAD LANCASTER LANCASHIRE

A8	22/00817/VCN	Erection of 27 dwellings (C3) with associated access (pursuant to the variation of conditions 2, 5 and 6 on planning permission 18/00472/FUL to amend house types, access, layout,	John O’Gaunt Ward	A(106)
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surface water management plans and install a substation).

It was proposed by Councillor Robert Redfern and seconded by Councillor Keith Budden:

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

Upon being put to the vote, 14 Councillors voted in favour of the proposal with none against and no abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application for variation of conditions planning permission and a variation to the s106 agreement to reflect this permission in terms of drainage within and beyond the application site be approved subject to the conditions in the Committee Report:

1. Timescale (unchanged).
2. Approved Plans (varied to submitted plans).
3. Access construction details (unchanged).
4. Offsite highway works (unchanged).
5. Surface water drainage details (unchanged).
6. Surface water drainage management/maintenance (unchanged).
7. Finished floor levels (unchanged).
8. Noise mitigation (unchanged).
9. External materials (unchanged).
10. Foul drainage details (unchanged).
11. Vehicle turning heads (updated to reflect additional information).
12. Visibility splays (unchanged).
13. Ecology mitigation (updated to reflect new report).
14. Arboricultural Impact Assessment (updated to reflect new report).
15. Arboricultural implications (updated to reflect new report).
16. Employment skills plan (unchanged).
17. EV charging (updated to remove cycle storage aspect).
18. Hard and soft landscaping (unchanged).
19. Boundary treatments (updated to reflect additional information).
20. Cycle storage (new condition to reflect additional information).

62 PROPOSED SOLAR FARM GRIMESHAW LANE QUERNMORE LANCASHIRE

A6	22/00017/FUL	Installation of a solar farm with associated access and infrastructure to include substations, inverter stations, control room, CCTV, lighting, perimeter fence and all associated works.	Lower Lune Valley Ward	A(C)
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A site visit was held in respect of this application on Monday 31st October 2022 by Councillors Vicki Boyd-Power, Dave Brookes, Keith Budden, Roger Cleet, Roger Dennison, Kevin Frea, June Greenwell, Mel Guilding, Robert Redfern, Malcolm Thomas,

Sandra Thornberry and Sue Tyldesley. In attendance were Officers Eleanor Fawcett and Eric Marsden.

It was proposed by Councillor Robert Redfern and seconded by Councillor Roger Dennison:

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

Upon being put to the vote, 5 Councillors voted in favour of the proposal with 9 against and no abstentions, whereupon the Chair declared the proposal to have been rejected.

It was proposed by Councillor Kevin Frea and seconded by Councillor Jack Lenox:

“That the benefits of the application, in particular the contribution the application will make to mitigating the effects of climate change, outweigh the identified harm to the landscape character and the setting of the AONB landscape and the harmful visual effects arising, and that the application be approved with the following conditions:

1. Standard time limit (3yrs).
2. Approved plans.
3. Archaeological written scheme of investigation.
4. Construction environmental management plan.
5. Construction surface water management plan.
6. Sustainable drainage strategy.
7. Sustainable drainage system operation and maintenance scheme.
8. Construction management plan in relation to the M6.
9. Submission of a site access management plan for construction and operational phases.
10. Submission of a habitat and landscape creation and management plan.
11. Ecology mitigation.
12. Submission of the design, materials and construction methods for the closed circuit television masts, foundations and fixings.
13. Recording of the condition of the existing M6 motorway boundary fence and running surface and parapets of the M6 Grimeshaw Lane bridge before construction.
14. Recording of the condition of the existing M6 motorway boundary fence and running surface and parapets of the M6 Grimeshaw Lane bridge after construction and remediation of any damage.
15. Details of buildings/ compounds/infrastructure, surfacing, CCTV poles and fencing.
16. Tree and hedgerow protection scheme and landscaping scheme.
17. No access to the M6 Grimeshaw Lane bridge for vehicles with a weight of 7.5 tonnes or more.
18. No drainage to connect into the drainage system of the M6 or additional surface water runoff.
19. Verification report of constructed sustainable drainage system.
20. Submission of a site access management plan for decommissioning.
21. Removal and remediation of land after 35 years.
22. Removal after 12 months not producing power.

The precise drafting of conditions to be delegated back to officers.”

Upon being put to the vote, 11 Councillors voted in favour of the proposal with 2 against and 1 abstention, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the benefits of the application, in particular the contribution the application will make to mitigating the effects of climate change, outweigh the identified harm to the landscape character and the setting of the AONB landscape and the harmful visual effects arising, and that the application be approved with the following conditions:

1. Standard time limit (3yrs).
2. Approved plans.
3. Archaeological written scheme of investigation.
4. Construction environmental management plan.
5. Construction surface water management plan.
6. Sustainable drainage strategy.
7. Sustainable drainage system operation and maintenance scheme.
8. Construction management plan in relation to the M6.
9. Submission of a site access management plan for construction and operational phases.
10. Submission of a habitat and landscape creation and management plan.
11. Ecology mitigation.
12. Submission of the design, materials and construction methods for the closed circuit television masts, foundations and fixings.
13. Recording of the condition of the existing M6 motorway boundary fence and running surface and parapets of the M6 Grimeshaw Lane bridge before construction.
14. Recording of the condition of the existing M6 motorway boundary fence and running surface and parapets of the M6 Grimeshaw Lane bridge after construction and remediation of any damage.
15. Details of buildings/ compounds/infrastructure, surfacing, CCTV poles and fencing.
16. Tree and hedgerow protection scheme and landscaping scheme.
17. No access to the M6 Grimeshaw Lane bridge for vehicles with a weight of 7.5 tonnes or more.
18. No drainage to connect into the drainage system of the M6 or additional surface water runoff.
19. Verification report of constructed sustainable drainage system.
20. Submission of a site access management plan for decommissioning.
21. Removal and remediation of land after 35 years.
22. Removal after 12 months not producing power.

The precise drafting of conditions to be delegated back to officers.

THE CHAIR ADJOURNED THE MEETING AT 15:45 AND RECONVENED AT 15:50.

**COUNCILLORS ROGER DENNISON, KEVIN FREA AND JUNE GREENWELL
LEFT THE MEETING AT 15:45.**

**63 WESTGATE WANDERERS FOOTBALL CLUB MAPLE AVENUE HEYSHAM
LANCASHIRE**

A12 22/00998/FUL Erection of two dugouts / Heysham North R
outbuildings. Ward

It was proposed by Councillor Keith Budden and seconded by Councillor Sandra Thornberry:

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

Upon being put to the vote, 11 Councillors voted in favour of the proposal 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.

64 TURNING POINT THEATRE ARTS LANCASTER LEISURE PARK WYRESDALE ROAD LANCASTER LANCASHIRE LA1 3LA

A13	22/00909/FUL	Erection of single storey rear extension.	John O’Gaunt Ward	A
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It was proposed by Councillor Robert Redfern and seconded by Councillor Malcolm Thomas:

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

Upon being put to the vote, 11 Councillors voted in favour of the proposal 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 in the Committee Report:

1. Standard 3 year timescale.
2. Development in accordance with approved plans.
3. Submission of proposed landscaping plan.
4. Development in accordance with submitted Arboricultural Impact Assessment.

65 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.

Chair

(The meeting ended at 4.00 p.m.)

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