

**PLANNING REGULATORY
COMMITTEE**

10.30 A.M.

30TH JANUARY 2023

PRESENT:- Councillors Sandra Thornberry (Chair), Keith Budden (Vice-Chair), Mandy Bannon (Substitute), Victoria Boyd-Power, Dave Brookes, Roger Cleet, Tim Dant (Substitute), Roger Dennison, June Greenwell, Colin Hartley, Mandy King, Jack Lenox, Robert Redfern, Malcolm Thomas and Peter Yates (Substitute)

Apologies for Absence:-

Councillors Kevin Frea, Mel Guilding and Sue Tyldesley

Officers in attendance:-

Mark Potts	Service Manager - Development Management
Mark Jackson	Planning Applications Manager
Rephael Walmsley	Senior Solicitor
Hannah Little	Legal Assistant
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W	-	Withdrawn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

83 MINUTES

The minutes of 9th January 2023 were agreed as a true record and signed by the Chair.

84 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

85 DECLARATIONS OF INTEREST

Councillor Roger Cleet declared an interest in agenda items A6: 22/00048/FUL Grand Theatre St Leonards Gate, Lancaster and A7: 22/00036/LB Grand Theatre St Leonards Gate Lancaster. The reason being he had previously provided printed promotional material to users of the Grand Theatre. Councillor Cleet would recuse himself from the meeting for the duration of consideration of both items.

Councillors Keith Budden, Malcolm Thomas and Peter Yates declared an interest in agenda item A8 Tarnbrook Stores, 8 Tarnbrook Road, Heysham. The reason being that a neighbouring property contained an enterprise operated by a City Councillor and fellow member of the Conservative Party group. Councillors Budden, Thomas and Yates would abstain during the vote.

Councillor Roger Dennison declared an interest in agenda item A8 Tarnbrook Stores, 8 Tarnbrook Road, Heysham. The reason being that he did not feel he could view the application fairly and with an open mind. Councillor Dennison would recuse himself from the meeting for the duration of consideration of the item.

Councillor Colin Hartley declared an interest in agenda item A8 Tarnbrook Stores, 8 Tarnbrook Road, Heysham. The reason being that he was the Ward Councillor for that area. Councillor Hartley stated that he would be viewing the application fairly and with an open mind.

Councillors Mandy Bannon, Dave Brookes, Tim Dant and Jack Lenox declared an interest in agenda item A14 22/01445/FUL 98 Aldcliffe Road Lancaster. The reason being that the applicant was related to a fellow member of the Green and Independent Group. Consequently, Councillors Bannon, Brookes, Dant and Lenox would recuse themselves from the meeting for the duration of consideration of this item.

There were no other declarations of interest.

APPLICATION SUBJECT TO PUBLIC PARTICIPATION:

86 LAND NORTH OF HORNBY PARK SCHOOL MELLING ROAD HORNBY LANCASHIRE

A5	18/01165/HYB	Hybrid application comprising of a full planning application for the erection of 76 dwellings with associated new access, drainage infrastructure, foul pumping station and sub-station and outline planning consent for the erection of a medical practice (D1) with associated access.	Upper Lune Valley Ward	R
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Under the scheme of public participation, Sally Riley of Gressingham and Eskrigge Parish Council and Ward Councillor Ross Hunter spoke against the application; and John Winstanley of Story Homes (applicant) spoke in favour.

It was proposed by Councillor Roger Dennison and seconded by Councillor Jack Lenox:

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

Upon being put to the vote, 15 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 given in the Committee Report.

**COUNCILLOR ROGER CLEET LEFT THE MEETING AT 11:05 A.M.
FOLLOWING HIS DECLARATION ABOVE.**

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION:

87 GRAND THEATRE ST LEONARDS GATE LANCASTER LANCASHIRE

A6	22/00048/FUL	Relevant Demolition of part of Music Co-op building, single storey toilet block, boundary walls and external stairwells and ramps, and erection of a 2-storey extension to the Grand Theatre, extension of existing car park, construction of a retaining wall, construction of a replacement access ramp and steps, and repair to exposed facades of Music Co-op building.	Bulk Ward	A
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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 the conditions in the Committee Report:

1. Time Limit (3 years).
2. Development to accord with listed plans.
3. Standard contamination condition.
4. Implementation of a programme of archaeological work.
5. Parking and delivery strategy.
6. Surface water drainage details, including percolation tests.
7. Separate foul drainage system.
8. Details of fixtures to the main building (inc. details of connection to exposed window arches).
9. Details and samples of all external materials:
 - cladding
 - roof materials
 - frames
 - fin details
 - glazing
 - external doors
 - balustrades and bollards
 - surfacing treatments
 - external lighting, including any lighting to window arches
 - flues and vents
 - rainwater goods
 - boundary wall
10. Following demolition of extensions and outbuildings, details of stonework repairs to be submitted (including to boundary walls to the south east of the site).
11. Parking and delivery strategy.
12. Construction Management Plan.
13. Cycle storage.
14. Electric Vehicle Charging points.
15. Implementation of parking and turning.

88 GRAND THEATRE ST LEONARDS GATE LANCASTER LANCASHIRE

A7	22/00036/LB	Listed building application for removal of single storey toilet block, external stairwells and ramps, and erection of a 2-storey extension to the Grand Theatre.	Bulk Ward	A
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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 the conditions in the Committee Report:

1. Standard listed building consent timescale.
2. Development to accord with listed plans.
3. Details and samples of all external materials:
 - cladding
 - roof materials
 - frames
 - fin details
 - glazing
 - external doors
 - balustrades and bollards
 - surfacing treatments
 - external lighting, including any lighting to window arches
 - flues and vents
 - rainwater goods
4. Details and samples of all internal materials:
 - internal doors.
 - internal fixtures (including bar and storage space).
5. Details of fixtures to the main building (inc. details of connection to exposed window arches).

COUNCILLOR ROGER CLEET RETURNED TO THE MEETING AT 11:20 A.M.

**COUNCILLOR ROGER DENNISON LEFT THE MEETING AT 11:25 A.M.
FOLLOWING HIS DECLARATION ABOVE.**

89 TARNBROOK STORES 8 TARNBROOK ROAD HEYSHAM MORECAMBE

A8	22/01353/FUL	Erection of single storey rear extension.	Heysham South Ward	R
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It was proposed by Councillor Robert Redfern and seconded by Councillor Tim Dant:

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

Upon being put to the vote, 11 Councillors voted in favour of the proposal with none against and 3 abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application be refused for the reasons given in the Committee Report.

COUNCILLOR ROGER DENNISON RETURNED TO THE MEETING AT 11:39 A.M.

90 LUDUS DANCE ASSEMBLY ROOMS KING STREET LANCASTER

A9	22/01388/CU	Change of use from dance studios to artists studios.	Castle 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, 15 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.

91 LANCASTER TOWN HALL DALTON SQUARE LANCASTER LANCASHIRE

A10	22/01448/LB	Listed building application for the fixing of a sign next to the customer services entrance.	Castle Ward	A
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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, 15 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 Listed Building Consent Timescale.
2. Works in Accordance with Approved Plans and Details.

92 CUNNINGHAM JEWELLERS 2 - 4 DAMSIDE STREET LANCASTER LANCASHIRE

A11	22/01286/FUL	Advertisement application for the display of a projecting hanging ring.	Bulk Ward	A
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It was proposed by Councillor Robert Redfern and seconded by Councillor Peter Yates:

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

Upon being put to the vote, 15 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 5 Year Timescale for Advertisements.
2. Development in accordance with approved plans.
3. No advertisement is to be displayed without the permission of the owner of the site.
4. No advertisement shall be sited or displayed so as to obscure or hinder various transportation signs or signals.
5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
7. Where an advertisement is required under the Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

93 14 DAMSIDE STREET LANCASTER LANCASHIRE LA1 1PB

A12	22/01571/FUL	Installation of replica hoist and explanatory plaque to the front elevation.	Bulk Ward	A
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It was proposed by Councillor Robert Redfern and seconded by Councillor Roger Dennison:

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

Upon being put to the vote, 15 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 the approved plans.

94 31-33 NORTH ROAD LANCASTER LANCASHIRE LA1 1NS

A13	22/01577/ADV	Advertisement application for the display of a hanging projecting barrel and a plaque to the front elevation.	Bulk Ward	A
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It was proposed by Councillor Robert Redfern 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, 15 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 5 Year Timescale for Advertisements.
2. Development in accordance with approved plans.
3. No advertisement is to be displayed without the permission of the owner of the site.
4. No advertisement shall be sited or displayed so as to obscure or hinder various transportation signs or signals.
5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
7. Where an advertisement is required under the Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

**THE CHAIR ADJOURNED THE MEETING AT 11:58 A.M. AND
RECONVENED AT 12:08 P.M.**

**APPLICATION A15 22/01460/CCC, AND THE DELEGATED LIST, WERE BOTH
BROUGHT FORWARD IN THE AGENDA BY THE CHAIR**

95 SALT AYRE LANDFILL SITE SALT AYRE LANE LANCASTER LANCASHIRE

A15	22/01460/CCC	County Council Consultation request for the permanent retention of the existing Salt Ayre Materials Recycling & Transfer Facility.	Skerton West Ward	O
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It was proposed by Councillor Colin Hartley and seconded by Councillor Robert Redfern:

“That Lancaster City Council object for the reasons given in the Committee Report.”

Upon being put to the vote, 14 Councillors voted in favour of the proposal with none against and 1 abstention, whereupon the Chair declared the proposal to have been carried.

Resolved:

That Lancaster City Council object for the reasons given in the Committee Report:

1. The site is allocated as a Key Urban Landscape, an important open area proving a setting to the main urban areas. Policy EN5 seeks to safeguard these areas, preserving their open nature, and great importance is placed on protecting these areas. With no defined end date proposed, nor a restoration scheme for buildings and equipment to be removed and land restoration on a defined date or within a set

number of months on cessation of use, the site would remain developed and industrial in perpetuity, detrimental to the visual amenity of the area and wholly inappropriate within the Key Urban Landscape. The existing buildings and structures are poor quality in design and contribute negatively to the character and appearance of the area, and not a feature the LPA would grant permanent consent for. Permanent planning permission cannot be supported, and a restoration scheme for any temporary permission is considered essential. Accordingly, the proposal fails to comply with Policies DM29, DM46 and EN5.

2. The red edge boundaries on the two plans submitted are inconsistent, and it is not clear which boundary defines the land forming this planning application. Furthermore, the plans also show a different boundary to that of the lease agreement between the applicant and Lancaster City Council as landowner.
3. The site lies within an Air Quality Management Area and insufficient information (ie no Air Quality Assessment) has been submitted to enable consideration of air quality and air pollutants. Therefore the scheme fails to accord with Policies EN9 and DM31 and the Low Emissions and Air Quality Planning Advisory Note.
4. The site lies close to environmentally important areas, including the River Lune, Lune Estuary and Morecambe Bay, which are nationally and internationally designated for their ecological importance. Although the application is for a continuance of an existing use, no biodiversity report has been submitted to assess the impacts of this on the local wildlife populations and habitats. Furthermore, the supporting documents do not consider potential harm on the designated sites (protected under the Habitat Regulations), or other potential impact pathways, and no means of biodiversity net gain have been proposed. As such, the proposal fails to conserve and enhance biodiversity and the natural environment, contrary to Policies DM44 and EN7.

96 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.

**COUNCILLORS MANDY BANNON, DAVE BROOKES, TIM DANT AND
JACK LENOX LEFT THE MEETING AT 12:21 A.M. FOLLOWING
THEIR DECLARATION ABOVE.**

97 98 ALDCLIFFE ROAD LANCASTER LANCASHIRE LA1 5BE

A14	22/01445/FUL	Creation of balcony with raised platform, installation of French doors to replace window and installation of window to replace back door to the rear elevation.	Castle Ward	R
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It was proposed by Councillor Keith Budden and seconded by Councillor Peter Yates:

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

Upon being put to the vote, 9 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 refused for the reasons given in the Committee Report.

Chair

(The meeting ended at 12.35 p.m.)

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