

**PLANNING REGULATORY
COMMITTEE**

10.30 A.M.

30TH MAY 2023

PRESENT:- Councillors Sandra Thornberry (Chair), Claire Cozler (Vice-Chair), Louise Belcher, Martin Bottoms (Substitute), Dave Brookes, Keith Budden, Tom Fish, Alan Greenwell, Tim Hamilton-Cox (Substitute), John Hanson, Colin Hartley (Substitute), Joyce Pritchard, Robert Redfern, Grace Russell and Sue Tyldesley

Apologies for Absence:-

Councillors Roger Dennison, Paul Gardner and Paul Tynan

Officers in attendance:-

Mark Potts	Service Manager - Development Management
Mark Jackson	Planning Applications Manager
Eleanor Fawcett	Principal Planning Officer
Andrew Clement	Senior Planning Officer
Petra Williams	Planning Officer
Patrick Hopwood	Planning Assistant
Rephael Walmsley	Senior Solicitor and Deputy Monitoring Officer
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W	-	Withdrawn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

1 APPOINTMENT OF VICE-CHAIR

The Chair requested nominations for the position of Vice-Chair of the Planning Regulatory Committee for the municipal year 2023-2024.

It was proposed that Councillor Claire Cozler be appointed to the position of Vice-Chair of the Planning Regulatory Committee for the municipal year 2023-2024.

It was proposed that Councillor Dave Brookes be appointed to the position of Vice-Chair of the Planning Regulatory Committee for the municipal year 2023-2024.

Upon being put to the vote, Councillor Cozler received 7 votes and Councillor Brookes received 7 votes, whereupon the Chair used their casting vote in favour of Councillor Cozler.

Resolved:

That Councillor Claire Cozler be appointed to the position of Vice-Chair of the Planning Regulatory Committee for the municipal year 2023-2024.

2 MINUTES

The minutes of 24th April 2023 were agreed as a true record by those who had attended the previous meeting and signed by the Chair.

3 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

4 DECLARATIONS OF INTEREST

Councillor Claire Cozler declared an interest in application 21/01341/OUT Outline application for the development of 129 residential dwellings and creation of new access. The reason being that she was a member of Morecambe Town Council, who had previously submitted an objection to the application. Councillor Cozler stated that as she had not been a member of Morecambe Town Council at the time the objection was made she would be viewing the application fairly and with an open mind.

There were no other declarations of interest.

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION:

5 LAND EAST OF FULWOOD DRIVE MORECAMBE

A6	21/01341/OUT	Outline application for the development of 129 residential dwellings and creation of new access.	Bolton and Slyne Ward	R
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A site visit was held in respect of this application on Monday 17th April 2023 by Councillors Dave Brookes, Roger Cleet, Keith Budden, Roger Dennison, Mel Guilding, and Peter Yates. In attendance was Principal Planning Officer Jennifer Rehman.

Under the scheme of public participation, William Cornthwaite and Andrew Good spoke against the application. Graham Love (Smith & Love Planning Consultants) responded in favour.

It was proposed by Councillor Sandra Thornberry and seconded by Councillor Louise Belcher, contrary to the officer's recommendation in the report:

“That the application be refused for the following reasons:

- The site is located within an area designated as Key Urban Landscape and the proposed residential development would fail to preserve the open nature of the area as it will result in an amount of built development and associated infrastructure on an area of land which is currently open fields and the benefits of the scheme would not outweigh this harm. The proposal is therefore contrary to the aims and objectives of the NPPF, in particular paragraph 174, policy EN5 of the Strategic Policies and Land Allocations Development Plan Document and Policy DM46 of the Review of the Development Management Development Plan Document.
- The proposed development would result in harm to the significance of Torrisholme Barrow Scheduled Monument as a result of development within its setting which would not be outweighed by the benefits of the scheme. It is therefore contrary to the aims and objectives of the NPPF, in particular section 16, policy SP7 of the Strategic Policies and Land Allocations Development Plan Document and Policies DM39 and DM42 of the Review of the Development Management Development Plan Document.”

Upon being put to the vote, 8 Councillors voted in favour of the proposal with 6 against and no abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application be refused.

**COUNCILLOR GRACE RUSSELL JOINED THE MEETING AT 11:20 A.M.
AND DID NOT PARTICIPATE IN THE VOTE ON ITEM 21/01341/OUT.**

**THE CHAIR ADJOURNED THE MEETING AT 11:55
AND RECONVENED AT 12:05.**

**APPLICATION A10 23/00222/FUL WAS BROUGHT FORWARD IN THE
AGENDA BY THE CHAIR TO ACCOMMODATE THE PUBLIC SPEAKER.**

6 LAND NORTH OF LENTWORTH DRIVE LANCASTER

A10	23/00222/FUL	Construction of a permanent flood defence bund and associated works.	Scotforth East Ward	A
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It was proposed by Councillor Keith Budden 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 following conditions:

1. Standard three year timescale;
2. Development in accordance with plans and details;
3. Tree protection plan;
4. Biodiversity mitigation and enhancement details;
5. Landscaping and replanting scheme;
6. Playing field drainage details;
7. Playing field construction management plan;
8. Playing field continuity of use/alternative temporary provision;
9. Highways construction details.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION:

7 LAND ADJACENT TO PORSCHE CENTRE SOUTH LAKES 1 ELECTRIC DRIVE CARNFORTH

A7	22/01328/REM	Reserved matters application for the approval of layout, scale, appearance, and landscaping following planning permission 22/00562/VCN for the development of 8,397sqm of employment (Use Classes B1(c), B2 and B8).	Kellet Ward	A
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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, 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 following conditions:

1. Standard reserved matters timescale;
2. In accordance with approved plans;
3. Fencing to M6, including during construction;
4. Measures to prevent vehicle access between site and M6;
5. Surfacing materials, boundary treatments, retaining features and CCTV;
6. Landscaping scheme including maintenance.

8 DEVELOPMENT LAND NORTH OF RECTORY GARDENS LANCASTER ROAD COCKERHAM

A8	22/00618/FUL	Demolition of existing agricultural buildings and erection of 22 dwellings (C3) with associated garages, internal roads and open	Ellel Ward	A(106)
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space.

It was proposed by Councillor Keith Budden 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, 13 Councillors voted in favour of the proposal with none against and 2 abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application be approved subject to the following Planning Obligations:

- Provision of affordable housing (7 units on site, 4x affordable/social rent, 3x shared ownership tenure);
- Open space provision (on-site amenity green space provision and financial contribution of £10,000 for young persons provision and £22,328.70 for outdoor sports in Cockerham);
- Biodiversity net gain to demonstrate 10% net gain and a Landscape and Ecological Creation and Management Plan showing 30 year management;
- Provision for long term drainage, open space and landscaping/BNG, maintenance and management company; and,
- Contribution to Education (for two secondary school places) of £49,506 towards the permanent expansion of Ripley St Thomas C of E High School;

and subject to the following conditions:

1. Timescale for commencement (2 years);
2. Development in accordance with approved plans;
3. Scheme of archaeological work;
4. Final surface water sustainable drainage strategy (SuDS);
5. Foul water scheme;
6. Finished site and floor levels (including gardens and open space) and M4(2) compliance;
7. Full landscaping and ecological management plan;
8. Ecology mitigation measures;
9. Full energy efficiency measures;
10. Submission of an Employment and Skills Plan;
11. Submission of construction management plan;
12. Submission of construction environmental management plan, including avoiding noise disturbance activities during wintering bird season;
13. Submission of construction surface water management plan;
14. Full details of site access/footway/lighting;
15. Elevations and external treatment material details and samples;
16. Contaminated land – further surveys following recommendations of the report;
17. Boundary and surface treatments, method statement for such works within tree protection fencing area, remove permitted development;
18. Site lighting scheme;
19. Scheme for the full engineering, drainage and construction details of the internal estate roads;
20. Off-site highway works, including pavements and bus shelter;

21. Visibility splays;
22. Sustainable drainage system operation and maintenance manual;
23. Verification report of constructed sustainable drainage system;
24. Obscure glazed openings 18 and 20;
25. Cycle storage details;
26. Waste bin provision details;
27. Homeowner packs ecology;
28. EV charging;
29. Implementation of approved tree protection measures;
30. Provide and control parking provision.

9 LAND NORTH OF BOTTOMDALE ROAD EAST OF M6 BOTTOMDALE ROAD HALTON

A9	22/00874/FUL	Retrospective application for change of use of land to residential traveller accommodation consisting of two mobile homes, three touring caravans, storage of two touring caravans, two outbuildings, septic tank, hardstanding, fencing, gates, associated access, re-grading land levels, creation of bund and use of field as paddock.	Halton-with-Aughton Ward	A
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It was proposed by Councillor Claire Cozler and seconded by Councillor Sandra Thornberry:

“That the application be approved subject to the conditions in the Committee Report and subject to amendment to condition 11.”

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 the application be approved subject to the following conditions:

1. Development in accordance with approved plans;
2. Surfacing of access;
3. Full details of the foul drainage system and verification of installation;
4. Details of surface water sustainable drainage scheme;
5. Landscaping scheme;
6. Details of vehicle restraint barrier system and construction plan;
7. Details of lighting and bin storage (including location);
8. Use of the site limited to Gypsies and Travellers;
9. Limited to number and location of units shown on plan;
10. Removal of permitted development rights;

11. Retention of boundary fence (fence at least 1 metre from highway boundary).

**THE CHAIR ADJOURNED THE MEETING AT 13:10 AND
RECONVENED AT 13:15.**

10 JUBILEE HALL CHINA STREET LANCASTER

A11	23/00090/FUL	Replacement of front door and rear exhaust duct.	Castle Ward	A
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It was proposed by Councillor Keith Budden and seconded by Councillor Claire Cozler:

“That the application be approved subject to the condition 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 following condition:

1. Development to accord with plans.

COUNCILLOR COLIN HARTLEY LEFT THE MEETING AT 13:20.

**11 PUBLIC FOOTPATH ASSOCIATED WITH LAND SOUTH OF HAWTHORN AVENUE
HAWTHORN AVENUE BROOKHOUSE**

A12	Associated with 21/01284/FUL	To permanently divert a section of Public Footpath No. in Brookhouse to enable the implementation of residential development pursuant to the proposals set out in application 21/01284/FUL for the erection of 25 adaptable bungalows for over 55's with associated access, internal roads and landscaping.	Lower Lune Valley Ward	A
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It was proposed by Councillor Claire Cozler and seconded by Councillor John Hanson:

“That the application be approved as recommended 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 as recommended and:

- That the local planning authority proceeds to make an Order pursuant to Section 257 of the Town and Country Planning Act 1990 to divert Footpath 1-10-17 in Brookhouse to enable the development to be carried out in accordance with the planning permission. In the event of no objections being received to the Order, or any such objections received being withdrawn, the Order be confirmed. This is on the terms the developer pays the cost of diverting the footpath and providing the alternative route in accordance with the requirements of the confirmed Order.
- That the Chief Officer of Planning and Climate Change be granted delegated powers to take or authorise any action considered necessary in respect of the making and confirmation of the Order duly authorised to be made.

12 APPOINTMENT TO THE CROOK O' LUNE ADVISORY COMMITTEE

The Chair requested nominations for the Planning Regulatory Committee representative on the Crook O' Lune Advisory Committee for the duration of the municipal year 2023-2024.

With Councillor Joyce Pritchard the only nomination received, the Chair declared that Councillor Pritchard be appointed as representative.

Resolved:

That Councillor Joyce Pritchard be appointed as the Planning Regulatory Committee representative on the Crook O' Lune Advisory Committee for the duration of the municipal year 2023-2024.

13 DELEGATED LIST

The Chief Officer - Planning and Climate Change 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 1.25 p.m.)

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