

**PLANNING REGULATORY
COMMITTEE**

10.30 A.M.

29TH APRIL 2024

PRESENT:- Councillors Sandra Thornberry (Chair), Louise Belcher, Dave Brookes, Keith Budden, Roger Dennison, Martin Gawith, Alan Greenwell, John Hanson, Colin Hartley (Substitute), Sally Maddocks, Joyce Pritchard, Sue Tyldesley and Paul Tynan

Apologies for Absence:-
Councillor Robert Redfern

Officers in attendance:-
Mark Jackson Planning Applications Manager
Rephael Walmsley Senior Solicitor and Deputy Monitoring Officer
Andrew Clement Senior Planning 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- W - Withdrawn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

118 MINUTES

The minutes of 25th March 2024 were agreed as a true record and signed by the Chair.

119 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

120 DECLARATIONS OF INTEREST

There were no declarations of interest.

**APPLICATION A8 23/00339/OUT WAS BROUGHT FORWARD
IN THE AGENDA BY THE CHAIR.**

APPLICATIONS SUBJECT TO PUBLIC PARTICIPATION:

121 LAND TO THE REAR 162 SCOTFORTH ROAD LANCASTER LANCASHIRE

A8	23/00339/OUT	Outline application for the erection of one dwelling (C3) and alterations to existing access.	Scotforth West A Ward
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A site visit was held in respect of this application on Monday 22nd April 2024 by Cllrs Mandy Bannon, Louise Belcher, Dave Brookes, Keith Budden, John Hanson, Paul Newton and Joyce Pritchard. In attendance was Planning Applications Manager Mark Jackson.

Under the scheme of public participation, Stephen Johnston, Stephen Hughes and Ward Councillor Tim Hamilton-Cox all spoke against the application. Richard Wood (Skandishack Architecture & Design) spoke in favour.

It was proposed by Councillor Martin Gawith 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, 7 Councillors voted in favour of the proposal with 4 against and 2 abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application be approved subject to the following conditions:

1. Time limit (Reserved matters required – except access).
2. Approved plans.
3. Submission of homeowner pack.
4. Construction environmental management plan.
5. Provision of Vehicular Access.
6. Construction deliveries.
7. Submission of hedge replacement scheme to access.
8. Construction management plan.
9. Surface water details.
10. Foul drainage system details.
11. Details of gates and fencing including height.
12. Finished floor and garden levels.
13. Unforeseen Contamination.
14. Hours of construction.
15. Nationally Described Space Standards.
16. Removal of permitted development rights.
17. Retention of visibility splays.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION:

122 WHITTINGTON FARM MAIN STREET WHITTINGTON CARNFORTH

A5	23/01408/VCN	Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings (pursuant to the variation of condition 2 on 16/00397/OUT to amend the layout and appearance of the dwellings).	Upper Lune Valley Ward	A(C)
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It was proposed by Councillor Keith Budden 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 none against and 2 abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application be approved subject to a variation to the s106 agreement to reflect this permission and subject to the following conditions:

1. Reserved matters application and timescale (varied to reflect commenced development).
2. Accord with amended approved plans (varied to submitted plans).
3. Archaeological building recording (varied to reflect previously agreed details).
4. Construction management plan (varied to reflect previously agreed details).
5. Tree protection plan (varied to reflect previously agreed details).
6. Land contamination survey.
7. Details of access road, footpath links and visibility splays.
8. Surface water drainage scheme.
9. Surface water maintenance scheme.
10. Foul water drainage scheme.
11. External materials details and samples (updated to reflect amended scheme and materials).
12. Open Space maintenance.
13. Play equipment.
14. Off-site highway improvements.
15. Tree mitigation measures.
16. Car parking implementation.
17. Hours of demolition and construction.
18. Shop/café opening hours.

19. Restriction on shop and tearooms.
20. Remove dwellinghouse permitted development rights.
21. Garage use restriction.
22. Ecology and protect species survey (updated to reflect new report).
23. Protection of visibility splays.
24. Boundary treatments and hedgerows (new condition to reflect additional information).
25. Grampian condition extended gardens (new condition to reflect additional information).
26. Bin store details for plot 16 (new condition to reflect additional information).

123 WHITTINGTON FARM MAIN STREET WHITTINGTON CARNFORTH

A6	23/01488/VCN	Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling(C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings (pursuant to the variation of conditions 2 on planning permission 19/00245/VCN to make amendments to the approved scheme).	Upper Lune Valley Ward	A(C)
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It was proposed by Councillor Keith Budden and seconded by Councillor John Hanson:

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

Upon being put to the vote, 10 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 approved subject to a variation to the s106 agreement to reflect this permission and subject to the following conditions:

1. Reserved matters application and timescale (varied to reflect commenced development).
2. Accord with amended approved plans (varied to submitted plans).
3. Archaeological building recording (varied to reflect previously agreed details).
4. Construction management plan (varied to reflect previously agreed details).
5. Tree protection plan (varied to reflect previously agreed details).
6. Land contamination survey.
7. Details of access road, footpath links and visibility splays.
8. Surface water drainage scheme.
9. Surface water maintenance scheme.
10. Foul water drainage scheme.
11. External materials details and samples (updated to reflect amended scheme and materials).

12. Open Space maintenance.
13. Off-site highway improvements.
14. Tree mitigation measures.
15. Car parking implementation.
16. Hours of demolition and construction.
17. Shop/café opening hours.
18. Restriction on shop and tearooms.
19. Remove dwellinghouse permitted development rights.
20. Garage use restriction.
21. Ecology and protect species survey (updated to reflect new report).
22. Protection of visibility splays.
23. Boundary treatments and hedgerows (new condition to reflect additional information).
24. Grampian condition extended gardens (new condition to reflect additional information).
25. Bin store details for plot 16 (new condition to reflect additional information).

**THE CHAIR ADJOURNED THE MEETING AT 12:08 AND
RECONVENED AT 12:18 P.M.**

124 WHITTINGTON FARM MAIN STREET WHITTINGTON CARNFORTH

A7	24/00295/FUL	Change of use of agricultural land to residential curtilage.	Upper Lune Valley Ward	A
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During debate, Councillors requested that when discharging the planning conditions in relation to the boundary treatments, the applicant be discouraged from tall solid boarding timber fencing.

It was proposed by Councillor Keith Budden and seconded by Councillor Colin Hartley:

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

Upon being put to the vote, 12 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. Timescale.
2. Accord with approved plans.
3. Contaminated land assessment.
4. Details of boundary locations, types and heights.
5. Remove permitted development outbuildings and boundary treatments.
6. Grampian condition linked to VCN approvals to the north.

125 2 WEST ROAD LANCASTER LANCASHIRE

A9	23/01494/FUL	Change of use and conversion of existing ground floor office to HMO (C4).	Marsh Ward	R
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It was proposed by Councillor Roger Dennison and seconded by Councillor John Hanson:

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

Upon being put to the vote, 13 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 to the following reasons:

1. The concentration of HMOs within 100m of the subject building equates to 18%, which exceeds the maximum concentration of 10% prescribed by Policy DM13 of the Development Management DPD. The proposal would result in harm to the quality, character, housing mix and community of the local area, contrary to the aims and objectives of Policies DM1, DM13 and DM29 of the Development Management DPD, Policy SP9 of the Strategic Policies and Land Allocations DPD, the Residential Conversions and Houses in Multiple Occupation SPD, and Paragraph 135 of the National Planning Policy Framework.
2. By virtue of the proposed layout, the shared living space would be subject to an inadequate level of natural light and an inadequate outlook. Consequently, the proposal would result in substandard living conditions detrimental to the amenity of future users and contrary to the requirements of Policies DM13 and DM29 of the Development Management DPD, Appendix B of the Residential Conversions and HMOs SPD, and Section 12 of the National Planning Policy Framework.

126 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 12.59 p.m.)

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