

**PLANNING REGULATORY
COMMITTEE**

10.30 A.M.

24TH JUNE 2024

PRESENT:- Councillors Sandra Thornberry (Chair), Mandy Bannon (Substitute), Louise Belcher, Martin Bottoms (Substitute), Phil Bradley (Substitute), Dave Brookes, Keith Budden, Martin Gawith, Alan Greenwell, John Hanson, Paul Hart (Substitute), Jack Lenox, Sally Maddocks, Robert Redfern and Paul Tynan

Apologies for Absence:-

Councillors Claire Cozler, Roger Dennison, Joyce Pritchard and Sue Tyldesley

Officers in attendance:-

Mark Potts	Service Manager - Development Management
Mark Jackson	Planning Applications Manager
Rephael Walmsley	Senior Solicitor and Deputy Monitoring Officer
Andrew Clement	Senior Planning Officer
Eleanor Fawcett	Principal Planning Officer
Sam Robinson	Planning & Building Technician
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W	-	Withdrawn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

13 MINUTES

The minutes of 28th May 2024 were agreed as a true record and signed by the Chair.

14 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

15 DECLARATIONS OF INTEREST

Councillor Alan Greenwell declared an interest in agenda item A13 24/00113/FUL The Shore Car Park Silverdale. The reason being that he was Ward Councillor for this application, and having received representations from residents, had referred it to the Planning Regulatory Committee. Councillor Greenwell stated that he would be viewing the application fairly and with an open mind.

Senior Solicitor and Deputy Monitoring Officer Rephael Walmsley declared an interest in item A9 22/01396/FUL Lune House and Derby House, Lune Street and Derby Road, Lancaster. The reason being the Legal Services team at the City Council had previous involvement with this application. Mr Walmsley stated that he would leave the room during consideration of the item.

There were no other declarations of interest.

APPLICATIONS A8 23/01216/FUL, A13 24/00113/FUL AND A14 24/00114/ADV WERE BROUGHT FORWARD IN THE AGENDA BY THE CHAIR AS THEY WERE SUBJECT TO PUBLIC PARTICIPATION:

16 LAND ADJACENT BOWERHAM HOTEL BOWERHAM ROAD LANCASTER LANCASHIRE LA1 4DT

A8	23/01216/FUL	Erection of Class E units with associated access, parking and loading bay, landscaping, infrastructure and demolition of existing outbuilding.	Bowerham Ward	A(106)
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Under the scheme of public participation, Councillors Hamish Mills and Sarah Punshon of Bowerham Ward spoke against the application, and agent Chris Betteridge (De Pol Associates) responded in favour.

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, 9 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 satisfactory completion of a S.106 Legal Agreement to secure:

- a contribution of £70,000 (seventy thousand pounds) to be paid to Lancaster City Council and which shall be used by the Council for improvements of the recreational facilities at Highfield Recreation Ground and / or Palatine Recreation Ground in Lancaster;

and subject to the following conditions:

1. Timescale.
2. Accord with amended plans.
3. Demolition and construction management plan, including hours of construction and demolition.
4. Land contamination survey.
5. Surface water drainage scheme.
6. Details and samples of external materials and boundary treatment.
7. Landscaping scheme and maintenance.
8. Details of plant/waste compound boundary.
9. Surface water maintenance and verification.
10. Foul water drainage scheme.
11. Off-site highway works (including yellow lines and bus stop improvements).
12. Mitigation within ecology assessment.
13. Implement new accesses.
14. Implement mitigation in energy report.
15. Implement mitigation within noise assessment.
16. Implement car and bicycle parking provision, including 4x EV parking spaces.
17. Hours of site opening, operations and deliveries.
18. Maximum commercial floorspace restriction and units.
19. Demolition only prior to imminent commencement.

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

17 THE SHORE CAR PARK SHORE ROAD SILVERDALE LANCASHIRE LA5 0TP

A13	24/00113/FUL	Retrospective application for a pole mounted light/camera and associated cabinet.	Silverdale Ward R
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Under the scheme of public participation, resident Sarah Fishwick spoke against the application.

It was proposed by Councillor Martin Gawith 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, one Councillor voted in favour of the proposal with 14 against and no abstentions, whereupon the Chair declared the proposal to have been rejected.

It was proposed by Councillor Alan Greenwell and seconded by Councillor Philip Bradley:

“That the application be refused for the following reason:

- the pole mounted light/camera and associated cabinet would have a significant detrimental impact upon the designated National Landscape that would not conserve or preserve its special quality and would be contrary to policies DM29 and DM46 and the National Planning Policy Framework.”

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 following reason:

- the pole mounted light/camera and associated cabinet would have a significant detrimental impact upon the designated National Landscape that would not conserve or preserve its special quality and would be contrary to policies DM29 and DM46 and the National Planning Policy Framework.

18 THE SHORE CAR PARK SHORE ROAD SILVERDALE LANCASHIRE LA5 0TP

A14	24/00114/ADV	Advertisement application for the display of 1 x sign on camera column, 1 wall mounted sign, 2 x pole mounted signs on new poles and 2 x pole mounted signs on existing pole.	Silverdale Ward	R
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Under the scheme of public participation, resident Sarah Fishwick spoke against the application.

It was proposed by Councillor Sally Maddocks and seconded by Councillor Alan Greenwell, contrary to the officer’s recommendation in the report:

“That the application be refused for the following reason:

- the signs would have a significant detrimental impact upon the designated National Landscape that would not conserve or preserve its special quality and would be contrary to policies DM29 and DM46 and the National Planning Policy Framework.”

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 following reason:

- the signs would have a significant detrimental impact upon the designated National Landscape that would not conserve or preserve its special quality and would be contrary to policies DM29 and DM46 and the National Planning Policy Framework.”

THE CHAIR ADJOURNED THE MEETING AT 13:00 AND RECONVENED AT 13:35.

COUNCILLOR JACK LENOX LEFT THE MEETING AT 13:00.

APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION:

COUNCILLOR PAUL HART LEFT THE MEETING AT 13:45 DURING CONSIDERATION OF ITEM A5 22/01463/OUT.

**19 LAND EAST OF ARKHOLME METHODIST CHURCH KIRKBY LONSDALE ROAD
ARKHOLME LANCASHIRE**

A5	22/01463/OUT	Outline application for the development of up to 23 residential dwellings and creation of a new access.	Halton-with-Aughton and Kellet Ward	R
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It was proposed by Councillor Robert Redfern and seconded by Councillor Martin Bottoms:

“That the application be refused for the reason 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 for the following reason:

Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The proposed site access is within an area that is at high risk of groundwater flooding, with further areas of medium groundwater flooding within the site. The failure to provide a Sequential Test does not satisfy the requirements of the Sequential Test, and has not satisfactorily demonstrated that the development cannot be accommodated elsewhere within the district that would be at a lower risk of flooding. Therefore, the proposal is contrary to policy DM33 of the Review of the Development Management Development Plan Document, policy SP8 of the Strategic Policies and Land Allocations Development Plan Document, and Section 14 of the National Planning Policy Framework.

20 LAND WEST OF HADRIAN ROAD MORECAMBE LANCASHIRE

A6	23/00430/REM	Reserved matters application for the erection of 13 dwellings.	Torrisholme 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, 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 approved subject to the following conditions:

1. Standard reserved matters timescale.
2. In accordance with approved plans.
3. Materials including bicycle storage.
4. Landscaping scheme.
5. Homeowner pack (mitigation for ecological designated sites).
6. Construction of access, road and link to multi-use path.

COUNCILLOR PAUL HART RETURNED TO THE MEETING AT 13:55.

21 LAND TO THE NORTH OF PORSCHE CENTRE SOUTH LAKES ELECTRIC DRIVE CARNFORTH LANCASHIRE LA6 1FW

A7	23/01400/FUL	Erection of a veterinary referral clinic (Use Class E) with associated access, infrastructure, cycle shelter, bin store, pallet store, generator/fuel tank, parking and landscaping and installation of package treatment plant.	Halton-with-Aughton and Kellet Ward	A(C)
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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 and subject to an additional condition requiring the submission of a Construction Surface Water Management Plan.”

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 following conditions and subject to an additional condition requiring the submission of a Construction Surface Water Management Plan:

1. Standard three year timescale for commencement.
2. In accordance with approved plans.
3. Employment and skills plan.
4. Fencing to M6, including during construction.
5. Measures to prevent vehicle access between site and M6.
6. Drainage scheme.
7. Maintenance of drainage scheme.
8. Construction Surface Water Management Plan.
9. In accordance with Construction method statement and Construction Environmental Management Plan.
10. Unforeseen contamination.
11. Tree/hedge Protection during construction.
12. Verification for drainage scheme.
13. Details of covered and secure cycle facilities, lighting and any CCTV.

14. Foul drainage in accordance with details.
15. To achieve at least BREEAM standard of 'Good'.
16. Provision of EV charging points and solar panels.
17. Materials, surfacing materials, boundary treatments, retaining features in accordance with details.
18. Implementation of Landscaping scheme including maintenance and biodiversity enhancements.
19. Restriction to use as veterinary clinic.

SENIOR SOLICITOR AND DEPUTY MONITORING OFFICER REPHAEL WALMSLEY LEFT THE MEETING AT 14:05.

22 LUNE HOUSE AND DERBY HOUSE LUNE STREET AND DERBY ROAD LANCASTER LANCASHIRE

A9	22/01396/FUL	Works to existing flats including installation of balconies, replacement of pitched roofs with flat roofs, installation of solar panels, external cladding, new and replacement windows/doors, installation external canopies, erection of external bin and bike stores and associated external works, formation of communal courtyard and private amenity spaces and landscaping.	Skerton Ward	A
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It was proposed by Councillor Robert Redfern 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 one against and three abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application be approved subject to the following conditions:

1. Timescale.
2. Approved plans.
3. Submission of Invasive Non-native Species methodology.
4. Submission of Construction Environmental Management Plan.
5. Submission of material details and samples.
6. Submission of landscaping and maintenance scheme.
7. Submission of bat and bird nesting scheme.
8. Submission of cycle store details and provision prior to occupation.
9. Submission of bin store details and provision prior to occupation.
10. Development in accordance with Arboricultural Impact Assessment.

- 11. Development in accordance with Flood Risk Assessment.
- 12. Development in accordance with bat, bird and otter mitigation measures.

SENIOR SOLICITOR AND DEPUTY MONITORING OFFICER REPHAEL WALMSLEY RETURNED TO THE MEETING AT 14:25.

COUNCILLORS PHILIP BRADLEY AND PAUL TYNAN LEFT THE MEETING AT 14:25.

23 LANCASTER CITY COUNCIL WHITE LUND DEPOT WHITE LUND ROAD MORECAMBE LANCASHIRE LA3 3DT

A10	23/01435/FUL	Demolition of existing office building, canteen building, welfare building and greenhouse and erection of a new office building, canteen and welfare building.	Westgate Ward	A
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It was proposed by Councillor John Hanson 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, 12 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. Timescales.
- 2. Development to accord with plans.
- 3. Implementation of landscaping.

24 LANCASTER CITY COUNCIL WHITE LUND DEPOT WHITE LUND ROAD MORECAMBE LANCASHIRE LA3 3DT

A11	24/00437/VCN	Retrospective application for the temporary siting of 2 portable buildings to provide office space (pursuant to the variation of condition 1 on 23/01134/VCN to extend the time frame for removal).	Westgate Ward	A
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It was proposed by Councillor John Hanson and seconded by Councillor Keith Budden:

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

Upon being put to the vote, 12 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. Temporary 6 months timeframe until 10th Jan 2025.

25 SILVERDALE PARISH COUNCIL PUBLIC CONVENIENCES EMESGATE LANE SILVERDALE LANCASHIRE LA5 0RA

A12	24/00216/FUL	Demolition of existing public toilets and erection of a replacement public toilet & storage building.	Silverdale Ward A
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It was proposed by Councillor Sandra Thornberry and seconded by Councillor Sally Maddocks:

“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 no abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application be approved subject to the following conditions:

1. Timescales.
2. Development to accord with plans.
3. Submission of CMP.
4. Construction deliveries outside peak traffic.
5. Implementation of AIA.

26 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 2.40 p.m.)

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