

**PLANNING REGULATORY  
COMMITTEE**

**10.30 A.M.**

**29TH JULY 2024**

**PRESENT:-** Councillors Sue Tyldesley (Chair), Louise Belcher, Martin Bottoms (Substitute), Phil Bradley (Substitute), Dave Brookes, Keith Budden, Martin Gawith, Alan Greenwell, Colin Hartley (Substitute), Jack Lenox, Sally Maddocks, Joyce Pritchard and Paul Tynan

Apologies for Absence:-

Councillors Claire Cozler, Roger Dennison, John Hanson, Robert Redfern and Sandra Thornberry

Officers in attendance:-

Eleanor Fawcett	Principal Planning Officer
Jennifer Rehman	Principal Planning Officer
Andrew Clement	Senior Planning Officer
Sam Robinson	Planning & Building Technician
Rephael Walmsley	Senior Solicitor and Deputy Monitoring 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W	-	Withdrawn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

**27 MINUTES**

The minutes of 24<sup>th</sup> June 2024 were agreed as a true record and signed by the Chair.

**28 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR**

With the Chair intending to speak on item A8 23/01290/FUL Old School Brewery Warton, it was proposed by Councillor Colin Hartley and seconded by Councillor Martin Gawith that Councillor Keith Budden be appointed to the position of Acting Chair for item A8.

**Resolved:**

That Councillor Keith Budden be appointed to the position of Acting Chair for item A8 Old School Brewery, Warton.

There were no other items of urgent business.

**29 DECLARATIONS OF INTEREST**

Councillor Sue Tyldesley declared an interest in agenda item A8 23/01290/FUL Old School Brewery Warton. The reason being that she was Ward Councillor for this application, and wished to address the committee as a public speaker. Councillor Tyldesley stated that for this item, she would step down as Chair, address the committee as a public speaker, and then recuse herself from the meeting until the item was concluded.

Councillor Sally Maddocks declared an interest in agenda item A8 23/01290/FUL Old School Brewery Warton. The reason being that the agent for the application was a former colleague. Councillor Maddocks stated that she would be viewing the application fairly and with an open mind.

Councillor Sally Maddocks declared an interest in agenda item A6 23/01353/FUL Land Adjacent Galgate Mill, Galgate. The reason being that she was Ward Councillor for this application. Councillor Maddocks stated that she would be viewing the application fairly and with an open mind.

Councillor Louise Belcher declared an interest in both agenda items A10 24/00650/CCC Back Lane Quarry, Carnforth and A11 24/00652/CCC Leapers Wood Quarry, Carnforth. The reason being that she was Ward Councillor for the neighbouring ward to both consultations. Councillor Belcher stated that she would be viewing both consultations fairly and with an open mind.

There were no other declarations of interest.

**APPLICATION A8 23/01290/FUL WAS BROUGHT FORWARD IN THE AGENDA BY THE ACTING CHAIR AS IT WAS SUBJECT TO PUBLIC PARTICIPATION.**

**30 OLD SCHOOL BREWERY THE BARN HOLLY BANK WARTON**

A8	23/01290/FUL	Retrospective application for use of site from microbrewery to a mixed use microbrewery and drinking establishment with expanded food provision and retention of extensions to the south and west sides providing external seating and storage areas.	Warton Ward	A
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Under the scheme of public participation, Andy Candlin, Poppy Brantley, Emma Brantley-Tziros, Paul Edmondson, Mick Heaton, Feleena Taylor and Mark Warburton all spoke in

favour of the application. Ward Councillor Sue Tyldesley addressed the range of issues raised, then recused herself from the meeting following her declaration of interest (above).

It was proposed by Councillor Alan Greenwell 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, 6 Councillors voted in favour of the proposal with 5 against and 1 abstention, whereupon the Acting Chair declared the proposal to have been carried.

***Resolved:***

That the application be approved subject to the following conditions:

1. Development to accord with plans.
2. Submission of stone sample within 3 months and implementation to occur after.
3. No amplified music outdoors.
4. Opening hours.

**THE ACTING CHAIR ADJOURNED THE MEETING AT 11:30 A.M.**

**COUNCILLOR SUE TYLDESLEY REJOINED THE MEETING, AND AS CHAIR, RECONVENED THE MEETING AT 11:35 A.M.**

**APPLICATIONS NOT SUBJECT TO PUBLIC PARTICIPATION:**

**31 MELLISHAW NORTH DEVELOPMENT SITE MELLISHAW LANE HEATON WITH OXCLIFFE LANCASHIRE**

A5	22/00462/FUL	Erection of four new buildings accommodating 30 employment units (E(g) and B8), erection of new car showroom, car wash and valeting buildings, together with construction of new roads, parking, boundary enclosures, landscaping and associated infrastructure.	Westgate Ward A
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It was proposed by Councillor Martin Bottoms 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, 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. Timescale.
2. Accord with amended plans and external materials.
3. Contaminated land assessment and verification.
4. Petrol and oil separators.
5. Gas monitoring system.
6. Construction Environment Management Plan (CEMP).
7. Construction air quality assessment and mitigation.
8. Employment Skills Plan (ESP).
9. Tree impact assessment and protection measures.
10. Surface Water Sustainable Drainage Strategy.
11. Construction Surface Water Management Plan.
12. Foul drainage scheme.
13. Energy Statement.
14. EV charging points.
15. Cycle parking/showering/storage provision.
16. Off-site highway improvements (including pavements and bus layby).
17. Implement roads and parking provision, maintain for this use.
18. Sustainable Drainage System Operation and Maintenance.
19. Verification Report of Constructed Sustainable Drainage System.
20. Landscaping plan and maintenance.
21. Travel plan implementation.
22. Implementation of ecological mitigation.
23. Flood risk mitigation.
24. Control extent of car sales area.
25. Use Class restriction E(g) and B8 only, and car sales for such use only within specific area only.

**32 LAND ADJACENT GALGATE MILL CHAPEL LANE GALGATE**

A6	23/01353/FUL	Erection of two industrial / employment buildings comprised of 11 units (Class B2/E(g)) with associated parking / turning area, landscaping and associated infrastructure.	Ellel Ward	A(C)
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It was proposed by Councillor Keith Budden and seconded by Councillor Alan Greenwell:

“That the application be approved subject to the conditions in the Committee Report and subject to additional conditions regarding (i) Hours of Operation (ii) Delivery Hours (iii) No External Operations and (iv) a Use Class limitation of only B2 / E(g) and subject to the application being delegated back to the Chief Officer Planning and Climate Change to secure a satisfactory noise addendum from the applicant that would demonstrate that the additional conditions and those already in the recommendation would ensure acceptable noise levels can be achieved for B2 uses as well as E(g) uses given the relationship to the nursing home.”

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 conditions in the Committee Report and additional conditions regarding:

- (i) Hours of Operation
- (ii) Delivery Hours
- (iii) No External Operations
- (iv) a Use Class limitation of only B2 / E(g)

and subject to the application being delegated back to the Chief Officer Planning and Climate Change to secure a satisfactory noise addendum from the applicant that would demonstrate that the additional conditions and those already in the recommendation would ensure acceptable noise levels can be achieved for B2 uses as well as E(g) uses given the relationship to the nursing home;

and the following conditions:

1. Time limit (3 years).
2. Approved plans.
3. Employment and Skills Plan.
4. Details of sound insulation.
5. Contamination investigation.
6. Facing materials to be agreed.
7. Details of external lighting.
8. Operation and Maintenance Manual (SuDS).
9. Verification report (SuDS).
10. Car-parking to be provided before occupation and retained in perpetuity.
11. Cycle parking to be provided before occupation and retained in perpetuity.
12. Landscaping implementation.
13. Noise from plant / machinery / equipment.
14. Development to accord with Flood Risk Assessment and Drainage Strategy.
15. Development to accord with Energy Strategy.
16. Development to accord with Preliminary Ecological Appraisal.
17. Development to accord with Air Quality Assessment.

**33 SKERTON WEIR RIVER LUNE LANCASTER**

A7	22/01009/FUL	Partial demolition of the current fish pass, construction a new permanent fish pass and creation of temporary access track and site compound.	Bulk Ward	A
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It was proposed by Councillor Martin Bottoms and seconded by Councillor Louise Belcher:

“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 three-year timescale for commencement.
2. In accordance with approved plans.
3. Construction and Environmental Management Plan.
4. Precautionary Method of Working including a biosecurity measures method statement.
5. Tree Protection Plan.
6. Arboricultural Method Statement.
7. Landscaping/site restoration including tree replacement.
8. Archaeological watching brief.
9. Ecological Mitigation Measures.
10. Method of Works.
11. Skerton Temporary Works Flood Modelling Plan.

**34 LANCASTER & DISTRICT HOMELESS ACTION SERVICE HOMELESS ACTION CENTRE EDWARD STREET LANCASTER**

A9	23/01290/FUL	Relevant demolition of the Homeless Action Centre.	Castle Ward	A
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It was proposed by Councillor Dave Brookes 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, 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. Timescale.
2. Approved plans.
3. Demolition and remediation plan.
4. Arboricultural method statement.

**35 BACK LANE QUARRY BACK LANE NETHER KELLET CARNFORTH**

A10	24/00650/CCC	County Council Consultation request for amendment to conditions 1,2,4,6, 41 and 43 of planning permission ref 01/09/360 to permit an extension of the depth of the quarry to -37m AOD, continued working of the quarry until 31 <sup>st</sup> December 2077 with restoration by 31 <sup>st</sup>	Halton with Aughton and Kellet Ward	NO
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December 2078 and consequent amendments to the working scheme and restoration proposals.

It was proposed by Councillor Louise Belcher and seconded by Councillor Keith Budden:

“That the City Council has no objection to the proposal subject to the imposition of the other conditions associated with the parent consent but would recommend that the operators consider setting up or contributing to a community environment fund to benefit the local community.”

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 City Council has no objection to the proposal subject to the imposition of the other conditions associated with the parent consent but would recommend that the operators consider setting up or contributing to a community environment fund to benefit the local community.

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**LEAPERS WOOD QUARRY KELLET ROAD OVER KELLET CARNFORTH**

A11	24/00652/CCC	County Council Consultation request for amendment to conditions 1,2,4,6, 40 and 41 of planning permission ref 01/03/1185 to permit an extension in the depth of the quarry to -37m AOD, continued working of the quarry until 31 <sup>st</sup> December 2064 with interim restoration by 31 <sup>st</sup> December 2065 and final restoration by 31 <sup>st</sup> December 2078 and consequent amendments to the working scheme and restoration proposals.	Halton with Aughton and Kellet Ward	NO
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It was proposed by Councillor Louise Belcher and seconded by Councillor Keith Budden:

“That the City Council has no objection to the proposal subject to the imposition of the other conditions associated with the parent consent but would recommend that the operators consider setting up or contributing to a community environment fund to benefit the local community.”

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 City Council has no objection to the proposal subject to the imposition of the other conditions associated with the parent consent but would recommend that the operators consider setting up or contributing to a community environment fund to benefit the local community.

**37 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.

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Chair

(The meeting ended at 12.30 p.m.)

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