

**PLANNING REGULATORY  
COMMITTEE**

**10.30 A.M.**

**25TH NOVEMBER 2024**

**PRESENT:-** Councillors Sandra Thornberry (Chair), Sue Tyldesley (Vice-Chair), Louise Belcher, Martin Bottoms, Dave Brookes, Keith Budden, Martin Gawith, Alan Greenwell, Tim Hamilton-Cox, Colin Hartley (Substitute), Jack Lenox, Sally Maddocks, Margaret Pattison (Substitute), Joyce Pritchard and Paul Tynan

Apologies for Absence:-

Councillors John Hanson and Robert Redfern

Officers in attendance:-

|                  |  |
|------------------|--|
| Mark Jackson     | Planning Applications Manager                  |
| Rephael Walmsley | Senior Solicitor and Deputy Monitoring Officer |
| Jennifer Rehman  | Principal 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| W      | - | Withdrawn  |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   |

**61 MINUTES**

The minutes of 28<sup>th</sup> October 2024 were agreed as a true record and signed by the Chair.

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

There were no items of urgent business.

**63 DECLARATIONS OF INTEREST**

Councillor Tim Hamilton-Cox declared an interest in agenda item A7 24/00033/FUL Land between 3 and 5 Dalton Road, Lancaster. The reason being that he had previously called

in an application on this site. Councillor Hamilton-Cox stated that he would recuse himself from the meeting for the duration of consideration of this item.

There were no other declarations of interest.

**64 LAND EAST OF THE LIMEBURNER’S ARMS MAIN ROAD NETHER KELLET**

|    |              |   |             |        |
|----|--------------|---|-------------|--------|
| A5 | 22/01542/OUT | Relevant demolition of part of front boundary wall, demolition of existing building and outline planning application for the erection of up to 51 dwellings and the creation of new vehicular and pedestrian accesses, retaining walls and regrading of land. | Kellet Ward | A(106) |
|----|--------------|---|-------------|--------|

Under the scheme of public participation, Rachael Tedd, Jayne Crow, Jenny Jackson, Matthew Kneale, Maxine Jackson and Philip Wood all spoke in opposition to the application. Paul Tunstall (JWPC Ltd) responded in favour, with Ward councillor James Somerville also speaking in opposition.

A site visit in respect of this application had been held on Monday 18<sup>th</sup> November 2024 by Councillors Louise Belcher, Dave Brookes, Keith Budden, Alan Greenwell, Martin Gawith, Colin Hartley, Margaret Pattison and Robert Redfern. In attendance was Planning Manager Mark Jackson.

It was proposed by Councillor Martin Gawith and seconded by Councillor Martin Bottoms:

“That the application be approved subject to delegate authority to the Chief Officer – Planning and Climate Change to ensure:

- an alleged drainage annotation is removed from the access plan;
- await Natural England confirming they concur with the Council’s HRA conclusions;
- completion of the planning obligation;

and subject to the conditions in the Committee Report.”

Upon being put to the vote, 8 Councillors voted in favour of the proposal with 3 against and 4 abstentions, whereupon the Chair declared the proposal to have been carried.

***Resolved:***

That the application be approved subject to delegate authority to the Chief Officer – Planning and Climate Change to ensure:

- an alleged drainage annotation is removed from the access plan;
- await Natural England confirming they concur with the Council’s HRA conclusions;
- the satisfactory completion of a Legal Agreement within 3 months of the date of this Committee meeting, and in the event that a satisfactory Section 106 Agreement is not concluded within the timescale above, or other agreed extension of time, delegate

authority to the Chief Officer – Planning and Climate Change to refuse planning permission on the grounds that the obligations which make the development acceptable have not been legally secured;

and subject to the following conditions:

- Provision of a 40% affordable housing, with precise details determined at reserved matters stage;
- Financial contributions for open space calculated at reserved matters stage to go towards the equipped play area, provision of young persons facilities and improvements to the playing pitch at the village recreation area;
- Provision of on-site amenity greenspace;
- Setting up of a management company; and
- Management and Maintenance of all landscaping, unadopted roads, lighting and drainage infrastructure, on-site open space, and on-site watercourses;
- Biodiversity net gain, including an updated metric at the time of a reserved matters application, which continues to demonstrate 10% net gain and a Landscape and Ecological Creation and Management Plan showing 30 year management and investigation of peat on site and scheme for compensation/ re-use;

and subject to the following conditions:

1. Timescale for submission of reserved matters application.
2. Development in accordance with Approved Plans (location plan and access).
3. Final surface water sustainable drainage strategy to be submitted.
4. Construction surface water management plan.
5. Construction Environmental Management Plan.
6. Employment and Skills Plan.
7. Details of finished floor and site levels (including gardens and open space) and any retaining structures.
8. Precise scheme for ecology mitigation.
9. Precise details of site access and associated off site highway improvements.
10. Precise design details of the site access retaining walls and railings including scaled dimensions, materials, and stonework details (and sample panel).
11. Updated Arboricultural Implications Assessment / Tree Protection Plan.
12. Details of housing mix to accord with policy DM1.
13. Details of the internal estate roads.
14. Scheme for external lighting (street lighting and lighting of any open space).
15. Scheme for the final energy efficiency and sustainable design measures for each dwelling.
16. Sustainable drainage system operation and maintenance manual.
17. Contaminated land verification report based on mitigate in Site Investigation and unforeseen contamination.
18. Verification report of constructed sustainable drainage system.
19. Details of the homeowner packs.
20. Requirements of M4(2) accessibility and adaptability, space standards.
21. Provision of turning and parking.
22. Limit to maximum of 2 storey.
23. Protection of visibility splays.

**THE CHAIR ADJOURNED THE MEETING AT 11:50 AND RECONVENED AT 12:00.**

**65 LAND AT GRID REFERENCE E349246 N471955 SAND LANE WARTON**

|    |              |  |             |          |
|----|--------------|--|-------------|----------|
| A6 | 24/00948/VCN | Outline planning application for the erection of up to 12 2-storey dwellings and creation of 2 new accesses (pursuant to the variation of condition 2 on planning permission 20/00358/OUT to amend the location of the pedestrian access). | Warton Ward | A(C/106) |
|----|--------------|--|-------------|----------|

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

“That the application be approved subject to an additional condition pertaining to housing mix, the removal of EV charging from condition 12, and the conditions in the Committee Report and a Deed of Variation to vary the original S106 Agreement.”

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 an additional condition pertaining to housing mix, the removal of EV charging from condition 12, and the conditions in the Committee Report and a Deed of Variation to vary the original S106 Agreement to tie it to this permission and the following conditions, which includes the updated wording to condition 2 to cover the submitted plans:

1. Time limit and submission of reserved matters.
2. In accordance with plans.
3. Land contamination condition.
4. Submission of a surface water drainage scheme.
5. Submission of a surface water drainage scheme during construction.
6. Submission of access details.
7. Submission of site level details.
8. Hedge translocation and delivery of visibility splays.
9. Off site highway works.
10. Provision of pedestrian linkage.
11. Boundary treatments.
12. Cycle stores.
13. Submission of foul drainage scheme.
14. Verification / maintenance for surface water drainage.
15. Ecological enhancements.
16. Homeowner packs.
17. Specification of internal estate road.
18. Ecological mitigation measures (site specific).
19. Houses to be NDSS compliant.
20. Houses to be compliant with M4(2) Building Regulations.
21. Removal of permitted development.
22. Subject to the scheme agreed under condition 8, retention of hedge.

**THE CHAIR BROUGHT FORWARD ITEM A8 24/00947/ADV IN THE AGENDA.**

**66 HEST BANK BEACH THE SHORE HEST BANK**

|    |              |  |                       |   |
|----|--------------|--|-----------------------|---|
| A8 | 24/00947/ADV | Advertising application for the display of 2 post mounted signs. | Bolton and Slyne Ward | A |
|----|--------------|--|-----------------------|---|

It was proposed by Councillor Keith Budden and seconded by Councillor Dave Brookes:

“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 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 12:15 AND RECONVENED AT 12:45.**

**COUNCILLOR TIM HAMILTON-COX LEFT THE MEETING AT 12:45 FOLLOWING HIS DECLARATION AT ITEM 4 (ABOVE).**

**67 LAND BETWEEN 3 AND 5 DALTON ROAD LANCASTER LANCASHIRE**

|    |              |   |           |   |
|----|--------------|---|-----------|---|
| A7 | 24/00033/FUL | Demolition of 3 existing garages, erection of a dwelling (C3) with associated landscaping and access. | Bulk Ward | R |
|----|--------------|---|-----------|---|

Under the scheme of public participation, Nicole Carrasik spoke in opposition to the application. The agent had been invited to respond but was not present at the meeting; Ward Councillor Caroline Jackson also spoke in opposition.

It was proposed by Councillor Sally Maddocks and seconded by Councillor Martin Bottoms:

“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 1 abstention, 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 HAMILTON-COX RETURNED TO THE MEETING AT 13:15.**

**68 11A STATION ROAD HEST BANK LANCASTER**

|    |              |  |                     |   |
|----|--------------|--|---------------------|---|
| A9 | 24/01037/FUL | Erection of front porch incorporating canopy/hipped roof, erection of single storey front, side and rear extensions to an existing single storey side extension, demolition of existing conservatory, removal of 2no. chimneys, re-roof over and installation of flue. | Bolton & Slyne Ward | A |
|----|--------------|--|---------------------|---|

It was proposed by Councillor Keith Budden and seconded by Councillor Dave Brookes:

“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. Timescales.
2. Development to accord with plans.

**69 SALT AYRE LANDFILL SITE SALT AYRE LANE LANCASTER**

|     |              |   |                 |    |
|-----|--------------|---|-----------------|----|
| A10 | 24/01221/CCC | Variation of condition 1 of planning approval 01/99/0541 to allow retention of existing landfill gas electricity generating compound until it is no longer required for the management of landfill gas. | Scale Hall Ward | NO |
|-----|--------------|---|-----------------|----|

It was proposed by Councillor Sandra Thornberry and seconded by Councillor Dave Brookes:

“That the City Council has no objection to the proposal subject to the retention of any other conditions associated with the parent consent, or other safeguards, that ensure the removal of all equipment following the cessation of the use.”

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 City Council has no objection to the proposal subject to the retention of any other conditions associated with the parent consent, or other safeguards, that ensure the removal of all equipment following the cessation of the use.

**70 SALT AYRE LANDFILL SITE SALT AYRE LANE LANCASTER**

|     |              |   |                 |    |
|-----|--------------|---|-----------------|----|
| A11 | 24/01220/CCC | Variation of condition 1 of planning approval 01/02/0689 to allow retention of existing landfill gas electricity generating compound until it is no longer required for the management of landfill gas. | Scale Hall Ward | NO |
|-----|--------------|---|-----------------|----|

It was proposed by Councillor Sandra Thornberry and seconded by Councillor Tim Hamilton-Cox:

“That the City Council has no objection to the proposal subject to the retention of any other conditions associated with the parent consent, or other safeguards, that ensure the removal of all equipment following the cessation of the use.”

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 City Council has no objection to the proposal subject to the retention of any other conditions associated with the parent consent, or other safeguards, that ensure the removal of all equipment following the cessation of the use.

**71 SALT AYRE LANDFILL SITE SALT AYRE LANE LANCASTER**

|     |              |  |                 |    |
|-----|--------------|--|-----------------|----|
| A12 | 24/01222/CCC | Variation of condition 1 of planning approval 01/04/1631 to allow retention of existing landfill gas electricity generating compound until it is no longer required for the management | Scale Hall Ward | NO |
|-----|--------------|--|-----------------|----|

of landfill gas.

It was proposed by Councillor Sandra Thornberry and seconded by Councillor Alan Greenwell:

“That the City Council has no objection to the proposal subject to the retention of any other conditions associated with the parent consent, or other safeguards, that ensure the removal of all equipment following the cessation of the use.”

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 City Council has no objection to the proposal subject to the retention of any other conditions associated with the parent consent, or other safeguards, that ensure the removal of all equipment following the cessation of the use.

**72 PLANNING PERFORMANCE REPORTS**

The Service Manager – Development Management submitted a quarterly report on the performances of both the Planning Enforcement Team and the Applications Team.

***Resolved:***

That the report be noted.

**73 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 1.55 p.m.)

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