



Committee: PLANNING AND HIGHWAYS REGULATORY COMMITTEE

Date: MONDAY, 9TH MARCH 2009

Venue: LANCASTER TOWN HALL

Time: 10.30 A.M.

A G E N D A

- 1 Apologies for Absence
- 2 Minutes of the Meeting held on 9th February 2009 (previously circulated)
- 3 Items of Urgent Business authorised by the Chairman
- 4 Declarations of Interest

Planning Applications for Decision

Community Safety Implications

In preparing the reports for this Agenda, regard has been paid to the implications of the proposed developments on Community Safety issues. Where it is considered the proposed development has particular implications for Community Safety, this issue is fully considered within the main body of the report on that specific application.

Category A Applications

Applications to be dealt with by the District Council without formal consultation with the County Council.

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|----------|------------------------|--|-----------------------------|----------------------|
| 5 | A5 09/00014/OUT | Land to the rear of 1 St Michaels Grove, Bolton-le-Sands, Carnforth | Bolton-le-Sands Ward | (Pages 1 - 4) |
| | | Outline application for mixed use development comprising of church hall, parking and live/work unit for David Hall | | |
| 6 | A6 08/01110/FUL | 4 St Pauls Drive, Lancaster | Scotforth West Ward | (Pages 5 - 7) |
| | | Erection of 3 no. flats on land adjacent to 4 St Pauls Drive for Mr and Mrs Clark | | |

7	A7 08/01385/CU	Land adjacent to Middleton Road, Middleton	Overton Ward	(Pages 8 - 18)
		Siting of caravan adjacent to stable for Miss H Diviny-Day		
8	A8 09/00036/CU	234 - 235 Marine Road Central, Morecambe	Poulton Ward	(Pages 19 - 22)
		Change of use from shop to community centre for Mr A Edzi		
9	A9 09/00088/FUL	Vue Cinema, Church Street, Lancaster	Duke's Ward	(Pages 23 - 25)
		Installation of glazed doors at each end of Anchor Lane for Vue Entertainment Ltd		
10	A10 09/00044/CU	Leapers Rock, Kellet Road, Over Kellet	Kellet Ward	(Pages 26 - 28)
		Change of use from garage and store to carers residential dwelling for Mr D Wilson		
11	A11 08/01434/FUL	9 The Cliffs, Heysham, Morecambe	Heysham Central Ward	(Pages 29 - 30)
		Erection of side conservatory and second floor extension above existing kitchen and dormer to the side for Mr R Kitchen		
12	A12 09/00025/FUL	Land opposite 176 to 198 Ambleside Road, Lancaster	Bulk Ward	(Pages 31 - 35)
		Erection of 2 x 12 metre polytunnels. 2 metre high boundary fence and siting of two containers for a community allotment for Mr Simon Gershon		

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|-----------|-------------------------|---|---------------------------|------------------------|
| 13 | A13 09/00012/CU | Middleton Towers/Pontins Holiday Camp, Carr Lane, Middleton | Overton Ward | (Pages 36 - 38) |
| | | Change of use, remedial works and extensions to farmhouse, folly and barn to create amenity services for adjacent residential development with associated external works for PRV Middleton Towers In Administration | | |
| 14 | A14 09/00017/LB | Pontins Holiday Camp, Carr Lane, Middleton | Overton Ward | (Pages 39 - 40) |
| | | Change of use, remedial works and extension to farmhouse, folly and barn to create amenity services for adjacent residential development with associated external works for PRV Middleton Towers In Administration | | |
| 15 | A15 08/01433/FUL | Former Police Station, Heysham Road, Heysham | Heysham South Ward | (Pages 41 - 46) |
| | | Erection of new building comprising of 1 retail unit and 14 apartments for Daffodil Homes Ltd | | |

Category D Application

Proposal for development by a District Council

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|-----------|---|--|-------------------------|------------------------|
| 16 | A16 09/00035/DPA | Cemetery Lodge, Westgate, Morecambe | Torrisholme Ward | (Pages 47 - 48) |
| | | Proposed extension and alterations to existing WC to create disabled WC for Lancaster City Council | | |
| 17 | Delegated Planning Decisions (Pages 49 - 58) | | | |

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Roger Dennison (Chairman), Eileen Blamire (Vice-Chairman), Ken Brown, Abbott Bryning, Keith Budden, Anne Chapman, John Day, Sheila Denwood, Mike Greenall, Emily Heath, Helen Helme, Val Histed, Andrew Kay, Joyce Pritchard, Peter Robinson, Bob Roe, Sylvia Rogerson, Roger Sherlock, Catriona Stamp and Joyce Taylor

(ii) Substitute Membership

Councillors June Ashworth, Chris Coates, John Gilbert, Tony Johnson, Karen Leytham, Ian McCulloch, Geoff Marsland, Robert Redfern, Keith Sowden, Malcolm Thomas and Paul Woodruff

(iii) Queries regarding this Agenda

Please contact Jane Glenton, Democratic Services - telephone (01524) 582068 or email jglenton@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Members' Secretary, telephone 582170, or alternatively email memberservices@lancaster.gov.uk.

MARK CULLINAN,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER LA1 1PJ

Published on Wednesday, 25th February 2009

DECISION DATE 5 March 2009	APPLICATION NO. 09/00014/OUT A5	PLANNING COMMITTEE: 9 March 2009
DEVELOPMENT PROPOSED OUTLINE APPLICATION FOR MIXED USE DEVELOPMENT COMPRISING OF CHURCH HALL, PARKING AND LIVE/WORK UNIT		SITE ADDRESS LAND TO THE REAR OF 1 ST MICHAELS GROVE BOLTON LE SANDS CARNFORTH LANCASHIRE LA5 8JB
APPLICANT: David Hall 1 St Michaels Grove Bolton Le Sands Carnforth Lancashire LA8 8LG		AGENT: John Coward Architects Ltd

REASON FOR DELAY

Awaiting consultation replies.

PARISH NOTIFICATION

Bolton-le-Sands Parish Council - Opposed to the principle of the church hall part of the proposal, on the grounds of access and parking problems. They have reservations about releasing the site for house building because of what they understand to be an oversupply of building land for residential development. However if this is no longer considered to be an issue they would support a domestic dwelling, without a work unit, on the site.

LAND USE ALLOCATION/DEPARTURE

The site lies within an inset village within the North Lancashire Green Belt. The site is also within the Village Conservation Area.

STATUTORY CONSULTATIONS

County Council Highways - Concerned about likely parking problems especially if the hall is intended for use by a minority group with a large catchment area.

Environmental Health – Comments will be verbally reported to Committee.

OTHER OBSERVATIONS RECEIVED

In total 12 letters and emails have been received, objecting to the proposal on the following grounds:

- Traffic problems associated with a dangerous vehicular access;
- Inadequate car parking on the site will lead to parking problems on the roads adjoining it;
- Over intensive form of development;
- Loss of amenity for the nearby houses;
- Inappropriate form of development for a Conservation Area;
- Already sufficient places of worship in Bolton-le-Sands.

One of the objectors is the proprietor of the restaurant on the adjoining site.

REPORT

INTRODUCTION

This application has been placed on the Committee agenda as it raises complex issues and has led to a significant number of objections from local residents.

The site is on the east side of the A6 through Bolton-le-Sands, from which it is screened by a belt of trees at the side of a watercourse known as St Michael's Brook. Although the land is shown on the Ordnance Survey plans as allotments, it is not used as such; it has been for many years a detached garden associated with the applicant's house. At present it is uncultivated, but it is used to provide it with off-street parking and for the open storage of various items. To the south east is a terrace of late-Victorian houses fronting St Michael's Grove. The adjoining site to the north west is occupied by a large single storey building used as an restaurant..

THE PRESENT APPLICATION

The application is in outline form but the architects have provided a substantial amount of illustrative material indicating the form of development they have in mind. It would consist of a two-bedroom dormer bungalow on the north west side of the site, adjoining St Michael's Brook. It would incorporate a garage/workshop area at the south western end. The eastern corner would be occupied by a modest sized (72 sq metre) church hall.

The remainder of the site would be occupied by six off-street parking spaces, including one laid out to disabled accessible standards, and small garden areas for both the existing dwelling and the proposed one.

PLANNING POLICIES

Policy **SC3** of the Core Strategy identifies Bolton-le-Sands as one of those villages which has a full range of services: a general practitioner, a primary school, a food shop, a post office and a bus stop. It is therefore considered appropriate for infill housing development.

The proposal also has to be considered in relation to Policy **H7**, one of the "partly saved" policies from the Lancaster District Local Plan, which allows for new housing development in selected villages where it:

- Is appropriate in terms of design, density, and open space standards to its surroundings;
- Would not have a significant adverse effect on the character of the settlement, the surrounding landscape, or the amenities of nearby residents;
- Would not result in the loss of an important open area;
- Makes satisfactory arrangements for access, servicing, cycle and car parking; and
- Makes adequate provision for the disposal of sewage and waste water.

As the site is within the village Conservation Area saved Policy **E35** is relevant: this states that development proposals which would adversely affect important views into and across a Conservation Area or erode its historic form and layout will not be permitted. Policy **E38** further states that development proposals within Conservation Areas will only be permitted where these protect the scale and style of surrounding buildings.

PLANNING CONSIDERATIONS

It could be argued that the Local Plan policies designed to protect Conservation Areas amount to a presumption against the development of an open site of this nature. However the issues here are not clear cut. The site is well screened from the A6 road and it would be difficult to argue that the site is unsuitable for any form of building. Nor can it be said that the site in its present form contributes anything to the character of the Conservation Area. A dormer bungalow is not an obviously appropriate form of building for a Conservation Area based on a North Lancashire village and it is considered that a traditional style two-storey detached house would be a better solution. However it should be conceded that the kind of dwelling envisaged would be similar in form to the adjoining restaurant.

So far as the garage/workshop element of the proposal is concerned, the combination of a detached dwelling with a small (single-person) business could, if suitably conditioned, be compatible with the character of the area. Some caution is needed as the precise nature of the proposed business has not been specified, but it is unlikely that the problems are insurmountable.

It is unusual to consider an outline application involving development within a Conservation Area. This is a case where it would be possible to invoke Article 3 (2) of the Town and Country Planning (General Development Procedure) Order 1995, and decline to deal with the proposal in its present form. However in view of the somewhat complex land use issues involved it has been concluded that it would be appropriate to consider these before putting the applicant to the expense of a detailed application.

The most serious source of concern is the combination of the dwelling and its workshop with the church hall, and the adequacy of the parking available to serve their needs. Enquiries indicate that the intended users of the building are Plymouth Brethren. Any place of worship used by a minority group can be expected to have a much larger catchment area than (for example) the Anglican and Roman Catholic churches on the other side of the Lancaster Canal, many of whose parishioners will live within credible walking distance.

The six parking spaces shown would be required to meet not just their needs, but those of the new and existing dwellings. Lancashire County Council's recommendations for off-street spaces for places of worship vary according to the accessibility of the site. In areas of high accessibility they regard 1 space for every 15 worshippers as adequate; in areas of low accessibility, 1 for 10 is needed. During the week, Bolton-le-Sands is served by a frequent bus service but the heaviest use of the place of worship will be on a Sunday morning, when public transport provision will be minimal.

The adjoining roads are not at all well suited to accommodating off-street parking. By-pass Road forms part of the busy A6, which carries heavy traffic for most of the day. St Michael's Grove is a narrow cul-de-sac with no turning head at the end. St Michael's Lane rises steeply on a curved alignment from its junction with the A6 to the point where it crosses the Lancaster Canal on a narrow overbridge.

There is a possible solution to this problem. On the other side of St Michael's Brook is a much more substantial car park associated with the Far Pavilion Restaurant. It has been suggested to the applicants that if they are able to come to an arrangement with the owner of the restaurant allowing its use on Sunday mornings, when it is normally empty, and a direct pedestrian link provided in the form of a footbridge across the brook, the objection based on parking could be overcome. At the time this report was prepared, no response had been received. As the proprietor of the restaurant is one of the objectors to the proposal, it is unlikely that he would be willing to enter into the necessary agreement.

However, notwithstanding this possible solution, the combination of the proposed uses on this relatively constrained site is considered to be over-development.

CONCLUSIONS

The site may well be suitable for either a detached dwelling with a workshop attached, or else for a small place of worship, subject to an agreement involving the use of the restaurant car park. It is not large enough for both. In the absence of adequate off street parking, the present application can only be recommended for refusal.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to three sections of the Human Rights Act. The first two are Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). The third is Article 9 (freedom of thought, conscience and religion) which is relevant because the proposal involves a building for use by a minority religious group whose beliefs prevent them from integrating fully with other parts of the community.

Particular consideration has to be given to the last of these. However, taking into account all the issues involved, there are none which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **OUTLINE PLANNING PERMISSION BE REFUSED** for the following reasons:

1. Detrimental to highway safety and contrary to Policy H7 of the Lancaster District Local Plan - amount of car parking shown is inadequate to meet the combined needs of the uses proposed, and would result in increased on street parking in an area where such parking is insufficient.
2. Over-development of a restricted site - insufficient space to accommodate combined needs of an additional dwelling and a place of worship satisfactorily.

DECISION DATE 4 February 2009	APPLICATION NO. 08/01110/FUL A6	PLANNING COMMITTEE: 9 March 2009
DEVELOPMENT PROPOSED ERECTION OF 3 NO. FLATS ON LAND ADJACENT TO 4 ST PAULS DRIVE		SITE ADDRESS 4 ST PAULS DRIVE LANCASTER LANCASHIRE LA1 4SR
APPLICANT: Mr And Mrs Clark Mawcroft Cottage Mawcroft Grange Drive Apperley Lane Leeds West Yorkshire LS19 6DJ		AGENT: Provizion First Architecture

REASON FOR DELAY

Awaiting consultation responses.

LAND USE ALLOCATION

The site is unallocated but within the established Urban Area of the city.

PARISH NOTIFICATION

None.

STATUTORY CONSULTEES

County Highways - No objection in principle for the development of the site for residential use, but the inadequate and inconvenient parking and access would not be practical and lead to on-street parking. No cycle storage facility.

Environmental Health - Recommends refusal because no Contamination Desk Study has been submitted.

United Utilities - No objections.

Property Services- No comment on proposals but note needed re separate consent need from Council as former site owner.

OTHER OBSERVATIONS

14 letters received objecting to the proposals on the following grounds:

- Over intensive development, out of keeping with the scale and character of the neighbouring development;
- Student flats are inappropriate in this area and there is no need for further student flats in the residential areas of the city;
- Loss of view and open space;
- Inadequate and inconvenient off street parking from unmade private lane will lead to increased on street parking and congestion and loss of amenity for neighbours;
- The site has a history of subsidence and further excavation should not be allowed;
- Trees on site were felled last summer.

REPORT

This application is brought before the Committee at the request of Councillor Denwood.

The Site and its Surroundings

This site is located in a suburban residential area of semi detached two storey houses, within the side garden to 4 St Pauls Drive, on the west side of the road. The site rises steeply by approximately 3m from north to south (between the two existing neighbouring houses) and even more steeply from west to east (from the private back lane through to the site frontage).

The site frontage is bounded by a low, mature, well kept, hedge. The rear of the site narrows considerably and is fully occupied by a double garage set well into the steeply rising garden. Vehicular access is from the rear via an unmade private lane. These garages and access appears to have been constructed to serve the existing house at no. 4 which has no other rear access or off street parking facility.

The Proposal

This proposal is a full application for the excavation of the site by up to 2.5m on the cross fall and the erection of a three storey building, of traditional domestic design and construction, containing three conventional two-bedroomed flats. This would be sited south of Number 4, within part of their current domestic garden area. The rear garages would be demolished and the rear of the garden further excavation would occur to provide three parking spaces (two of them in tandem) and to also provide pedestrian access to the proposed flats and the existing house.

The ground floor would be set about 600mm above that of the existing house on the low side to the north and about 250mm below that of the existing neighbouring house (Number 6) on the high side to the south. As a consequence the new building would only be about 200mm below the elevated Number 6 at the ridge and 500mm, but it would tower above the lower setting of Number 4 by 3.2m at the ridge and 3.4m at the eaves at a distance of just 1.5m at the rear corners. This equates to the building being almost one and a half storeys above Number 4.

Streetscene Impact and Amenity

Whilst the relationship of the proposal to Number 6 would be acceptable at the front, the building would still appear to be set high against the gradient of the road and very high and dominant indeed in relation to the lower Number 4. From the rear, the height of the building would be completely out of keeping with the scale and character with both dwellings to the side, and would physically and visually dominate the lower dwelling. This impact would be compounded by the loss of privacy from the elevated bedroom windows looking out across the neighbouring rear gardens.

The proposed development would therefore represent an over-development of the site which be out of keeping with the scale and character of the surrounding development and would create an unduly dominant feature, both in the streetscene and the rear garden aspect of the surrounding development. It is the view of the local planning authority that this would be seriously detrimental to the character and appearance of the locality and injurious to the residential amenities of neighbouring occupiers. It would consequently be contrary to the design policies contained within the saved Lancaster District Local Plan (Policy H12 – Standards for New Housing), within the Supplementary Planning Guidance Note 12 – ‘The Residential Design Code’, and within Core Strategy Policy SC 5 (Achieving Quality in Design).

Highway Considerations

In respect of the off-street parking, current standards would normally require a minimum of 1.5 off street spaces per residential flat and 2 spaces per family house. This would give a total requirement of 6.5 spaces for the proposal and the existing dwelling (Number 4). In this case the proposed scheme deprives the existing dwelling of its two garage spaces and provides just two functional parking spaces in their place, with no cycle or other storage space for either the flats or the existing house. This equates to a shortfall of 4.5 spaces with little realistic opportunity to provide any further, due to the restricted site layout and steep gradient. This leads the local planning authority to conclude that the development would conflict with the requirements of Lancaster District Local Plan (Saved) Policy T16 (Parking Standards - Residential Development and proposals outside the Lancaster Central Parking Area).

In this respect again therefore the proposed development represent the over development of the site with inadequate off street parking and cycle storage to meet the Council's standards. This would lead to an unnecessary increase in on-street parking and congestion which would be contrary to the interests of highway safety and detrimental to the amenities of surrounding occupiers. Furthermore the lack of secure cycle storage facilities would not assist in pursuit of encouraging more sustainable modes of transport.

Land Contamination

No evidence has been submitted to suggest that the site is suitable for residential development in terms of contamination.

Conclusion

In view of the foregoing streetscene, amenity and highway circumstances it is considered that this application should be resisted.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATION

That **PLANNING PERMISSION BE REFUSED** for the following reasons;

1. Over development of the site.
2. Detrimental to the street scene and the character and appearance of the locality.
3. Injurious to the amenities of neighbouring occupiers.
4. Inadequate off street parking and cycle storage.
5. No contamination desk top study submitted.

DECISION DATE 2 March 2009	APPLICATION NO. 08/01385/CU A7	PLANNING COMMITTEE: 9 March 2009
DEVELOPMENT PROPOSED SITING OF CARAVAN ADJACENT TO STABLE		SITE ADDRESS LAND ADJACENT TO MIDDLETON ROAD MIDDLETON LANCASHIRE
APPLICANT: Miss H Diviny-Day Heaton Park House Lancaster Road Overton Morecambe LA3 3EY		AGENT:

REASON FOR DELAY

Awaiting consultation replies.

PARISH NOTIFICATION

Middleton Parish Council - The application should be refused. They consider that a caravan would set a precedent for others and would probably be followed by an application for a house. They are also opposed to the stable block, which they consider to be an eyesore.

Overton Parish Council - No objections.

LAND USE ALLOCATION/DEPARTURE

The site is a part of the Countryside Area designation within the Lancaster District Local Plan.

STATUTORY CONSULTATIONS

County Council Property Services (Land Agent) - The additional information supplied in support of the application is sufficient to allow the application to be supported. A copy of the letter setting out the reasoning behind this appears at the end of this report.

County Council Highways - No highway objections.

Environmental Health - No objections.

Environment Agency - The area is within an area considered to be at risk from flooding, but the Flood Risk Assessment provided is satisfactory. No objections, subject to a condition requiring that details of the arrangements for foul and surface water drainage be agreed beforehand.

OTHER OBSERVATIONS RECEIVED

In total 15 emails have been received from people who support the proposal. One of them is from an eleven year old girl with a pony who lives in Middleton. Of the remainder two are from Overton; the others come from addresses in Gressingham, Heaton-with-Oxcliffe, Heysham, Lancaster, Middleton, Morecambe, and Sunderland Point.

They argue that on-site living accommodation will provide additional security for horses and ensure that they receive a high standard of care. It is pointed out that the adjoining stable facility to the south, trading as "Lanquestrian" has been allowed a caravan to allow on-site living accommodation. One of the emails complains that the City Council and Middleton Parish Council "do very little to support horse riders in this city".

REPORT

This proposal is associated with a stable block with 16 stables in the form of an "American barn" on the south side of Middleton village, close to its boundary with the parish of Overton. It is a resubmission of an earlier application (Ref: 08/00154/CU) which was refused consent in September last year. A copy of the relevant Committee report is attached.

The applicant has provided further information in support of her case, including correspondence from horse owners in the Isle of Man who wish to make use of the stables when bringing horses across to England. In addition a Business Projection Plan forms part of the submission. A letter of support has also been forwarded from a veterinary surgeon based in Settle. This draws attention to medical problems experienced by one of the applicant's own horses when it had laminitis. The animal had to endure a two hour journey to Settle as this was the nearest available place where the 24 hour care needed could be provided.

Ms Diviny-Day argues that the previous decision did not take into account her operational needs. Her business (Diviny Livery) is intended to provide high quality stable facilities both for mares with foals and for horses travelling to and from the Isle of Man. Bad weather conditions can delay the ferry from Douglas, resulting in horses arriving in a distressed condition after a rough crossing. Competition horses can be very valuable and she considers that on-site accommodation is also needed to provide addition security. Experience has shown that the football pavilion on the adjoining site is sometimes damaged by vandals.

As before the proposal has to be considered in relation to the following "saved" policies in the Lancaster District Local Plan:

- **E4**, which deals with development in areas identified as countryside; and
- **H8**, which allows for residential accommodation in the countryside where it is essential for the needs of agriculture, forestry or other uses appropriate to the rural area.

At the same time any proposal for living accommodation in the countryside has to be assessed in relation to the functional and financial criteria set out in PPS 7 (Planning Policy Guidance: Sustainable Development in Rural Areas).

The previously approved stable block (Ref: 07/01551/FUL) is now complete. It is not particularly prominent from the road to Overton, as it is partly concealed by trees and a tennis court. Despite this, Middleton Parish Council has expressed concerns about its impact on views of the area from the north. To this extent there is an argument in favour of the present proposal, in that it would be possible to ask for a condition asking for additional tree planting to screen the site. However the key issue is whether there is an operational justification for somebody living on the site.

The advice of the County Council's Property Service is that the additional information provided in support of the application is sufficient to show that the business is capable of supporting an on-site stable hand. The applicant's business plan envisages a further 13-stable loose box, for which a planning application will be submitted shortly. At the same time Ms Diviny-Day intends to provide two mobile field shelters on part of the site. Taking this and the more detailed figures provided by the applicant's accountant, they recommend that a three year temporary permission should be granted.

The comments of various people supporting the application, most of them if not all horse owners, will be noted. However it is the extent to which the proposal conforms with central government guidance which is important here, rather than the number of letters sent in support. Given the submission of further evidence of justified need, and acceptance from the County Property Service on this matter, it is this which leads the local planning authority to recommend approval of the application.

In line with the advice of the County Council, it is recommended that permission for the caravan should be granted for a three year period. This should be sufficient to allow the business to establish whether it is viable.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PERMISSION BE GRANTED** subject to conditions as follows:

1. Temporary 3 year consent - caravan to be removed and land reinstated unless consent is granted for a further period.
2. Precise siting of caravan in relation to stable block to be agreed.
3. Foul and surface drainage arrangements to be agreed and implemented.
4. Tree planting to be agreed and implemented.

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Planning Advice Team
Lancaster City Council
PO Box 4
Town Hall
LANCASTER
LA1 1QR
(FAO Peter Rivet)

Your ref 08/01385/CU
Our ref PG/LA/INB/PA/1/19/7612/LK
Date: 11 February 2009

Dear Mr Rivet

**APPLICATION NUMBER 08/01385
LAND ADJACENT TO MIDDLETON ROAD, MIDDLETON
GRID REFERENCE 428 586**

I refer to your consultation letter concerning the above planning application and have the following comments to make:

Introduction

A planning application has been submitted by Hazel Diviny-Day for the siting of a mobile home to provide residential accommodation in conjunction with a horse livery enterprise undertaken at the application site. I contacted the applicant with a view to discussing with her the current situation in respect of her activities undertaken from the application site, and to establish what changes were in place or are intended in respect of her equestrian enterprise run from the site. The information provided together with the written submission made in support of the application form the basis of my appraisal.

Background Information

The applicant submitted an earlier application for a mobile home at the same site in February 2008 as at the time she had obtained planning permission to erect a building and outdoor manege and a mobile home to provide residential accommodation was considered by her necessary to manage the site. That application was refused planning permission in September 2008 for the reason of lack of operational need. The applicant has implemented the planning permission she received for the erection of the building and manege and is operating a livery enterprise from this site. The current application constitutes a further attempt by the applicant to obtain living accommodation on the unit.

I N Bower
Estates Surveyor
Property Group, PO Box 26 •
County Hall • Preston • PR1 8RE

Previous Planning Application

The Property Group were consulted on application number 08/0154 for the siting of a mobile home to provide residential accommodation to which I commented by letter dated 5 August 2008. I advised I did not consider that the operational requirements of the unit did justify a dwelling to support it. I had taken into consideration the 'functional need' but felt that the scale of the enterprise was too small, and also because the enterprise was small I did not feel it would produce sufficient profit to satisfy the 'financial test'. I also felt that the location of applicant's existing dwelling was not remote from the site and also that Middleton was closer to the site than her existing dwelling and as such, I felt the location of these would be appropriate to undertake the enterprise at this site.

Existing Situation

The combined horse stabling and associated storage building which was in the course of construction at the time of my previous visit in August 2008 has been completed and the manege has also been constructed. The existing 16 stable loose boxes are fully operational accommodating three of the applicant's horses and 13 livery horses. The liveries comprise of a combination of full, part and DIY although the majority comprising of the latter. Two liveries constitute two mares in foal although are not due to foal until the summer months. I was advised that the liveries have been operational since September 2008 and I was also advised that up to present the agricultural land has been too wet for the applicant to take on grass liveries. Whilst the applicant has been operational, she has taken-in horses/ponies in transit to/from the Isle of Man and on these occasions has provided stabling through turning her own horses out into the field.

Applicant's Future Intentions

The applicant is intending to provide an additional 13 stable loose boxes in the course of this year and will be applying for planning permission accordingly. I was advised 10 stables would be provided in the form of a timber loose box built range adjoining the manege and three would be provided for within the existing building. The purpose for providing the additional stabling is because she has a waiting list of five liveries wanting to keep their horse there as well as enquiries from people wanting foaling facilities and the applicant feels that the demand for her facilities from horse owners from the Isle of Man will increase this year.

In addition, to her intention to provide 13 additional stables she also intends to position on the land two mobile field shelters each measuring 7.2m x 3.6m i.e. double loose box size. The purpose of these will be to provide shelter facilities for horses kept out on the land i.e. grass liveries. In conjunction with siting of the mobile stabling units the applicant is intending to install a new land drainage network initially in a 4 acre field with a view to improving the ground conditions for the horses kept out at grass.

Employment

The applicant employs someone to manage the enterprise during the period Monday to Friday and outside these times the applicant gets involved. In addition, there is a person who provides riding lessons utilising the applicant's facilities to those who keep their horses at this site and to others who live in the locality.

Accommodation

I was advised that the site is manned 24 hours/day and up to present the office within the building on site has provided overnight accommodation. The applicant considers that without the ability to live on site her livery clients would take their horses elsewhere.

Assessment

I refer to Annex A of PPS 7 as the basis of my assessment of this application. The Annex sets out advice and criteria to assess planning application for Agricultural, Forestry and other Occupational Dwellings. Paragraph 12 of the Annex provides specific advice/criteria to assess planning applications for *temporary dwellings* as is being applied for under this application and I refer to the contents of this below:-

If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:

- (i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
- (ii) functional need;
- (iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) other normal planning requirements, eg on siting and access, are satisfied.

I applied the above criteria when I assessed the applicant's earlier application for a mobile home i.e. 08/0154. At that time I felt that the nature and scale of the business was not sufficient to demonstrate a functional need and also I did not consider that projected financial accounts for the enterprise appropriately reflected the nature and scale of enterprise which the facilities could sustain.

With the submission of the current application, the applicant has identified a number of changes to the business which includes additional stabling and shelters to accommodate the planned number of horses for this site. In addition, a revised projected business profit/loss account has been prepared by an accountant to represent the annual incomes and expenditures associated with the nature and scale of enterprise to be undertaken by the applicant.

I am of the opinion that the increased scale of activity identified by the applicant in the course of her submissions for this application should constitute a sustainable enterprise. I feel though the provision of 30 loose box stables would be a maximum ratio of stables to the area of land available. I am aware that typically one acre of land per horse is a recognised land to horse ratio to constitute a sustainable use of that land. I was advised by the applicant that the nature of her business would not rely upon regular grazing for each horse she keeps and in view of the varying aspects to her enterprise I would share this view. I feel though her identified uses of the land i.e. all year round grass liveries over part of the land and production of haylage as feed for the horses she keeps is ambitious and I feel in practice would need to be refined by either supplementing the land she owns with additional land or buying in haylage to feed to her horses.

I feel at the proposed scale of business activity this would constitute a '*functional need*' for someone to be "readily available at most times" to manage the operations. In view of the nature of the applicant's activities I would advise that the functional need would be best served by the person managing the operations living on the premises as opposed to in the locality as I had advised previously.

With reference to the financial information submitted in support of the application, I note the incomes of the enterprise are essentially the same as identified previously although the costs have increased and I feel are more representative of the nature of the business, although I feel some costs most particularly feed will be higher than identified. The Profit/Loss account submitted with the application is not representative of the scale of enterprise the applicant has identified undertaking and as such, I would expect that the profit will be higher than that identified although this is on the proviso that the applicant can demonstrate the operation is sustainable.

Planning Advice Team

11 February 2009

I feel a temporary consent for a period of up to three years would enable the applicant to go forward with her business intentions. I consider it will provide sufficient time assuming these intentions are implemented in by the end of her first year of the temporary period to demonstrate this is sustainable and whether it is capable of producing sufficient profit to satisfy the *financial test* assuming that the applicant intends to apply for a permanent dwelling in due course.

I would be obliged to receive a copy of your Decision Notice in due course.

Yours sincerely

Estates Surveyor
On behalf of the Director of Property

DECISION DATE 28 July 2008	APPLICATION NO. 08/00154/CU A5	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED SITING OF CARAVAN ADJACENT TO STABLE		SITE ADDRESS LAND ADJACENT TO MIDDLETON ROAD MIDDLETON LANCASHIRE
APPLICANT: Miss Hazel Diviny-Day Heaton Park House Lancaster Road Overton Morecambe LA3 3EX		AGENT:

REASON FOR DELAY

Awaiting consultation replies.

PARISH NOTIFICATION

Middleton Parish Council - Concerned that through an oversight they did not have an opportunity to comment on the original proposal for the stables. They would like to see additional tree planting around the site.

Overton Parish Council - No objections.

LAND USE ALLOCATION/DEPARTURE

Countryside area.

STATUTORY CONSULTATIONS

County Council Highways - No objections.

Environmental Health - No objections, but they point out that a caravan site licence will be required if consent is granted.

County Council Property Services - The nature and scale of the operation does not satisfy the functional test and the financial information submitted is not representative of the scale of operation which is sustainable at this site. They do not consider that the business has been planned on a sound financial basis. A copy of the letter setting out their views appears at the end of this report.

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Environment Agency - The site is within an area considered to be at risk from flooding. As the proposal is accompanied by a Flood Risk Assessment, no objections in principle provided that a condition is attached to any consent covering the arrangements for foul and surface water drainage.

OTHER OBSERVATIONS RECEIVED

None at the time this report was drafted.

REPORT

This site is on the west side of the road between Middleton and Overton, immediately to the north of the "Lanquestrian" stables. At its meeting on 2 June Committee granted a limited period consent for a residential caravan to serve Lanquestrian. In that instance the view of the County Council's Property Services was that the enterprise was large enough to justify on-site living accommodation.

The present development is broadly similar, in so far as permission has been granted for an American style barn with 16 stables, one of them a double size "mother and foal" one, and hay storage (application 07/01551). This building is at present under construction. The applicant wishes to site a caravan measuring 8.9 x 3.7m on the site. The position proposed for it is to the south east of the barn, but in a letter the applicant indicates that she would be prepared to amend its precise location if an alternative location is considered more appropriate.

The applicant argues that the provision of on site living accommodation would enable her to provide 24 hour supervision of the horses. It would be particularly useful for mares with young foals, and would take account of the security needs associated with high value horses. It would also make it easier to provide overnight accommodation for horses being ferried via Heysham to and from Ireland and the Isle of Man. Reference is made to vandalism problems which have been experienced in the area.

The Lancaster District Local Plan policies most relevant to the proposal are:

- **E4**, which deals with development in areas identified as Countryside
- **H8**, which allows for residential accommodation in the countryside where it is essential for the needs of agriculture, forestry or other uses appropriate to the rural area.

Both of these are 'saved' policies for the purpose of the new development framework and are carried forward into the Core Strategy.

The application has also to be assessed in relation to the criteria in the central government advice note PPS7 (Planning Policy Statement: Sustainable Development in Rural Areas). This sets out financial and functional criteria which have to be met in order to justify a new dwelling in the countryside. Where, as in this case, a new business is established it advises that a caravan or other form of temporary accommodation should be provided in the first instance, to allow the operator a chance to establish the enterprise and show that it is capable of being profitable. Although the advice relates primarily to the needs of agriculture, mention is made of the significant contribution made by equestrian activities to the rural economy.

It should be noted that the City Council's licensing requirements for stables do not require on site living accommodation. All that is needed is a notice on the stable building giving a contact telephone number for emergencies. The relevant criteria are therefore those set out in Annex A of PPS7. These are a functional test - a need for somebody to live on site - and a financial one, that the enterprise should generate sufficient income to pay a full time worker the minimum agricultural wage.

From the County Council's comments on the proposal it is clear that they do not consider that the business is of sufficient size to meet the functional and financial tests set out in PPS7. They do not believe that the business plan provided is sound for the scale of operation involved. It should be noted that the capacity of the stabling under construction is roughly half that envisaged at the adjoining Lanquestrian enterprise.

While the applicant has mentioned security as one of the arguments in favour of the proposal, PPS7 makes it clear that this by itself does not provide a justification for somebody living on a site. In the circumstances it would be difficult to justify granting planning permission for on site living accommodation.

It is therefore recommended that permission should be refused.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PERMISSION BE REFUSED** for the following reasons:

1. Contrary to Policy H8 of the Lancaster District Local Plan and PPS7 - it has not been satisfactorily demonstrated that on site living accommodation is needed to meet the operational needs of the stables.
2. Precedent for provision of living accommodation in other small stable complexes in the area, making such proposals progressively more difficult to resist.

DECISION DATE 16 March 2009	APPLICATION NO. 09/00036/CU A8	PLANNING COMMITTEE: 9 March 2009
DEVELOPMENT PROPOSED CHANGE OF USE FROM SHOP TO COMMUNITY CENTRE		SITE ADDRESS 234 - 235 MARINE ROAD CENTRAL MORECAMBE LANCASHIRE LA4 4BQ
APPLICANT: Mr A Edzi 98 Albert Road Morecambe LA4 4QT		AGENT:

REASON FOR DELAY

None.

PARISH NOTIFICATION

None.

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan - Within the Morecambe Conservation Area and Tourist Opportunity Area

STATUTORY CONSULTATIONS

Environmental Health Officer - No comments have been received in respect of the current proposal but concerns were raised over the earlier application over the potential for adverse impacts. Possible need for sound proofing and control of operational hours if the upper floors use is residential. Full comments will be reported verbally at the meeting.

County Highways - No observations.

OTHER OBSERVATIONS RECEIVED

Morecambe Chamber of Trade - No comments have been received in respect of the current proposal but concerns were originally raised that the use is inappropriate for a retail unit on the Central Promenade and promotion of a use for patrons of limited ethnicity may contravene the Race Relations Act. Full comments will be reported verbally at the meeting.

Access Officer - Insufficient detail to assess the proposal.

REPORT

Site and its Surroundings

The application site is located on Marine Road Central, close to the junction with Skipton Street. The property lies in a mid terrace position adjoining a ground floor retail unit to the east (known as 'This and That') and a public house ('Al's Bar') to the west. The retail unit has two independently occupied residential flats above; whilst the public bar contains only storage at the upper levels in connection with the ground floor use.

The property within which the application site is located comprises three floors. The ground floor is a recently vacated retail unit ('West End Fashions'), with first floor storage and an upper floor residential flat accessed from the rear of the property. The building is generally run down and in need of maintenance and upgrading. The ground floor unit has a large flat roof projecting canopy together with solid galvanised roller shutter across the main shop frontage.

Planning History

Members will recall that this site was the subject of a recent applicant, (Ref: 08/01098/CU), which sought consent for a change of use of the property to a community centre. A copy of the original agenda item is attached to this report. The earlier application sought to open the centre from midday to 6am the following day, 7 days a week.

The application had raised no objections from the local constabulary and was not considered to conflict with tourism or conservation policy and was recommended for a cautious approval subject to significant controls over the use and location of the development (ground floor only), provision of mitigating soundproofing and control over forecourt parking/use.

Members had concerns over the relationship of the development to neighbouring residential flats and the potential impact from late night/early morning activities associated with the proposal. Following debate the application was subsequently refused due to its potential to adversely affect the amenities of residents. In addition, the proposal did not seek to improve the poor external elevation as part of the proposal.

The Proposal

The current application is a resubmission which seeks to address the concerns of the Planning Committee. The application still seeks to develop a community centre/snooker and pool hall (ground floor only) with limited refreshments available (tea, coffee, biscuits and sandwiches). However, the hours of operation have been substantially reduced with the premises seeking to open until 2am on Friday and Saturday rather than 6am as originally proposed. On all other days the Centre would close at midnight. There are however still no proposals to redevelop or improve the frontage to the building; again the application seeks only to change the use of the building without external works.

The applicant had originally indicated that the centre would be open to the public and is anticipated to attract predominantly workers in the licensing, catering and other late night unsociable hours trades (the applicant has indicated Turkish, Asian and Polish workers but has said that the premises will also be open to all members of the public). The reduced opening hours will clearly restrict the nature of the use of the premises and a query has been raised with the applicant about how the centre is anticipated to operate within the reduced hours. To date no response has been received but will hopefully be available in time for the committee meeting.

Planning Policy

The application site lies within the Morecambe Conservation Area and an area currently subject to a second Townscape Heritage Initiative (THI) bid - 'A View for Eric'. In addition the area is designated a Tourist Opportunity Area within the Lancaster District Local Plan.

There are no retail protection polices along the promenade. Polices E35, E36 and E39 of the Lancaster District Local Plan are pertinent to the development and seek to protect and enhance Conservation Areas.

Policy E1 of the Lancaster Core Strategy also seeks to ensure appropriate development with the Conservation Areas and safeguarding of the District's environmental capital. Policy ER6 encourages the development of tourism to regenerate the local economy, supporting the restoration of the Midland Hotel and the creation of a quality leisure offer in Central Morecambe.

Comments

The proposal should be considered in respect of two main issues; whether it is an appropriate use for the location and what impact the development have upon the character and setting of the Morecambe Conservation Area.

Turning to the impact with the Conservation Area, the application indicates that the proposal does not include any external alterations to the building and as a consequence the proposal will have little, if any variation upon it current aesthetics. The applicant had been approached during discussions over the earlier application in relation to the condition of the building and encouraged to re-assess the lack of intervention on over the external appearance of the building. Removal of the canopy had been suggested and possible improvements to the frontage, but again the application seek only to change the use of the building with no external alterations.

Forecourt parking is a concern both from its visual impact and potential highway safety implications. Should the proposal be supported, control over parking would need to be introduced by the positioning of bollards. This approach is acceptable to the applicant and appropriate conditions in respect of location/numbered and design would need to be attached to any grant of approval.

The use of the site is one which raises a number of issues. Concerns have previously been raised by the Chamber of Trade over the loss of retail units on the promenade. However, no policies seek to protect retailing in this part of the District. However, policy does seek to ensure a 'quality offer' for tourism in this area.

The neighbouring building has two residential flats on its upper floors and the application building also has a flat to the top floor. The late night use of the building has a potential to cause disturbance to residential occupiers. However, given the presence of a public house immediately alongside the application site it would be unreasonable to further restrict the hours of operation of the proposed centre/club to those indicated in the application submission.

In an attempt to reduce any impact potential disturbance, the application has been restricted to the ground floor only and soundproofing conditions would be attached to further mitigate the potential for disturbance to the neighbouring residential occupiers should the development be supported. Furthermore, the precise nature of the use of the development would be restricted to that indicated by the applicant to prevent other less appropriate uses being developed at the site without the benefit of planning consent.

Conclusion

The applicant has attempted to address some of the concerns of the committee by substantially reducing the hours of operation but the application is not seeking to improve the external elevations of the building which was a concern of members.

Given the important location of the premises within the Conservation Area, it is recommended that a condition be imposed requiring improvements to the shop front/entrance area. On balance, the proposal is one which could be developed without undue impact upon the Conservation Area, the tourism potential for the area and neighbouring uses and again approval is considered appropriate subject to significant controls over the use and the location of the development, provision of mitigating soundproofing and control over forecourt parking/use.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PERMISSION BE GRANTED** subject to the following conditions: -

1. Standard 3 Year time Limit
2. Development to be built in accordance with the agreed details
3. The use of as a community centre/snooker hall shall be limited to the ground floor of the premises known as 234-235 Marine Road Central only
4. The use of the site shall be limited to a community centre/snooker and pool hall as described in the applicant's submission details and supporting letter.
5. The hours of use of the premises shall be limited to 8:00am to 2:00am (Friday and Saturday) and 8.00am to Midnight Sunday to Thursday.
6. Any external alterations to the building, including the installation of any flue/extraction systems shall be undertaken in accordance with details to be submitted to and be agreed in writing with the Local Planning Authority.
7. A scheme of soundproofing to the site shall be submitted to and be approved in writing by the local planning authority. The development shall be undertaken in accordance with the agreed scheme.
8. Prior to use of the development a scheme for the design, location and erection of bollards to the forecourt area shall be submitted to and be approved in writing by the local planning authority. The development shall be undertaken in accordance with the agreed scheme.
9. Before the site is brought into use a detailed scheme for improvement to the entrance/shop front should be agreed with the Local Planning Authority. The approved works should be implemented in accordance with a timetable to be agreed with the Local Planning Authority.

DECISION DATE 1 April 2009	APPLICATION NO. 09/00088/FUL A9	PLANNING COMMITTEE: 9 March 2009
DEVELOPMENT PROPOSED INSTALLATION OF GLAZED DOORS AT EACH END OF ANCHOR LANE		SITE ADDRESS VUE CINEMA CHURCH STREET LANCASTER LANCASHIRE LA1 1LP
APPLICANT: Vue Entertainment Ltd 10 Chiswick Park 566 Chiswick High Road London W4 5TS		AGENT: Unick Architects Ltd

REASON FOR DELAY

None.

PARISH NOTIFICATION

None.

LAND USE ALLOCATION/DEPARTURE

The site is within the City Conservation Area as indicated in the Lancaster District Local Plan.

STATUTORY CONSULTATIONS

County Highways - No objections.

Lancaster Civic Society - Views are awaited and will be verbally reported to members.

Police - Verbal comments received - No objections.

Conservation Officer - No objections.

Legal Services – No objections.

Property Services - Verbal comments received - No objections.

Access Officer - No objection subject to the conditioning of door details (widths, self-opening, etc).

OTHER OBSERVATIONS RECEIVED

An objection has been received from Councillor J Whitelegg on the grounds that Anchor Lane is an essential part of the historic city, crisscrossed by a network of streets and alleyways- public space should not be privatised in this way.

REPORT

This application has been brought before Committee at the request of Councillor Anne Chapman.

The Site and its Surroundings

The application site involves Anchor Lane within the pedestrianised City Centre. Anchor Lane is the thoroughfare which runs in a north-south direction and connects Market Square and Church Street. It is now a covered pedestrian route and provides the only public access to the Vue Cinema complex which, at the present time, is the only commercial premises within the lane.

The Proposal

The proposal is for the installation of glazed doors at each end of Anchor Lane. A similar proposal was granted planning permission in 2001 (Ref: 01/00114/FUL). However in order to implement this permission the applicant was required to seek a Stopping-Up Order via the Council's Legal Services.

The 2001 planning consent has now lapsed thereby requiring the resubmission of the previously approved proposal. The Stopping-Up Order cannot be finalised without a valid planning permission.

The glazed doors would be constructed at either end of Anchor Lane in order to prevent access when the cinema is closed. The current opening hours of the cinema are 0800-0000 Sunday to Thursday and Bank Holidays and 0800-0200 on Friday and Saturday. Therefore the doors would be closed for 8 hours Sunday-Thursday and Bank holidays, and for 6 hours on Friday and Saturday.

The doors to Church Street would be recessed so as not to affect the windows of neighbouring uses, and also to maintain emergency fire exits. The doors at the Market Square end will be flush with their current entrance point. Each door would have an automatic opening device for ease of access.

The doors will be constructed from aluminium and will be painted to match the surrounding sandstone. A condition will be imposed regarding their final treatment.

Planning Policy

Central Government guidance in relation to town centre developments is laid down in Planning Policy Guidance Note 6 - Town Centres and Retail Development. This guidance note acknowledges the importance of the perception of safety within town centres, and confirms that occurrence of crime is an important factor in a centre's vitality.

At the local level the Lancaster District Local Plan Supplementary Planning Guidance Note 6 - "Lancaster City Centre Strategy" (2002) refers to the issue of accessibility as being key, and highlights an objective to make the City Centre accessible to all whilst maintaining the historic character of the area. Community safety is also raised as a key issue and the guidance states that the Council will look at how pedestrian areas and open spaces can be altered to discourage anti-social behaviour.

Analysis of the proposal

The installation of glazed doors will increase night time security of Anchor Lane and reduce the opportunity for incidences of crime and vandalism in the area. No objections have been raised by statutory consultees and the design of the doors is considered aesthetically pleasing.

There is the issue of ensuring access is maintained between two important parts of the City Centre. It is true in order to implement this permission the applicant is required to seek a Stopping-Up Order to extinguish the public right of way (via the Council's Legal Service), and that for early morning periods this access will consequently not be available. However, given that Anchor Lane is rather daunting at those periods when the cinema is closed, and that a previous planning application has already been approved in respect of this proposal, the principle of development is accepted.

It is also recognised that whilst the cinema development has introduced a good, active use in the heart of the city, there have been maintenance and appearance issues to the Church Street elevation. The installation of high-quality doors is anticipated to assist in resolving this issue.

The Stopping-Up Order is not a piece of legislation which is enforceable by the local planning authority, but is a separate Order. An Advice Note attached to the previous 2001 planning consent read:

"The grant of planning permission does not entitle the applicant to obstruct the existing highway along Anchor Lane and before this permission can be implemented a Stopping Up Order under the Town and County Planning Act will be required.. The applicant is advised to contact the Council's Legal Services in this respect".

Once the doors have been installed, the necessary procedure for a Stopping-Up Order can be followed.

Besides the planning conditions listed below, it will be necessary to include the above Advice Note on any grant of planning permission.

Conclusion

The proposal is considered acceptable in terms of visual appearance and has the potential to limit the incidences of anti-social behaviour in the immediate locality. Public access between Market Square and Church Street will be unaffected during normal business hours.

It is on this basis that Members are advised that this proposal is recommended for approval.

RECOMMENDATIONS

That **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

1. Standard time limit
2. Development according to approved plans
3. Precise details of door materials, glazing, colours and finishes to be submitted and agreed
4. Doors to remain unlocked (i.e. Anchor Lane remains accessible) during 0800-0000 Sunday to Thursday and Bank Holidays, and 08:00-02:00 on Friday and Saturday.

<p>DECISION DATE</p> <p>16 March 2009</p>	<p>APPLICATION NO.</p> <p>09/00044/CU A10</p>	<p>PLANNING COMMITTEE:</p> <p>9 March 2009</p>
<p>DEVELOPMENT PROPOSED</p> <p>CHANGE OF USE FROM GARAGE AND STORE TO CARERS RESIDENTIAL DWELLING</p>		<p>SITE ADDRESS</p> <p>LEAPERS ROCK KELLET ROAD OVER KELLET CARNFORTH LANCASHIRE LA6 1BP</p>
<p>APPLICANT:</p> <p>Mr D Wilson Hall Farm Cottage Over Kellet Carnforth Lancs LA6 1BS</p>	<p>AGENT:</p> <p>Whittaker And Co</p>	

REASON FOR DELAY

None

PARISH NOTIFICATION

Over Kellet Parish Council - Observations awaited.

LAND USE ALLOCATION/DEPARTURE

Countryside Area

STATUTORY CONSULTATIONS

County Council Highways - No objections but do wish to ensure sufficient parking is provided about the site to accommodate 2 dwellings.

Environmental Health - Recommend a condition should any unforeseen soil contamination be found during works. The site shall be quarantined and reported to the Local Planning Authority for further investigation.

OTHER OBSERVATIONS RECEIVED

None.

REPORT

Site and Proposal

Leapers Rock is a modest detached bungalow situated south off Kellet Road which links the town of Carnforth and the village of Over Kellet. The application proposes the change of use of an existing two storey storage building adjacent to this to a single dwelling house. The existing dwelling has an artificial stone and grey dashed exterior with grey concrete roof tiles. The adjacent garage building, which is the subject of this application, has a grey dash render exterior with slate roof

The garage/store building was granted permission in 2004 (04/00453). This involved the demolition of an existing shed and the erection of the garage building with a store and office at first floor. It was conditioned at that time that the building should be used only in association with Leapers Rock and its associated businesses.

Some background information provided with the previous application may also be useful on this occasion as it provides information about the business uses at the site. The adjacent Leapers Rock Quarry is owned by the applicant. Tarmac currently lease the site from the applicant. The applicant collects all the water washed limestone from the site, along with imported Westmorland Green slate and river washed boulders. Mr Wilson runs a hard landscaping business from the site and the house. In addition to this he sells farm produce from the site such as apples and damsons.

The applicant now wishes to convert the garage into ancillary accommodation to allow him and presumably his family to live on site to provide care for his elderly mother who lives in the original dwelling.

Planning Policy

Policy SC1 of the Lancaster District Core Strategy requests that new development proposals are as Sustainable as possible. It states that in assessing whether a development proposal or allocation is as sustainable as possible, the Council will apply the following principles:

Location (Core Strategy and Allocations)

- It is convenient to walk, cycle and travel by public transport between the site and homes, workplaces, shops, schools, health centres, recreation, leisure and community facilities;
- The site is previously developed;
- The current use, appearance or condition of the site cause adverse environmental impacts which could be alleviated through development;
- The site can be developed without incurring unacceptable flood risk or drainage problems;
- The site can be developed without the loss of or harm to features of significant biodiversity, landscape, archaeological or built heritage importance;
- The proposed use would be appropriate to the character of the landscape.

Design, Construction and Use (Development Control Policies)

- It is convenient to walk or cycle around the site;
- The proposal re-uses existing buildings;
- The proposal uses locally sourced, sustainable or recycled construction materials, sustainable waste management practices and minimises construction waste;
- The proposal would clean up contamination and other environmental problems associated with the site;
- The proposal uses energy efficient design and orientation, energy efficiency and renewable energy technologies;
- The proposal has an acceptable impact on drainage systems and uses Sustainable Drainage Systems (SUDS); where appropriate;

- The proposal is integrated with the character of the landscape and, where appropriate, enhances biodiversity, increases tree-cover, provides for archaeological investigation and creates publicly accessible open space.

Account has also to be taken of "saved" policy H8 from the Lancaster District Local Plan. This restricts new housing in the countryside to that which is essential for the needs of agriculture, forestry or other uses appropriate to the rural area.

Comments

The Design and Access Statement submitted with the application states that the applicant's elderly mother currently owns and occupies the existing bungalow on site. Due to her age she employs a carer (1 hour per day) and a cleaner (3 hours a week).

Mrs Wilson's health has recently deteriorated and her son, the applicant, wishes to convert the garage which will allow the family to be on hand to look after their elderly relative.

Whilst the application, understandably from the applicant's perspective, considers only the short term benefits of the applicant and his family further consideration must be given to the long term affects of approving what amounts to being an additional dwelling in this location.

The application fails to provide sufficient justification for approving an additional dwelling in an unsustainable rural location that does not meet the required sustainability objectives outlined in current policy guidance.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PERMISSION BE REFUSED** on the following grounds:

1. Contrary to Core Strategy Policy SC1 - new dwelling isolated from existing communities and the facilities they offer, difficult to access except by private motor car.
2. Contrary to Lancaster District Local Plan Policy H8 - proposal would result in the creation of an additional dwelling in the countryside where it is not required to meet the needs of agriculture, forestry or other uses appropriate to the rural area.

DECISION DATE 5 March 2009	APPLICATION NO. 08/01434/FUL A11	PLANNING COMMITTEE: 9 March 2009
DEVELOPMENT PROPOSED ERECTION OF SIDE CONSERVATORY AND SECOND FLOOR EXTENSION ABOVE EXISTING KITCHEN AND DORMER TO THE SIDE		SITE ADDRESS 9 THE CLIFFS HEYSHAM MORECAMBE LANCASHIRE LA3 1NY
APPLICANT: Mr R Kitchen 9 The Cliffs Heysham Morecambe Lancashire LA3 1NY		AGENT: Alick Campbell

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

None.

LAND USE ALLOCATION/DEPARTURE

Within the urban area defined in the Lancaster District Local Plan.

STATUTORY CONSULTATIONS

None.

OTHER OBSERVATIONS RECEIVED

None.

REPORT

The application is one which would normally be dealt with under delegated powers but has been placed on Committee as the applicant is a member of staff at Lancaster City Council.

The existing property is semi-detached with grey pebble dash exterior, white upvc windows and a slate roof. The surrounding properties are predominantly semi-detached with some detached, namely the neighbouring property at number 8. The application proposes to erect a small conservatory/porch to the side of the property as well as the addition of a second floor above an existing extension also to the side.

The application site fronts the coastline at Heysham. As a result vehicular access to the property can only be gained between two properties along the road to the rear, Twemlow Parade. Parking is provided to the rear. There is an existing small lean-to extension to the side of the property. It is proposed to erect an additional storey above this providing a bathroom and allowing the existing bathroom to be converted into a fourth bedroom. To the front of the extension a small conservatory/porch is proposed.

Originally the proposal also involved the construction of a dormer to the side. However, the dormer raised concerns over the impact it may have on residents of the neighbouring property and as a result this aspect has now been removed from the application.

It was also requested that the porch be setback from the front elevation to minimise visual impact and to avoid potentially upsetting the balance of this pair of semi detached properties. These amendments have been provided and as such the proposal as a whole is now considered acceptable in terms of design and amenity. The application can therefore be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PERMISSION BE GRANTED** subject to the following conditions:

1. Standard 3 year time limit
2. In accordance with the approved amended plans
3. Amended plans dated 17th February 2009
4. Materials to match the existing elevations

DECISION DATE 2 April 2009	APPLICATION NO. 09/00025/FUL A12	PLANNING COMMITTEE: 9 March 2009
DEVELOPMENT PROPOSED ERECTION OF 2 X 12 METRE POLYTUNNELS, 2 METRE HIGH BOUNDARY FENCE AND SITING OF TWO CONTAINERS FOR A COMMUNITY ALLOTMENT		SITE ADDRESS LAND OPPOSITE 176 TO 198 AMBLESIDE ROAD LANCASTER LANCASHIRE LA1 3ND
APPLICANT: Mr Simon Gershon F16 St Leonards House St Leonardsgate Lancaster Lancs LA1 1NN		AGENT:

REASON FOR DELAY

None.

PARISH NOTIFICATION

None.

LAND USE ALLOCATION/DEPARTURE

Within the Lancaster District Local Plan, the site falls within a County Biological Heritage Site and is also designated as Key Urban Landscape area.

STATUTORY CONSULTATIONS

County Council Highways - No objections to the proposal, however the proposed vehicle access will require alteration to the kerbs on Ambleside Road.

Environment Agency - No objections to the proposal.

United Utilities - No objections to the proposal subject to advice regarding the maintenance responsibilities and the adoption of drainage systems.

County Ecologist - Although the application area is within the Biological Heritage Site (BHS) known as Newton Beck Valley, the area affected is managed amenity grassland. It is therefore unlikely that the proposed work would have a negative impact on the BHS.

In order to ensure that other parts of the BHS are not affected in the short or long term, It is recommended that there be planning conditions to address the following matters:

- Protection of other parts of the BHS from all works associated with construction, deliveries and site development & storage.
- Submission of a garden waste (and other debris) Management Plan, including regular monitoring.

Environmental Health - No comments received at time of writing the report, comments will be reported verbally.

Property Services - No comments received at time of writing the report, comments will be reported verbally.

OTHER OBSERVATIONS RECEIVED

Tree Protection Officer - No comments received at time of writing the report, comments will be reported verbally.

At the time of writing the report one letter of objection has been received, stating the impacts of additional car parking and vehicle movements on Ambleside Road and the possible detrimental impact the proposal could have on nature and wildlife.

Any other comments will be reported verbally to Members.

REPORT

The application has been brought before Committee Members as the subject site is in City Council ownership.

The Site and its Surroundings

The application site is located to the north east of Lancaster City Centre adjoining the northerly edge of the Ridge Housing Estate, and is sited on an area of land fronting the residents of 176 to 198 Ambleside Road. These residential properties are sited on considerably higher ground to that of the highway and the application site.

The site is an area of public open space located north of an existing, floodlit, multi-use, fenced sports court, which was granted planning consent in 2001 (Ref: 01/00991/DPA).

The Proposed Development

Local and Effective Sustainable Solutions (LESS) are a Lancaster-based company which aims to develop a community food-growing initiative within the district. As part of this ambition a new Community Allotment site is proposed, which will be managed by a team of horticulturalists. It will be available for individual and group use.

The applicant, on behalf of LESS, seeks planning consent to site 2 polytunnels and 2 storage containers within the area of land, in addition to a composting toilet, all of which would be enclosed by a two-metre high boundary fence to form the Community Allotment Area.

A new vehicular access from Ambleside Road is also proposed.

Planning Policy

At the national level, Planning Policy Guidance (PPG) 17 – ‘Planning for Open Space, Sport and Recreation’ advocates well-planned and maintained open spaces that act as a focal point for community activities. Allotments are listed within a typology of ‘open spaces that may be of public value’.

Planning Policy Statement (PPS) 9 - ‘Biodiversity and Geological Conservation’ aims to promote biological and geological diversity. Biological Heritage Sites are a local site-designation, and as such local planning authorities are advised to use their own criteria-based policies to assess the impacts of developments.

At the local level, the following policies are relevant:

Lancaster District Core Strategy **E1** Environmental Capital - Seeks to improve the district’s environment by means of protecting valued landscapes from inappropriate development, by protecting open sites of importance, by protecting semi-natural habitats in urban areas; and by raising environmental quality.

Lancaster District Local Plan (LDLP) Saved Policy **E31** - Key Urban Landscape - Seeks to safeguard important natural features and preserve the open nature of the area, and the character of the surroundings.

LDLP Policy **E17** - Biological Heritage Site - Development likely to damage or destroy a Biological Heritage Site will not be permitted. Such sites should be protected from development or disturbance as far as practically possible, unless the need for development demonstrably outweighs the need to protect the site. Where development is permitted, compensation or mitigation measures (such as habitat creation areas) should be required.

Assessment

There are four key issues with regard to the proposed development. They are:

- Whether the proposal adversely affects the Biological Heritage Site;
- Whether the proposal has a visual impact upon Key Urban Landscape;
- Whether the proposal introduces highway and traffic problems; and,
- Whether the proposal is detrimental to neighbouring amenity.

Impact upon the Biological Heritage Site

The site lies within the Newton Beck Valley Biological Heritage Site (BHS). It is usually the case that most forms of development, including allotments, could result in disturbance to important features or habitats.

However the applicant has submitted a Biodiversity and Geology Report, which concludes that this site is amenity-mown grassland, and due to mowing very few grass species can survive. In addition mown grass does not provide much in the way of useful habitats.

These conclusions have been accepted by the County Ecologist, who has also carried out an on-site investigation. They conclude that it is ‘reasonably unlikely’ that the work will have a negative impact on the BHS. However protective measures are required by imposition of planning conditions, and these relate to the submission of a Management Plan for garden and other forms of waste management, and the submission of a plan indicating how remaining areas of the BHS will be protected from development, external storage and vehicle movements.

Impact upon the Key Urban Landscape

The Key Urban Landscape designation is much larger than the BHS designation, and extends towards Lancaster Business Park to the north and abuts the M6 Motorway to the east and south.

Key Urban Landscape applies to open land that is considered fundamentally important to the character of the city. This particular site is best described as urban fringe, given the proximity of the adjacent sports area. The fact that the land begins to gently rise to the north means that the openness of the larger designation is not compromised. Allotments are, by their very nature, disruptive in terms of character and appearance of the landscape. The change in the appearance of the ground and the extent of ancillary buildings can detrimentally affect the openness and perception of the landscape. However, for the geographic reasons already referred to, and the screening that presently exists, it is considered that this relatively small area of land could accommodate the use without affecting the setting of the city.

A tree and hedge survey has identified a reasonably diverse array of species surrounding the site. In summary, to the west lies two lines of semi-mature trees, the most mature of which abut the highway. To the east of the site lies hawthorn hedging and some sporadic species of tree. These are shown as being retained and will perform important screening functions.

Highway and Traffic Impacts

It is proposed to create a new vehicular access leading from Ambleside Road (in front of Numbers 196 and 198), which will then curve northwards, in front of the multi-use sports area.

It is noted that County Highways do not object to the proposal, subject to the standard advice note being attached to any consent requiring the developer to alter the kerbs to create the access.

Notwithstanding this stance, the local planning authority remains concerned that the highway details are not expressly provided in the submission. In particular, details of how vehicles will turn within the site so that they can exit in forward gear. Such a detail could be conditioned, but as an area of hardstanding would be required (and could potentially be sizeable, given the need to turn around with trailers, etc), it is considered prudent to obtain further details. These details will also include the exact position of the proposed on-site cycle parking, and the one vehicle parking space proposed.

The access road would be screened behind existing planting, although the developer also needs to confirm precise dimensions of this track to ensure that the root systems to existing tree screening is not affected.

Subject to the satisfactory resolution of these issues, there are no highway objections. A verbal update will be reported to Committee in this regard.

Neighbour Amenity Impacts

In terms of the impact on residential amenity the comments arising from neighbour notification are noted. However, allotments are a type of use that is accepted in urban environments and is actively encouraged by all tiers of planning policy, where other matters are also considered to be acceptable. In addition, the distances involved in this particular case (being approximately 40 metres from the nearest dwellinghouse), and the fact that the highway separates the application site from the closest residential properties, leads the local planning authority to conclude that the use is both compatible with its neighbouring surroundings and appropriately located in terms of residential amenity. The belt of screening would further assist in alleviating any impacts.

However the containers that are proposed are only acceptable as a temporary measure. Encouraging the permanent location of structures such as these would not be in the interests of visual amenity. With this in mind planning conditions are proposed requiring the painting of the containers in a dark green colour, and the removal of the containers within 2 years of the date of consent. The local planning authority would welcome further discussion in due course about more permanent replacement structures, should they be required.

The polytunnels are deemed to be more appropriate in relation to the use of the site, and the temporary condition does not apply to them. The toilet block will be lime-rendered with a slate roof, and is acceptable.

Conclusion

Overall, the site is a sustainable location for the type of community recreational facility proposed. The protective land designations that exist are not considered to be compromised by the proposal, nor would the use of the site have a detrimental impact upon visual or neighbouring amenity. The containers are not however considered appropriate as long-term installations, and a temporary consent should provide some time for the applicant to pursue other, appropriate, permanent solutions.

The access arrangements are accepted by County Highways, although the local planning authority requires further details in order to be totally satisfied that the proposals will provide the best highway solution. Discussions will continue with the applicant so that this information can be brought before Members.

Therefore, subject to the highway matters being clarified and being acceptable, this is an application which can be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PERMISSION BE GRANTED** subject to the following conditions:

1. Standard 3 year condition (for the polytunnels, access track and toilet)
2. Temporary period of consent (2 years) for the two containers
3. Development as per approved plans
4. Constructional details of the access track and on-site turning circle to be agreed
5. Cycle and single car parking space to be agreed
6. Standard landscaping condition
7. Details of type, colour and heights of boundary fencing, pedestrian gates and vehicular gates to be agreed
8. No development until a Management Plan for garden and waste management is submitted and agreed
9. No development until details of protection measures to adjoining BHS habitats and features is submitted and agreed
10. As required by consultees

DECISION DATE 7 April 2009	APPLICATION NO. 09/00012/CU A13	PLANNING COMMITTEE: 9 March 2009
DEVELOPMENT PROPOSED CHANGE OF USE, REMEDIAL WORKS AND EXTENSIONS TO FARMHOUSE, FOLLY AND BARN TO CREATE AMENITY SERVICES FOR ADJACENT RESIDENTIAL DEVELOPMENT WITH ASSOCIATED EXTERNAL WORKS		SITE ADDRESS MIDDLETON TOWERS/ PONTINS HOLIDAY CAMP CARR LANE MIDDLETON LANCASHIRE LA3 3LJ
APPLICANT: PRV Middleton Towers In Administration C/o Agent		AGENT: SJD Architects

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Middleton Parish Council - Observations awaited.

LAND USE ALLOCATION/DEPARTURE

Countryside area within the Lancaster District Local Plan.

STATUTORY CONSULTATIONS

County Council Highways - Observations awaited.

Environmental Health - Observations awaited.

OTHER OBSERVATIONS RECEIVED

A letter has been received from the Secretary of the newly formed Middleton Towers Residents Association, which promotes the interests of people living on the site. It supports the proposal, as they want the community to grow and to be attractive to prospective new residents.

Any other representations received will be reported orally at Committee.

REPORT

This proposal involves the group of three Grade II listed buildings within the Middleton Towers retirement village complex, which occupies the site of the former Pontins Holiday camp off Carr Lane. The original planning consent for the retirement village required that they should be restored as part of the development but so far this has not happened. An application for Listed Building Consent has also been submitted and details of this appear in a separate report.

Around 50 of the dwellings at Middleton Towers are complete and most of them are occupied. The required bus link to Morecambe and Lancaster is now in operation. However, the company which was carrying out the development, Prestigious Living, is now in administration. The scheme is now in the hands of the Allied Irish Bank. Their intention is to complete Phase I of the development.

They intend to make some changes to the layout to reflect market demand (it appears that the bungalows have sold more readily than the flats) and this will be the subject of a further application for planning permission. This will allow them to meet their obligation to fund affordable housing, and at the same time create a viable community sufficient to support at least some of the community facilities envisaged as part of the original proposal. They propose to adapt the historic buildings on the site to accommodate these. These are:

- The folly tower on the seafront which gives the site its name;
- A former farmhouse, which was used as a public house when the holiday camp was in use; and,
- A large stone barn.

The farmhouse is in the worst condition; it has been vacant for over ten years and the roof needs immediate attention. The applicants have already, with the agreement of Officers of the Council, begun a programme of basic remedial repairs to the farmhouse and barn in advance of the current applications being determined, to prevent further decay and deterioration.

The farmhouse building would be converted to provide a reception and administrative area, with living accommodation for staff above. There would also be a large kitchen, associated with a function room housed in a new building linking the farmhouse with the barn. The barn itself would accommodate a gym, together with a changing area for a new swimming pool. This will occupy a new building on the site of a building which used to house Pontins fish and chip shop, which is to be demolished.

Of the proposed two new structures the link between the farmhouse and the barn is to have glass walls. The swimming pool building is shown as having rendered walls. Both will have slate roofs. In both cases the architectural forms proposed in are simple, low key ones which will not detract from the character of the existing buildings.

The present proposal does not involve any alterations to the folly tower, which is too small to be of practical use as a community area. It is also in less urgent need of attention. It is however of some interest from a natural and historic point of view, as it is well suited to use as a bat roost for any bats displaced from the other two buildings.

The proposal is accompanied by a substantial amount of supporting information including a design and access statement, a heritage statement and a bat survey. It is noted that the potential for the use of renewable energy in the existing buildings is limited because of the need to respect their listed status. However, there is potential for this in the new structures, and this is reflected in the imposition of an appropriate planning condition.

Policy SC1 of the Core Strategy emphasises the importance of developing in a location where it is convenient to walk, cycle and travel by public transport, and the importance of using previously developed land where possible. Of the "saved" policies in the Lancaster District Local Plan, E33 states that proposals affecting a Listed Building which would have an adverse effect on its special architectural character or historic interest will not be permitted. However Policy E34 states that planning permission for appropriate new uses for Listed Buildings at risk may be permitted where this will secure the future of the building and retain its historical and architectural integrity.

Because of the recession it is unlikely that the retirement village at Middleton will be completed in its originally envisaged form, at least in the immediate future. The development occupies an isolated position which does not meet all the criteria set out in Policy SC1 but the retirement village is an existing commitment, and has to be seen in this context. There is a clear need to provide this rather isolated community with a meeting place and a focal point. At the same time there is a need to secure the future of the historic buildings on the site, particularly in the case of the farmhouse.

Various details of scheme need to be secured by suitably worded conditions, including details of the materials and the use of renewable energy sources for the new build parts of the project. With these provisos, the proposal is to be welcomed.

No specific proposals are put forward for the folly tower, and only minor repairs are needed. It is however desirable that the repairs should be undertaken at the same time as the remainder, to ensure the integrity of the group of buildings on the site. A condition dealing with this matter is therefore included below.

The consultation period for this application expires a couple of days after the Committee meeting. It is therefore recommended that consideration of any late observations should be delegated to the Head of Planning Services. However, on the proviso that any further responses do not raise an suingnificant new issues, this proposal is of some merit to the community and is supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That the application be delegated to the Head of Planning Services (for consideration of any further consultation responses) with a recommendation that **PERMISSION BE GRANTED** subject to the following conditions::

1. Standard three year condition.
2. Development to be carried out in accordance with the approved plans.
3. Details and/or samples of materials to be agreed.
4. Landscaping to be agreed and implemented.
5. Details of renewable energy sources for new build parts of the project to be agreed.
6. Programme of works for the folly tower to be agreed and implemented before the farmhouse and barn are brought into use.
7. As required by consultees (if appropriate).

DECISION DATE 7 April 2009	APPLICATION NO. 09/00017/LB A14	PLANNING COMMITTEE: 9 March 2009
DEVELOPMENT PROPOSED CHANGE OF USE, REMEDIAL WORKS AND EXTENSION TO FARMHOUSE, FOLLY AND BARN TO CREATE AMENITY SERVICES FOR ADJACENT RESIDENTIAL DEVELOPMENT WITH ASSOCIATED EXTERNAL WORKS		SITE ADDRESS PONTINS HOLIDAY CAMP CARR LANE MIDDLETON LANCASHIRE LA3 3LJ
APPLICANT: PRV Middleton Towers In Administration		AGENT: Mr S Dodds

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Middleton Parish Council - Observations awaited.

LAND USE ALLOCATION/DEPARTURE

Countryside area within the Lancaster District Local Plan.

STATUTORY CONSULTATIONS

Any representations from the Conservation interest groups will be reported at Committee.

OTHER OBSERVATIONS RECEIVED

A letter has been received from the secretary of the newly formed Middleton Towers Residents Association, which promotes the interests of people living on the site. It supports the proposal, as they want the community to grow and to be attractive to prospective new residents.

Any other representations received will be reported orally at Committee.

REPORT

This is the Listed Building application associated with application 09/00012/CU reported previously. Although the original developer commissioned a report on the three listed buildings, they had not taken any action to restore them at the time Prestigious Living went into administration. The applicants have started a programme of basic repair works to prevent further deterioration.

Full details of the listed buildings affected (all grade II) are as follows:

1. **The folly tower:** this is probably early 19th century. It consists of a two story tower with a taller narrower turret intersecting it on the south. It is built of sandstone rubble. It has first floor windows on the west side, which have been partly bricked up.
2. **The former farmhouse:** this building is constructed of rendered stone, with a slate roof. Parts of it date from the late 17th century but it has been altered and extended since, with an additional wing added in 1844. Notable features include some mullioned windows. The interior is currently in poor condition but there are some features which predate its use as a public house serving the holiday camp.
3. **The barn:** This is a large traditional stone farm building with a slate roof. The holiday camp used it as a bar and dance hall.

The alterations involved affect both the farmhouse and the barn. In both cases they will allow a sympathetic restoration of their external appearance, and provide an opportunity to safeguard their interior features. In the case of the barn there is a strong case for allowing part of the interior of the roof to be available for viewing from inside. This can be the subject of a condition.

The relevant "saved" policies in the Lancaster District Local Plan are E33 which states that proposals affecting a Listed Building which would have an adverse effect on its special architectural character or historic interest will not be permitted, and E34 which states that planning permission for appropriate new uses for Listed Buildings at risk may be permitted where this will secure the future of the building and retain its historical and architectural integrity.

No specific proposals are put forward for the folly tower. Relatively little work is required, but it is desirable that such repairs as are needed should be carried out before the other two buildings are brought into use. A condition is imposed to that effect on this application and the planning application.

The consultation period for this application does not expire until after the Committee meeting. It is therefore recommended that consideration of any late observations should be delegated to the Head of Planning Services.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That the application be delegated to the Head of Planning Services (for consideration of any further consultation responses) with a recommendation that **LISTED BUILDING CONSENT BE GRANTED** subject to the following conditions::

1. Standard Listed Building Consent
2. Development to be carried out in accordance with the approved plans.
3. Details and/or samples of materials to be agreed.
4. Eaves and verge details to be agreed.
5. Details of joinery for windows and doors to be agreed.
6. Details of mix for lime mortar to be agreed.
7. Interior layout of barn to allow open views of part of the roof structure.
8. Programme of works for the folly tower to be agreed and implemented before the farmhouse and barn are brought into use.

DECISION DATE 24 March 2009	APPLICATION NO. 08/01433/FUL A15	PLANNING COMMITTEE: 9 March 2009
DEVELOPMENT PROPOSED ERECTION OF NEW BUILDING COMPRISING OF 1 RETAIL UNIT AND 14 APARTMENTS		SITE ADDRESS FORMER POLICE STATION HEYSHAM ROAD HEYSHAM MORECAMBE LANCASHIRE LA3 2BJ
APPLICANT: Daffodil Homes Ltd Tarnwater Yealand Conyers Carnforth Lancs LA5 9RJ		AGENT: Harrison Pitt Architects

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Heysham Neighbourhood Council - Observations not received at the time of compiling this report. Any comments will be verbally reported to Committee.

LAND USE ALLOCATION/DEPARTURE

Within the urban area identified in the Lancaster District Local Plan.

STATUTORY CONSULTATIONS

County Council Highways - The site is a very accessible one, but not quite as accessible as the applicants' information submitted with the proposal suggests. They have concerns about the adequacy of the car parking provision shown. They would normally expect 150% provision for a scheme of this kind. The previous approved version (with 10 rather than 14 flats) offered 100% car parking provision. They would like to see this aspect of the proposal reconsidered. They also ask that if permission is granted, a contribution of £12,180 should be provided by the developer towards public transport improvements in the area.

Environmental Health - Ask that a construction hours condition should be attached to any consent. The retail unit shown would be suitable for Class A1 (retail) uses but not as a hot food takeaway. A land contamination study has been provided for the site (this was a requirement of the previous permission). A condition is requested requiring that if any unforeseen contamination is encountered appropriate measures should be taken.

County Council Archaeology - No comments to make on this proposal.

Strategic Housing – No comments received within statutory timescale.

City Contract Services – No comments received within statutory timescale.

OTHER OBSERVATIONS RECEIVED

Three objection letters received in respect of the following:

Objection from the occupier of 2 Knowlys Road - The building is too large for the site, out of keeping with neighbouring properties, and no gap is provided between it and no. 2 to allow for maintenance. The position proposed for bin storage will give rise to nuisance, and will give rise to parking problems. He would prefer sheltered housing on the site rather than flats for general occupation.

Objection from 4 Knowlys Road - The height of the development is out of keeping, and the materials are unsuitable; the access deck at the rear will give rise to overlooking problems; there is no need for another shop unit.

Objection from 6 Knowlys Road - The design is out of keeping with the houses in the area and inferior to the previous demolished building (the Police Station which used to occupy the site).

Any further representations, including any made as a result of the amended version of the proposal which opens up a gap between the new building and 2 Knowlys Road, will be reported verbally at Committee.

REPORT

Consent has already been granted for the redevelopment of this site, at the corner of Heysham Road and Knowlys Road, with a four-storey building containing a shop and ten flats (Ref: 08/00327/FUL). A subsequent application (Ref: 08/00835/RCN) removed an obligation on the developer to provide affordable housing as part of the scheme.

The present proposal involves a redesign of the development to increase the density of the scheme to provide a further four flats. It should be noted that the total number of flats proposed is still just below the number which would require the developer to provide some affordable housing as part of the scheme. In some of the correspondence associated with the application it is suggested that the proposal might involved sheltered flats for the elderly but it has now been confirmed that they are intended for general occupation.

The scheme as originally submitted has been amended to reduce its overall size, leaving a gap approximately 2m wide between the building and the adjoining end of terrace house at 2 Knowlys Road. This resolves several problems with the earlier scheme; including access to the bin storage area which is more straightforward. It also overcomes the objection raised by the immediate neighbour who does not wish any part of the structure to be attached to the end wall of his property.

Despite this the general appearance of the development would be very similar to that of the previous scheme. As before the design is deliberately modernist in appearance, with a monopitch roof over the part of the building at the Heysham Road/Knowlys Road corner. The materials specified are brick and cement panels, with a single ply standing seam roof and grey UPVC or aluminium doors and windows.

The accommodation consists of the following:

- Ground floor: Retail unit, car park (10 spaces, two laid out with disabled access in mind), cycle compound, bin store. entrance lobby and ancillary storage space.
- First floor: Five 2 bedroom flats

- Second floor: Five 2 bedroom flats
- Third floor: Four 2 bedroom flats.

While the precise internal layouts vary each flat would have a combined living/kitchen area, two bedrooms and a bathroom. There would be open communal decks on the south side of the building, overlooking the site of the new Heysham Public Library.

The proposal has to be considered in relation to policies SC1 and SC2 of the Core Strategy. These require that previously developed land should be used wherever possible and emphasise the importance of developing in sustainable locations, accessible by means other than the private motor car. The Lancaster District Local Plan policies most relevant to the proposal are:

- **H19**, which sets out criteria for considering new residential development within the established urban area;
- **R21**, which requires appropriate provision for people with disabilities

While the flats would be smaller than previously envisaged they would all meet the City Council's usual space standards, as set out in Appendix 2 of the Lancaster District Local Plan. The key issue is whether the increase to 14 flats is compatible with the 10 parking spaces available. The applicant argues that it would be. Their planning consultant points out that PPG 13 (Planning Policy Guidance: Transport) argues that:

- The availability of car parking has a major influence on the means of transport people choose for their journeys;
- Car parking takes up a large amount of space and reduces densities; and,
- Reducing car parking in new development is essential, as part of a package of planning and transport resources, to promote sustainable travel choices.

The car parking standards applied by Lancashire County Council normally expect at least a 1 for 1 provision in a scheme of this kind. The reference to the means of transport people use relates to journeys to shop and to work, rather to whether people choose to have a car or not. In this suburban location the most likely outcome would be a significant increase in demand for on-street car parking on Knowlys Road.

It has been suggested to the applicants' architects that it might be possible to increase the level of parking provision by acquiring or leasing some land from the County Council, who are in the process of redeveloping the library site next door. At the time this report was prepared it was unclear whether this provided a possible solution.

The site is not a town centre one but it is readily accessible by public transport, with a frequent bus service along Heysham Road. There is a good range of shops, including a sub post office, and community facilities within easy walking distance. In this regard, it is a sustainable location.

There is a long stretch of Knowlys Road, close to the site, which has no houses fronting it so it is unlikely that overspill parking associated with the development would take place in hazardous locations. It is also likely that the flats would appeal to people for whom the availability of off street parking was a low priority.

Taking these factors into account, it is recommended that permission should be granted, subject to the conditions as set out below. These are based on the ones attached to the earlier consent for ten flats.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PERMISSION BE GRANTED** subject to conditions as follows:

1. Standard three year condition.
2. Amended plans 18 February 2009, opening a gap between the new building and the house at 2 Knowlys Road.
3. Development to be carried out in accordance with the approved plans.
4. Details/samples of materials to be agreed.
5. Construction work to take place only between 08:00-18:00 Mondays to Saturdays, with no work on Sundays or officially recognised public holidays.
6. In the event of unforeseen land contamination being encountered. Appropriate measures to be taken.
7. No development to be undertaken until the developer has entered into an agreement covering public transport improvements.
8. Car parking to be provided and retained as such.
9. Vehicular access to be improved in accordance with agreed details.
10. Before any of the dwellings are occupied, a traffic regulation order must be obtained restricting parking on the section of Knowlys Road outside the site.
11. Measures to be taken to protect trees adjoining the site.



Steven Abbott Associates
Chartered Town Planners

AJS/PJM/1448-20/RW

22 January 2009

Mr R Wooldridge
Harrison Pitt Architects Limited
Victoria Court
Penny Street
Lancaster
LA1 1XN

Dear Richard

**Knowlys Quarter, Heysham
Planning Application – 08/01433/FUL**

I refer to our recent discussions regarding the above, in particular those relating to car parking issues raised in Mr Rivet's email of 20 January 2009.

I have considered that email and also comments of Lancashire County Council's Highways Manager (letter dated 8 April 2008 [sic]) that has prompted the comments made.

I am a little surprised at the comments as I think that it is recognised that the application site represents a sustainable and accessible location for housing. Furthermore, the thrust of planning policy for car parking, at all levels, is that parking provision should, where possible and appropriate, be reduced. The basis for that policy approach is contained in PPG 13 – Transport. Paragraph 49 of PPG 13 recognises the following:

- the availability of car parking has a major influence on the means of transport people choose for their journeys;
- car parking takes up a large amount of space in development and reduces densities;
- reducing car parking in new development is essential, as part of a package of planning and transport resources, to promote sustainable travel choices.

Paragraph 51 of PPG 13 goes on to state that local authorities should:

- not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls.

I am not aware that any such exceptional circumstances or significant road safety implications arise in this case. I would suggest that a reduced car parking level as proposed is wholly in line with the thrust of national planning policy.

National planning policy is, of course, reflected at a more local level through various policy documents including supplementary planning documents. I am assuming that the County Council utilise the following documents:

- Joint Lancashire Structure Plan – Parking Standards
- SPG Parking and Access (Adopted March 2005)

Partners

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The introduction to the Parking Standards document states clearly that:

"Levels of car parking are set out as the maximum that may be allowed, rather than minimum levels that must be provided."

The standard to be applied to 2 bedroom apartments would be 150% (i.e. 1.5 spaces per unit). That is the baseline/maximum figure which may be allowed. I note, with some surprise, that the County Council see that level as being desirable. I take the view that a level below the baseline/maximum would be desirable.

In terms of the "Parking and Access" SPG, the County Council's assessment of the sites accessibility level has the site in the middle of the "Medium" level. Paragraph 1.3 of the SPG indicates that *"Where a site is shown to have a medium or high accessibility the maximum level of parking allowed should be reduced."* In that context it must surely be the case that a reduced level (rather than the absolute maximum) is desirable. The County Council's reference to *"minimum provision"* is simply not supported by the SPG or any other relevant planning policy.

Given that the County Council is seeking a developer contribution towards the public transport provision in the locality, it seems ironic that they seem to suggest a level of car parking provision which will be counter productive in influencing people's likelihood of using public transport. If one considers both national planning policy and the local SPG it is clear that the proposed level of car parking satisfies the standards applicable – in our view the proposal would fall foul of the local car parking standard if the level of car parking provision exceeded the maximum standard of 150%.

This is not an exceptional site where there are significant implications for road safety. We are firmly of the view that the proposed level of car parking is acceptable and desirable. Resistance to the proposal on the basis of under provision of car parking would, in our view, be contrary to relevant policy and would be unreasonable.

I hope these comments are helpful to you and the local planning authority.

Yours sincerely



Alastair J Skelton

cc Mr A Gott

Email: alastairs@abbott-associates.co.uk

DECISION DATE 17 March 2009	APPLICATION NO. 09/00035/DPA A16	PLANNING COMMITTEE: 9 March 2009
DEVELOPMENT PROPOSED PROPOSED EXTENSION AND ALTERATIONS TO EXISTING WC TO CREATE DISABLED WC		SITE ADDRESS CEMETERY LODGE WESTGATE MORECAMBE LANCASHIRE LA3 3LN
APPLICANT: Lancaster City Council Steve Shaw Environmental Health (Cemeteries) Morecambe Town Hall Morecambe		AGENT: JOHN MANLEY

REASON FOR DELAY

None.

PARISH NOTIFICATION

None.

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan - Urban Green Space designation.

STATUTORY CONSULTATIONS

None.

OTHER OBSERVATIONS RECEIVED**Access Officer** - No objections, subject to advice regarding internal layout and floor finishes.**REPORT**

The application site is located within the grounds of Torrisholme Cemetery off Westgate, Morecambe to the rear of the cemetery lodge. The lodge is a detached brick dwelling sited close to the main entrance gates off Westgate. The building is privately occupied as a dwelling; however, the rear of the building has a small single storey outhouse located to the rear.

This outbuilding is currently used by members of the public as a small WC and a store. The WC is very restricted in internal space and is approached by a single step from the adjoining pathway.

This current application is seeking to develop a small extension (approx. 1.5m in length) to the outbuilding to enable a larger accessible WC to be developed; in addition the floor level of the outbuilding is also to be raised to path level, again to improve accessibility.

Planning History

The site has no relevant planning history.

Planning Policy

The application site lies within Morecambe Cemetery which is identified as Urban Green Space within the Lancaster District Local Plan. The development must therefore be considered against Policy E29. The policy seeks to protect Urban Green Space from development and where appropriate it should be enhanced. Exceptionally essential educational or community-related development or the limited expansion of existing uses will be permitted.

Comments

The design and materials all reflect those of the existing outbuilding. It is also considered that the scale and use of the extension is such that it would not conflict with the constraints within the Urban Green Space policy.

These are relatively modest extensions and given their compatibility with the existing building the proposal is supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PERMISSION BE GRANTED** subject to the following conditions: -

1. Standard three year time limit
2. Development to be completed in accordance with the approved scheme.
3. External materials to match existing.

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
07/01679/FUL	3 Berwyn Avenue, Morecambe, Lancashire Erection of a first floor extension for Mr D Bulman (Bare Ward)	Application Refused
08/00915/FUL	4 Langdale, Caton, Lancaster Erection of a single storey garage for Mr William Brown (Lower Lune Valley Ward)	Application Refused
08/00994/FUL	Straights Head, Aughton Road, Gressingham Erection of a replacement dwelling for Mr And Mrs Longton (Upper Lune Valley Ward)	Application Permitted
08/01012/LB	Thurnham Hall, Lancaster Road, Thurnham Listed building application for re-roofing including installation of replacement rooflights and the insertion of a roof access hatch, and other works including stone repairs and repointing for Diamond Resorts (Ellel Ward)	Application Permitted
08/01014/FUL	21 Croftlands, Warton, Carnforth Erection of two storey extension for Mr L Thistlethwaite (Warton Ward)	Application Permitted
08/01078/AD	Heversham House Farm, Starbank, Ellel Erection of a Dutch barn for Mr J Gardner (Ellel Ward)	Prior Approval Not Required
08/01105/FUL	Halton Green House, Green Lane, Halton Erection of single storey side extension to form sun lounge and double garage with roof terrace above and Juliet balcony to south west elevation for Mr Alan Sellers (Halton With Aughton Ward)	Application Permitted
08/01125/FUL	Lancaster Royal Grammar School, East Road, Lancaster Retrospective application for the retention of 2 covered cycle stands at Lee House for The Governors, Lancaster Royal Grammar School (Bulk Ward)	Application Permitted
08/01148/CU	19 Marine Road West, Morecambe, Lancashire Change of use of property to a cafe/coffee shop (class A3) for Mr David Crompton (Heysham North Ward)	Application Permitted
08/01160/FUL	4 Anderson Close, Lancaster, Lancashire Demolition of existing garage and single storey outbuildings and erection of a gable and rear single storey extension to be used as a granny flat and dining/kitchen extension for Mr Ben Farmer (John O'Gaunt Ward)	Application Permitted
08/01182/FUL	304 Oxcliffe Road, Heaton With Oxcliffe, Morecambe Erection of a detached garage with office over situated to the rear right side of garden for Mr T Hill (Westgate Ward)	Application Permitted
08/01194/FUL	Hope Cottage, Long Lane, Tatham Erection of a garden store, carport and veranda for Mr And Mrs Sutton (Lower Lune Valley Ward)	Application Permitted
08/01203/ADV	14 - 16 Cheapside, Lancaster, Lancashire Retrospective application for the retention of a non-illuminated fascia sign and an illuminated projecting sign with overhead trough lights for Specsavers (Dukes Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

08/01209/FUL	Volker Stevin Ltd, Whitegate, Morecambe Construction of a new steel portal framed building between the existing workshop and storage building and new office and ancillary accommodation within the current workshop for Mr Andy Barker (Westgate Ward)	Application Permitted
08/01221/CU	Deys Farm, Quernmore Road, Quernmore Change of use from redundant barn to two live-work units for Mr D Coward (Lower Lune Valley Ward)	Application Refused
08/01224/FUL	Victoria Institute, Brookhouse Road, Caton Erection of a rear extension and installation of solar panels for Victoria Institute (Lower Lune Valley Ward)	Application Permitted
08/01231/CU	Higher Broadwood Farm, Cragg Road, Wray Proposed barn conversion to be used as residential extension to existing farmhouse and conversion of adjacent agricultural unit to workshop including roof lift and erection of an extension for D. Condor And Son (Lower Lune Valley Ward)	Application Permitted
08/01243/CU	8 Cavendish Road, Heysham, Morecambe Retrospective application for the retention of use of the ground floor shop as residential accommodation and application for external alterations for Mr B O'Farrell (Heysham North Ward)	Application Permitted
08/01250/ADV	Unit 1B, 1 Lancaster Gate, Lancaster Erection of conservation style projecting sign with exterior slimline trough lighting for Orange (Dukes Ward)	Application Permitted
08/01255/FUL	John Wilding Approved Cars, Northgate, Morecambe Siting of a temporary office for Mr J. Wilding (Westgate Ward)	Application Permitted
08/01258/FUL	36 Victoria Parade, Morecambe, Lancashire Erection of a two storey rear extension and single storey side extension for Mr Stephen Rawse (Poulton Ward)	Application Refused
08/01259/CU	2 Victoria Terrace, Glasson Dock, Lancaster Change of use from retail (A1) with living accommodation above to dwellinghouse (C3) for Mr James Eastham (Ellel Ward)	Application Permitted
08/01268/FUL	148 West End Road, Morecambe, Lancashire Erection of an extension to the rear for Mr Trevor Savage (Harbour Ward)	Application Permitted
08/01273/FUL	35 South Grove, Morecambe, Lancashire Erection of a two storey side extension for Mrs Helena Lavin (Poulton Ward)	Application Permitted
08/01274/FUL	2 Wilson Grove, Heysham, Morecambe Erection of a two storey extension for Mr And Mrs Smith (Heysham South Ward)	Application Refused
08/01276/FUL	3 Brantwood Drive, Lancaster, Lancashire Amendments to previously approved application no. 07/01716/FUL for Mr And Mrs Ratcliffe (Scotforth East Ward)	Application Permitted
08/01277/CU	Old Laundry, Copy Lane, Caton Change of use and conversion of single storey domestic storage building to 2 storey dwelling for Mr And Mrs Timbrell (Lower Lune Valley Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

08/01281/FUL	Thorneycroft, Kirkby Lonsdale Road, Arkholme Alterations to raise the level part of existing roof, single storey extension to front and alterations to fenestration for Mr Waddington (Kellet Ward)	Application Permitted
08/01282/FUL	North Barn, 8 Slyne Hall Heights, Slyne Erection of a single storey extension to accommodate new swimming pool for Mr I Rawlins (Slyne With Hest Ward)	Application Permitted
08/01286/FUL	Walter Lyon House (formerly Highfield House), Quernmore Road, Lancaster Erection of a single storey rear extension (Phase 1) and a first floor rear extension including external staircase (Phase 2) for Inward House Projects (John O'Gaunt Ward)	Application Permitted
08/01295/FUL	Morecambe Delivery Office, Market Street, Morecambe Repositioning of staff entrance and installation of a larger public callers hatch and shutter for Royal Mail PLC (Poulton Ward)	Application Permitted
08/01296/RENU	Green Hill, Borwick Lane, Borwick Renewal of application no. 03/01035/CU to extend the time for commencement of development by a further 3 years for Mr And Mrs D Greenwood (Kellet Ward)	Application Permitted
08/01293/FUL	5 Manor Court, Brookhouse, Lancaster Erection of a lean-to extension to create new snug/living space for Mr Kevin Murphy (Lower Lune Valley Ward)	Application Withdrawn
08/01294/LB	5 Manor Court, Brookhouse, Lancaster Listed Building application for the erection of a lean-to extension to create new snug/living space for Mr Kevin Murphy (Lower Lune Valley Ward)	Application Withdrawn
08/01297/FUL	Railway Cottage, Corricks Lane, Conder Green Amendments to application No. 08/00542/CU for change of use of domestic garage to tea room for Mr David Sharratt (Ellel Ward)	Application Permitted
08/01302/CU	2 Stevant Way, Morecambe, Lancashire Change of use of land for siting of a mobile catering trailer for Mr P West (Westgate Ward)	Application Permitted
08/01304/FUL	Coulterthwaite, Coulter Beck Lane, Leck Erection of raised decking to the rear for Mr And Mrs Kelly (Upper Lune Valley Ward)	Application Permitted
08/01305/FUL	176 Torrisholme Road, Lancaster, Lancashire Erection of a garage to the side for Mr A Burrow (Skerton West Ward)	Application Permitted
08/01313/LB	3 Silverdale Road, Yealand Redmayne, Carnforth Listed building application for the erection of a two storey extension to the rear for Mr A Burn (Silverdale Ward)	Application Permitted
08/01314/FUL	One Tree Hill, Aldcliffe Hall Drive, Lancaster Erection of a two storey gable and a single storey extension to rear for Hans Gellerson (Castle Ward)	Application Permitted
08/01319/FUL	6 Townley Street, Morecambe, Lancashire Demolition of 2 storey rear annex and erection of a kitchen extension for Mr Malcolm Hamer (Poulton Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

08/01320/CON	6 Townley Street, Morecambe, Lancashire Conservation area consent to demolish two storey rear annex for Mr Malcolm Hamer (Poulton Ward)	Application Permitted
08/01322/FUL	Hall Bank, Cantsfield Road, Cantsfield Erection of two storey extension to the north side elevation, two storey extension to the east and west elevations and erection of a replacement garage with attached shed and greenhouse for Mr Simon and Victoria Reed (Upper Lune Valley Ward)	Application Withdrawn
08/01323/FUL	7 Slyne Hall Heights, Slyne, Lancaster Installation of velux windows to front and rear for Mr & Mrs Ruscoe (Slyne With Hest Ward)	Application Permitted
08/01326/FUL	7 Rays Drive, Lancaster, Lancashire Erection of two storey extension to side and rear, single storey to rear, and porch to front for Mr M Taylor (Scotforth West Ward)	Application Refused
08/01327/CU	Castle View Caravan Park, Hobsons Lane, Capernwray Change of use from 19 touring caravan pitches to 17 static caravans for John McCarthy (Kellet Ward)	Application Permitted
08/01328/LB	Higher Moor Head Farmhouse, Rakehouse Brow, Quernmore Listed building application for render and tanking coat to western gable for Mr Jonathan Backhouse (Ellel Ward)	Application Permitted
08/01329/FUL	11 Lowther Avenue, Morecambe, Lancashire Demolition of existing garage and erection of two storey extension to side for Mrs D Baker (Torrisholme Ward)	Application Permitted
08/01330/FUL	8 Westbourne Place, Lancaster, LA1 5DY Erection of a single storey extension to side/rear for Mr Jack Emmott (Castle Ward)	Application Permitted
08/01331/FUL	40 Gressingham Drive, Lancaster, Lancashire Erection of a two storey side extension for Mr I Wright (Scotforth East Ward)	Application Permitted
08/01332/FUL	10 Crag Bank Road, Carnforth, Lancashire Construction of dormer to both sides of roof for Mr And Mrs A Lane (Bolton Le Sands Ward)	Application Permitted
08/01337/VCN	Axa Direct, Northgate, Morecambe Variation of condition 1 of planning permission 06/00772/FUL to allow an extension of the time limit for Axa Insurance Uk PLC (Westgate Ward)	Application Permitted
08/01338/FUL	Old Crow Trees, Lodge Lane, Melling Demolition of existing flat roofed structures and erection of single storey extension to rear for Mr And Mrs Hodgson (Upper Lune Valley Ward)	Application Permitted
08/01339/LB	Old Crow Trees, Lodge Lane, Melling Listed Building application for demolition of existing flat roofed structures and erection of single storey extension to rear to include internal alterations and replacement windows for Mr And Mrs Hodgson (Upper Lune Valley Ward)	Application Permitted
08/01340/FUL	Spar Supermarket, Willow Lane, Lancaster Relocation of compressor units and erection of metal enclosure for James Hall And Co (Properties) (Castle Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

08/01334/ADV	15-17 Penny Street, Lancaster, LA1 1UA Erection of 3no. fascia signs and 1no. hanging sign for Vision Express Ltd (Dukes Ward)	Application Permitted
08/01335/CU	The Launds, Lancaster Road, Cockerham Change of use and conversion of barn to residential extension to existing farmhouse for Mr R Walmsley (Ellel Ward)	Application Permitted
08/01336/FUL	6 Rennie Court, Lancaster, LA1 5XE Resubmission of application no. 08/01151/FUL for the alteration of an existing boundary wall for Mr M Lehman (Scotforth West Ward)	Application Permitted
08/01342/OUT	4A Byron Avenue, Bolton Le Sands, Lancashire Outline application for the erection of a detached two storey dwelling with associated parking for Mr John Lamoury (Bolton Le Sands Ward)	Application Permitted
08/01343/FUL	Leighton Moss, Storrs Lane, Silverdale Erection of extension to provide new boiler house and underground storage bunker for RSPB Fairburn Ings (Silverdale Ward)	Application Permitted
08/01346/LB	H M Prison The Castle, Castle Park, Lancaster Listed building application for the modification of an existing 'anti-climb' detail located along the external elevation of the prison perimeter wall for H. M Prison Service (Castle Ward)	Application Permitted
08/01347/FUL	13 Brookhouse Road, Caton, Lancaster Erection of a single storey rear extension for Mr P Kettlewell (Lower Lune Valley Ward)	Application Refused
08/01348/LB	Woodbine Cottage, Upphall Lane, Priest Hutton Listed building application for demolition of porch, erection of replacement single storey garden room and internal alterations for Mr And Mrs Horsfield (Kellet Ward)	Application Permitted
08/01349/FUL	Woodbine Cottage, Upphall Lane, Priest Hutton Demolition of existing rear porch and erection of single storey garden room for Mrs And Mrs Horsfield (Kellet Ward)	Application Permitted
08/01351/FUL	Hilderstone Farm, Hilderstone Lane, Yealand Redmayne Erection of an agricultural building for storage and cattle housing for Mr I Herd (Silverdale Ward)	Application Permitted
08/01353/ELDC	44 Ullswater Road, Lancaster, Lancashire Lawful development certificate for en-suite bathroom extension to the first floor for Mr Ahmed Patel (Bulk Ward)	Lawful Development Certificate Granted
08/01357/FUL	Top Moor Ridding Cottage, The Gars, Wray Erection of a detached bungalow for Mr J Robinson (Lower Lune Valley Ward)	Application Refused
08/01358/FUL	117 Schola Green Lane, Morecambe, Lancashire Extension to front elevation and erection of 2 dormer windows to the front for Mrs L Hartley (Harbour Ward)	Application Permitted
08/01359/FUL	39 Dunkeld Street, Lancaster, Lancashire Erection of a two storey extension to the rear for Mr J Moss (John O'Gaunt Ward)	Application Permitted
08/01360/FUL	Brantholme, Hasty Brow Road, Slyne Erection of a	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

replacement garage for Mr P Rogerson (Slyne With Hest Ward)

08/01364/FUL	The Smithy, Lodge Lane, Wennington Permanent permission to use building for complementary therapies with existing uses as office and domestic storage (temporary permission app. No. 05/01262/FUL) for Mrs Sarah Rycroft (Upper Lune Valley Ward)	Application Permitted
08/01361/FUL	Sellerley Farm, Conder Green Road, Galgate Erection of a free range chicken building for Mr E Newsham (Ellel Ward)	Application Permitted
08/01362/LB	Beechwood Farm, Lancaster Road, Cockerham Listed Building application for internal alterations to convert barn into residential accommodation, renovate existing farmhouse, re-slate roof and replacement windows and doors for Mr R Walmsley (Ellel Ward)	Application Permitted
08/01363/FUL	50 Tranmere Crescent, Heysham, Morecambe Erection of two storey extension to rear for Mr J Miller (Heysham Central Ward)	Application Permitted
08/01368/FUL	Birkbank, Wyresdale Road, Quernmore Erection of double detached garage and retrospective application for siting of an oil storage tank for Mr M. W. Barton (Lower Lune Valley Ward)	Application Permitted
08/01369/FUL	28 Stankelt Road, Silverdale, Carnforth Proposed construction of a detached two car garage and store with a paved terrace over. for Mr Paul Holgate (Silverdale Ward)	Application Permitted
08/01372/LB	24 - 26 Main Street, Heysham, Morecambe Listed building consent for use of part of adjoining dwelling to form extension to Visitor Centre for Heritage Trust For The North West (Heysham South Ward)	Application Permitted
08/01373/CU	24 - 26 Main Street, Heysham, Morecambe Change of use of part of adjoining dwelling to form extension to existing Visitor Centre for Heritage Trust For The North West (Heysham South Ward)	Application Permitted
08/01374/FUL	35A Princes Crescent, Morecambe, Lancashire Erection of second storey extension to rear for Mr Gareth Evans (Bare Ward)	Application Permitted
08/01376/RENT	Pre School Centre, University Of Cumbria, Bowerham Road Renewal of temporary planning permission no. 06/00179/FUL for the siting of pre-school unit for Mr N Harris (John O'Gaunt Ward)	Application Permitted
08/01377/FUL	Woodgate Park, Newgate, Morecambe Erection of an industrial unit (Unit 9) for Promotional Printing Machinery (Ward)	Application Permitted
08/01378/ADV	Lancaster Business Park Cottams Farm, Caton Road, Quernmore Erection of temporary advertisement hoardings for Derwent Holdings Ltd (Lower Lune Valley Ward)	Application Permitted
08/01397/FUL	37 Princes Crescent, Morecambe, Lancashire Retrospective application for a detached timber framed office and timber palisade boundary fence to rear for G F	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

Property Sales (Bare Ward)

08/01382/FUL	The Mill Inn, Thurnham Mill Lane, Thurnham Erection of a marquee for a temporary period for Mitchells Brewery (Ellel Ward)	Application Permitted
08/01383/FUL	2 Reedmace Walk, Morecambe, Lancashire Erection of a conservatory and storage shed for Mr D. Shackleton (Westgate Ward)	Application Permitted
08/01384/PAM	Road Off Smithy Brow/Strait Lane, Doe Holme, Bay Horse Lane Erection of a replacement 9m telecommunications pole 7.2m above ground for Openreach (Ellel Ward)	No Objections
08/01386/PAM	Road Off Smithy Brow/Strait Lane, Doe Holme, Bay Horse Lane Erection of a replacement 11m telecommunications pole 9.3m above ground for Openreach (Ellel Ward)	No Objections
08/01387/PAM	Land Near Abbeystead Reservoir, Woodside, Strait Lane Erection of a replacement 11m telecommunication pole 9.2m above ground for Openreach (Ellel Ward)	No Objections
08/01388/PAM	Land Near To Abbeystead Reservoir, Woodside, Strait Lane Erection of a replacement 10m telecommunications pole 8.2m above ground for Openreach (Ellel Ward)	No Objections
08/01389/PAM	Land Near To Abbeystead Reservoir, Strait Lane, Abbeystead Erection of a replacement 10m telecommunications pole 8.2m above ground for Openreach (Ellel Ward)	No Objections
08/01390/RCN	86 Heysham Road, Heysham, Morecambe Removal of condition no. 3 on application no. 05/01527/CU to allow sale of hot food on premises for Miss Geraldine Holland (Heysham North Ward)	Application Permitted
08/01391/FUL	6 Hillside, Lancaster, Lancashire Demolition of an existing garage block and outbuilding and rebuilding of these garages with accommodation above and erection of a conservatory to the rear for Mr Scott Ewan (Castle Ward)	Application Permitted
08/01392/LB	6 Hillside, Lancaster, Lancashire Listed building application for the demolition of an existing garage block and outbuilding and rebuilding of these garages with accommodation above and erection of a conservatory to the rear for Mr Scott Ewan (Castle Ward)	Application Permitted
08/01394/ELDC	Glen Tarn, Blea Tarn Road, Lancaster Application for a Lawful Development Certificate for use of one static caravan as permanent living accommodation for Mr J Daly (Ellel Ward)	Application Refused
08/01396/FUL	10 Main Road, Bolton Le Sands, Carnforth Erection of a side extension to detached garage for Mr C Malin (Bolton Le Sands Ward)	Application Permitted
08/01398/FUL	Roseacre House, Rose Acre Lane, Yealand Conyers Conversion of existing outbuilding carport to form porch and WC for Mr David Gardner (Silverdale Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

08/01399/LB	1B Queen Street, Lancaster, Lancashire Listed building application for the erection of a projecting sign for Mr J Whitford - Bartle (Dukes Ward)	Application Permitted
08/01400/FUL	20 - 22 Victoria Street, Morecambe, Lancashire Change of use from residential (Class C3) to office use (Class A2) and minor alterations to rear elevations for Mr Neil Anderton (Poulton Ward)	Application Permitted
08/01402/AD	Lower Highfield Farm, Aughton, Halton-with-Aughton Erection of an agricultural storage building for Mr J M Sanderson (Halton With Aughton Ward)	Prior Approval Granted
08/01403/FUL	51 Moorside Road, Brookhouse, Lancaster Erection of a conservatory to side and single storey extension to rear for Mrs D Williams (Lower Lune Valley Ward)	Application Withdrawn
08/01405/FUL	15 Ellwood Court, Morecambe, Lancashire Erection of a conservatory to the side for Rev R Gill (Westgate Ward)	Application Permitted
08/01408/FUL	4 Bazil Grove, Overton, Morecambe Erection of a double garage with storage above for Mr And Mrs R Wilson (Overton Ward)	Application Permitted
08/01409/CU	166 Lancaster Road, Morecambe, Lancashire Change of use of ground floor from residential flat (class C3) to extension of laundrette (Sui generis) for Mr D Wilcock (Poulton Ward)	Application Permitted
08/01410/ADV	Dog & Partridge Hotel, Bare Lane, Morecambe Retrospective application for the retention of a free standing advertisement hoarding for Greene King (Bare Ward)	Application Permitted
08/01412/FUL	22 Mardale Avenue, Morecambe, Lancashire Erection of a two storey side extension and garage for Mr P Bailey (Poulton Ward)	Application Permitted
08/01413/CON	6 Hill Side, Lancaster, Lancashire Conservation consent for demolition of an existing garage block for Mr Scott Ewan (Castle Ward)	Application Permitted
08/01415/CU	Field North Of Tarn Farm, Gulf Lane, Cockerham Siting of a temporary mobile home to be used as a dwelling for Agricultural workers for Mrs S Peacock (Ellel Ward)	Application Withdrawn
08/01417/FUL	11A Aldrens Lane, Lancaster, Lancashire Erection of single storey extension for Mr G. Spavin (Skerton East Ward)	Application Permitted
08/01418/FUL	8 Broadlands Drive, Bolton Le Sands, Carnforth Erection of two storey extension to side and conservatory to rear for Mr P. Bracewell (Slyne With Hest Ward)	Application Permitted
08/01419/ADV	1B Queen Street, Lancaster, Lancashire Erection of a projecting sign for Mr J Whitford-Bartle (Dukes Ward)	Application Permitted
08/01420/FUL	3 Mill Houses, Millhouses Road, Tatham Erection of a single storey rear extension and gable end single storey extension for Mr R Kelsall (Lower Lune Valley Ward)	Application Permitted
08/01423/FUL	41 South Road, Lancaster, Lancashire Creation of new pedestrian access to rear for Mr And Mrs Marrison - Carter (Dukes Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

08/01426/FUL	63 Slyne Road, Lancaster, LA1 2JH Erection of a two storey extension to the rear for Mr A R Bradshaw (Skerton East Ward)	Application Permitted
08/01427/ADV	Mcdonalds Restaurant, Morecambe Road, Morecambe Erection of replacement signage including 3 roof fascias, 4 freestanding signs and 1 customer order display sign for McDonald's Restaurant Ltd (Torrisholme Ward)	Application Permitted
08/01429/FUL	Hornby Day Nursery, 1 Station Road, Hornby Erection of two external canopies and enlargement of existing outdoor play area for Mr T Brown (Upper Lune Valley Ward)	Application Permitted
08/01436/FUL	Memorial Hall, Middleton Road, Overton Raise roof level of existing lean to boiler room at rear and insert new single door to the rear elevation for Mrs C Mashiter, Overton Memorial Hall Committee (Overton Ward)	Application Permitted
08/01441/PLDC	4 The Cliffs, Heysham, Morecambe Certificate of Lawfulness for conversion of garage to granny flat with connecting conservatory for Mr J Keogh (Heysham Central Ward)	Application Permitted
08/01439/CU	Holme Farm, Farleton Old Road, Farleton Conversion of disused barn and shippon into additional living accommodation together with upper storey rear extension and conservatory for Mr J. Timmis (Ward)	Application Permitted
09/00003/CU	19 Stankelt Road, Silverdale, Carnforth Change of use from guest house into two dwelling houses for Mr Terry Bond (Silverdale Ward)	Application Permitted
09/00004/FUL	10A Hest Bank Lane, Hest Bank, Lancaster Erection of a rear conservatory and extension to rear raised patio for Mr & Mrs I Catterall (Slyne With Hest Ward)	Application Permitted
09/00008/CU	Old Glasson Farm Caravan Site, Marsh Lane, Cockerham Change of use of agricultural land to provide amenity area and bowling green, and to extension of perimeter of existing caravan site for Mr J Lamb (Ellel Ward)	Application Permitted
09/00009/AD	East View, Old Moor Road, Wennington Agricultural Determination for the erection of a storage building for Mr And Mrs Woods (Lower Lune Valley Ward)	Prior Approval Not Required
09/00011/FUL	Blessed Mary's Church Of Lancaster, St Marys Parade, Lancaster Upgrade and Installation of telecommunication equipment for T - Mobile UK Ltd (Castle Ward)	Application Permitted
09/00013/LB	Blessed Mary's Church Of Lancaster, St Marys Parade, Lancaster Upgrade and Installation of telecommunication equipment for T - Mobile UK Ltd (Castle Ward)	Application Permitted
09/00018/CU	3 Scale Hall Lane, Lancaster, Lancashire Change of use of office to shop with storage for Mrs S Pullen (Skerton West Ward)	Permitted Development
09/00015/FUL	Sunacre Court, Maple Avenue, Heysham 09/00042_Amendment to application no. 07/01755/FUL	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

to incorporate pitched roofs over the 4 flats and 2 houses which were originally approved with flat roofs for Mr T Butler (Heysham North Ward)

09/00016/FUL	463 Heysham Road, Heysham, Morecambe Erection of a single storey extension to the side for Mr James Martinez (Heysham South Ward)	Application Permitted
09/00023/CU	88 St Leonards Gate, Lancaster, Lancashire Change of use from shop (A1) to letting agent (A2) for Miss Charlotte Horn (Bulk Ward)	Application Permitted
09/00027/FUL	425 Marine Road East, Morecambe, Lancashire Erection of a replacement summerhouse to rear of garage and canopy over patio for Mrs Margaret Coates (Bare Ward)	Application Permitted
09/00032/FUL	Bare Post Office, 47 Princes Crescent, Morecambe Installation of ATM for The Post Office (Bare Ward)	Application Permitted
09/00034/RCN	The Parrock, Shore Road, Silverdale Removal of condition 5 on appeal decision for 03/01306/CU to allow permanent residential use for Mr And Mrs F Robinson (Silverdale Ward)	Application Refused
09/00043/FUL	Haws Bungalow, Haws Hill, Carnforth Amendments to approved application no. 07/01156/FUL for erection of extension, porch and roof alterations for Ms B Cresswell (Carnforth Ward)	Application Permitted
09/00041/AD	Batty Hill Farm, Lancaster Road, Cockerham Erection of a dairy cattle building for Messrs Hewitt (Ellel Ward)	Prior Approval Not Required
09/00042/FUL	30 Lister Grove, Heysham, Morecambe Erection of a two storey side extension for Mr M Catlow (Heysham South Ward)	Application Permitted
09/00045/CPA	Willow Lane Community Primary School, Willow Lane, Lancaster Extension and remodelling of existing car park, creation of one additional parking space, and one disabled parking bay, resurfacing of existing access driveways and implementation of a one way system and creation of a cycle path and erection of a cycle shelter for Lancashire County Council (Castle Ward)	No Objections
09/00055/FUL	47 Emesgate Lane, Silverdale, Carnforth Erection of a dining room extension to the rear for Miss K Boss (Silverdale Ward)	Application Permitted
09/00063/FUL	18 Endcliffe Road, Morecambe, Lancashire Erection of detached garage for Mr S Helme (Poulton Ward)	Application Permitted