



Committee: PLANNING AND HIGHWAYS REGULATORY COMMITTEE

Date: MONDAY, 11 DECEMBER 2017

Venue: LANCASTER TOWN HALL

Time: 10.30 A.M.

A G E N D A

Officers have prepared a report for each of the planning or related applications listed on this Agenda. Copies of all application literature and any representations received are available for viewing at the City Council's Public Access website <http://www.lancaster.gov.uk/publicaccess> by searching for the relevant applicant number.

1 Apologies for Absence

2 Minutes

Minutes of meeting held on 13th November 2017 (previously circulated).

3 Items of Urgent Business authorised by the Chairman

4 Declarations of Interest

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Members should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

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 that the proposed development has particular implications for community safety, the issue is fully considered within the main body of the individual planning application report. The weight attributed to this is a matter for the decision-taker.

Local Finance Considerations

Section 143 of the Localism Act requires the local planning authority to have regard to local finance considerations when determining planning applications. Local finance considerations are defined as a grant or other financial assistance that has been provided; will be provided; or could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has, will or could receive in payment of the Community Infrastructure Levy. Whether a local finance consideration is material to the planning decision will depend upon whether it could help to make development acceptable in planning terms, and where necessary these issues are fully considered within the main body of the individual planning application report. The weight attributed to this is a matter for the decision-taker.

Human Rights Act

Planning application recommendations have been reached after consideration of The Human Rights Act. Unless otherwise explicitly stated in the report, the issues arising do not appear to be of such magnitude 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.

5	A5 17/01050/OUT	Land North Of Old Hall Farm, Kirkby Lonsdale Road, Over Kellet	Kellet Ward	(Pages 1 - 14)
		Outline application for the erection of up to 55 residential dwellings for Mr Stephenson		
6	A6 16/01551/FUL	Land At, Bowerham Lane, Lancaster	Scotforth East Ward	(Pages 15 - 25)
		Erection of 25 dwellings and creation of a new access and access roads for Mr Chris Middlebrook		
7	17/01074/HYB	Land At Royal Albert Farm, Pathfinders Drive, Lancaster	Scotforth West Ward	(Pages 26 - 38)
		Hybrid application comprising an outline application for up to 71 dwellings with associated upgrading works to Pathfinders Drive, and a full application for the conversion of Derby Home into six apartments (C3) and creation of associated parking for Homes and Communities Agency		
8	A8 17/01076/LB	Derby Home, Pathfinders Drive, Lancaster	Scotforth West Ward	(Pages 39 - 42)
		Listed Building application for the conversion of Derby Home into six		

apartments (C3) for Homes and Communities Agency

9	A9 17/01232/CU	6 Coastal Road, Hest Bank, Lancaster	Bolton and Slyne Ward	(Pages 43 - 48)
		Change of use of ground floor from cafe/restaurant (A3) into drinking establishment (A4) for Mr John Hughes		
10	17/00983/FUL	Greta Bridge House Cottage, Cantsfield Road, Cantsfield	Upper Lune Valley Ward	(Pages 49 - 53)
		Demolition of existing outbuilding, erection of a replacement two storey side extension and a single storey garage/utility room for Mr Chris Reddy		
11	A11 17/00669/FUL	Rose Garth, Stanmore Drive, Lancaster	Scotforth West Ward	(Pages 54 - 59)
		Erection of a new detached two-storey dwelling and demolition of part of the existing dwelling for Mrs Barbara Vollands		
12	A12 17/01366/ADV	The Station Pub, Marine Road Central, Morecambe	Poulton Ward	(Pages 60 - 64)
		Advertising application for the display of 3 externally illuminated fascia signs, 1 non-illuminated fascia sign, 1 externally illuminated double sided post mounted sign, 1 non-illuminated post mounted sign, 5 non-illuminated wall signs and 1 brass plaque for Company Greene King		
13	17/01367/LB	The Station Pub, Marine Road Central, Morecambe	Poulton Ward	(Pages 65 - 68)
		Listed Building application for the fitting of 3 externally illuminated fascia signs, 1 non-illuminated fascia sign, 1 externally illuminated double sided post mounted sign, 1 non-illuminated post mounted sign, 5 non-illuminated wall signs, and 1 brass plaque for Company Greene King		

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| 14 | A14 17/01382/LB | The Station Pub, Marine Road
Central, Morecambe | Poulton
Ward | (Pages 69 - 71) |
| | | Listed Building application for replacement and installation of various fixtures and fittings internally for Mr Tim Wass | | |
| 15 | A15 17/01431/PAD | Bus Station, Central Drive,
Morecambe | Poulton
Ward | (Pages 72 - 74) |
| | | Prior approval for the demolition of Bus Station building for Mr Julian Inman | | |
| 16 | A16 17/01341/FUL | Stonehaven, Bay Horse Lane, Bay
Horse | Ellel Ward | (Pages 75 - 78) |
| | | Erection of a two storey side extension and the construction of a rear balcony to form a granny annexe for Mr & Mrs Armer | | |
| 17 | A17 17/01315/PLDC | 46 Shrewsbury Drive, Lancaster,
Lancashire | John
O'Gaunt
Ward | (Pages 79 - 82) |
| | | Proposed Lawful Development Certificate for the erection of a single storey rear extension for Mr & Mrs S. Metcalfe | | |
| 18 | Planning Committee Member Appointment to the Crook O'Lune Advisory Committee (Pages 83 - 85) | | | |
| 19 | Delegated Planning List (Pages 86 - 93) | | | |

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Carla Brayshaw (Chairman), Helen Helme (Vice-Chairman), June Ashworth, Jon Barry, Eileen Blamire, Dave Brookes, Abbott Bryning, Ian Clift, Claire Cozler, Andrew Kay, Jane Parkinson, Robert Redfern, Sylvia Rogerson, Susan Sykes and Malcolm Thomas

(ii) Substitute Membership

Councillors Stuart Bateson, Sheila Denwood, Mel Guilding, Tim Hamilton-Cox, Janice Hanson and Geoff Knight

(iii) Queries regarding this Agenda

Please contact Tessa Mott, Democratic Services: telephone (01524) 582074 or email tmott@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582170, or alternatively email democraticsupport@lancaster.gov.uk.

SUSAN PARSONAGE,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on Thursday 30th November, 2017.

Agenda Item	Committee Date	Application Number
A5	11 December 2017	17/01050/OUT
Application Site Land North Of Old Hall Farm Kirkby Lonsdale Road Over Kellet Carnforth	Proposal Outline application for the erection of up to 55 residential dwellings	
Name of Applicant Mr Stephenson	Name of Agent Mr Hugh Daglish	
Decision Target Date 23 November 2017 (Time extension agreed until 18 December 2017)	Reason For Delay Committee Cycle	
Case Officer	Mr Mark Potts	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Note

A site visit was arranged for Committee Members to view this site prior to determination, and this was due to be undertaken on 4th December 2017.

1.0 The Site and its Surroundings

- 1.1 The proposal is sited on the northern periphery of the village of Over Kellet, located some 280 metres north of the village Public House (The Eagles Head) and 350 metres to the north west of the village school (Wilsons Endowed C of E), and 1.8 km to the east of Carnforth High School. The site occupies an area of 3.41 hectares of agricultural land, and consist of three fields which are currently grazed and separated by hedgerows. To the north of the site lies open fields and Capernwray Road, to the east grazing land and to the south and south west lies residential properties including Old Hall Farm and beyond this Kellet Road and the village of Over Kellet.
- 1.2 The site rises gradually from north to south being approximately 45 metres above ordnance datum (AOD) to the north west, rising to 58m AOD to the southern part of the site. The site is relatively unconstrained however the Over Kellet Conservation Area is immediately to the south (although the proposed pedestrian access route to the south of the site will fall within the Conservation Area). Whilst there are no listed buildings within the site there are a number located in close proximity namely Old Hall Farm (Grade II) abutting the location of the proposed pedestrian route. Well House, Hogarth Cottage, Hogarth House and Wilson House which are all Grade II listed buildings are located to the south of the site (all within 100metres of the site boundary). Whilst no footpaths cross through the site, footpath 1 is sited 115metres to the west of the proposals. There is a small beck located on the northern periphery of the site, whilst not within flood risk, the site does suffer from surface water flooding, notably around the location of the beck. The Village Green crossroads which fall to the south of the site benefit from common land status as a Village Green.

2.0 The Proposal

- 2.1 This outline planning application is for the erection of 55 dwelling houses including the new creation of a vehicular access off Capernwray Road (all matters (including access) have been reserved). The scheme shows an indicative access serving the development off Capernwray Road and only one vehicular access has been outlined. An illustrative layout has been submitted in support of the planning application which outlines that a community orchard is proposed to be sited in the south western portion of the site and the south east portion of the site would feature a children's play area.

3.0 Site History

- 3.1 The relevant site history is noted below.

Application Number	Proposal	Decision
17/01077/FUL	Demolition of agricultural buildings, change of use and conversion of three agricultural barns into four 4-bed dwellings (C3) and erection of four 2-storey detached dwellings (C3) with associated access	Application Withdrawn
17/00264/PRETWO	Residential development for approx. 70 residential units	Pre-application advice Provided

4.0 Consultation Responses

- 4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
County Highways	<p>Initially raised concern as the application offered limited mitigation for the impact on the local highway network and in particular pedestrian permeability. Following the receipt of the applicant's proposed off-site highway works in the vicinity of the village green in October 2017 the County now offer No objection subject to;</p> <ul style="list-style-type: none"> Setting back of the hedgerow to allow for visibility splays of 2.4 x 40 metres in each direction; Review existing street lighting arrangements along Capernwray Road; Off-site Highway works; creation of a village green area of shared space through the introduction of a raised table at the crossroads. Use of appropriate materials to be in keeping with the rural setting & listed status of surrounding buildings; Introduction of separate traffic calming measures on Kellet Road, Capernwray Road & Nether Kellet Road such as to convey to users of the highway network the changed nature & character of the surrounding environment and in particular village green; Introduction of staggered barriers at the junction of the pedestrian means of access (adj. Green Close) from the development site and its junction with "The Green" public highway; Construction of a new length of footway between the pedestrian/site means of access (adj. Green Close) and extending along the frontage of Old Hall Farm to a crossing point and subsequent improvements to an established length of Kirby Lonsdale Road footway extending to "Kirkby Lonsdale Road/Bay View" public right of way. Extension of existing village 30mph village speed limit to a point in the immediate vicinity of the application sites point of access with Capernwray Road - such as to make users of the highway aware of an increasing level of risk.
Lead Local Flood Authority	No Objection , subject to the development being carried out in accordance with the submitted FRA; a surface water drainage scheme to be agreed; development to accord with the agreed SuDS scheme and Management and Maintenance Plan; a surface water lifetime management and maintenance plan; Construction phase

	surface water management plan approval; and Construction and operation of attenuation.
Over Kellet Parish Council	<p>Objection, for the following reasons:</p> <ul style="list-style-type: none"> • The size of the development is too large, and there will be no community benefit. Housing need is also questioned given the number of properties for sale in the village; • The Parish consider that the applicants Statement of Community Involvement is factually incorrect; • Concern raised regarding highways – consider that the applicant has underestimated the impacts; • Sustainability – the village is not a sustainable settlement for a development of this size; • Flood Risk – The site is prone to surface water flooding; • Ecology – The site is greenfield and therefore has ecological value for the village as a whole; • Heritage/Landscape – consider that the site is good agricultural land and we should be preserving land for agriculture; • Infrastructure is lacking within the village to support a development of this many units, namely in connection to foul and surface water sewers; • Parts of the site were used for foot and mouth burials in 1967 and 2001 for the disposal of cattle; • Employment – Lack of employment opportunities locally.
Lancashire Police	No Objection , recommend that secured by design approaches are incorporated into any reserved matters application in connection with layout and appearance.
Animal and Plant Health Agency	No observations received within the statutory timescales
Contaminated Land Officer	No Objection and recommends that conditions associated with contaminated land are included on any approval. Makes note that the Council has no records of the foot and mouth burial locations.
Environment Agency	No Objection however records show that a Groundwater Authorisation was issued for Old Hall Farm in 2001 for a burial pit for animal carcasses at a location centred on SD 5214 7016. The disposal was undertaken at the specified location in order that there be no contamination of ground or surface waters. The Authorisation ceased on 7 March 2005.
Natural England	No Objection to the development.
Fire Safety Officer	No Objection
Lancashire County Education	No contribution is required towards primary school places, however a contribution will be sought for secondary school provision of 1 place (£21,423.27) , however given the number of pending planning applications this figure may rise to £171,386.16 for the provision of 8 places.
Greater Manchester Ecological Unit	No Objection. If any of the mature trees are proposed for removal/pruning works as assessment will be required to determine the potential of the trees for supporting roosting bats; Vegetation clearance shall not take place outside of March-August inclusive);and a comprehensive landscaping scheme shall be submitted at reserved matters stage.
United Utilities	No Objection , subject to conditions regarding foul and Surface Water to be drained on separate systems; surface water drainage scheme based on SUDs principles; and advice that a water main crosses the site and therefore access is required by United Utilities.
Tree Protection Officer	<p>Objection, subject to the reconsideration and the incorporation of T5-T7 and H3 into the overall design, which shall be retained and protected outside of private amenity space. <i>NB: As the layout is indicative, there is no requirement to provide the information requested at this outline stage.</i></p> <p>Recommends that a detailed Arboriculture Implications Assessment, comprised of a Tree Survey, Tree Constraints Plan, Tree Protection Plan, and Arboriculture Method Statement will be required to be submitted and agreed in writing in compliance to BS 5837 (2012) Trees in relation to design, demolition and construction. In addition to a detailed landscape scheme and 10 year maintenance</p>

	regime with any future reserved matters (if outline consent granted) application or full planning application in the future.
Strategic Housing Officer	No Objection in principle and recommends that 50% affordable or social recent and 50% intermediate housing is provided for.
Lancashire Archaeological Advisory Service	No Objection but recommends that a condition is attached requiring a programme of archaeological work in accordance with a written scheme of investigation.
Conservation Officer	Raise concerns as the development will subsume the settlement form which has already been substantially altered to the south and east and diminish the rural setting of the Conservation Area and listed buildings at Old Hall Farm. This would lead to less than substantial harm (para 134 of NPPF). The harm caused by such a large scale development could be mitigated through a reduction in the footprint and scale of such a development and a high quality design which respects the surrounding built form and character. Therefore, recommend a reduction in the scale of footprint of the development.
Public Realm Officer	<p>No Objection however recommends that the scheme provides for;</p> <ul style="list-style-type: none"> • The Planning Advisory Note requires 1001 m2 of Amenity Space on site; • The development is of an appropriate size that a play area is required to be provided on site. However an upgrade of the school site may be acceptable; • The Planning Advisory Note shows a requirement for an offsite contribution for outdoor sports facilities (£60,703). There are proposals to create new sports facilities within Carnforth. This contribution would contribute to this new development; • Young people's Facilities; There are currently no facilities catering for young people (12 years and above) within the village (£28,600). This would best be catered for onsite in the form of more challenging play equipment, a small course for mini wheeled scooters, a trim trail, etc. Depending on the wishes of young people in the area; • Parks and Gardens; this money would go towards implementing the masterplan at Happy Mount Park (£17,160).
Planning and Housing Policy	The site is located in a settlement where the council would look to promote residential development. Whilst supporting in principle development they recommend officers need to be satisfied that the proposal meets the wider requirements of the Local Plan primarily Policy DM42 of the Development Management DPD.
Public Rights of Way Officer	No observations received within the statutory timescales
Ramblers Association	No observations received within the statutory timescales

5.0 Neighbour Representations

5.1 The application has generated **23** letters of objection based on the following reasons;

- **Highways** – Detrimental impact on the local highway network, and congestion will occur; already concerns are raised regarding the safety of local residents which will only be made worse should this application be supported, Capernwray Road is a dangerous road which lacks footways; there are concerns regarding the contents of the Transport Assessment; the village lacks a more frequent bus service;
- **Infrastructure** - Should be a limit on the expansion of the village given local infrastructure such as the school are at capacity and no health care provision exists, at times there is no water pressure as the existing pipework is old and frequently leak
- **Surface Water drainage** concerns – The main surface water/foul sewer are already at capacity;
- **Foot and Mouth** concerns given the burials that have occurred on the site;
- **Employment** – There is a lack of employment opportunities within the village
- **Housing Needs** – There are 16 unsold properties in the village for sale, how can there be a need for more local additional houses;
- **Landscape and Visual Impact** – The development of the site will lead to landscape and visual matters that will be very hard to mitigate against;

- **Sustainability** – The application is not considered sympathetic to the village in terms of numbers of units reflective to the size of the village;
- **Historic Environment** – The development will adversely impact on the historic village centre which is a Conservation Area and will impact on the settings of adjacent listed buildings.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 12, 14 and 17 - Sustainable Development and Core Principles
 Paragraph 32, 34 and 38 - Access and Transport
 Paragraphs 49, 50 and 55 - Delivering Housing
 Paragraphs 56, 58, 60, 61 and 64 - Requiring Good Design
 Paragraphs 69,70, 72 and 73 - Promoting Healthy Communities
 Paragraph 103 - Flooding
 Paragraphs 109, 115,117,118 - Conserving the Natural Environment
 Paragraphs 128-134 - Conserving and Enhancing the Historic Environment
 Paragraphs 186, 187, 196, 197, 203-206 - Decision-taking

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. The public consultation period is from 27 January 2017 to 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of: reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
 SC4 – Meeting the District's Housing Requirements

6.4 Lancaster District Local Plan - saved policies (adopted 2004)

E4 – Countryside Area

6.5 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM23 – Transport Efficiency and Travel Plans
DM26 – Open Space, Sports and Recreational Facilities
DM27 – Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM31 – Development affecting Conservation Areas
DM30 – Development affecting Listed buildings
DM32 – The Setting of Designated Heritage Assets
DM34 – Archaeology
DM35 – Key Design Principles
DM37 – Air Quality Management and Pollution
DM38 – Development and Flood Risk
DM39 – Surface Water Run-off and Sustainable Drainage
DM41 – New Residential dwellings
DM42 – Managing Rural Housing Growth
DM48 – Community Infrastructure
DM49 – Local Services

6.6 Other Material Considerations

- National Planning Practice Guidance;
- Meeting Housing Needs Supplementary Planning Document;
- Lancaster City Council 2015 Housing Land Supply Statement;
- Low Emissions and Air Quality (September 2017);
- Housing Needs Affordable Practice Note (September 2017);
- Open Space Provision in new residential development (October 2015);
- Provision of Electric Vehicle Charging Points – New Developments (September 2017).

7.0 Comment and Analysis

7.0.1 The main issues to be considered in the determination of this application are:

- Principle of development;
- Layout
- Landscape;
- Cultural Heritage Impacts;
- Highways;
- Contaminated Land
- Drainage;
- Education Provision;
- Open Space;
- Natural Environment;
- Other considerations.

7.1 Principle of development

7.1.1 The site is located on land outside of the main urban area and is identified as 'Countryside Area' in the adopted Local Plan. The Council, via the Spatial Strategy described in the District Core Strategy and continued in the emerging Land Allocations document, would generally look to direct development to the main urban areas of the District. Whilst not precluding development outside such locations it would need to be demonstrated how the proposal complies with other policies within the Development Plan and ultimately the delivery of sustainable development.

7.1.2 Policy DM42 of the Development Management DPD seeks to promote wider opportunities for housing delivery within rural areas of the District, in accordance with the aims of national planning policy. Policy DM42 sets out a series of villages which the Council would, in principle, support proposals for new housing. Policy DM42 identifies Over Kellet as a village where housing proposals would be supported in principle. Whilst the principle of housing development in Over Kellet is

accepted, there are a number of considerations which need to be given to any planning application before concluding that residential development in this location would represent sustainable development. In particular reference should be made to paragraph 20.22 of the Development Management DPD which states; *“The council will support proposals for new housing development that contain or have good access to an appropriate range of local services that contribute to the vitality of these settlements. These services are local shops, education, health facilities and access to public transport and other valued community facilities. Proposals should demonstrate that they will have clear benefits to the local community and, in particular, will meet rural housing needs according to robust evidence (such as the Lancaster District Housing Needs Survey or other local housing needs survey)”*.

7.1.3 Given the site is identified as Countryside Area, Saved Policy E4 of the adopted Local Plan is relevant to this planning application. This requires proposals in the Countryside Area to be in scale and keeping with the character and natural beauty of the landscape; appropriate to its surroundings in terms of siting, scale, materials, external appearance and landscaping; not result in an adverse effect on nature conservation or geological interests; and make satisfactory arrangements for access, servicing, cycle and car parking provision.

7.1.4 It is fully acknowledged that the Local Authority cannot demonstrate a 5 year housing land supply, and Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. It goes on to say that Local Planning Authorities (LPAs) should approve development proposals which accord with the development plan without delay, and that where a development plan is absent, silent or relevant policies are out-of-date the LPA should grant permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework [NPPF] taken as a whole; or
- Specific policies in this Framework [NPPF] indicate development should be restricted.

As a consequence there is a clear expectation that, unless material consideration imply otherwise, opportunities for housing delivery should be considered favourably.

7.1.5 Policy DM42 of the Development Management DPD is especially relevant for this application new development in Over Kellet will be supported assuming the following criteria can be met:

- The development shall be well related to the existing built form of the settlement;
- Be proportionate to the existing scale and character of the settlement unless exceptional circumstances can be demonstrated;
- Be located where the environment can accommodate the impacts of the expansion;
- Demonstrate good siting and design in order to conserve and where possible enhance the quality of the landscape; and,
- Consider all other relevant policies.

7.1.6 The proposal is sited to the north of residential properties, located quite centrally to the village in close proximity to village amenities and bus stops. Officers consider that the site is well related to the existing built form of the settlement.

7.1.7 With respect to its relationship to the village in terms of scale and character, the proposed development represents a not insignificant extension to the village. During pre-application discussions the applicant had proposed 70 dwellings, whereas officers considered upto 40 dwellings would have been more appropriate. Whilst the figure of 55 dwellings exceeds that recommended by officers, when taken as a whole and when looking at the village in plan form it is considered that the scheme has the potential to be proportionate to the existing scale and character of the village (as the layout, appearance and feel of the scheme would dictate this). Officers have confidence that this can be delivered. Many of the local residents have cited concern that local amenities cannot support a scheme of this nature and a common theme among the representations received is that the nearest doctor's surgery is in Carnforth. This is the case, and whilst the village does have key amenities in the form of a school, pub, local shop, post office and places of worship for the most part it is accepted that in order to get to workplaces, doctors and supermarkets occupiers of the site would have an option to either use public transport or drive. Fundamentally there is still a bus service in the village with a bus stop at the village green crossroads, and therefore alternative modes of transport do exist.

7.1.8 The applicant is proposing up to 40% of the units to be affordable (equating to 22 properties), and this is afforded significant and substantial weight in the planning balance argument. The provision of this can be secured by legal agreement. With respect to housing needs the Housing Needs SPD discusses that the need in other rural areas (which would include Over Kellet), is for predominately detached with some semi-detached properties for three and four bedroom units. The Local Authority will be imminently publishing its results of the latest housing needs data and therefore should this application be supported then the reserved matters would have to take account of this data, which may well differ.

7.2 Layout

7.2.1 Layout is not being considered as part of this planning application however the applicant has submitted an indicative layout as to how they perceive the site could be developed. The layout has its strengths in terms of the retention of much of the sites boundary landscaping and the provision of usable open space and the pedestrian connection into the village. The scheme is quite dense, and whilst it is not considered over-developed, officers do have some reservations as to whether the site could deliver 55 units whilst reflecting the character of the surrounding area. This is a matter that would need to be addressed under the reserved matters process should members determine to support this application and the applicant had been requested to amend the description to an up to figure, of which they were amenable too.

7.2 Landscape Impacts

7.2.1 The application is supported by a landscape and visual impact assessment which concludes that there would be a change in relation to landscape character from pastoral land to a residential use, and this change will be noticeable in relation to the baseline situation. With respect to the landscape character that the site sits within, (Docker-Kellet-Lancaster Landscape Character Area) it is considered that there would be a minor adverse effect on the overall landscape character (this will reduce when the landscaping becomes established). It is considered that assuming a sensitively designed layout, which incorporates landscape spaces and appropriate boundary treatments within it, the scheme could be integrated into the existing environment and built from along the northern edge of Over Kellet with limited adverse effects.

7.2.2 It is considered that views into the site will be relatively screened to the south (within the Conservation Area), however along Kirkby Lonsdale Road to the east there will be views of the site (on higher ground). Given the open landscape to the north of the application site it is considered that the development will be seen as a modest extension to the village. Due to the topography and vegetation in the surrounding area, the proposed dwellings will sit lower than the existing skyline of the village, which will help reduce their prominence from viewed from the north. There is no denying there would be a significant change especially for those approaching the village along Kellet Lane and Capernwray Road and whilst it is considered that properties that border the site namely those on Hallgarth Gardens and Kellet Road will experience a change in their outlook it is not considered that this would be harmful given the separation distances that are capable of being achieved. Officers do consider that there would be a minor adverse impact on the landscape character of the area. However on balance, if protected landscapes in the two Areas of Outstanding Natural Beauty (AONBs) are to be conserved for their landscape qualities, it is potential sites that are located outside of the AONB that are likely to be developed and whilst there will be harm to landscape it is not considered so adverse that it would significantly and demonstrably outweigh the benefits of the scheme when taken as a whole.

7.3 Cultural Heritage Impacts

7.3.1 The application is supported by a Heritage Assessment which considers the impact of the development on the Over Kellet Conservation Area. Whilst the main body of the development site is located outside the Conservation Area the proposed pedestrian access would fall within it (which will necessitate the need for the removal of a small element of stone wall). Outline applications for development within Conservation Areas would normally be resisted but given only the proposed pedestrian access would falls within the designation this is considered acceptable.

- 7.3.2 The heritage statement discusses the impacts on the Conservation Area at Over Kellet and the Grade II Listed Old Hall Farmhouse and its associated roadside barn are discussed in the Heritage Statement and the level of impact is assessed as less than substantial. Regrettably the Heritage Statement does not assess the impacts on the Grade II listed Well House on Capernwray Lane, which stands immediately adjacent to the site. The potential impacts on the Listed Hogarth Cottage, Hogarth House, Wilson House and associated walls and gate piers and other nearby Listed Buildings such as Hall Garth and Old Hall have also been omitted from the assessment. Notwithstanding these omissions it is likely that any impacts on these buildings will be either negligible or 'less than substantial' if the present layout is retained, but given layout is not being applied for, it is critical that consideration of these listed buildings is further considered should a scheme be supported by Members.
- 7.3.3 The Conservation Officer has recommended that due to the lower topography, development in this location will be unlikely to impact on views of, or within the Conservation Area. However, the scale of the development will subsume the settlement form which has already been substantially altered to the south and east, and diminish the rural setting of the Conservation Area and listed buildings at Old Hall Farm. This would lead to less than substantial harm (para 134 of NPPF). The harm caused by such a large scale development could be mitigated through a reduction in the footprint and scale of such a development and a high quality design which respects the surrounding built form and character, and therefore they would wish to see a reduction in the area of the site. The access to the site would require partial demolition of a boundary wall which historically may have formed part of Old Hall Farm; however it is not considered curtilage listed as modern houses were developed in the grounds prior to its listing. Nevertheless, the pedestrian access point would be in a highly prominent part of the Conservation Area and there is concern from a conservation perspective on the integration of any development (i.e. footways/footpaths) from this point as it may impact the historic arrangement of the village green.
- 7.3.4 The views of the Conservation Officer have been fully considered in reaching the recommendation. However Planning Officers consider that the development will, at the very least preserve the character and appearance of the Conservation Area; however this is on the understanding that the housing proposals will have to respect the character of the surrounding built form and its wider setting, in terms of design, siting, scale, massing, height and the materials that will need to be utilised. This would be controlled by the reserved matters application should Members determine to support the scheme and the matter. With respect to off-site highway works officers are aligned in wishing for highway improvement works to be sympathetic to the character of the Conservation Area as discussed in Paragraph 7.4.4.
- 7.3.5 The site is considered to be of local archaeological significance and as such would not appear to merit preservation at the expense of development and therefore a formal scheme of archaeological desk-based and field investigation is merited, this can be controlled by means of planning condition.
- 7.4 Highways
- 7.4.1 The application proposes an indicative access point on Capernwray Road which has visibility splays in the region of 2.4m x 40metres in each direction, however this is only indicative and therefore matters of access would need to be addressed under a reserved matters application. Many of those making representations on the application have raised concern on the access arrangements. During the site visit it was observed there was a number of farm vehicles that utilise Capernwray Road and the results of the applicants 85th percentile speed surveys is 31mph (northbound) and 32mph (southbound), this tallies with what was observed on the site visit. Whilst it is uncommon for a developer not to apply for access as part of the application the County Council as Highway Authority raise no objection however this is on the premise that the relocation of the 30mph speed classification signage is undertaken and there will be a need for the applicant to apply for access under a reserved matters application should members support this outline application. Officers realistically consider that the only point of access to facilitate the development could come from Capernwray Road.
- 7.4.2 Many of those who have raised concern with the scheme have done so on the basis of highway impacts in particular the constrained nature of the local highway network. Officers did have some concerns regarding the pinch point narrowing of Capernwray Road at Tithe Barn where the road narrows to 4.1 metres and there is a blind corner with no footways. The County however do not share a similar view and on highway capacity raise no objection to the scheme.

- 7.4.3 A fundamental strength of the applicant's submission is its proximity to the village core and the pedestrian/cyclelink is critical to the success of this application. Officers would not be recommending support for this scheme if there was no means of access to the village. Whilst no proposal was submitted with the planning application it was asked of by the applicant early on in the application process to give an idea of how the application site could be connected to the village. In October 2017 a scheme was presented which included traffic/calming features across the crossroads element of the village green and provided for pedestrian routes across the village green towards the Post Office. The County have reviewed the applicant's suggestions and now raises no objection subject to a number of planning conditions.
- 7.4.4 Many of the conditions recommended by the County are reasonable however they are keen to seek to see a village green area of shared space though the introduction of a raised table at the crossroads. Whilst the indicative plan is useful officers do have some concerns and these areas of works require will require specialist collaborative working between the County, Local Authority and the applicant so not to undermine the historic nature of the village green, but allow for pedestrian movement in a safe and controlled manner.
- 7.4.5 The County have also asked for the construction of a new length of footway between the proposed pedestrian access, extending along the frontage of Old Hall Farm to a crossing point and subsequent improvements along Kirkby Lonsdale Road. The exact details would be secured under the Section 278 Highway Act.

7.5 Contaminated Land

- 7.5.1 The application is supported by a detailed environmental report. The fundamental concern arising from the past use of the land is that there are two foot and mouth burial sites within the application boundary. The 2001 location is just to the north of Old Hall Farm, and the 1967 burial site is located to the west of Hall Garth Gardens. Historical maps do not record the burial sites but the applicant contacted the Environment Agency and Animal and Plant Health Agency (APHA) in advance of submitting the planning application. The Environment Agency provided the applicant with a Groundwater Authorisation document which noted the location and number of carcasses, although the Appendix with the location plan was missing, and the EA do not appear to have the plan. APHA have suggested that the Local Authority/Trading Standards had Anthrax Orders in case any carcasses were ever encountered and they would have to deal with this and Anthrax can survive for up to 50 years in soil. Foot and Mouth Disease, whilst unlikely to survive cannot be ruled out completely.
- 7.5.2 The Contaminated Land Officer has no objection to the application however requires contaminated land conditions to be attached to any consent. The Contaminated Land Officer has stated that the local authority does not hold any information regarding the Foot and Mouth outbreaks in either 1967 or 2001. The local planning authority has consulted with the Animal and Plant Health Agency who have not provided comment on the application to date, and whilst the Environment Agency raised no objection to the application the case officer has been liaising with them to understand the implications that this planning application may have on groundwater.
- 7.5.4 The applicant's indicative layout does appear to have designed in such a way that negates any impact on the expected burial locations and it would have been beneficial for the applicant to provide a geophysical survey of the site to establish the extent of area associated with the burial locations as this could impact on the quantum of development that could be supported on the site. Officers do have concerns, however the applicant has been transparent in alerting officer's attention to the past use, and critically none of the statutory consultees object to the development and planning conditions can be attached to any consent requiring that a non-intrusive geophysical survey should be completed to delineate the two burial locations prior to any targeted intrusive investigation works.

7.6 Drainage

- 7.6.1 Given the site is in excess of 1 hectare the proposal is accompanied by a Flood Risk Assessment (FRA). The applicant's hydrologist has assumed there would be approximately 1.7 hectares of impermeable surfacing provided on the site. Infiltration testing has not been undertaken however the ground investigation report notes that drift deposits consisting of glacial clays are located across the site meaning that infiltration methods will not be suitable. Many of those objecting to the scheme

have done so on the basis that surface water from the development site may lead to flooding elsewhere. The site is not within Flood Zones 2 or 3 though there are elements of the site that do suffer from surface water flooding (notably the northern area of the site where the proposed SuDS basins are proposed to be located). Naturally water management is a concern to all however the Lead Local Flood Authority has not objected to the development and have proposed a number of conditions to address how surface water could be managed on the site, and the information supplied to date would suggest that the site can be drained with SuDS (Sustainable Urban Drainage) principles in mind. It is considered that the proposal does conform to Policy DM39 of the Development Management DPD and therefore whilst the concerns of local residents are noted it is considered that the scheme can be drained and that flooding will not increase elsewhere in the event of the approval of this scheme.

- 7.6.2 There has been concern raised by the local community regarding foul water drainage, but the Environment Agency (EA) has not objected to the proposed development, and nor have United Utilities. Whilst the applicant proposes to utilise a foul pumping station to allow foul water to be pumped to Kirkby Lonsdale Road there is nothing before Officers to conclude that the site cannot be drained of foul water and it is likely that the pumping station would ultimately be adopted by United Utilities. Therefore, on balance Officers are satisfied that with detailed design that the development would comply with the relevant policies within the Development Management DPD.

7.7 Education Provision

- 7.7.1 A justified concern amongst many of those that have made representations is whether there is sufficient education provision within the local area. On such matters the local planning authority takes the advice of the County Council, who act as the Education Authority for the District. The County has stated that the future planned net capacity at Wilsons Endowed School is 126 by January 2022 with the projected pupils at 127, however there are a number of other schools within a 2 mile radius such as Our Lady Of Lourdes Catholic Primary School Carnforth and Carnforth Christ Church Of England Voluntary Aided Primary School where there is sufficient capacity. The County have stated however there needs to be provision made for one secondary school place, but have stated that this could rise to a maximum of 8 secondary school places should planning applications be approved before this scheme is determined.

- 7.7.2 With respect to secondary provision the County consider that there is only a need for one secondary place. However given the pending applications that have still to be determined (notably Brewers Barn which is for 158 units 16/00335/OUT and land to the North of Kirkby Lonsdale Road for 70 dwellings) they are seeking a contribution for up to 8 secondary school place (Carnforth High School). Contributions can only be requested when they are reasonable in scale and kind, and at the time of drafting this report the schemes the County refer to have been determined by members however a decision has not been released due to the legal agreements having not been signed. On this basis it is not considered that their request would pass the tests of reasonability, and therefore the figure of £21,423.27 should be re-evaluated at reserved matters stage when bedroom numbers and number of units are known (the County utilised 4 bedroom units across the development, which in reality would be less at reserved matters stage). It is considered that the development would meet the requirements of Policy DM48 of the Development Management DPD.

7.8 Open Space provision

- 7.8.1 The applicant includes the provision of open space within their indicative layout of the site notably around the southern periphery of the site and a community orchard and also play provision is proposed. The Public Realm Officer has requested that 1001m² of open space is provided for and this can be taken into consideration as part of any Reserved Matters consent.

- 7.8.2 In addition a financial contribution of £106,463 has been requested by the Public Realm Officer towards off-site open space improvements - £60,703 to outdoor sports facilities, £28,600 to young people's facilities and £17,160 to Parks and Gardens. Planning obligations can only be sought where they are considered necessary to make developments acceptable, directly related to the development, and fair and reasonably related in scale and kind to the development that is being proposed. The application is made in outline form but the applicant has made provision within the scheme for open space including equipped play areas, and therefore whilst Officers believe that a financial contribution could go towards the likes of upgrading the local play facilities within the village and some form of contribution to the wider plans for outdoor sports facilities in Carnforth; Happy

Mount Park is some distance from the site and therefore it would not be reasonable to ask for this. The scheme is of a sufficient size to warrant the inclusion of a play area and this is included within the applicant's submission although the Public Realm Officer has highlighted this may be possible to secure an upgrade to the school site instead.

- 7.8.3 It is recommended that a financial contribution towards the upgrading of facilities within the Parish is secured by means of legal agreement with the amount to be calculated at the Reserved Matters stage when the number and size of the dwellings are known (based on evidenced need), and critically as to whether play equipment is being provided on or off the site as the applicant will need to discuss intentions with the Parish Council/School as to whether providing equipped play is a reasonable suggestion.

7.9 Natural Environment

- 7.9.1 The applicant has provided an indicative plan that has proposed three areas of public space that include the retention of existing trees and hedgerows. This is to be welcomed. However the Tree Protection Officer considers that existing trees and hedgerows elsewhere in the site have been proposed for retention and protection, so too should trees and hedgerow within the centre of the site should also be incorporated into the overall design. Whilst concerns have been raised by the Tree Protection Officer the applicant has stated that the hedgerow has significant gaps and tree 7 which is an old plum tree has dieback in the canopy and tree 5 has vascular wilt which is indicative of early Dutch elm disease. There will need to be some loss of hedgerow to facilitate access and therefore should members support the scheme a detailed arboriculture implications assessment would need to be submitted in support of the scheme and whilst the concerns of the Tree Protection Officer are noted, layout is not being applied for as part of this application.

- 7.9.2 The site is made up of species-poor semi-improved grassland, ruderal vegetation, scrub and vegetation which are of low conservation value in terms of vegetation, with negligible impacts expected with their removal and no mitigation required. The site is marshy in parts (northerly parts of the site) and this would be categorised as priority habitat however the extent of this habitat on site is small and fragmented from other similar habitats. Greater Manchester Ecology Unit raise no objection to the proposed development however do state that dependent on the trees to be removed there may be a need for an assessment as to whether the development has the potential to support roosting bats, planning conditions associated with the protection of bat roosting habitats, restriction of vegetation clearance and detailed landscape plans should be conditioned.

7.10 Other considerations

- 7.10.1 The application site is not within an Air Quality Management Area however a planning condition is recommended requiring that electric vehicle charging points are integrated into the new dwellings which assist in promoting more sustainable private vehicle types.
- 7.10.2 Approximately 90% of the site is covered by a mineral safeguarding zone (this incorporates most of the land circling the village). However given the location (in close proximity to residential dwellings) it is highly unlikely that the site would be able to be commercially worked for mineral. Notwithstanding this, there may be the opportunity for a prior extraction exercise to take place; however given the constraints of the site this is unlikely to be feasible and it is not considered there would be any sterilisation of mineral resource by non-minerals development and therefore the scheme complies with Policy M2 of the Lancashire Minerals and Waste Local Plan.

8.0 Planning Obligations

- 8.1 It is recommended that the following should be sought by way of legal agreement;
- The provision of up to 40% of affordable housing to be based on a 50:50 (social rented : shared ownership) tenure split as required by policy (percentage, tenure, size, type, phasing to be addressed at Reserved Matters stage based on local housing needs and viability);
 - Education contribution of £21,423.27 for one secondary school places to be agreed (to be reviewed at the Reserved Matters stage when the unit numbers and number of bedrooms are known);
 - Open space off-site contribution to be re-assessed at the Reserved Matters stage (based on the applicants on-site proposals and the evidenced need for POS improvements)

- Long term maintenance of landscaping, open space and non-adopted drainage and highways and associated street lighting.

These requirements are considered to meet the tests set out in Paragraph 204 of the NPPF. Given the scheme there is a need for a number of highway related works that would be undertaken under Section 278 of the Highways Act. These works can be conditioned.

9.0 Planning Balance / Conclusions

- 9.1 The application is sited within the sustainable rural settlement of Over Kellet where sustainable and sensitive housing schemes will be supported by the local planning authority. The Local Planning Authority is unable to demonstrate a five-year housing land supply and Paragraph 14 of the NPPF states that where relevant policies are out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole. The development would make a valuable contribution towards meeting the need for market and affordable homes and therefore brings with it social and economic benefits and the open space and landscaping that is indicatively proposed would have environmental benefits and this is attributed modest weight. Whilst there are concerns regarding highway and drainage impacts the relevant statutory consultees raise no objection to the development and therefore this neither weighs in support or against the scheme.
- 9.2 It is considered that the development would help preserve the character of the Conservation Area, and overall there would be a less than substantial harm caused to the setting of the adjacent listed buildings and the Over Kellet Conservation Area, and a planning condition is recommended regarding the improvements to the village green to allow for pedestrian movement. Concern has been expressed with respect to ground conditions on the site (due to the foot and mouth burial locations), however planning conditions are recommended to ensure there is no detrimental impact on the environment, and it is considered that planning conditions can be imposed to address any concern. There will be a harmful effect on the character and appearance of the area as there will be a change from open farmland to housing development - the overall impact being minor adverse though in close views that would increase to significant and therefore this is a significant weakness of the scheme. As part of the planning balance Officers conclude that the delivery of affordable and market homes outweighs the negatives associated with the impact on the landscape. It is considered that the proposal does represent a sustainable form of development, and for the reasons given above, and taking other matters into consideration it is recommended that Members support the scheme subject to the conditions and obligations listed.

Recommendation

That subject to the applicant entering into a Section 106 agreement to control the obligations as detailed within Para 8.1 Outline Planning Permission **BE GRANTED** subject to the following conditions:

1. Timescales
2. Approved Plans (location plan)
3. Full access details to be submitted
4. Full details of the pedestrian/cycle connections to the village centre
5. Surface water scheme to be agreed
6. Foul drainage scheme to be agreed
7. Contaminated Land Assessment (including geophysical survey to establish location of burial pits)
8. Details of on -site POS and equipped play equipment
9. Details of external lighting (to include the site and the pedestrian footway)
10. Maintenance and management of surface water drainage scheme;
11. Off-site highway works - including traffic calming and improved connectivity via the village
12. Protection of visibility splays
13. Development to be carried out in accordance with the recommendations within the Ecological appraisal
14. Garage use condition
15. Permitted development right removals
16. Provision of electric vehicle charging points
17. Written scheme of investigation – Archaeology
18. Provision for a Tree Survey
19. Restriction on vegetation clearance unless outside of bird breeding season

- 20. Scheme for foul water including any pumping station details.
- 21. Updated Bat Survey to be carried out.
- 22. Finished floor levels to include garden and open space

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm that it has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the agent to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None.

Agenda Item	Committee Date	Application Number
A6	11 December 2017	16/01551/FUL
Application Site Land at Bowerham Lane Lancaster Lancashire	Proposal Erection of 25 dwellings and creation of a new access and access roads	
Name of Applicant Mr Chris Middlebrook	Name of Agent Mr Andrew Tait	
Decision Target Date 13 March 2017 (Time extension agreed 13 December 2017)	Reason For Delay Viability evidence and supporting information	
Case Officer	Mr Mark Potts	
Departure	Yes	
Summary of Recommendation	Approval (subject to No Objection from United Utilities and the applicant entering into a S.106 Agreement)	

(i) Procedural Note

A site visit was arranged for Committee Members to view this site in advance of the Committee determining this planning application. This took place on 6th November 2017.

1.0 The Site and its Surroundings

- 1.1 The site is a greenfield wedge bounded by Hala Carr Farm to the north, the M6 motorway to the east and Bowerham Lane to the west. The site area is 1.76 hectares. The site slopes from the east (the M6 boundary is at 84 metres Above Ordnance Datum (AOD) to the west (Bowerham Lane is at 71 metres AOD) and is more pronounced towards the north. The northern boundary comprises a section of stone wall and hawthorn on the boundary with Hala Carr Farm and the eastern boundary comprises a post and wire fence on the open boundary of the M6. The southern boundary is bounded by a small but mature mixed woodland copse and the western boundary with Bowerham Road comprises an overgrown predominately hawthorn hedgerow. The site consists of coarse grassland which has been colonised around the edges by blackthorn, gorse, bramble and bracken. There is an existing belt of trees punctuated by an access gate on the boundary to Bowerham Lane. These trees screen the site from existing 2 storey residential properties fronting the western side of Bowerham Lane. There are also existing hedgerows on the boundary to Hala Carr Farm and part of the boundary with the M6 motorway.
- 1.2 The site does not benefit from any statutory nature conservation or landscape designation, with the Forest of Bowland Area of Outstanding Natural Beauty (AONB) being located 1.5km to the west and Morecambe Bay Ramsar Site, Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA) being located 2.5km to the west of the application site. An existing water trunk main enters the site from under the M6 (at a point opposite the junction of Bowerham Lane and Sandown Road) and exits the site to the south of Hala Carr Farm. The site is however allocated as Key Urban Landscape and as a Woodland Opportunity in the adopted local plan.

2.0 The Proposal

2.1 The application proposes the erection of 25 residential dwellings consisting of:

- Four - 1 bedroom apartments (to be provided as affordable shared ownership units);
- Four - 2 bedroom houses;
- Six - 3 bedroom houses;
- Eleven - 4 bedroom houses;

The scheme provides for a bungalow, apartments, semi-detached and detached houses to a maximum of two storey, all to be constructed in brick and render under tiled roofs. The new access would be taken off Bowerham Lane with visibility splays of 2.4m x 43m in each direction.

2.2 The scheme proposes an earth bund which would be landscaped adjacent to the M6 (in the region of 2.5m above the existing motorway level), the maximum height of such would be 82.5 metres (AOD) adjacent to the M6 and this would fall to in the region of 78 (AOD) metres over the course of 20 metres into the site.

3.0 Site History

3.1 The relevant planning history is as noted below.

Application Number	Proposal	Decision
16/0177/HDG	Removal 64m of hedgerow adjacent to the public highway and removal 121m hedgerow internal to the site	Approved
16/00603/PRETWO	Erection of 25 dwellings and creation of a new access	Pre-application Advice Provided
15/00714/OUT	Outline application for the erection of 20 dwellings	Approved
14/00960/OUT	Outline planning application for residential development	Withdrawn
01/89/0118	Outline planning application for residential development	Rejected on appeal

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Planning & Housing Policy Team	Raise concerns that the current proposal would lead to a form of development which would not strike an appropriate balance between bringing forward housing, achieving reasonable residential amenity and respecting the landscape allocation in this area.
County Highways	No Objection , however recommends conditions associated with; <ul style="list-style-type: none"> • Protection of visibility splays in the region of 2.4m x 43m in each direction; • Setting back of boundary hedging to allow for the construction of a 2 m wide length of footway along the site frontage; • Relocation and upgrade of street lighting where appropriate; • Construction of a pedestrian refuge facility, improved white lining on Bowerham Lane and stop and give way thermoplastic lines.
Natural England	No Objection
Highways England	No Objection subject to conditions; <ul style="list-style-type: none"> • No development on, or adjacent to the M6 motorway embankment that puts the embankment or earthworks at risk; • No drainage shall connect into the motorway drainage system (including surface water run-off); • No vehicular or pedestrian access of any kind between the site and M6 motorway; • No planting of the surface of the site within less than one metre of the motorway boundary fence.

	<ul style="list-style-type: none"> • No planting of trees which could shed leaves or topple on the M6. • Provision of a fence along the boundary of the site.
Environmental Health (Noise)	No Objection: The site will naturally be subject to elevated noise levels associated with the M6. Internally, sound levels can be satisfactorily controlled to the recommended guideline levels provided within BS8233:2014 and World Health Organisation Guidelines on Community Noise with provision of suitable glazing and trickle ventilation provided to habitable rooms and bedrooms. The submitted reports suggest a glazing specification of Pilkington Optiphon 4-12.6.8mm for bedroom windows (to ensure design targets are met for night-time periods) and 10/12/4mm glazing to all other habitable rooms. The Environmental Health Officer is satisfied that provision of acoustic fencing to external amenity areas will meet the noise levels recommended within the above standards also.
Environmental Health (Air Quality)	No Objection: Initially raised some concern with the location of the site adjacent to the motorway however following additional information it is considered that the provision of electric vehicle charging points should be provided and that air quality will unlikely exceed objective levels at this location.
Strategic Housing Officer	No Objection to the reduced affordable housing provision based on the review of viability.
Tree Protection Officer	No Objection subject the proposals being carried out in accordance with the AIA and also the Landscaping Scheme, however asks that the details of the maintenance and management is forwarded for comment.
Lancaster Civic Society	No Objection , and welcomes the moves made to retain the existing hedgerow along Bowerham Lane.
United Utilities	No observations received within the statutory time period.
Lead Local Flood Authority	No Objection , subject to a drainage scheme being submitted with an associated management and maintenance plan.
Fire Safety Officer	No Objection
Environment Health (Contaminated Land)	No Objection to the proposal and considers there is no requirement for contaminated land conditions.
City Council Engineer	No Objection

5.0 Neighbour Representations

5.1 The application has been advertised in the press, by site notices and local residents notified by letter. To date there has been **9** letters of objection to the scheme based on the below;

- Concerns that planning permission was granted for 20 dwellings and now 25 are proposed;
- Concerns on surface water drainage proposals;
- Traffic concerns on Bowerham Lane;
- Increasing footprint exposes future residents to higher levels of noise pollution and also dust associated with properties along Bowerham Lane and concerns on air quality given the proximity of the site to the M6 motorway; and,
- Negatively impacting on the natural environment and detrimental to the landscape qualities of this parcel of land.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 12, 14 and 17 - Sustainable Development and Core Principles
Paragraph 32, 34 and 38 - Access and Transport
Paragraphs 49, 50 and 55 - Delivering Housing
Paragraphs 56, 58, 60, 61 and 64 - Requiring Good Design
Paragraphs 69,70, 72 and 73 - Promoting Healthy Communities
Paragraph 103 - Flooding
Paragraphs 109, 115,117,118 - Conserving the Natural Environment
Paragraphs 186, 187, 196, 197, 203-206 - Decision-taking

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its' Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Saved Policies of the Lancaster District Local Plan

E27 - Woodland Opportunity Areas
E31 - Key Urban Landscape

6.4 Lancaster Core Strategy

SC1 - Sustainable Development
SC2 - Urban Concentration
SC4 - Meeting the District's Housing Requirements

6.5 Development Management Development Plan Document

DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM23 – Transport Efficiency and Travel Plans
DM26 – Open Space, Sports and Recreational Facilities
DM27 – Protection and Enhancement of Biodiversity
DM28 - Development and Landscape Impact
DM29 - Protection of Trees, Hedgerows and Woodland
DM35 - Key Design Principles
DM36 - Sustainable Design
DM37 - Air Quality Management and Pollution
DM38 – Development and Flood Risk
DM39 – Surface Water Run-off and Sustainable Drainage
DM41 - New Residential Dwellings

6.6 Strategic Policies and Land Allocations DPD (January 2017 Consultation)

7.0 Comment and Analysis

7.0. The key material considerations arising from this application are:

- Principle of development
- Landscape and Visual Impacts
- Layout considerations
- Affordable Housing/Housing Needs;
- Highways;
- Noise considerations / Air Quality;
- Drainage;
- Public Open Space;
- Natural Environment;
- Other Matters;
- Planning Balance.

7.1 Principle of Development

- 7.1.1 The site is located within the urban core of Lancaster and is located 2.6km to the south of Lancaster City Centre and is in easy reach of Bowerham local centre which supports a variety of local services. There is a frequent bus service that passes close to the site with a bus stop located at the Fox and Goose Public House (220 metres away). The Council, via the Spatial Strategy described in the District Core Strategy and continued in the emerging Land Allocations document, would generally look to direct development to the main urban areas of the District, and this was very much the intention of Policies SC1 and SC2 of the Core Strategy. It is therefore considered that the site is a sustainable location for the delivery of 25 dwellings (assuming other issues can be addressed).
- 7.1.2 The land is currently allocated as Key Urban Landscape (Policy E31) and a Woodland Opportunity Area (Policy E27) under the 'saved' Local Plan. Both designations remain relevant and important considerations in the determination of this planning application. Policy DM28 (Development and Landscape Impact) of the Development Management DPD states that identified areas will be conserved and important natural features safeguarded. Key Urban Landscapes (KUL) perform an important role in defining the character of the District and it is considered that this site forms a green triangular wedge between the M6 and the residential properties on the eastern fringes of the city. The local planning authority considers that some form of buffer should be preserved and woodland planting encouraged.
- 7.1.3 Adopted Local Plan Policy E27 states that within identified areas the Council will seek to establish new areas of woodland allowing, where practical, for public access and the protection and enhancement of nature conservation interests. It is considered that tree planting along the M6 would assist in mitigating road noise and provide a more attractive edge to the built up area. It goes on to state that development which would prejudice the establishment of new woodland areas will not be permitted. This policy is supplemented by Policy DM29 'Protection of Trees, Hedgerows and Woodlands' in the Development Management document which gives further support to the protection of trees and hedgerows and encourages additional planting.
- 7.1.4 As part of the emerging Land Allocations DPD the site is still proposed to retain its Key Urban Landscape designation and whilst only limited weight can be afforded to this, it continues to protect the site from development, but would seek to support development if it preserves the open nature of the area and the character and appearance of the surroundings. Notwithstanding this the same plan also proposes to allocate the site under Policy reference H1.4 (for 20 dwellings) which relates to residential development in urban areas (given the site benefits from an extant outline permission).
- 7.1.5 This proposal does seek to introduce some significant landscaping and an earth bund (in the region of 20 metres in width) to the eastern edge of the site together with an area of planting to the south of the site, in total this amounts to around 2,200m² of landscaping. However, it is not considered that the scheme accords with the policy requirements of the Key Urban Landscape designation and to a lesser extent the Woodland Opportunity designation (albeit accepting that the development can act as a catalyst to ensure landscaping occurs) and therefore the scheme is a departure from the

Development Plan and has been advertised as such. Members will be acutely aware that the local planning authority cannot demonstrate a deliverable 5-year housing land supply, and Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. It goes on to say that Local Planning Authorities (LPAs) should approve development proposals which accord with the development plan without delay, and that where a development plan is absent, silent or relevant policies are out-of-date the LPA should grant permission unless;

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework [NPPF] taken as a whole; or
- Specific policies in this Framework [NPPF] indicate development should be restricted.

7.1.6 Officers are mindful of the refusal of the scheme for the erection of 50-60 dwellings in 1990 (1/89/0118); a decision that was endorsed by the Planning Inspectorate when it dismissed the subsequent appeal. The Inspector considered that the principle of development at that time would be wholly unacceptable, and this has been afforded weight in the determination of this planning application. Planning policy has evolved, not least due to the introduction of the NPPF, and critical to this application is the pressing need to deliver more homes given the local authority cannot demonstrate a deliverable 5 year housing land supply. Officers are also mindful of the recent refusal of planning application 16/01515/OUT by Planning Committee in April 2017 for the erection of up to 30 houses. This scheme was 50 metres to the south of the application site and an appeal against this refusal has now been lodged by the applicant.

7.1.7 Given the national policy backdrop there is a clear expectation that, unless material considerations imply otherwise, opportunities for housing delivery should be considered favourably and Officers have attached significant weight to this in terms of the planning balance exercise and do consider, as they did with regards to application 15/00714/OUT, that some form of development could be supported on this site.

7.1.8 The previous outline permission on the site was considered acceptable on the premise that a significant area of woodland planting was proposed. Only 0.5 hectares of the 1.76 hectares was proposed to be developed as part of the outline; this rises to 1.22 hectares as part of this planning application. The current proposal, whilst accepting that it makes more efficient use of land, goes against the grain of the policy requirements of the Key Urban Landscape and Woodland Opportunity designations. Officers emphasised during the pre-application discussions that the site would have been better suited to 16 dwellings, allowing more freedom on the site for landscaping adjacent to the M6. Officers therefore consider that it has to be concluded that the development would conflict with Policy E27 and E31 of the Lancaster District Local Plan. The issue therefore is whether, taking all other matters assessed via this report, this policy departure outweighs the need to deliver housing.

7.2 Landscape and Visual Impacts

7.2.1 The application is supported by a Landscape Site Analysis Appraisal which states that on-site visibility is greater from the more elevated eastern and northern parts of the site, where there is clear visibility south across the site boundary along the M6 corridor. From the north-east part of the site in particular there is long-distance visibility west and south west across the boundary hedgerow towards Lancaster, Morecambe and the coastline. The appraisal considers that the proposed scheme supports the objectives of the Key Urban Landscape and Woodland Opportunity policy. Officers would disagree with this element of the assessment as the allocation of the Key Urban Landscape (KUL) is intended to protect the undeveloped areas of land between Lancaster and the countryside to the east, and the allocation of the KUL has a role to play in maintaining the distinction between the town and country and provides a rural backdrop to the urban area. The site does form a green buffer between the M6 and residential properties on the eastern fringes of the city. It is accepted that this small green wedge of the Key Urban Landscape area does have a very different feel to some of the larger KUL which are located besides Grab Lane and also Land South of Hala Hill and towards the University, and some weight is attached to this difference.

7.2.2 From a purely landscape perspective it is considered that the site is relatively hidden from view along Bowerham Lane due to the presence of the hedgerow screening along the frontage, but views into the site can be seen from the M6 and also along Blea Tarn Road when travelling into the urban core. The provision of the landscape bund to the east of the site would assist in the creation of a strong buffer adjacent to the M6 and would be landscaped. The applicant had initially proposed a woodland

walk, however Highways England required that there should be a 2 metre solid boundary fence between the site and the M6 to prevent encroachment onto the motorway (in essence providing this 2 metres back from the existing stock proof fence adjacent to the M6 to be 2 metres in height). Whilst the principle of this from a safety perspective was acceptable, there was concerns as to the appearance of the fencing and how this would look for motorists travelling along the M6 corridor. The provision of the woodland walk and subsequently the 2 metre fence along the M6 has since been removed from the applicant's scheme, the individual plot boundary treatment will now form the boundary treatment and Highways England are comfortable with this approach.

- 7.2.3 It is recommended that whilst there would be harm caused by developing the site for residential purposes, officers are mindful of the outline consent (albeit this scheme increases the development area quite significantly) but overall this proposal would conflict against the policies that protect the site from development. These are environmental matters which weigh heavily against the proposal.

7.3 Layout Considerations

- 7.3.1 A key strength of this application is the retention of the existing hedgerow that borders Bowerham Lane as this forms a substantial and robust visual buffer and whilst some landscaping has been removed to facilitate the creation of the access the majority of the hedgerow remains. This is a significant strength over the outline approval which would have involved the loss of the landscaping to facilitate access to the driveways.

- 7.3.2 Notwithstanding the concerns associated with the policy conflicts, on the whole officers are satisfied with the layout of the development. There are (residential amenity) elements of the proposal such as the siting of plot 1 which do raise concern, however in this particular case there would only be a kitchen window and shower room windows facing eastwards (i.e. towards Hala Carr Farm) and the boundary treatment associated with plot 1 and 2 needs to be re-considered to be something more attractive than a close boarded fence. Plot 9 would be in the region of 9.7 metres from the single storey garage and 14 metres from the dwelling at plot 8 however the land levels here are in the region of 2.4 metres difference, in general whilst tight, this is acceptable. Plots 19 and 18 have an uncomfortable relationship, however plot 19 does not have any rear windows other than the rear door and therefore on balance can be found acceptable. Garden sizes on the whole are considered acceptable and whilst there would be an impact on Hala Carr Farm, Hala Carr Farm is elevated compared to plot 1 and no habitable windows exist in that elevation and whilst there would be a change in outlook for this property given the screening that exists coupled with the separation distances, privacy will be protected.

- 7.3.3 This is a sloping site and the applicant proposes to re-grade the site to allow for development to take place, and to allow for usable garden spaces. The use of retaining walls is proposed principally to the rear of plots 9-13 (although they are utilised elsewhere on the site). With any sloping site the use of retaining walls would be required, a planning condition is recommended requiring details of the boundary treatments which shall include the type of retaining wall to be utilised.

- 7.3.3 A variety of house types are proposed and the inclusion of a bungalow is a positive. The dwellings would be constructed under a tiled roof system, utilising brick, roughcast render and anthracite grey windows, doors and fascia's. The adjacent properties on Bowerham Lane utilise a similar palette of materials and therefore it is considered subject to conditions requiring samples to be provided this can be found acceptable the house types and materials can be found acceptable.

- 7.3.4 The landscaped bund proposed would essentially serve to act as a buffer between the M6 and the built form and the toe of the bund would extend from the eastern most properties to the M6. The slope would be in the region of 35% towards the residential properties and for this to work effectively and work with the landscape it needs to appear natural and well landscaped. It is inevitable initially there will be landscape impacts associated with the creation of the bund and the key to its success will be its profiling so it does not look an alien feature and ensuring landscaping occurs in the first available planting season. A condition is recommended to control this.

7.4 Affordable Housing Provision / Housing Needs

- 7.4.1 The scheme was originally submitted on the basis of delivering the policy-compliant 40% of the units to be affordable, equating to 10 units, however a viability assessment was received in January 2017 setting out that the scheme could only seek to support 4 of the units to be affordable on the provision

that these were discounted open market homes (which the Council does not support). The latest iteration of the applicant's viability assessment suggested that 3 units could be delivered as shared ownership units. A long running independent viability exercise has been ongoing with Eckersely Property assisting the local planning authority (LPA) with the independent review. The site does have its challenges given its sloping, and as the application has been progressing additional costs have been brought to the Council's attention (namely in relation to cut and fill). Officers are disappointed that such a low quantum of affordable housing has been achieved, given the full requirement was stipulated within the applicants supporting submission but national and local planning policy requires that LPAs consider the impacts of viability and the delivery of housing in policy making and decision taking. Whilst officers were concerned that new costs were being added to the viability assessment during the application process, it is considered that the applicant has sufficiently evidenced that the viability of the site is challenging. On this basis it is accepted that the alternative affordable scheme (based on 4 shared ownership apartments) is reluctantly found acceptable. This matter can be controlled by means of Section 106 Agreement.

- 7.4.2 With respect to the mix of properties the applicant proposes a mixture of between 1-4 bedroom units with 14 of the 25 units between 1-3 bedroom and the remaining 11 four bedroom. It is considered that the mix of properties is appropriate to the area and given the Meeting Housing Needs SPD considered the demand in South Lancaster was for 2 and 3 bedroom properties this is acceptable.

7.5 Highways

- 7.5.1 The scheme would seek to use a new access off Bowerham Lane and the relevant visibility splays of 2.4m x 43 metres in a north and south location have been proposed. The Highways Authority have requested that a 2 metre wide footway is proposed along the sites frontage. It should be noted that there is currently no footway on the entire eastern stretch of Bowerham Lane and therefore whilst serving to protect visibility splays, it could be greener to have this area as managed grassland or the like assuming it is under 1 metre (to allow for the visibility splays to be protected) and a crossing point to the adjacent side of Bowerham Lane. The County have requested a pedestrian refuge and this is considered appropriate. The access detail would be fundamentally agreed with the County under the Section 278 highways legislation including any necessary footpath enhancements along the sites frontage.

- 7.5.2 Highways England (in their role as operator of the motorway and major A road network) have no objection, however they have recommended a number of planning conditions such as ensuring the drainage from the site will not connect to the motorway; not causing harm to the existing motorway embankment; and no access to the motorway. They have asked that the landscaping is not capable of falling on the M6 and that a buffer zone is maintained along the motorway, and that the applicant needs to take steps to ensure noise emanating from the M6 can be controlled. Highways England have also raised the question that the applicant needs to be mindful of the possibility of errant vehicles leaving the northbound carriageway which could endanger the safety of residents. The conditions that Highways England recommended can be incorporated into planning conditions associated with drainage and landscaping. With respect to vehicles leaving the M6, the point is duly noted, however the same could be true of any scheme that is located in close proximity to a road.

7.6 Noise Considerations / Air Quality

- 7.6.1 The proposal is sited in close proximity to the M6 motorway (being only 22 metres away from the nearest property) and therefore a natural concern is the well-being of the future occupiers of the dwellings. A noise survey has been submitted in support of the scheme which has demonstrated that standard double glazing incorporating trickle vents will achieve the required 35 Db(A). External gardens will require the benefit of a 2m high acoustic fence which will provide a minimum of 10.5dB attenuation reducing the anticipated sound level below the lower recommended guideline value of 50dB(A).
- 7.6.2 Officers were concerned given the presence of proposed dwellings so close to the M6 and requested that Environmental Health visit the site to undertake sound measurements at a similar location to that used in the acoustic survey to verify the report findings and make a subjective and objective assessment of the environmental noise impacts. The Environmental Health Officer has no objection to the development on the basis that the acoustic trickle vents and glazing is utilised and also that the provision of acoustic fencing to external amenity areas will ensure that the relevant noise limits are met. It is therefore considered that noise can be suitably controlled.

7.6.3 A natural concern is the air quality associated with traffic along the M6 corridor given how close the site is to the carriageway. The applicant's environmental consultant has discussed with the local authority's Air Quality Officer and there was general agreement that based on the evidence it would be unlikely that the proposed dwellings would be subject to air quality above the national objective values and therefore the properties will not be significantly adversely affected by poor air quality. This is a view echoed by the air quality officer however a recommendation has been made for the provision of electric vehicle charging points to all properties. The applicant is amenable to such a request.

7.7 Drainage Considerations

7.7.1 Schemes should be drained of surface water sustainably however the applicant maintains that soakaways would not be suitable due to the ground makeup being clay which is unsuitable for infiltration for soakaways. Given there is no surface water body in the vicinity of the site, the next solution in line with the hierarchy is connecting to the existing surface water sewer on Bowerham Lane and there has been discussions with United Utilities to this effect. The Lead Local Flood Authority have no objection to the scheme however it is considered that run off should be restricted to no greater than 9 l/s, this can be addressed by means of planning condition in association with the long term maintenance of the systems.

7.8 Public Open Space.

7.8.1 The Public Realm Development Manager raises no objection to the development however advises that 445m² of area is provided as open space and that a financial contribution of £75,510 is sought. The scheme provides for the proposed woodland (circa 2,200m²) and also a landscaped bund and therefore provides significant open space landscaping. Given the results of the viability appraisal no off-site contribution has been requested from the applicant.

7.9 Natural Environment

7.9.1 The applicant sought consent for hedgerow removal along the sites frontage in the region of 64 metres and 121m of hedgerow and the application was approved in January 2017. The hedgerow removal has occurred. Some small scale tree loss on the site is proposed to facilitate the development however the Tree Protection Officer has no objection to the loss, but supports the retention of the existing hedgerows that front the site, in addition to the strategy for the regeneration of the retained hedgerow adjacent to Bowerham Lane. There is some concern as to why 7 metres of hedgerow was lost to create the new pedestrian footway adjacent to 290/292 Bowerham Lane, and local residents have raised this in response to the application, the applicant has since confirmed this is only for pedestrian access. It is considered that this route serves pedestrians and therefore some replanting here should occur as part and can be conditioned as such.

7.9.2 An ecological appraisal supports this planning application which suggests that birds are likely to utilise the hedgerows on site for nesting between March and September and therefore vegetation clearance should be undertaken outside of this period and that low numbers of bat species were recorded foraging adjacent to the site but no bats were recorded as roosting near or on the site. It is recommended that the mitigation scheme that is referred to in the applicant's ecological appraisal are carried out.

7.10 Other Matters

7.10.1 The site is greenfield and the local authorities contaminated land officer initially requested conditions associated with the proposal. Following additional consideration of the planning application and a review of the Phase 1 and 2 surveys submitted in support of the scheme no objection has been raised. The County Council as the education authority raise no objection to the development and consider at the time of their response no education contribution was required, they have provided further assurance in November 2017 that no education contribution is required.

7.10.2 There is a United Utilities water trunk main that crosses the western boundary of the site (essentially the alignment of the spine road), the applicant has provided for a 10 metre easement but the road is sited within the easement. The views of United Utilities have been requested, and members will be updated verbally following United Utilities comments.

7.11 Planning Balance

- 7.11.1 In conclusion the proposal will bring with it social and economic benefits, and whilst only 25 houses are proposed this would still make a very positive contribution towards the supply of market housing (and to a lesser extent affordable housing) at a time the local authority cannot demonstrate a 5 year housing land supply. Furthermore officers are satisfied that the application site is sustainably located with good access to public transport provision and this weighs in the support of the scheme.
- 7.11.2 Weighed against this is the fact that the proposal offers a lower rate of affordable housing that would ordinarily be required and the reduction of affordable housing is a social matter which weighs against the proposal. Crucially there would be harm associated with developing this site from a landscape perspective given the site is covered by the Key Urban Landscape designation. Notwithstanding this there is support for the retention of the hedgerow along Bowerham Lane which is of an environmental benefit from both a landscape and ecological perspective. However overall officers conclude that there would be harm which weighs significantly against the scheme.
- 7.11.3 The recommendation is finely balanced. However whilst significant weight has been attached to the negatives of the scheme, the scheme is able to demonstrate some economic and social benefits and minor environmental benefits in the retention of the hedgerow when compared against the provisions of the outline consent (which is a material consideration) and therefore it is considered that the development does comprise a form of sustainable development for the purposes of the Framework and it is not considered in this instance the negatives associated with the scheme would significantly and demonstrably outweigh the benefits of the scheme when assessed against the Framework as a whole.

8.0 Planning Obligations

- 8.1 The applicant is amenable to securing the following requirements by way of legal agreement. These requirements are considered to meet the tests set out in paragraph 204 of the NPPF.
- Provision of four of the units to be shared ownership affordable units;
 - Long term maintenance of non-adopted open space, landscaping and non-adopted highways and drainage.

9.0 Conclusions

- 9.1 The recommendation here is finely balanced and members will be tasked with a hard decision to make, as the proposal is clearly a departure from the Development Plan, and ordinarily developments of this nature would not be supported in Key Urban Landscape and Woodland Opportunity designations. However, Members have to be mindful of the outline consent (15/00714/OUT) that supported twenty dwellings, (although on a much reduced footprint), and secondly remember that the local authority does not have an up-to-date deliverable five year housing land supply.
- 9.2 Whilst a small landscape buffer remains, the vast majority of the Key Urban Landscape in this location would be lost, however 2,200m² of the site is proposed to be open space/woodland. It is a site that is adjacent to the built form, in what Officers consider a triangular green wedge (rather than a linear line of landscape). There will be landscape impact and this weights against the scheme to a moderate degree in the planning balance argument. Given the inability of the local authority to demonstrate a deliverable 5-year housing land supply, together with the lack of any technical objection from any statutory consultees, that on balance, the material considerations weigh in support of the scheme to allow Officers to make a positive recommendation for this development.
- 9.3 Whilst concern has been raised with respect to highways, drainage, environmental health considerations and nature conservation, none of the relevant consultees raise an objection to the scheme, or raise a concern which cannot be addressed by condition. It is recommended to Members to support the scheme subject to the applicant entering into a Section 106 Legal Agreement to secure the provision of 4 affordable units and the conditions listed below (assuming no objection is received from United Utilities).

Recommendation

Subject to no objection from United Utilities and that subject to the applicant signing and completing a legal agreement to secure the obligations as contained within Paragraph 8.1 Planning Permission **BE GRANTED** subject to the following conditions:

1. Time Scales
2. Working Programme
3. Access Plan
4. Offsite highway works
5. Protection of vis-splays 2.4m x 43m
6. Car Parking to be provided
7. Garages for motor vehicles
8. Details of cycle parking and refuse provision
9. Development in accordance with the AIA
10. Landscaping and management scheme to be implemented
11. Implementation of landscaped earth bund
12. Scheme for the enhancement for ecology
13. Development in accordance with the FRA
14. Development in accordance with the recommendations in the noise assessment
15. Surface Water Drainage Scheme
16. Surface Water Drainage Management
17. Finished Floor Levels
18. Material Samples
19. Removal of PD rights
20. Vehicle Charging Points.
21. Boundary Treatment Plan
22. Unforeseen Contaminated Land

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm that it has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the agent to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None.

Agenda Item A7	Committee Date 11 December 2017	Application Number 17/01074/HYB
Application Site Land At Royal Albert Farm Pathfinders Drive Lancaster Lancashire	Proposal Hybrid application comprising an outline application for up to 71 dwellings with associated upgrading works to Pathfinders Drive, and a full application for the conversion of Derby Home into six apartments (C3) and creation of associated parking	
Name of Applicant Homes and Communities Agency	Name of Agent Miss Rosanna Cohen	
Decision Target Date 11 December 2017	Reason For Delay Committee Cycle	
Case Officer	Mr Mark Potts	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Note

A site visit was arranged for Committee Members to view this site prior to determination, and this was undertaken on 6 November 2017.

1.0 The Site and its Surroundings

- 1.1 The application site relates to 3.38 hectares of predominately grazing land located to the west side of Ashton Road along Pathfinders Drive, approximately 1.6km to the south west of Lancaster City Centre. There are a variety of land uses in close proximity to the site. To the east lies an NHS complex consisting of the Orchard and four former barns which have been converted to offices, with the residential development to the north of this in the form of apartments. To the south of the NHS facilities lies the De Vitre and Royal Albert Cottages which are adjacent to Ashton Road. To the south and west lays open countryside. The site rises to the west from along Ashton Road where land levels are in the region of 39 metres above ordnance datum (AOD) and rise to 55 metres AOD towards the western boundary. The site has a gradual gradient with this being in the region of 1:8.
- 1.2 The site consists of two large fields namely used for grazing land for horses and sheep which are irregularly shaped, together with a smaller field to the south-east corner. The site is bound by trees to the north and north west. The development site also incorporates Derby Home which is curtilage listed in connection with the former Royal Albert Hospital (Grade II*), which is the only built form within the application site. The site is elevated from Ashton Road with the lowest part of the site to the east. The existing access to the site is via Pathfinders Drive, which serves the NHS facilities in the form of 'the Orchard' and North and East Barns.
- 1.3 The site is largely unconstrained and is allocated for housing in the adopted local plan, with Key Urban Landscape abutting the site's western boundary. The Morecambe Bay Site of Special Scientific interest (SSSI), Special Protected Area (SPA), Special Area of Conservation (SAC) and Ramsar designation is located 1.25km to the west of the site. It is not located within any nationally designated landscape or Green Belt, nor does it fall within Flood Zones 2 or 3. The site is not protected by any international or local conservation status and no part of the site falls within a

Conservation Area. There are trees which are covered by Tree Preservation Orders (TPO) on the site (TPO number 269/T17 through to T80, W1, W2 G1 through to G8). There are a number of listed buildings in close proximity to the site namely Storey Hall – located 90 metres to the north east (Grade II), North, West, South and East Barn – located 90 metres to the east (Grade II), the gatehouse to the former Royal Albert Hospital site - located 150 metres to the east (Grade II) and finally the former Royal Albert Hospital which is Grade II* and this is located 275 metres to the east.

2.0 The Proposal

- 2.1 The application is made in a hybrid form which comprises of the outline application for the erection of up to 71 dwellings on the greenfield element of the site; with amended access provision which includes the upgrading of the existing Pathfinders Drive to 5.5 metres in width, together with a new 2m wide footway. An indicative layout plan has been supplied to show how the site could be realistically developed and contains a mixture of detached and semi-detached properties.
- 2.2 Derby Home is considered to be curtilage-listed in connection with the Jamea Al Kauthar Islamic College (formerly the Royal Albert Hospital) which is Grade II*. The detailed conversion is therefore being considered under this planning application for the conversion of Derby Home to 6 apartments and associated car parking provision. The scheme would provide for 3 x one bedroom, 2 x two bedroom and 1 x three bedroom apartment.

3.0 Site History

- 3.1 There is no relevant planning history associated with the “greenfield” element of the scheme however the area to the east has been developed over time to serve as NHS offices and a Mental Health facility (‘The Orchards’) and therefore the following history is relevant to the proposal.

Application Number	Proposal	Decision
17/01076/LB	Listed Building application for the conversion of Derby Home into six apartments (C3)	Pending Decision
15/00600/OUT	Outline application for the demolition of existing Derby Home and erection of up to 77 dwellings with associated new access	Withdrawn
15/00970/LB	Listed Building application for the demolition of the existing side extension at Derby Home.	Approved

4.0 Consultation Responses

- 4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
County Highways	<p>Originally had concerns that the Transport Statement did not account for the committed development of the proposed Royal Lancaster Infirmary car park (17/00345/FUL) in terms of movements on the local highway network. The applicant subsequently submitted a revised Transport Assessment which included the trip rates associated with the approved hospital car park planning application. County Highways responded to the amended consultation on 17 November setting out they no longer objected to the development and that the congestion already exists at the junction at peak times and is showing levels of usage exceeding the theoretical saturation values. However when taken in the wider context, the development will not increase the demand to a level which could be construed as "severe" as defined in the NPPF.</p> <p>They consider that the on-street parking in connection with the properties along Ashton Road does cause some concern and that the developer should consider providing necessary land to accommodate a compensatory car park to allow the road to operate freely in each direction.</p>

	Planning conditions are recommended; associated with the contribution of £77,000 towards the design and implementation of a highway improvement scheme; white lining along Ashton Road together with the review of existing street lighting.
Lead Local Flood Authority	No Objection on the basis that the development is carried out in accordance with the submitted Flood Risk Assessment, surface water drainage scheme to be agreed, SuDS management and maintenance plan.
Planning & Housing Policy Team	No observations received within the statutory timescales.
County Education Authority	No Objection and no request towards a financial contribution towards primary or secondary school provision
Strategic Housing Officer	No observations received within the statutory timescales.
Public Realm Officer	<p>No Objection - recommends 1292m² of amenity space on site, together with a maximum contribution of £207,435 which would go towards the below.</p> <ul style="list-style-type: none"> • Outdoor sports facilities £78,362 • Young people's facilities £36,920 • Parks and gardens £22,152 • Equipped Play Areas £70,000
Lancaster Civic Society	<p>Support the retention of Derby Home and the proposals for the renovation of this listed building and its conversion into six apartments.</p> <p>Although they are supportive of the outline proposals for the development of 71 dwellings on this site they urge careful consideration is given to conditions placed on future developers; particularly with reference to the requirements for affordable housing.</p>
Historic England	No observations to make on the planning application
Natural England	No objection to the development
Environment Agency	No observations to make on the planning application
Canal & River Trust	No comment to make on the planning application.
Tree Protection Officer	Objection and recommends that there would need to be changes made in connection with the layout to enable
United Utilities	No objection , recommends that the development is carried out in accordance with the submitted Flood Risk Assessment and that the site is drained by Sustainable drainage techniques. Make note that a public sewer crosses the site.
Lancashire Archaeological Advisory Service	No Objection , however recommends that Derby Home is recorded to Level 3, as set out in 'Understanding Historic Buildings (Historic England 2016).
Environmental Health	No observations received within the statutory timescales
Conservation Officer	No objection to the outline element of the scheme. The setting of the Royal Albert Farm has been eroded through development of modern healthcare buildings immediately behind, thus it is considered the proposal will have a minimal impact on the setting and significance of the former farm. With respect to the conversion of Derby Home they consider there would be a degree of harm caused by the subdivision however this would be less than substantial. The Conservation Officer recommends that the flat roof dormer is removed.
Greater Manchester Ecological Unit	No objection , however the planned works to Derby Home do have the potential to cause harm to bats and that mitigation will be required.
Dynamo	Objects – not likely to encourage sustainable transport; increase road hazards for existing cyclists; development offers nothing for cycling provision; and a concern about the Transport Assessment.
CLOUD (Citizens of Lancaster opposed to un-necessary development)	Objection - How can the development constitute sustainable development given reliance on cars; concerns on school provision; How does the development tie in with the garden village aspirations; Refers to application 15/01342/OUT for land off Ashton Road which was refused by members in April 2016.
Fire Safety Officer	No objection
Lancashire Police	No objection , recommends that secured by design is incorporated into any reserved matters application.

5.0 Neighbour Representations

5.1 The application has generated **36** letters of objection at the time of compiling this report, citing the following reasons for opposition:

- **Highways:** Insufficient capacity on the local highway network; congestion at the Boot and Shoe, and the Pointer Roundabout junction is already under pressure; No bus service provision to local shops; Improvements should be made to the local road network before development is applied for; Inadequacies within the Transport Assessment such as bus provision is 90 minutes and not 60 minutes as stated;
- **Landscape** The development would have an adverse impact on the landscape and cultural heritage value of Lancaster; given it's a sloping site the impact will be more pronounced;
- **Education Provision;** Lack of school places especially primary school places;
- **Surface Water drainage concerns** Likely to lead to flooding and surface water drainage issues;
- **Heritage concerns** – given the change from open pastureland to modern housing estate on the fabric of the local area;
- **Sustainability arguments** – Difficult to cycle and walk. The site was originally assessed as suitable for housing 17 years ago, is this still relevant? Development will affect the amenity of the Royal Albert/De Vitre Cottages, and the NHS mental health units; Brownfield land should be used before greenfield; lack of facilities locally.

5.2 **One** letter has been received which neither objects or supports the scheme however raises concerns that future development in close proximity to offsite dwellings on Cunningham, Albert and Victoria Courts have to be considered.

5.3 Councillor Abi Mills **objects** to the development raising the following issues;

- Conflicting advice in the planning statement and transport statement regarding the frequency of bus services;
- Increase in car journeys and associated queuing on the road;
- Lack of primary school places;
- The site has a low accessibility;
- Visual Impact Issues.

5.4 Councillor Gina Dowding **objects** to the development raising the following issues;

- Lack of local amenities (such as lack of shops, doctors surgeries and the near non-selective secondary school is 3.8km away);
- Sustainable Transport/Highway Issues – Serious congestion already occurs on the A588 and the A6 suffers from serious congestion, and the bus service is too infrequent coupled with a lack of cycle links connecting the proposed site to the wider cycle network;
- Visual Impact – The development will affect the local amenity of the area, and will be visible from Lancaster Canal, the new houses will affect the privacy of the existing home dwellers in the cottages on Ashton Road.

6.0 Principal National and Development Plan Policies

6.1 The National Planning Policy Framework (NPPF) indicates that the purpose of the planning system is to contribute to the achievement of sustainable development and at its heart is a presumption in favour of sustainable development (paragraph 14). The following paragraphs of the NPPF are especially relevant to the determination of this proposal:

Paragraph 12 – Development Plan as starting point for decision making

Paragraph 17 – 12 Core land-use planning principles

Paragraphs 19 and 22 – Building a strong, competitive economy

Paragraph 32 – Traffic and highway considerations

Paragraphs 49, 50 and 55 – Delivering housing and creating sustainable communities

Paragraph 72-74 – Open Space and well-being of communities

Paragraph 103 – Flood Risk

Paragraphs 109, 111, 115, 118 – Conserving the natural environment

Paragraph 118 - Biodiversity

Paragraph 124 – Air Quality

Paragraphs 128-141 – Conserving and enhancing the historic environment

Paragraph 144 – Mineral Safeguarding

Paragraphs 187-190 – Decision-taking and pre-application engagement

Paragraphs 204-205 – Planning Obligations

Paragraphs 215-216 - Policy weighting of existing and emerging development plan planning policy.

6.2 Lancaster District Core Strategy

SC1 – Sustainable Development

SC4 – Meeting the District's Housing Need

6.3 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages

DM21 – Walking and Cycling

DM22 – Car parking provision

DM23 – Transport Efficiency and Travel Plans

DM25 – Green Infrastructure

DM27 – Protection and Enhancement of Biodiversity

DM28 – Development and Landscape Impact

DM29 – Protection of Trees, Hedgerows and Woodland

DM30 – Development Affecting Listing Buildings

DM32 – Setting of Heritage Assets

DM34 – Archaeological Features & Scheduled Monuments

DM35 – Key Design Principles

DM36 – Sustainable Design

DM37 – Air Quality Management & Pollution

DM38 – Development and Flood Risk

DM39 – Surface Water Drainage

DM41 – New Residential Development

6.4 Saved Lancaster District Local Plan

H4 – Housing Allocations - Lancaster

H5 – Housing Areas – Rural Allocations

E28 – Woodland Opportunity Areas

6.5 Joint Lancashire Minerals and Waste Local Plan

Policy M2 – Mineral Safeguarding

6.6 Other Material Considerations

- National Planning Practice Guidance;
- Meeting Housing Needs Supplementary Planning Document;
- Guidance Note on Policy M2 – Safeguarding Minerals December 2014
- Low Emissions and Air Quality (September 2017);
- Housing Needs Affordable Practice Note (September 2017);
- Open Space Provision in new residential development (October 2015);
- Provision of Electric Vehicle Charging Points – New Developments (September 2017).

7.0 Comment and Analysis

7.0.1 The main issues to be considered in the determination of this application are:

- Principle of the development;
- Highway Considerations;
- Heritage Considerations;
- Housing Supply & Need;

- Landscape and Visual Impact;
- Layout;
- Water Management;
- Natural Environment;
- Education provision;
- Open Space;
- Other Matters.

7.1 Principle of Development

7.1.1 The Development Plan policies referred to in Section 6 require new development to be as sustainable as possible, minimising the need to travel and making it convenient to walk, cycle and travel by public transport between the site and homes, workplaces and a host of facilities and services. The site forms part of the Royal Albert Housing allocation under Policy H4 of the 2004 adopted Local Plan, which allocated the site (excluding Derby Home and Pathfinders Drive) as suitable for housing. The site also forms part of the Council's Strategic Housing Land Availability Assessment (SHLAA) under reference 304, and is included within the Council's anticipated future housing land supply. The SHLAA states that the site has capacity for up to 77 dwellings, however it states issues of highway capacity, access, topography and the potential prominence of the site would need to be addressed. Under the emerging policy the site continues to be allocated for development under Policy H6 of the Strategic Policies and Land Allocations DPD (which also includes Derby Home and Pathfinders Drive), whilst limited weight can be attached it is clear that there is still an aspiration that the site will be developed and the majority of the site is allocated for housing already in the Local Plan. The site does benefit from also being a Woodland Opportunity Area under Policy E28 of the saved local plan where areas of woodland are to be incorporated into design proposals.

7.1.2 Despite the site being greenfield, it is land that has been identified within the SHLAA and considered a deliverable site that can contribute to the district's housing supply. It has rising topography to the west, and the site is bound by residential, health and office uses to the east. The nearest property to the site is the Orchards which is a NHS Mental Health facility. A very similar planning application was submitted in 2015, however was withdrawn by the applicant to allow further discussions to occur with the NHS. The applicant recognises the Orchards must be considered in the production of the site layout and the applicant has prepared an indicative landscaping scheme to show the screening which may be deliverable at the Orchards. No observations have been received by the NHS in relation to this planning application and the applicant is indicatively showing a 30 metre buffer zone between the facility and the residential properties. The existing properties on Ashton Road are in the region of 50 metres from the facility (albeit as the crow flies) but the NHS and the applicant are known to have been in discussions, and in the absence of anything to the contrary from the NHS it is considered that the two land uses can co-exist. Notwithstanding other considerations, such as landscape impact and highways, the site is well-related to the existing built form and therefore the principle of development in this location can be accepted.

7.2 Highway Considerations

7.2.1 The application is supported by a detailed transport assessment and this was supplemented by further Arcady modelling at the Pointer Roundabout in October 2017. Vehicular access to the site is proposed via an extension and widening of Pathfinders Drive to allow for a 5.5m wide carriageway and a footway. The applicant's traffic forecasts suggests that at the roundabout at Ashton Road/Pathfinders Drive/Cherry Tree Drive this would operate satisfactorily with the addition of the development traffic. It is accepted within the applicant's transport statement that the Pointer Roundabout is over-capacity. The addition of an extra 30 and 20 vehicle movements associated with the development during the weekday AM and PM peak hour respectively, is less than 1% of the forecast future traffic levels without the development and in practice any increase is likely to have a negligible impact on network performance, albeit accepting the roundabout is at capacity.

7.2.2 The applicant recommends that the Boot and Shoe junction (Hala) is forecast to operate within capacity with the development traffic. A section of Ashton Road, which is to the south of Pathfinders Drive, accommodates existing on-street parking associated with the properties that front Ashton Road. This constricts the operation of Ashton Road to one-way in either direction. It is

recommended that the assessment of the potential increase in vehicle delay through this section with additional development traffic identified there would be no perceptible increase in delay as a result of the increase. At the mini-roundabout off Caspian Way/Ashford Road there would be no perceptible change in traffic flows, and that variations as a result of the development would lie within the range associated with the daily fluctuations in traffic.

- 7.2.3 The County initially had concerns with the Transport Statement given it lacked an up to date analysis of the Pointer Roundabout junction. An element of congestion already exists at peak times and the junction is showing levels of usage exceeding the theoretical saturation values. Notwithstanding this, when taken in the wider context, the development will not increase the demand to a level which could be construed as 'severe' as defined in the NPPF. The Pointer Roundabout has been recently identified for a possible highways scheme which would see an improvement in vehicle throughput and improved safety. The County recommend that as part of this planning application the developer should make a financial contribution of £77,000 to be used in the design and implementation of a highway improvement scheme (which may include improved pedestrian/cycle improvements). Discussions are ongoing with County Officers as to what these improvement works may involve and the applicant has also raised a similar question. Fundamentally whilst Policy H4 supports development on this site, the policy provides that improvement measures along Ashton Road may be required to facilitate development.
- 7.2.4 The County have recommended that there would be benefit in relocating the car parking associated with the properties on Ashton Road to within the application site to allow for a two-way flow of traffic given at present it operates as a one-way system. The applicant's red edge plan shows the potential for two strips of land to be potentially used as compensatory car parking (albeit this is not marked as such). The applicant was initially resistant to the suggestion as the issue had been raised during the applicants pre-application discussions with the local residents, who themselves were resistant to the idea. A feasibility study is currently underway for a bus rapid transit route from South Lancaster to Lancaster City Centre, which may involve buses utilising Ashton Road, and whilst the County Council have not objected to the proposal, nor stated that the compensatory car parking is required to enable 'no objection' to be raised, it is considered that there is significant planning gain in at least securing land which *may* (our emphasis) be used for compensatory car parking, in the event a Traffic Regulation Order was successful associated with vehicle waiting restrictions along Ashton Road. A planning condition could not be imposed that sought to include off-site car parking associated with properties along Ashton Road, as this is not necessary to make the proposals acceptable in planning terms. Notwithstanding this, discussions are ongoing as to whether this could still be a possibility outside of the planning process.
- 7.2.5 County Highway's earlier response indicated that there should be improvements to the bus stops on Ashton Road. The current southbound bus stop is located on third party land and therefore it would only be appropriate to include a condition requiring improvement of the north bound bus stop which is reasonable. Whilst there is a bus service that passes the site, this is on a 90 minute basis and operates from Lancaster to Knott End and is currently operated by Kirkby Lonsdale Coaches on behalf of Stagecoach. The bus service times will be amended from 11 December 2017 but the route is still proposed to run every 90 minutes.
- 7.2.6 The County also discussed potential cycle link improvements at Pathfinders Drive to Haverbreaks Estate via Ashton Road. In order to achieve improvements here there was a historical plan for a route to be taken which would have involved an off-road cycle track essentially going through third party land along the western boundary of Ashton Road. The County conceded that this would not be deliverable and have since removed this request from their latest consultation response. Given the County Council's response it has to be concluded that whilst there would be an impact on the local highway network, it is not considered that supporting this scheme would bring about highway safety or capacity concerns in the locale.
- 7.2.7 Many of those making representations to this planning application have referred to the refused scheme for 125 houses promoted by Story Homes (15/01342/OUT) which was refused in April 2016. The two sites are very different; not least because the current application site is allocated for residential purposes in the adopted plan, and offers a reduced quantum of development. The refused scheme was (partly) 1km further to the south, essentially in a more rural fringe setting. The County had reservations with the applicant's transport statement on the refused scheme, given there was a lack of information in connection to the impact on the Boot and Shoe and Pointer

Roundabout junctions, whereas on this planning application they have raised no objection (as they did on the previously withdrawn planning application).

7.3 Heritage Considerations

- 7.3.1 The application is supported by a detailed Heritage Appraisal and the development proposals will affect Derby Home in two parts. The first being the construction of an outline scheme for up to 71 dwellings upon former farmland with which it was originally associated, and secondly the conversion of the building itself into residential units.

The conversion of Derby Home

- 7.3.2 The scheme proposes the conversion of Derby Home into 6 apartments and the most notable change to the building will be the loss of the unsympathetic extension on the south facing elevation (which already benefits from listed building consent for its demolition). The present timber infill within the northern elevation will be demolished and the proposal indicates that following the demolition of the extension, the assumed windows in the original elevation will be made good using materials to match the existing. No details of the replacement windows have been proposed which is unfortunate however it is assumed like the stonework, these will be repaired or renewed to match the existing. There are a number of different window types including sash and crittall-type windows. Windows make an important and valuable contribution to the significance of historic buildings and inappropriate replacements can have a profound effect upon that significance. Overall it is considered that the development will have caused minor harm.

- 7.3.3 Internally within Derby Home this would involve the demolition and some internal sub-division. Unfortunately access to the upper floors was not available when the heritage assessment was undertaken but archive photographs suggest these were large and open plan with very few structural subdivisions illustrated. There will be inevitably a change internally and it is considered that the conversion of the building into apartments will result in an appreciable change to its significance in that it will no longer be possible to appreciate its original context and layout. Overall it is considered that the effect will be moderate harm.

Impact of the outline proposals on the setting of Derby Home and other listed buildings

- 7.3.4 It is considered that the flow of traffic associated with the development will have a substantial impact on the setting of Derby Home (however noting there are already vehicles passing the site at present to gain access to the Orchards), however the application includes indicative design proposals to include the provision of space around the building and a landscape buffer separating the building from the road. Landscaping improvements to the immediate surroundings has the potential to improve its current setting however overall the new housing is likely to have a moderate/minor impact on setting of Derby Home which is exacerbated given the land rises to the west of Derby Home and therefore new dwellings would have to be suitably designed and utilise materials appropriate to the area. The design of the dwellings is fundamental to the success of any reserved matters application.
- 7.3.5 The local authority's Conservation Officer considers that the proposal will likely impact the setting of the adjacent listed buildings including the fabric of the curtilage listed structure. The open fields have a historical connection with Derby Home as it would have provided a calming setting for Derby Home and the historic use for the farm buildings. The setting of the Royal Albert Farm has been eroded through the development of the modern health care buildings therefore it is considered the proposal will have a minimal impact on the setting and significance of the former farm. As Derby Home is elevated and the land to the west rises development will impact views of and experience of the asset. The conservation officer endorses the need for landscaping around Derby Home.
- 7.3.6 With respect to the conversion of Derby Home the conservation officer considers that there would be less than substantial harm involved with the subdivision of Derby Home and the modern extensions removal will better reveal the aesthetic value of the building and will ultimately contribute to its long term use and conservation. They do recommend the flat roof dormer is removed from the side elevation however the case officer considers that the dormer has been present for a number of years and whilst it would be preferable to have it removed it is not considered necessary to ask for its removal as part of this planning application. They recommend a number of planning conditions associated namely with building materials and for a 'Level 3

building survey'. Lancashire Archaeological Advisory Service offer a similar comment, and a condition securing this is proposed and Historic England has no comment to make on the planning application.

7.4 Housing Needs

- 7.4.1 Ensuring the development provides for the identified housing needs in South Lancaster is essential. The Housing Needs Survey of 2013 suggested that in South Lancaster the need was for predominately 2 and 3 bedroom dwellings. However a new survey to support the emerging Local Plan was undertaken during the summer of 2017 (the results of which are yet unknown). Should Members determine to support this scheme, matters associated with the size and type of dwelling should be examined at reserved matters stage. With respect to affordable housing provision, the applicant is amenable to entering into a Section 106 Agreement to secure up to 40% of the homes to be affordable. The applicant will benefit from Vacant Building Credit with respect to converting Derby Home. Vacant Building Credit allows a developer to offset some of their affordable housing requirements against the amount of vacant floorspace to be converted as part of the development. In conclusion, the proposal will make a valuable contribution to the district's housing need for affordable and open market dwellings.

7.5 Landscape and Visual Impacts

- 7.5.1 Local Policy DM28 and the NPPF seeks to attach great weight to the protection of nationally important designated landscapes. For the avoidance of doubt, it should be noted that the application site is not located within any such designation (e.g. AONB or National Park). The site is allocated under Policy H4 of the Local Plan for residential use. Policy DM28 states that outside of protected landscapes the council will support development which is of scale and keeping with the landscape character and which are appropriate to its surroundings in terms of siting, design, materials, external appearance of landscaping. Given this is an outline application, matters associated with siting, design, materials and external appearance of landscaping will be determined at the reserved matters stage should this be supported.
- 7.5.2 The site is characterised by grazed fields and the site slopes steeply away Ashton Road. The site is bound by existing residential development/NHS facilities to the east, north and west, and to the south lays farmland. The site is bound by a significant bank of trees to the north of the site and to a lesser extent along the western boundary. The majority of these trees are outside the control of the applicant
- 7.5.3 It is inevitable that the proposed development will lead to a landscape impact simply on the basis that the site will lose its previously recognised greenfield character, in an area that does perform a transition from countryside to city environment, however a change from open land to built-up area is not necessarily harmful. The development will also impact the setting of Ashton Road when approaching Lancaster from Ashton Road; however the impact is localised and due to the proximity of the site to the existing built form, it will be in keeping with its immediate environs.
- 7.5.4 It will be difficult to mitigate the impacts as the proposal will lead to an inevitable change in character of the application site, however, through careful landscaping at the reserved matters stage, the retention of trees (where possible), together with careful design this will enable the proposal to appear connected to the built form. On balance, it is contended that the visual impacts would not significantly or demonstrably outweigh the benefits of the proposal. It must also be recognised, that if the nationally important designated sites are to be protected from major development, in order to meet existing and future housing needs, landscapes that are not protected and are well related to existing sustainable settlements are the landscapes most likely to be required to accommodate future development.

7.6 Layout

- 7.6.1 The conversion of Derby Home to 6 apartments is considered to comply with the internal space standards as detailed within Appendix D of the Development Management DPD and overall it is considered that an appropriate levels of light and outlook would be achieved.
- 7.6.2 The fundamental factor that will need to be considered as part of any reserved matters consent is the change in levels across the site. Whilst the applicant has indicatively shown cross sectional

plans, demonstrating that 21 metres can be achieved between dwellings, there are parts of the site where the figure is much less. Notwithstanding this, the scheme does provide for separation distances in excess of 30 metres to those properties along Ashton Road, and this figure is considered acceptable. Layout is not being considered as part of this scheme and given the site is allocated within the Local Plan and that matters associated with layout would be determined by a separation application there is confidence a scheme can be devised which is sympathetic to the site's location.

7.7 Water Management

7.7.1 There has been a number of concerns raised regarding surface water management on the site and it is noted that stretches of the A588 are often prone to surface water flooding. A flood risk assessment accompanies the planning application which indicates that the site lies within Flood Zone 1 and that the site is not considered to be at serious risk from groundwater flooding. Surface water has been demonstrated to be able to be adequately attenuated on the site and based on the indicative sketch the area of impermeable surfacing will be 1.31 hectares based on a total site area of 3.38 hectares. This means that attenuation in the order of 1,540 m³ is required. The applicants propose to use SUD's techniques to handle surface water drainage, however have had discussions with United Utilities regarding direct connection to the mains sewer and an agreed discharge rate has been agreed. The Lead Local Flood Authority raise no objection on the understanding that the development is carried out in accordance with the submitted FRA, provision of a drainage scheme and long term maintenance to be submitted at reserved matters.

7.8 Natural Environment

7.8.1 The application is supported by an Arboricultural Implications Assessment and there is little in the way of trees and landscaping within the main body of the site however there is on the boundaries of the site notably around Derby Home together with landscaping along the northern and western boundary. The tree protection officer does have some concerns regarding the indicative layout, however layout is not being applied for and there is confidence that a scheme that takes account of existing landscaping can be realised. A planning condition is therefore recommended which requires an updated Arboricultural Implications Assessment to be conditioned. The site lies adjacent to Key Urban Landscape and any subsequent reserved matters application would need to detail a suitable and appropriate landscaping plan.

7.8.2 A bat survey is submitted in support of the scheme and Derby Home does support a small bat roost. Due to the threat that bats may be harmed, under the terms of the Habitats Directive and the Conservation of Habitats and Species Regulations 2010 (as amended), a licence will be required from Natural England. The local planning authority will need to have regard to Regulation 9(1) and 9(5) of the Conservation of Habitats and Species Regulations 2010 and must consider;

- i) That the development is 'in the interest of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment;
- ii) That there is 'no satisfactory alternative'; and,
- iii) That derogation is 'not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range'.

7.8.3 In relation to point i) the applicant has stated that the scheme is in the public interest to maintain an adequate supply of housing and to encourage development in sustainable locations that accord with local and national planning policy requirements and makes reference that the wider site is allocated for housing under the extant local plan. Whilst not referred by the applicant there is significant benefit in bringing a curtilage listed building back into use. It is also the case that the Government has indicated that sustainable housing developments that accord with the Development Plan could be said to meet the public interest test. It should be stressed that the delivery of housing is deemed to be of national significance (given as a nation we are building 100,000 fewer homes per year than what we need). In addition, the Local Planning Authority are unable to identify a 5 year housing land supply, and this scheme would contribute to both affordable and open market housing needs (bringing economic and social benefits) and given the potential harm to bats is low, officers consider that on balance this element of the test is passed.

7.8.4 The applicant has stated that the only realistic alternative is to leave Derby Home vacant and that this would not maximise the development potential of the site. Officers consider that the weight attached to bringing a curtilage listed building back into use weighs heavily in support, which the Framework endorses. With this in mind it is considered that other than the do nothing approach (which would be detrimental to the regeneration of the site and the building falling further into a state of disrepair) that the LPA has had due regard to the Regulations and consider that sufficient information has been supplied to enable part ii to be passed.

7.8.5 With respect to part iii, Greater Manchester Ecology Unit have noted that the roost found is small and of a relatively common bat species. It is considered unlikely to be a breeding roost. Mitigation for any possible disturbance to bats will be straightforward. In their view it is considered that the third test can be satisfied and no overall objections on the grounds of harm to bats and concludes that a protected species licence is likely to be granted by Natural England for this development. Planning conditions are recommended regarding improvements to the biodiversity value of the site and a further bat survey to be carried out.

7.9 Education Provision

7.9.1 A number of representations have been received concerned about education provision in the local area. Lancashire County Council (as education authority) have assessed the need for Primary and Secondary school places as part of this planning application. The County states there is provision in the local schools and they have not sought an education contribution on this development. Given this it is considered that there is sufficient spaces available and therefore there is adequate provision already made.

7.10 Open Space

7.10.1 Approximately 1200 m² of open space has been proposed on the indicative layout in a location quite central to the site. The Councils Public Realm Officer has recommended that provision is increased to 1292m² however this is based on the provision of 3 bedroom properties. Given the number of dwellings and bedrooms would be assessed as part of the reserved matters stage the overall quantum of on-site open space should be assessed as part of any subsequent reserved matters application. Ordinarily a development of over 35 dwellings would require on site play equipment, however the Public Realm Development Manager was requested that rather than provide play equipment on the site it could be more appropriate to upgrade the public open space at the Royal Albert Recreational Ground. This includes improvements to drainage of a football pitch, improvements to the car park and changing facilities; the merger of two current play areas and the provision of an appropriate facility for young people. Whilst the site is in close proximity to the Royal Albert Playing fields it does require crossing the busy A588 and therefore a crossing would be required to facilitate the safe movement, the overall intention is to close the three inadequate facilities and return it to open space/woodland. Planning obligations can only be secured when they are reasonable and it is recommended that this matter is re-examined at reserved matters stage when further information regarding on-site delivery of play space will be available.

7.11 Other Matters

7.11.1 The development is not within an Air Quality Management Area, notwithstanding this it is expected that the majority of private car movements associated with the development would involve passing through Lancaster City Centres Air Quality Management Area/ Galgate Air Quality Management Area. The applicants Air Quality Assessment considers that the impacts on NO₂ and PM₁₀ concentrations as a result of this proposal. As a result of the operational phase, road vehicle exhaust emissions were predicted to be negligible at all discrete receptor locations and therefore it is considered that air quality impacts as a result of the operation of the development were considered to be not significant. No views have been forthcoming from Environmental Health, however observations will be reported to members. It is recommended that electric vehicle charging points are provided for to allow the charging of electric vehicles. The site is grazed and the site has been historically farmed and therefore unlikely to be contaminated, however an unforeseen contaminated land condition is recommended to be attached to any planning consent.

- 7.11.2 Approximately 75% of the site is covered by a mineral safeguarding zone. However given the location (in close proximity to residential dwellings) it is highly unlikely that the site would be able to be commercially worked for minerals. Notwithstanding this, there may be the opportunity for a prior extraction exercise to take place; however given the constraints of the site this is unlikely to be feasible and it is not considered there would be any sterilisation of mineral resource by non-minerals development and therefore the scheme complies with Policy M2 of the Lancashire Minerals and Waste Local Plan.

8.0 Planning Obligations

- 8.1 It is recommended that the obligations listed below are secured by way of legal agreement under s106 of the Town and County Planning Act 1990. These requirements are considered to meet the tests set out in paragraph 204 of the NPPF:

- The provision of up to 40% of the total units on the site to be affordable homes based on a 50:50 (social rented:shared ownership) tenure split as required by planning policy based on housing needs at the time of the reserved matters application, viability and the use of Vacant Building Credit;
- The setting up of a Private Management Company to ensure the public open space, amenity space, non-adopted surface water drainage systems and private roads within the site are maintained at all times in perpetuity with associated long term maintenance plans in respect of these matters;
- Reviewing the requirement for an off-site financial contribution in connection with public open space dependent on the numbers of units and bedrooms to be re-assessed at the time of reserved matters;
- The contribution of £77,000 towards off-site highway improvement works (discussions ongoing with County as to what this will deliver and members will be verbally updated);
- Derby Home to be converted in accordance with the permission (no later than 75% of the open market homes associated with the outline permission being occupied).

9.0 Planning Balance and Conclusions

- 9.1 The Local Planning Authority is unable to demonstrate a five year housing land supply and Paragraph 14 of the NPPF states that where relevant policies are out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole. The development would make a significant contribution towards meeting the need for market and affordable homes, and the scheme would facilitate the restoration of Derby Home. Whilst there are concerns regarding highway and drainage impacts the relevant statutory consultees raise no objection to the development and therefore this neither weighs in support or against the scheme.
- 9.2 There will be a harmful effect on the existing character and appearance of the area, but it has to be remembered that the site does have the benefit of being allocated for residential development. There will be a change from open grazing land to housing development - the overall impact being moderate though in close views that would increase to significant. As part of the planning balance Officers conclude that the delivery of affordable and market homes outweighs the negatives associated with the landscape impact and to the harm caused to the setting of Derby Home. It is considered that the proposal does represent a sustainable form of development, and for the reasons given above, and taking other matters into consideration it is recommended that Members support the scheme subject to the conditions and obligations listed.

Recommendation

That subject to the applicant entering into a Section 106 Legal Agreement to secure the obligations noted in Section 8.1, Outline Planning Permission **BE GRANTED** subject to the following conditions:

1. Timescales
2. Approved Plans
3. Access Details
4. Off-site Highway Improvements
5. Surface Water Arrangements
6. Surface Water long term management
7. Foul Water Arrangements
8. Development in accordance with the FRA
9. Unforeseen contaminated land assessment
10. Provision of electric vehicle charging points
11. Garage use permitted development right restriction
12. Open space provision
13. Removal of PD rights (Parts 1 - Classes A, B, E and F and Part 2)
14. Ecological Mitigation
15. Provision of AIA
16. Finished floor levels to include garden and open space

Recommendation

That regarding the full element of this hybrid application, Planning Permission for the conversion of Derby Home **BE GRANTED** subject to the following conditions:

1. Timescales
2. Development in accordance with plans
3. Provision of additional bat surveys in connection with Derby Home
4. Surface Water Drainage Scheme
- 5.. Hard and Soft landscaping
6. Provision of an updated AIA
7. Car parking to be provided prior to occupation

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm that it has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the agent to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None.

Agenda Item	Committee Date	Application Number
A8	11 December 2017	17/01076/LB
Application Site Derby Home Pathfinders Drive Lancaster Lancashire	Proposal Listed Building application for the conversion of Derby Home into six apartments (C3)	
Name of Applicant Homes and Communities Agency	Name of Agent Miss Rosanna Cohen	
Decision Target Date 6 November 2017	Reason For Delay Committee Cycle	
Case Officer	Mr Mark Potts	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Note

A site visit was arranged for Committee Members to view this site prior to determination, and this was undertaken on 6 November 2017.

1.0 The Site and its Surroundings

- 1.1 Derby Home was designed and built in 1912-13 and is a stone built rectangular structure of a domestic Gothic style beneath a gauged slate gable roof. The rectangular core of the building is a story and a half high with an additional storey with a habitable projecting eastern wing and a single story structure to the south. The building has been terraced into the slope of in its western edge and a part subterranean cellar has been created beneath the northern half of the building. The proposal is situated in the proximity of seven listed buildings and due to its historic connection and association with Royal Albert Hospital (Grade II*), Derby Home is considered curtilage listed. The wider site location is referred to in greater detail in the committee report for planning application 17/01074/HYB.

2.0 The Proposal

- 2.1 Listed building consent is sought for the conversion of the building into 6 apartments. Externally the changes will involve the demolition of flat roof extension on the south facing elevation, including the current external staircase at the southern edge of the eastern elevation. There is a present timber infill within the northern elevation which is also proposed to be demolished. Replacement windows are proposed and there will be a need for replacement stonework in some locations. Internally there will be some subdivision to facilitate the development and this would involve the demolition of some internal sub-divisions and the construction of new ones.

3.0 Site History

- 3.1 The relevant site history is noted below.

Application Number	Proposal	Decision
17/01074/HYB	Hybrid application comprising an outline application for up to 71 dwellings with associated upgrading works to Pathfinders Drive, and a full application for the conversion of Derby Home into six apartments (C3) and creation of associated parking	Pending decision
15/00970/LB	Listed building application for the demolition of the existing side extension	Approved

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Historic England	No observations to make on the planning application
Conservation Officer	No objection. With respect to the conversion of Derby Home they consider there would be a degree of harm caused by the subdivision however this would be less than substantial. The Conservation Officer recommends that the flat roof dormer is removed.
Lancashire Archaeology Advisory Service	No Objection however recommends that the building is subject to a Level 3 standard survey.

5.0 Neighbour Representations

5.1 No representations have been received directly in relation to this listed building consent application, however there has been in relation to planning application 17/01074/HYB.

6.0 Principal National and Development Plan Policies

6.1 The National Planning Policy Framework (NPPF) indicates that the purpose of the planning system is to contribute to the achievement of sustainable development and at its heart is a presumption in favour of sustainable development (paragraph 14). The following paragraphs of the NPPF are especially relevant to the determination of this proposal:

Paragraph 12 – Development Plan as starting point for decision making

Paragraph 17 – 12 Core land-use planning principles

Paragraphs 128-141 – Conserving and enhancing the historic environment

Paragraphs 196-198 – Determining planning applications

6.2 Lancaster District Core Strategy

SC1 – Sustainable Development

6.3 Development Management DPD

DM30 – Development Affecting Listing Buildings

DM32 – Setting of Heritage Assets

DM33 – Setting of non-designated heritage assets

DM34 – Archaeological Features & Scheduled Monuments

DM35 – Key Design Principles

7.0 Comment and Analysis

7.1 The NPPF states that when considering the impact of a proposed development on the significance of a designed heritage asset, great weight should be given to the asset's conservation. Similarly, the local planning authority in exercising its planning function should have regard to s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states "*In considering whether*

to grant planning permission for development which affects a Listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses". Paragraph 132 of the NPPF seeks to express the statutory presumption set out in S66(1) of the 1990 Act. How the presumption is applied is covered in the following paragraphs of the NPPF, though it is clear that the presumption is to avoid harm. The exercise is still one of planning judgment but it must be informed by the need to give special weight to the desirability to preserve the heritage asset.

7.2 External Alterations

- 7.2.1 Externally the scheme seeks permission to remove the existing flat roof extension to the south elevation (which has already the benefit of listed building consent for its removal), including the timber extension to the north elevation and the stairs on the front elevation are also proposed to be removed. No window detail has been proposed and whilst this is less than ideal it is considered that this issue can be addressed by means of planning condition. This is a view shared by the Conservation Officer.

7.3 Internal Alterations

- 7.3.1 Internally there will be a degree of harm associated with the subdivision of Derby Home, however this would be less than substantial harm and a building record condition would help assist in mitigating some of the harm caused by the subdivision (which the Conservation Officer supports). The Conservation Officer has suggested that it would be prudent to remove the flat roof dormer on the side elevation (northerly elevation) however the dormer has existed for some time and it is not on the primary elevation of the building and views of it are limited. With this in mind it is not considered reasonable to seek to ask for its removal as part of this planning application. It is important however that the retention of historic fixtures and detailing within the entrance porch/hallway remains and this can be controlled by condition.

7.4 Overall Considerations

- 7.4.1 There will be some harm due to the subdivision however the conversion will involve the removal of the modern extension on the principle elevation therefore better revealing the aesthetic value of the building and fundamentally contributing to its long term use and conservation. Planning conditions are recommended concerning the stonework repair, building materials (to include window, door, stone samples, rainwater goods and flue and vent details) together with any replacement roofing material, and a Level 3 building record analysis to be undertaken.
- 7.4.2 On balance it is considered that there will be harm caused to Derby Home, however this would amount to less than substantial harm. It is considered that the development would amount to less than substantial harm but this is outweighed by the public benefits associated with restoring this curtilage listed building and bring it back into use and it is considered that the development complies with Policies DM30, DM32, DM33 and DM34 of the Development Management DPD.

8.0 Planning Obligations

- 8.1 None applicable to this individual application.

9.0 Conclusions

- 9.1 The local planning authority are supportive of the conversion of Derby Home which retains heritage value on several levels and, as such is considered to be of district/local heritage significance. The exterior of Derby Home largely retains its original appearance, and has some visual connection with the adjacent listed buildings and whilst internally in poor condition the original layout and character of the ground floor spaces appears to have been retained and the function of each space can be understood.
- 9.2 The proposed development will entail the renovation and consolidation of a building that is accepted has been derelict for an extended period of time and as a result its condition has deteriorated, and therefore the proposed development would ensure that long term survival of the building, albeit altered for the foreseeable future.

Recommendation

That Listed Building Consent be **GRANTED** subject to the following conditions:

1. Standard 3 year timescales
2. Approved Plans
3. Building Materials
4. Level 3 Building Recording
5. Stonework repair methodology
6. Details of ramp access to front elevation

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm that it has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None.

Agenda Item	Committee Date	Application Number
A9	11 December 2017	17/01232/CU
Application Site 6 Coastal Road Hest Bank Lancaster Lancashire LA2 6HN		Proposal Change of use of ground floor from cafe/restaurant (A3) into drinking establishment (A4)
Name of Applicant Mr John Hughes		Name of Agent N/A
Decision Target Date 29 November 2017		Reason For Delay Committee cycle
Case Officer		Mr Robert Clarke
Departure		No
Summary of Recommendation		Approval

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, at the request of Councillor Hartley the application is reported to the Planning and Highways Regulatory Committee due to concerns regarding the development's proximity to the West Coast Mainline, overlooking and loss of privacy, noise and parking.

1.0 The Site and its Surroundings

- 1.1 The property which forms the subject of this application is a two-storey end of terrace property located on Coastal Road in Hest Bank. The property features a stone and rendered elevation underneath a slate roof with a small pitched roof dormer to the front elevation. There is a lean to extension located to the side elevation of the property, whilst there is a raised terrace and garden located to the rear. The ground floor of the property has historically been used as a licenced café and restaurant, though this use ceased in 2012, apart from two further failed attempts the last being in 2016. The upper floors of the property are used as residential accommodation.
- 1.2 The development site is located in an end of terrace location, it is set back from Coastal Road and is separated from this main road by a parcel green space. The property is located adjacent to the West Coast Mainline level crossing on The Shore to the south, the railway continues to the rear of the property.
- 1.3 The site is allocated as a countryside area in the Lancaster District Local Plan proposals map, whilst the land to the rear of the site forms part of the North Lancashire Green Belt.

2.0 The Proposal

- 2.1 This application seeks consent for the change of use of the ground floor of the property from the existing A3 café/restaurant use into an A4 drinking establishment use with the intended use being a micro-pub.

3.0 Site History

3.1 The following previous applications have been received by the Local Planning Authority.

Application Number	Proposal	Decision
17/00398/CU	Change of use of cafe (A3) into mixed use of cafe/restaurant and hot food takeaway (A3/A5)	Withdrawn
17/00399/ADV	Advertisement application for the display of one externally illuminated fascia sign and one non-illuminated fascia sign	Withdrawn
17/00792/ADV	Advertisement application for the display of one externally illuminated fascia sign and one non-illuminated fascia sign	Permitted
17/00793/ELDC	Existing lawful development certificate for the use of the ground floor as a restaurant (A3) and takeaway (A5) with owners accommodation above (C3)	Withdrawn
17/01123/PREONE	Change of use of restaurant/café (A3) to micro pub (A4)	Advice issued

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Parish Council	Objection – concerns regarding the proximity of the development to the level crossing, parking and noise
County Highways	No objection
Environmental Health	No objection – subject to conditions
Lancashire Constabulary	No objection – subject to conditions
Network Rail	Concerns – regarding the proximity of the development to the level crossing given the nature of the use; the effect alcohol has on decision-making; and the concern that patrons may park vehicles on the approach to and from the level crossing.

5.0 Neighbour Representations

5.1 The following correspondence has been received by the Local Planning Authority:

1 letter of objection raising concerns regarding noise and impacts upon residential amenity, overlooking and reductions in privacy, smoking and parking.

48 letters of support encompassing the following;

- Bringing an empty commercial property into use;
- Supporting the local economy;
- Foster community relations;
- Attract visitors; and
- Minimal impacts upon residential amenity.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph **14** – Presumption in Favour of Sustainable Development

Paragraph **17** – 12 Core Principles

Paragraph **32** – Requiring safe and suitable access to the site

Paragraphs **56** and **57** – Requiring Good Design

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. Public consultation took place from 27 January 2017 to 24 March 2017. Whilst the consultation responses are currently being fully considered, the local authority remains in a position to make swift progress in moving towards the latter stages of: reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Development Management DPD

DM1 – Town Centre Development
DM5 – The Evening and Night-Time Economy
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM35 – Key design principles

6.4 Lancaster District Core Strategy

SC1 - Sustainable Development

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- Principle of development;
- General design;
- Impacts upon residential amenity;
- Highway implications and parking provision; and
- Proximity to the adjacent level crossing

7.2 Principle of development

7.2.1 This application seeks consent for a main town centre use (as defined within the NPPF) in a non-town or local centre location. Policy DM1 aims to direct such uses to central locations. However Policy DM1 also states that local centres are important for local trade and commercial activity and any proposals for a change of use must demonstrate that the local service would support the vitality of the local/neighbourhood centre. Whilst Hest Bank is not a designated local centre, the proposed use is considered to contribute to the vitality of the local area. Furthermore, regard has been given to the existing commercial café/restaurant use of this property and other commercial uses present within the locality. As such it is considered that the proposed A4 use can be supported in this location.

7.3 General design

- 7.3.1 No external alterations are proposed as part of this change of use application, as such the proposed development will not impact upon the external appearance of the property or the wider street scene.

7.4 Impacts upon residential amenity

- 7.4.1 The proposed opening hours of the micropub are 5pm to 9pm Monday to Thursday, 5pm to 10pm Friday, 12pm to 10pm Saturday and 12pm to 8pm on Sunday. No objections to these proposed opening hours have been raised by the Environmental Health Officer as nature of the proposed use (as a micro pub and proposed noise management plan, which includes no music, television or gaming/gambling machines) is considered sufficient to minimise the generation of noise within the property itself. In the absence of recorded music being played, there is potential for the transmission of voices or other operational noises to impact upon the adjoining dwelling. In order to mitigate this, sound insulation measures to the shared party wall with No. 8 are proposed. These mitigation measures are considered adequate to minimise the transmission of both impact and airborne sound to the adjoining dwelling. A condition requiring the business to be operated in accordance with the proposed Noise Management Plan is recommended, whilst the proposed opening hours and installation of the sound insulation measures are also conditioned.
- 7.4.2 Furthermore, in assessing the potential for the proposed development to impact upon the occupants of No. 8 Coastal Road, regard has been given to the location of the development site in particular its close proximity (approximately 12 metres) to the West Coast Mainline immediately to the rear of this row of terraces and the adjacent level crossing as well as Coastal Road (A5105). In this setting it is considered that these properties experience high levels of external ambient noise. The use of the ground floor of 6 Coastal Road as a micropub with limited opening hours, a strict noise management regime and sound insulation measures is unlikely to result in excessive levels of noise generation and transmission in light of this setting. Should issues arise regarding excessive noise levels, these can be pursued under relevant Environmental Health regulations.
- 7.4.3 In addition to noise, concerns have been raised regarding increased levels of overlooking and reductions in existing levels of privacy. 6 Coastal Road benefits from a raised terrace to the rear elevation which provides access to the rear garden. Views of the neighbouring private garden space can be achieved from these spaces. In order to maintain acceptable levels of privacy for the neighbouring occupants, a condition preventing customers of the micro pub from using both the raised terrace and rear garden is recommended.
- 7.4.4 An existing rear elevation window will serve a new seating area which will be used by customers. Concerns were raised by Officers with the applicant about the use of this space and the potential for privacy levels of the neighbouring garden space to be harmed. A condition requiring the entirety of this window to be obscure glazed was discussed. However, after an internal site visit it became apparent that only limited views of the neighbouring garden space from this window are achieved as views are significantly restricted by the differences in height between the floor level of this room and garden levels, orientation of the window in relation to the neighbouring garden and the intervening boundary wall of the raised terrace. In order to completely prevent views of the rear garden from this window only the lower 50cm section of this window and adjacent glazed door is required to be obscured, this will allow views of the railway line to be retained. This is required by way of a condition.
- 7.4.5 Concerns have been raised regarding the potential for increased numbers of smokers to the front of the property. Although customers would be able to smoke in the public domain, given the scale of the use intended and the provision of a receptacle for used cigarettes to the front of the building away from the front elevation of Number 8, it is considered that there will not be a negative impact upon the amenity of the neighbouring occupiers. The management of smokers will be similar to that at the recently permitted micropub in Bare, which also has residential occupiers adjacent to the micro-pub use. No concerns are raised by Environmental Health in this regard.

7.5 Highway implications and parking provision

7.5.1 The proposal does not include the provision of dedicated customer parking for the A4 use. Concerns have been raised by neighbouring occupiers, the Parish Council and Network Rail regarding the potential for increased parking to impact upon the operation of the surrounding highway network, particularly in close proximity to the level crossing. No objections to this proposal have been raised by County Highways, it is considered that sufficient off-road parking facilities are provided along The Shore at Strand Dub Wood.

7.5.2 With regards to the potential for parking to impact upon the use of the highway in close proximity to the level crossing, as mentioned in the previous section, off-street parking is available within the immediate locality. Furthermore, the level crossing benefits from highway markings in order to prevent inappropriate parking so as to maintain adequate visibility on approach and ensure acceptable safety levels are retained.

7.5.3 Customers of the proposed micropub will not have to solely rely on private vehicles to visit the property. Regard has also been given to the location and nature of the proposed use and the fact that primarily the business will be providing a service to the local community who would likely be within walking distance of the site. A nearby pedestrian crossing point will allow customers to safely cross over the A5105. It is also acknowledged that the site is situated on the route of the 5, 14 and 755 bus routes, there are two bus stops within close proximity of the site.

7.6 Proximity to the adjacent level crossing

7.6.1 Network Rail have raised concerns to the proposal due to its proximity to the adjacent level crossing over the West Coast Mainline and potential safety concerns arising from this. It is acknowledged that the property is situated close to the level crossing, however, it is also noted that the crossing benefits from a number safety measures including barriers, dedicated lighting, warning alarms and CCTV, as well as significant warning time for oncoming trains. Moreover, a bridge provides dedicated pedestrian access over the railway. As Network Rail indicate in their response, this is one of the safest forms of level crossing available.

7.6.2 Whilst it is acknowledged that the site is in close proximity to this crossing and customers would be able to use it to access The Shore, it is considered that the introduction of the proposed use would not increase safety concerns at this crossing, given the safety measures listed above. The level crossing is currently well used and is the main access point onto The Shore, an area popular with walkers whilst there is also a café/takeaway and caravan park. The micropub is not anticipated to create a significant increase in foot fall using this crossing considering the scale and nature of the proposed use. Furthermore, other drinking establishment uses have been successfully and safely carried out in similar locations including train stations in the district. Given the safety measures included at this site, arguably this is a safer location than a train station. It is not considered that the sites proximity to the level crossing would be a sufficient reason to refuse this application.

8.0 Planning Obligations

8.1 There are no planning obligations to consider as part of this application.

9.0 Conclusions

9.1 It is considered that the proposed use can be supported in this location. Due to restricted opening hours, a strict noise management regime and sound insulation measures, it is not considered that the use will result in unacceptable levels of noise. Measures to ensure existing levels of privacy are retained are sufficient whilst given the scale and nature of the proposed use it is not considered that there will be an unacceptable rise in anti-social behaviour. It is considered that there is sufficient off-street highway parking spaces in the locality to cater for the scale of the proposed use, whilst it is also noted that the site is accessible on foot and by bus. Although the site is in close proximity to the adjacent level crossing, the operation of the micropub in this location is not considered unacceptable given the existing usage of the crossing and the safety measures installed. Overall, subject to the recommended conditions the proposed change of use of this property to an A4 drinking establishment use can be supported.

Recommendation

That Planning 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. Development to be operated in accordance with the approved noise management plan
4. Development to be operated in accordance with the approved opening hours
5. Installation of the approved sound insulation measures prior to first use
6. Installation of obscure glazing to 50cm in height from cill level to rear elevation window and adjacent door prior to first use
7. Raised terrace and rear garden not to be used by customers

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	Committee Date	Application Number
A10	11 December 2017	17/00983/FUL
Application Site Greta Bridge House Cottage Cantsfield Road Cantsfield Carnforth	Proposal Demolition of existing outbuilding, erection of a replacement two storey side extension and a single storey garage/utility room	
Name of Applicant Mr Chris Reddy	Name of Agent Mrs Erica Wright	
Decision Target Date 8 November 2017	Reason For Delay Committee Cycle	
Case Officer	Mr Sam Robinson	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However during the course of the application it was requested by Councillor Peter Williamson by email that the application was presented to the Planning Committee citing that the extension is unsympathetic to the existing house and potential issues of overlooking. The application was also due to be the subject of a Committee Site Visit on 4 December 2017.

1.0 The Site and its Surroundings

- 1.1 Greta Bridge House Cottage is located just outside of Cantsfield, south of Cantsfield Road and adjacent to the River Greta. The site benefits from a generous-sized walled garden to the rear with stables and a detached outbuilding, whilst to the east is a large open space populated by trees which overlooks rural land. The existing cottage is comprised of sandstone walls, a slate roof with timber windows and doors installed throughout.
- 1.2 The site lies next to the larger Greta Bridge House and access is shared between the two properties.
- 1.3 The site is designated as Countryside Area in the Land Allocations DPD which forms part of the emerging Local Plan. The site is also located in Flood Zones 2 and 3.

2.0 The Proposal

- 2.1 The proposal includes the demolition of the existing outbuilding and the erection of a two storey extension to the south east elevation, conversion of the existing stables and the addition of a single storey extension to form a garage/utility room.
- 2.2 The proposed materials are a slate finish to the roof, stone and render patching to the walls with a mix of timber and aluminium windows and doors installed throughout. The extension will create additional living space on the ground floor with bedrooms above whilst the converted stables will accommodate utility rooms and a garage.

3.0 Site History

- 3.1 A number of relevant planning applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
13/00346/RENU	Renewal of planning permission 10/00270/FUL for the demolition of store and erection of two storey side and rear extension	Approved
14/00154/FUL	Erection of a two storey dwelling and conversion of existing house to form an attached garage with storage above	Withdrawn
14/00675/FUL	Demolition of existing outbuilding, erection of a replacement two storey side extension and change of use of agricultural land to domestic curtilage to erect a detached garage with associated access	Approved

4.0 Consultation Responses

- 4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Parish Council	No comments received within the statutory consultation period
Conservation Officer	Objection – The proposal would have a negative effect on the significance of the non-designated asset.

5.0 Neighbour Representations

- 5.1 One piece of correspondence of objection has been received. The reasons for opposition include the following:
- Size of the development and the impact on the non-designated heritage asset.
 - Impact that the proposal would have on the historic association and relationship between Greta Bridge House and Greta Bridge House Cottage.
 - Potential for overlooking

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 14). The following paragraphs of the NPPF are relevant to the determination of this proposal:

Paragraph 17 – 12 Core Principles
Paragraphs 56 and 57 – Requiring Good Design

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. Public consultation took place from 27 January 2017 to 24 March 2017. Whilst the consultation

responses are currently being fully considered, the local authority remains in a position to make swift progress in moving towards the latter stages of: reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Development Management DPD

DM33 – Non-Designated Heritage Assets or their Setting

DM35 – Key Design Principles

6.4 Lancaster District Core Strategy

SC1 – Sustainable Development

SC5 – Achieving Quality in Design

7.0 Comment and Analysis

7.1 The key considerations in the assessment of this application are:

- General design
- Impacts upon residential amenity
- Impact upon non-designated heritage asset
- Impacts on bats

7.2 General Design

7.2.1 The principle of extending the cottage has already been accepted under the previous application 14/00675/FUL. The only alteration to this application is that the previous application included a change of use of part of an agricultural field opposite the stables to facilitate the erection of the detached garage. The current proposal seeks to erect an attached garage and covered entrance to the south east corner of the site. This change ensures that the development will occur within the domestic curtilage of Greta Bridge House Cottage. The rest of the development remains the same.

7.2.2 The proposed extension is linear in nature with the two-storey element and converted stables extending along the existing garden wall towards the south east of the site. The proposed gable roof for the extension will match the existing and is thought to be an acceptable design whilst large windows are proposed to the front and rear elevations. Stone walls are proposed to the two-storey element which will complement the existing dwelling. The converted stables will retain the existing footprint but will also include a new gable roof.

7.2.3 The addition of a garage to the converted stables is thought to be an improvement on the previous location. The previous location in the agricultural field was a little uncomfortable in terms of siting (whilst not being sufficient to warrant a refusal of permission), whilst the new location is screened well by trees and sits relatively hidden in the context of the site. Whilst the proposal may seem

relatively large, the main two-storey element is exactly the same as the previous application and as such it is thought a refusal would very difficult to uphold at appeal.

7.3 Impacts upon Residential Amenity

7.3.1 Due to the location of the site the only nearby property is Greta Bridge House to the west. There will be a separation distance of approximately 11m from at the nearest point on the south west elevation to the shared boundary wall and a distance of approximately 8m at the closest point between the extension and Greta Bridge House. The existing cottage faces onto Greta Bridge House and is approximately 4.5m away, these distances coupled with existing windows result in levels of overlooking between the two properties.

7.3.2 The two dwellings are separated by an extensive boundary wall with additional fencing on top with trees situated to towards the rear of the property. It is thought that given the reasonable separation distances and existing boundary treatment, the proposal will not result in a significant loss of privacy or have an overbearing impact on Greta Bridge House. Given that the majority of the garage is contained behind the existing wall and the distance to the adjacent property is approximately 34m it is considered that it would not have a detrimental impact on the residential amenity of the neighbouring property.

7.4 Impact upon non-designated heritage asset

7.4.1 The internal arrangements will change as a result of alterations to the use of the rooms. However there are only minor changes to the external fabric of the building, notably a drop in the first floor cill height and minor alterations to the window design on the side and rear elevations. The two storey extension has a smaller element with which helps link the property and provide a clear distinction between old and new. As such the retention of the cottage is seen as a positive proposal.

7.4.2 The Conservation Officer has objected to the proposal believing that it would make the cottage subservient to the larger main house. Whilst these concerns are noted and have been discussed with the officer, given the history of the site and that the principle of extending the cottage has already been approved through previous applications, it is thought that a precedent has been set and a refusal would be difficult to sustain at appeal. As the cottage is not listed and will remain in its existing form, it is concluded that the proposal is deemed acceptable from a heritage point of view.

7.5 Impacts upon bats

7.5.1 Given the nature of the proposed works because of the surrounding woodland and freshwater a bat survey has been carried out. No evidence of bats using the site for roosting was found during the survey. Mitigation measures have been suggested for the development phase and will form the subject of a condition.

8.0 Planning Obligations

8.1 There are no planning obligations to consider as part of this application.

9.0 Conclusions

9.1 Overall the impact of the development on the residential amenity of the neighbouring property is acceptable given the separation distances and boundary treatments. Whilst the proposed development is relatively large, the principle of extending the cottage by this size has already been agreed. The retention of the cottage is seen as positive aspect and on balance the proposal is thought to be an acceptable form of development.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale
2. Development to accord with plans
3. Development to be used in conjunction with the main house
4. Garage use restriction

5. Details of windows and doors
6. Protected species mitigation

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item A11	Committee Date 11 December 2017	Application Number 17/00669/FUL
Application Site Rose Garth Stanmore Drive Lancaster Lancashire	Proposal Erection of a new detached two-storey dwelling and demolition of part of the existing dwelling	
Name of Applicant Mrs Barbara Vollands	Name of Agent Mr Nigel Atkinson	
Decision Target Date Extension of time agreed until 15 December 2017	Reason For Delay Awaiting additional information and referral to committee	
Case Officer	Mrs Eleanor Fawcett	
Departure	No	
Summary of Recommendation	Refusal	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, a request has been made by Councillor Kershaw for the application to be reported to the Planning Committee. The reason for this relates to: mitigating factors that lessen the impact on the neighbouring property; the setting back of the property, and reduction in size, has addressed the design issues and the streetscene would not become cramped; and that the layout has taken into account the need to protect trees and their roots.

1.0 The Site and its Surroundings

- 1.1 The application relates to part of an existing dwelling and associated garden area to the south, which is located on the western side of Stanmore Drive, within the Haverbreaks estate, on the eastern edge of the Lancaster. The dwelling is a two bedroom detached bungalow and is set back from the highway by around 9 metres and has a large garden to the rear. There are several trees, close to the boundaries of the site, which are covered by a Tree Preservation Order. Most of the site boundaries comprise hedgerows and trees. To the south is a two storey detached dwelling, at a lower level than the site, and to the north is a dormer bungalow, both of which front onto Stanmore Drive. There are also two residential properties to the west which share boundaries with the existing property.

2.0 The Proposal

- 2.1 Planning permission is sought for the erection of a two storey detached dwelling to the south of the existing bungalow. In order to accommodate the building, the proposal includes the removal of part of the existing bungalow, measuring 5.8 by 6.9 metres. Many amendments have been made to the scheme, primarily to ensure that the trees surrounding the site are not adversely impacted. The current plans show the dwelling to be set back from the highway by approximately 20 metres and have a maximum depth and width of 20.1 and 11.8 metres respectively, but not all of this would be two storey. Other dimensions are referred to later in this report (Paragraph 7.3.1). The dwelling is proposed to be finished in render with a slate roof.

3.0 Site History

- 3.1 The only site history relates to a pre-application enquiry in relation to a similar proposal to the current application.

Application Number	Proposal	Decision
16/01540/PRETWO	Pre-application enquiry for the erection of a dwelling	Unlikely to be supported in its current form

4.0 Consultation Responses

- 4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
County Highways	No objection.
Environmental Health	No comments received within statutory time period.
Tree Protection Officer	No objection , subject to conditions requiring: submission of a landscaping scheme and development to be carried out in accordance with the submitted Arboricultural Implications Assessment.
United Utilities	No objection , the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

5.0 Neighbour Representations

- 5.1 6 pieces of correspondence have been received, to the original plans, objecting to the proposal and raising the following concerns:
- Impact on residential amenity – overbearing impact; visual amenity; overlooking to neighbouring properties and to new dwelling from balcony on adjacent property; noise and disturbance; overshadowing; loss of view;
 - Visual impact - excessive height/ ceiling heights; position on the site; elevated land in relation to neighbouring dwellings; excessive size of dwelling; high density; overdevelopment of the land; not in keeping with character of the area; garden grabbing; and loss of open aspect;
 - Impact on mature trees; quality of tree survey;
 - Impact on ecology; and,
 - Will set a precedent.

- 5.2 A further 5 pieces of correspondence have been received in relation to amended plans and information. These raise similar concerns to those set out above.

- 5.2 1 piece of correspondence has been received (The Chandlers) which raises no objections providing that bushes, shrubs and trees are maintained at the same level to retain privacy.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 14 and 17 – Sustainable Development and Core Principles
 Paragraphs 49 and 50 – Delivering Housing
 Paragraphs 56, 58 and 60 – Requiring Good Design
 Paragraph 118 – Conserving and Enhancing Biodiversity

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. Public consultation took place from 27 January 2017 to 24 March 2017. Whilst the consultation responses are currently being fully considered, the local authority remains in a position to make swift progress in moving towards the latter stages of: reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The Strategic Policies and Land Allocations DPD will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The Review of the Development Management DPD updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.4 Development Management Development Plan Document (adopted December 2014)

DM20 – Enhancing Accessibility and Transport Linkages
DM22 – Vehicle Parking Provision
DM27 – The Protection and Enhancement of Biodiversity
DM29 – Protection of Trees, Hedgerows and Woodland
DM35 – Key Design Principles
DM39 – Surface water Run-Off and Sustainable Drainage
DM41 – New Residential Dwellings

7.0 Comment and Analysis

7.1 The main issues to be considered in the determination of this application area:

- Principle of Development
- Scale, siting and design and impact on the character of the area
- Impact on Residential Amenity
- Impact on trees
- Highways Impacts
-

7.2 Principle of Development

7.2.1 The site is located within the urban area of Lancaster and is surrounded by residential properties. The principle of new dwellings in this location is therefore considered to be acceptable. The NPPF raises the issue of inappropriate development of residential gardens and suggests that local planning policies may guard against this occurring. Whilst there is no local planning policy which explicitly prevents this, Policy DM25 advises that proposals which involve the loss of garden spaces to development, which would result in harm to the local environment and amenity, would be resisted. This is therefore a key issue which is fully considered within this report..

7.3 Scale, siting and design and impact on the character of the area

- 7.3.1 The application proposes a two storey dwelling set back from the road by approximately 20 metres, and sited to the south of the existing bungalow on the site. To accommodate this, a section of the existing building is proposed to be removed, in addition to a small extension to the west elevation and alterations to the internal layout. Most of the new dwelling would be two storey, with some single storey projections at the front and rear. It is proposed to be of an irregular form, but would have a maximum depth and width of 20.1 and 11.8 metres respectively, in relation to the ground floor, and 15.7 and 10.9 metres in relation to the first floor. The building is proposed to have several hipped roofs and there would be a flat section because of the depth of the dwelling. The main part of the dwelling would have a height of 5.1 metres to the eaves and 7.6 metres to the ridge when viewed from the front of the property. Due to a change in ground levels, this would be approximately 0.5 metres higher to the south east of the plot.
- 7.3.2 There have been a number of amendments made to the plans during the course of the application. The changes were partly to address concerns in relation to potential impacts on trees, however the design has also been altered and the dwelling reduced slightly in width but increased in depth. This has resulted in the building being set further in from the boundaries with the neighbouring properties, leaving a gap of 2.2 metres from the new boundary with Rose Garth and 3.4 metres from the boundary with Hillside to the south. Although further from Rose Garth, than previously proposed, the single storey element has been removed, so it would actually be higher at 2.2 metres from the boundary.
- 7.3.2 There is a mix of styles of dwellings in the vicinity of the site and some, including the adjacent dwelling, have hipped roofs. However, the pitch would be slightly steeper than that of Hillside and significantly steeper than that of the bungalow at Rose Garth. The topography of the road appears to increase to the north which increases the floor levels of the dwellings along this road. It is therefore logical that the ridge would be higher than Hillside, and the plans show this to be 0.4 metres higher. However, the dwelling would be 2.1 metres higher than Rose Garth and it is not therefore considered that it relates well to the existing bungalow and is likely to visually dominate this. The footprint of the dwelling is large and, whilst the width has been reduced, it does not leave a significant gap from the existing building. Whilst it is a large plot, this is similar to the nearby properties, and the position of the existing building makes it difficult to accommodate a new dwelling without creating a very cramped appearance. In order to accommodate the size of dwelling proposed, it has been pushed back further into the site much further than the adjacent dwellings and this adds to the crowded appearance and also raises issues in terms of residential amenity, which will be discussed in more detail below.
- 7.3.3 On the basis of the above, it is considered that the development would visually dominate the retained bungalow and, as a result of the height, width and depth, would result in a cramped form of development which would have a detrimental impact on the street scene. It is therefore considered that the proposal represents an overdevelopment of the site and would be contrary to Policy DM35 of the DM DPD.

7.4 Impact on residential amenity

- 7.4.1 The dwelling to the south, Hillside, has two windows at first floor and one at ground floor which face the site. The proposed dwelling will be at a higher level than this property but set back further from the highway. Given the set-back position of the dwelling, and that it is to the north of the neighbouring property, it is not considered that there would be a significant loss of light to this property. There are however a number of windows proposed in the side wall of the dwelling which will face onto the garden of Hillside. However these are all at ground floor level, with the exception of rooflights, and as such, overlooking could be prevented by an appropriate boundary treatment. At present the boundary predominantly comprises hedges and trees, and in some places this would need to be strengthened but would provide protection of privacy. There are windows in the side wall of Hillside, however these would overlook the driveway and parking area. There is a balcony at the rear which is likely to allow some overlooking towards the application site. However, given the distance from the boundary and the position of the proposed dwellings, it is not considered that there would be a significant impact on privacy to future occupiers of the property.
- 7.4.2 The front wall of the dwelling would be set back approximately 1.6 metres from the rear of the closest part of Rosegarth to the boundary, which contains a window to a habitable room. It would be

set in from the boundary by 2.2 metres and would extend 11.8 metres along the boundary at this distance, and a further 4.6 metres at a distance of 3.2 metres from the boundary. Whilst the external ground level would be approximately 0.6 metres lower, it is considered that there would be an overbearing and dominant impact on the occupiers of Rose Garth as a result of the depth of the property, most of which is two storey, and its proximity to the boundary and relationship to the neighbouring dwelling. Given its set back position it would extend along a lot of the boundary with the modified bungalow and would therefore dominate most of its outlook.

7.4.3 There were concerns raised with the agent to the original plans submitted regarding the impact of the development on Rose Garth. It was felt that that this may not be a sufficient reason to refuse the application, although there were still concerns regarding the relationship. The plans were then amended to address the implications on the trees and then further concerns were raised with the agent that this increased the adverse impact to Rose Garth, extending along more of the boundary. Slight further amendments were made and these are the ones that have been assessed. Having reviewed the plans, it is considered that the impacts have increased as a result of the amendments, but also that the original proposal would also provide an unacceptable impact to the future occupiers of this property, as previously advised. The applicants have set out that the proposal provides significant improvements to the layout of the existing bungalow. However, these can be given limited weight as they could be carried out without consent (with the exception of the demolition), and are not dependent upon consent being granted for a new dwelling.

7.4.4 A number of concerns have been raised by occupiers of dwellings to the west of the site, which are at a lower level. The first floor element of the proposed dwelling would be 25 metres from the boundary with Havercroft, and approximately a further 48 metres from the rear wall of this property. It would be closer to the garden of Littlegarth, at around 8.9 metres, however this property has a very long garden, in two distinct parts, and the dwelling is at a much lower level, 70 metres from the boundary. Green Glade is a bungalow and also sits at a lower level to the southwest, approximately 35 metres from the site boundary. Whilst occupiers of these neighbouring properties may have views of the new dwelling, this in itself is not a material planning consideration. Given the separation distances, it is considered that the dwelling would not have a significant adverse impact on the amenities of these properties by way of a loss of privacy, light or overbearing impact.

7.5 Impact on trees

7.5.1 There are a number of large mature trees around the boundary of the site which have been protected by a Tree Preservation Order. They significantly add to the amenity of the area and do provide a constraint to the development. A total of 8 mature trees (T1-T8) have been identified in relation to the proposed development. With the exception of two trees (T2 and T3), all others are established within neighbouring properties. Concerns were raised to the original proposal with regards to the adequacy of the tree report and potential impacts on the mature trees. As a result, further reports were undertaken and amendments made to the size and position of the dwelling on the plot.

7.5.2 Most of the dwelling has now been kept out of the root protection areas of the trees, however there is some encroachment. The Tree Protection Officer is satisfied with the engineering solution proposed and a detailed Tree Protection plan has been provided. These works and protection of trees during construction will ensure that the development does not have a significant impact on their health or future retention.

7.6 Highway Impacts

7.6.1 No concerns have been raised in relation to the proposal from the Highway Authority. The application proposes sufficient parking and turning off the highway. It is therefore considered that there would not be an adverse impact on highway safety.

8.0 Planning Obligations

8.1 There are none to consider as part of this application.

9.0 Conclusions

9.1 Although the principle of a new dwelling is acceptable in this location, it is considered that the

proposal relates poorly to the adjacent bungalow and would result in a cramped form of development and have a detrimental impact on both the streetscene and the amenities of the occupiers of the Rose Garth. It is considered that the dwelling would need to be significantly reduced in scale, and repositioned on the plot in order to create an appropriate form of development. It was advised in the pre-application advice that it would be difficult to accommodate a new dwelling on the site, whilst retaining the original bungalow, and it was suggested that one solution may be to demolish the existing bungalow and propose two new dwellings that can then be designed to better relate to the dwellings on either side in terms of scale, design and the position on the plot. Overall it is considered that the proposal represents an overdevelopment of the site, to the detriment of visual and residential amenity and is therefore contrary to both local and national planning policy.

Recommendation

That Planning Permission **BE REFUSED** for the following reasons:

1. By reason of its size, siting and scale, the proposed dwelling would result in a cramped form of development and would visually dominate the existing bungalow and have a detrimental impact on the amenities of this property. It is therefore considered that the proposal represents an overdevelopment of the site, and is contrary to aims and objectives of the NPPF, in particular the Core Planning Principles and Section 7, and Policy DM35 of the Development Management Development Plan Document.

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item A12	Committee Date 11 December 2017	Application Number 17/01366/ADV
Application Site The Station Pub Marine Road Central Morecambe Lancashire	Proposal Advertising application for the display of 3 externally illuminated fascia signs, 1 non-illuminated fascia sign, 1 externally illuminated double sided post mounted sign, 1 non-illuminated post mounted sign, 5 non-illuminated wall signs and 1 brass plaque	
Name of Applicant Company Greene King	Name of Agent Mrs Angela Lawson	
Decision Target Date 4 January 2018	Reason For Delay N/A	
Case Officer	Mrs Kim Ireland	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, the application site is owned by Lancaster City Council, and as such the application must be determined by the Planning Committee.

1.0 The Site and its Surroundings

- 1.1 The Station Pub is situated within The Platform, which occupies a prominent corner position at the junction of Marine Road Central and Central Drive. The building was the Morecambe Promenade Railway station, until 1997 when it was changed into a mixed use venue that now provides The Station Pub, Morecambe Tourist Information Centre and KFC, with Morecambe Festival Market to the rear. The building is constructed in squared coursed sandstone with sandstone dressings and a slate roof.
- 1.2 There are various commercial properties within the surrounding area of the application property that include Morecambe Superbowl, Apollo Cinema and Morrisons.
- 1.3 The Station Pub is a Grade II Listed building. The site is located within the Morecambe Conservation Area.

2.0 The Proposal

- 2.1 The application seeks advertisement consent for the display of three externally illuminated fascia signs, one non-illuminated fascia sign, one externally illuminated double sided post mounted sign, one non-illuminated post mounted sign, five non-illuminated wall signs and one brass plaque.

3.0 Site History

- 3.1 There are a number of Advertisement and Listed Building consents which relate to The Station Pub, the most recent application is listed overleaf:

Application Number	Proposal	Decision
02/00157/ADV	Erection of a free standing illuminated tower sign.	Permitted

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Morecambe Town Council	No comments at the time of compiling this report. Any comments received will be verbally reported.
Conservation Officer	No objections in principle to the replacement of signage. Amendments to the proposed first and second externally illuminated fascia signs are required.

5.0 Principal National and Development Plan Policies

5.1 National Planning Policy Framework (NPPF)

Paragraph 17 - 12 Core Principles

Paragraphs 67 and 68 – Requiring Good Design

Paragraphs 131 to 134 – Conserving and Enhancing the Historic Environment

5.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its' Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

5.3 Development Management DPD

DM6: Advertisements

DM30 – Development affecting Listed Buildings

DM31 – Development affecting Conservation Areas

DM35: Key Design Principles5.4 Lancaster District Core Strategy – saved policies**SC5** (Achieving Quality in Design)**SPG7** (Advertisements and shop fronts design guide)**6.0** **Comment and Analysis**

6.1 The key considerations arising from the advertisement proposal are:

- Design/Appearance
- Impacts upon the Conservation Area and Listed Building; and
- Highway safety.

6.2 Design/Appearance

6.2.1 There are a range of signs being applied for, so as to assist with assessing the proposal the table below sets out the description, location and dimensions of each individual sign.

Sign	Description	Location	Dimensions
Sign 1	Externally-illuminated (by trough light) fascia sign	Eastern elevation – above the three-light windows	3.2m (width) x 0.4m (height)
Sign 2	Externally-illuminated (by trough light) fascia sign	South eastern elevation – to the west of the chimney	2.4m (width) x 1.2m (height)
Sign 3	Externally-illuminated (by trough light) fascia sign	Western elevation	1.2m (width) x 0.6m (height)
Sign 4	Non-illuminated fascia sign	South eastern – above the main entrance	1.672m (width) x 0.28m (height)
Sign 5	Externally-illuminated (by spotlights) double sided post mounted sign	To the north west of the building	0.9m (width) x 1.2m (height) – fixed onto a 5.3m high pole
Sign 6	Non-illuminated post mounted sign	To the north west of the building – below sign 5	0.7m (width) x 0.793m (height)
Sign 7	Non-illuminated wall sign	Northern elevation	0.793m (width) x 1.046m (height)
Sign 8	Non-illuminated wall sign	Western elevation – below the proposed sign 3	0.793m (width) x 1.046m (height)
Sign 9	Non-illuminated wall sign	South eastern elevation – to the east of sign 2	0.793m (width) x 1.046m (height)
Sign 10	Non-illuminated wall sign	Eastern elevation – to the south of sign 1	0.793m (width) x 1.046m (height)
Sign 11	Non-illuminated wall sign	South eastern elevation – to the north west of sign 4	0.6m (width) x 0.4m (height)
Sign 12	Brass Plaque	South eastern elevation – to the north west of sign 4	0.325m (width) x 0.225m (height)

The four fascia signs will be made up of individual letters finished in RAL 9002 grey white colour with a RAL 6005 moss green background and the remainder of the signs will be made of RAL 9002 grey white coloured lettering with a RAL 6005 moss green background. This is with the exception of the brass plaque that will be installed onto a black plinth.

6.2.2 Through negotiations with the applicant, a revised plan was received to show the first of the three externally illuminated fascia signs reduced to the width of the three light windows and the height reduced so that the sign does not impinge upon the architectural surround of the windows. The

second of the three externally illuminated signs to be fixed to the west of the chimney, so that the sign could be installed flush with the wall, as this could not be done in the original position and consequently the sign was reduced in size. The non-illuminated post mounted sign reduced in size, so that there is a 2.4m clearance head room, for public safety reasons as the sign is to be installed over a length of public highway.

6.2.3 The Conservation Officer has raised no objections to the principle of the scheme, subject to amendments to the first and second externally illuminated fascia signs, which have been negotiated and revised plans have been received and the existing signs are removed from the building.

6.2.4 The proposed signage is of a simple design, uses colours that complements the sandstone and are in keeping with scale of the property. Therefore the proposed signage will not result in any adverse visual impacts when viewed from within the street scene and is not thought to cause substantial harm to the visual amenity of the conservation area. The proposed signage is seen to comply with DM6, DM31, DM35 and NPPF paragraph 131 – 134.

6.3 Impacts upon the Conservation Area and Listed Building

6.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM30 and DM31.

6.3.2 The proposed signs are of a simple design and scale and are thought to be in keeping with the visual context of the building and surrounding area. Therefore they are not seen to have significant visual impacts upon the historic setting of the Conservation Area or its wider heritage assets. Furthermore it is also acknowledged that the display of the signs are fully reversible and like all advertisements the consent expires following five years from the date of installation, in which case a further application would be required to be submitted, allowing due consideration to be given to the impacts which may or may not arise. It is therefore recommended that the application complies with the provisions set out in policies DM30, DM31 and DM6 which relates primarily to advertisements.

6.4 Highway Safety

6.4.1 When assessing advertisement applications, local planning authorities have to always consider the public safety implications arising from signage. The proposal will be subject to an advice note requiring a 2.4m clearance head room for any wall mounted hanging signs that are likely to project over/onto the surrounding lengths of the public highway.

7.0 Planning Obligations

7.1 Given the nature of the proposal there are no requirements for a legal obligation.

8.0 Conclusions

8.1 In conclusion, it is considered that the proposed signage is of a simple design and style that is in keeping with the scale of the property. The works will not adversely affect the character of the Conservation Area and the Listed building, and will comply with the requirements of Policies DM6, DM30 and DM31 of the Development Plan Document. Furthermore the scheme has been assessed against paragraph 134 of the NPPF and is considered to be acceptable.

Recommendation

That Advertisement Consent **BE GRANTED** subject to the following conditions:

1. Standard Advertisement Timescale (5 years)
2. Advertisements to be carried out in accordance to amended approved plans
3. Advertisement not to be displayed without permission of the site's owner or any other person with an interest in the site
4. Advertisement not to be sited or displayed so as to endanger persons, obscure or hinder traffic signs/signals, hinder the operation of any device used for security or measuring vehicle speeds
5. Maintenance of site/sign so not to impair the visual amenity of the site
6. Structure of sign to be maintained so not to endanger the public

7. After the advertisement is removal the site shall be left in a condition so not to endanger the public or impair visual amenity

Article 35. Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	Committee Date	Application Number
A13	11 December 2017	17/01367/LB
Application Site The Station Pub Marine Road Central Morecambe Lancashire	Proposal Listed Building application for the fitting of 3 externally illuminated fascia signs, 1 non-illuminated fascia sign, 1 externally illuminated double sided post mounted sign, 1 non-illuminated post mounted sign, 5 non-illuminated wall signs, and 1 brass plaque	
Name of Applicant Company Greene King	Name of Agent Mrs Angela Lawson	
Decision Target Date 4 January 2018	Reason For Delay N/A	
Case Officer	Mrs Kim Ireland	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, the application site is owned by Lancaster City Council, and as such the application must be determined by the Planning Committee.

1.0 The Site and its Surroundings

- 1.1 The Station Pub is situated within The Platform, which occupies a prominent corner position at the junction of Marine Road Central and Central Drive. The building was the Morecambe Promenade Railway station, until 1997 when it was changed into a mixed use venue that now provides The Station Pub, Morecambe Tourist Information Centre and KFC, with Morecambe Festival Market to the rear. The building is constructed in squared coursed sandstone with sandstone dressings and a slate roof.
- 1.2 There are various commercial properties within the surrounding area of the application property that include Morecambe Superbowl, Apollo Cinema and Morrisons.
- 1.3 The Station Pub is a Grade II Listed building. The site is located within the Morecambe Conservation Area.

2.0 The Proposal

- 2.1 The application seeks listed building consent for the fixing of three externally illuminated fascia signs, one non-illuminated fascia sign, one externally illuminated double sided post mounted sign, one non-illuminated post mounted sign, five non-illuminated wall signs and one brass plaque.

3.0 Site History

- 3.1 There are a number of Advertisement and Listed Building consents which relate to The Station Pub, the most recent application is listed below:

Application Number	Proposal	Decision
02/00157/ADV	Erection of a free standing illuminated tower sign.	Permitted

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Morecambe Town Council	No comments at the time of compiling this report. Any comments received will be verbally reported.
Conservation Officer	No objections in principle to the replacement of signage. Amendments to the proposed first and second externally illuminated fascia signs are required.

5.0 Principal National and Development Plan Policies

5.1 National Planning Policy Framework (NPPF)

Paragraph 17 - 12 Core Principles

Paragraphs 67 and 68 – Requiring Good Design

Paragraphs 131 to 134 – Conserving and Enhancing the Historic Environment

5.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its' Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

5.3 Development Management DPD

DM6: Advertisements

DM30 – Development affecting Listed Buildings

DM31 – Development affecting Conservation Areas

DM35: Key Design Principles**6.0 Comment and Analysis**

- 6.1 The key issue to consider in determining this Listed Building application is whether the proposal is considered acceptable in terms of its impacts upon the historic fabric and architectural merit of the Grade II Listed Building.
- 6.2 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM30 and DM31.
- 6.3 Through negotiations with the applicant, a revised plan was received to show the first of the three externally illuminated fascia signs reduced to the width of the three light windows and the height reduced so that the sign does not impinge upon the architectural surround of the windows. The second of the three externally illuminated signs to be fixed to the west of the chimney, so that the sign could be installed flush with the wall, as this could not be done in the original position and consequently the sign was reduced in size. The non-illuminated post mounted sign reduced in size, so that there is a 2.4m clearance head room, for public safety reasons as the sign is to be installed over a length of public highway.
- 6.4 The Conservation Officer has raised no objections to the principle of the scheme, subject to amendments to the proposed first and second externally illuminated fascia signs, which have been negotiated and revised plans have been received and the existing signs and redundant hanging brackets are removed from the building.
- 6.5 The proposed works will clearly be visible on all elevations and this will of course impact on the appearance of the building as new materials will be replacing original or historic fabric. Paragraph 134 of the NPPF is therefore relevant and states that: *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."*
- 6.6 It is considered that the proposed works will have a less than substantial harm on this Listed Building, as the proposed signage is thought to use colours and fonts that complement the sandstone of the listed building. The majority of the proposed signage is to replace the existing signage and therefore there is thought to be a minimal impact to the listed building with regards to additional holes being required. A condition is to be imposed to the decision that requires all existing signage to be removed. This will remove any existing signage that is not to be replaced, including two large wall signs to the eastern and south eastern elevations that are not thought to be in keeping with the listed building. There are a few proposed signs applied for that are new to the building, however they are not thought to harm the fabric of the building as they will not impact the architectural features of the building.

7.0 Planning Obligations

- 7.1 Given the nature of the proposal there are no requirements for a legal obligation.

8.0 Conclusions

- 8.1 In conclusion, it is considered that the proposed signage is of a simple design and style that is in keeping with the scale of the property, that advertises the public house. The works will not adversely affect the character of the conservation area and the Listed building, and will comply with the requirements of Policies DM30 and DM31 of the Development Plan Document. Furthermore the scheme has been assessed against paragraph 134 of the NPPF and is considered to be acceptable.

Recommendation

That Listed Building Consent **BE GRANTED** subject to the following conditions:

1. Standard Listed Building time limit
2. Development to accord to approved plans

3. Removal of existing signs and redundant hanging brackets

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	Committee Date	Application Number
A14	11 December 2017	17/01382/LB
Application Site The Station Pub Marine Road Central Morecambe Lancashire	Proposal Listed Building application for replacement and installation of various fixtures and fittings internally	
Name of Applicant Mr Tim Wass	Name of Agent Mr Dan Dickinson	
Decision Target Date 29 December 2017	Reason For Delay N/A	
Case Officer	Mrs Kim Ireland	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, the application site is owned by Lancaster City Council, and as such the application must be determined by the Planning Committee.

1.0 The Site and its Surroundings

- 1.1 The Station Pub is situated within The Platform, which occupies a prominent corner position at the junction of Marine Road Central and Central Drive. The building was the Morecambe Promenade Railway station, until 1997 when it was changed into a mixed use venue that now provides The Station Pub, Morecambe Tourist Information Centre and KFC, with Morecambe Festival Market to the rear. The building is constructed in squared coursed sandstone with sandstone dressings and a slate roof.
- 1.2 There are various commercial properties within the surrounding area of the application property that include Morecambe Superbowl, Apollo Cinema and Morrisons.
- 1.3 The Station Pub is a Grade II Listed building. The site is located within the Morecambe Conservation Area.

2.0 The Proposal

- 2.1 The application seeks listed building consent for the replacement and installation of various fixtures and fittings internally. This includes replacing a carpet with a timber floor, removal of some fixed seating booths, installation of fixed seating, erection of a new pillar and screen bar area, removal of tiles and plastering of the toilets and redecorating throughout.

3.0 Site History

- 3.1 There are a number of Advertisement and Listed Building consents which relate to The Station Pub, the most recent application is listed below:

Application Number	Proposal	Decision
02/00157/ADV	Erection of a free standing illuminated tower sign.	Approved

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Morecambe Town Council	No comments at the time of compiling this report. Any comments will be verbally reported.
Conservation Officer	No comments at the time of compiling this report. Any comments will be verbally reported.

5.0 Principal National and Development Plan Policies

5.1 National Planning Policy Framework (NPPF)

Paragraph 17 - 12 Core Principles

Paragraphs 67 and 68 – Requiring Good Design

Paragraphs 131 to 134 – Conserving and Enhancing the Historic Environment

5.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its' Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

5.3 Development Management DPD

DM6: Advertisements

DM30 – Development affecting Listed Buildings

DM31 – Development affecting Conservation Areas

6.0 Comment and Analysis

- 6.1 The key issue to consider in determining this Listed Building application is whether the proposal is considered acceptable in terms of its impacts upon the historic fabric and architectural merit of the Grade II Listed Building.
- 6.2 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM30 and DM31.
- 6.3 The proposed works to the building are for cosmetic reasons as the public house has been taken over by a new franchise. The works will not impact the appearance of the building as they are all internal. The proposed replacement and installation of various fixtures and fittings internally is not considered to impact or unduly harm the architectural significance of the listed building, or any of the features of this heritage asset.

7.0 Planning Obligations

- 7.1 Given the nature of the proposal there are no requirements for a legal obligation.

8.0 Conclusions

- 8.1 In conclusion, it is considered that the replacement and installation of various fixtures and fittings internally will not adversely affect the character of the conservation area and the Listed building, and will comply with the requirements of Policies DM30 and DM31 of the Development Plan Document. Furthermore the scheme has been assessed against paragraph 134 of the NPPF and is considered to be acceptable.

Recommendation

That Listed Building Consent **BE GRANTED** subject to the following conditions:

1. Standard Listed Building time limit
2. Development to accord to approved plans

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item A15	Committee Date 11 December 2017	Application Number 17/01431/PAD
Application Site Bus Station Central Drive Morecambe Lancashire	Proposal Prior approval for the demolition of Bus Station building	
Name of Applicant Mr Julian Inman	Name of Agent -	
Decision Target Date 18 December 2017	Reason For Delay N/A	
Case Officer	Mrs Kim Ireland	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, the application has been applied for by Lancaster City Council, and as such the application must be determined by the Planning Committee.

1.0 The Site and its Surroundings

- 1.1 The bus station is situated on Central Drive, which occupies a prominent location along Central Drive and is to the west of the junction with Northumberland Street. The building is constructed of aluminium cladding with half of the building glazed.
- 1.2 There are various commercial properties within the surrounding area of the application building that include Frankie and Benny's Restaurant, Dominos takeaway and Morecambe Train Station.
- 1.3 The site is located within Morecambe Area Action Plan.

2.0 The Proposal

- 2.1 The application seeks prior approval for the demolition of the bus station building. The bus station shelter was originally erected to provide a seated passenger waiting area, toilets, left luggage lockers and information display areas for bus passengers. The building has not functioned as a bus shelter for a number of years and is now empty. Consideration has been given to other uses the building could provide. However due to the relatively limited footprint of the building; its' isolation away from other structures on this side of the Central Drive; and the deteriorating condition of the structure due to vandalism (with no prospect of a new use in the short-term), it is proposed to demolish the building.

3.0 Site History

- 3.1 There is a limited planning history associated with the site as follows:

Application Number	Proposal	Decision
04/00029/DPA	Change of use of part of bus station to skateboard park	Permitted
97/00821/DPA	Erection of a bus station building, bus shelters and creation of associated car park	Permitted

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Morecambe Town Council	No comments at the time of compiling this report. Any comments received will be verbally reported.
Environmental Health	No comments at the time of compiling this report. Any comments received will be verbally reported.

5.0 Principal National and Development Plan Policies

5.1 The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) Order 2017

Schedule 2, Part 11, Class B Demolition of Buildings.

6.0 Comment and Analysis

6.1 A Prior Approval application differs from an application for planning permission. In many circumstances the demolition of a building does not require planning permission. However before demolition can commence, the applicant must apply to the local planning authority to determine whether 'Prior Approval' will be required for the method of demolition and any proposed restoration of the site. The purpose is to ensure that the local planning authority maintains control of the impacts associated with demolition, to protect local amenity.

6.2 In this instance the demolition method statement provides information of the techniques and types of equipment and machinery that are to be used and how the materials are to be stored and removed from the site. Heras fencing will be erected around the site, and suitable pedestrian and vehicle signage will be provided. The roof will be dismantled to begin with, using a telehandler/cherry picker/man-riding skip and the brickwork and external frame will be removed via an excavator thereafter. The metal uprights will be unbolted and flame cut for removal and the concrete floor will be broken up. All materials will be removed from site to a dedicated waste and recycling plant.

6.3 The applicant has confirmed that the hours of demolition will be 0900-1800. The existing materials are to be stored within a temporary works compound for a short period of time until they are permanently removed. Finally, the site will be accessed via the bus station car park and will include for public realm in the very immediate vicinity.

7.0 Planning Obligations

7.1 Given the nature of the proposal there are no requirements for a legal obligation.

8.0 Conclusions

8.1 It is considered that the submission has adequately demonstrated that the demolition will be carried out in a satisfactory manner and that the site will be reinstated to a satisfactory standard and as such it is recommended that no further information or details are required.

Recommendation

That Prior Approval **IS REQUIRED**, and the details subsequently submitted to accompany the application are acceptable and are **APPROVED**.

1. Works to accord with the application form (16 November 2017) and supporting email (27 November 2017)

Background Papers

None

Agenda Item	Committee Date	Application Number
A16	11 December	17/01341/FUL
Application Site Stonehaven Bay Horse Lane Bay Horse Lancaster	Proposal Erection of a two storey side extension and the construction of a rear balcony to form a granny annexe	
Name of Applicant Mr & Mrs Armer	Name of Agent N/A	
Decision Target Date 18 December 2017	Reason For Delay N/A	
Case Officer	Mr Sam Robinson	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Matters

This form of development would normally be dealt with the Scheme of Delegation. However as the applicant is related to a member of staff that works for Lancaster City Council the application is to be presented to Planning Committee.

1.0 The Site and its Surroundings

- 1.1 Stonehaven is located on Bay Horse Lane in south Lancaster just north of the A6. The site has gardens to the front and rear with a detached garage to the rear and there is a small stone wall to the rear and side whilst a hedge is located at the front of the property.
- 1.2 To the north of the site is as another domestic property whilst to all the other directions the dwelling overlooks open fields. Access to the property is through a driveway and to the south is a separate access which leads to a detached domestic garage.
- 1.3 The site is designated as Countryside Area in the Land Allocations DPD which forms part of the emerging Local Plan.

2.0 The Proposal

- 2.1 The proposal is for the erection of two storey side extension to the south elevation with a balcony to the rear to form a granny annexe.
- 2.2 The proposed extension will measure approximately 9m at its widest and 10.3m at its longest whilst the chosen materials include natural stone walls, timber and uPVC windows and doors finished with a gable styled clay tiled roof. Access to the site will remain unaltered.

3.0 Site History

- 3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
96/01019/CU	Change of use of agricultural land to residential use	Approved
12/00686/FUL	Proposed extension to form additional living accommodation	Approved
14/01286/FUL	Erection of a two storey side extension to form a granny annexe	Approved

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Parish Council	No comments received within the statutory consultation period
County Highways	No objection subject to a condition requiring the access to the site to be paved for a minimum distance of 5m into the site
Cadent Gas	No comments received within the statutory consultation period

5.0 Neighbour Representations

5.1 No comments received within the statutory consultation period.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (**paragraph 14**). The following paragraphs of the NPPF are relevant to the determination of this proposal:

Paragraph 17 - 12 Core Principles
Paragraphs 56 and 57 – Requiring Good Design

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. Public consultation took place from 27 January 2017 to 24 March 2017. Whilst the consultation responses are currently being fully considered, the local authority remains in a position to make swift progress in moving towards the latter stages of: reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect

the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Development Management DPD

DM28 – Development and Landscape Impact

DM35 – Key Design Principles

6.4 Lancaster District Core Strategy

SC1 – Sustainable Development

SC5 – Achieving Quality in Design

6.5 Saved Lancaster District Local Plan Policies

E4 – Countryside Area

7.0 Comment and Analysis

7.1 The key considerations in the assessment of this application are:

- General design
- Principle of annexe accommodation

7.2 General Design

7.2.1 The principle of extending the bungalow to create the annexe has already been accepted under the previous planning application, 14/01286/FUL. This proposal remains the same as the previous application and with the applicants not commencing works within the three year timescale, they have opted to submit a new planning application for the same scheme.

7.2.2 The proposed extension will face southwards onto open fields with the only nearby dwelling on the north side of the site. As such the development will not have any adverse effects on levels of privacy or daylight levels for nearby occupiers.

7.2.3 The bulk of the extension will be comprised of stone walls, timber windows and finished with a clay tiled roof, all of which will match the existing dwelling. The link extension will feature timber boarding to the front elevation and uPVC doors will be installed to the rear. Overall the choice of materials is acceptable and the addition of a wooden feature to the front will help to create a clear separation from the original dwelling and the extension. The matching materials will complement the overall dwelling and it is considered that the scheme will not result in undue visual impacts on the surrounding countryside area.

7.2.4 In terms of footprint and design the proposal remains the same as the previous application. The roof level is stepped down helping to maintain subservience to the main dwelling. As such the proposal remains acceptable in terms of scale.

7.3 Annexe Accommodation

7.3.1 The proposed internal layout for the annexe remains unchanged from the previous application. The proposal in this instance has two doors to the rear and an internal ground floor door which will connect the existing house with the annexe. Whilst the annexe will contain facilities to support independent living it is not physically separate from the main dwelling and internal access between the two will be maintained. A condition will be imposed to ensure that the use of the annexe will remain as ancillary.

7.3.2 Due to the link between the annexe and main dwelling and existing access to and from the site it would be considered unsuitable to be used or sold off as an independent unit.

8.0 Planning Obligations

8.1 There are no planning obligations to consider as part of this application.

9.0 Conclusions

9.1 The proposal will not have any adverse impacts on nearby residential amenity and the choice of materials and design will ensure that it complements the existing dwelling and is appropriate for the wider area. Whilst the use of the extension will be conditioned to ensure that it is not used as an independent unit, overall it is considered that the proposal is an acceptable form of development.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale
2. Development in accordance with approved plans
3. Development to be ancillary to use of main dwelling (i.e. not a separate dwelling).
4. All new external finishes to match existing.

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	Committee Date	Application Number
A17	11 December 2017	17/01315/PLDC
Application Site 46 Shrewsbury Drive Lancaster Lancashire LA1 4BA	Proposal Proposed Lawful Development Certificate for the erection of a single storey rear extension	
Name of Applicant Mr & Mrs S. Metcalfe	Name of Agent Building Plan Services	
Decision Target Date 18 December 2017	Reason For Delay	
Case Officer	Mr Brian Sheasby	
Departure	No	
Summary of Recommendation	Planning Consent is not required and a Lawful Development Certificate for a Proposed Use or Development should be issued	

(i) Procedural Matters

The application is one which would normally be dealt with under delegated powers but is required to be placed before the Planning and Highways Regulatory Committee as the applicant is an employee of the City Council.

1.0 The Site and its Surroundings

- 1.1 The application property is a semi-detached mid-20th century dwellinghouse constructed with external facings of brick to the ground floor and dashing to the first floor under a hipped tiled roof. It forms part of a larger development of similarly designed and finished residential properties in the Bowerham suburb of Lancaster.
- 1.2 There are no statutory development restrictions affecting the property. Specifically, it is not situated within Article 1(5) Land; (in Lancaster this means a Conservation Area or Area of Outstanding Natural Beauty) and is not subject to an Article 4 Direction or the removal by condition of householder permitted development rights.

2.0 The Proposal

- 2.1 This is not a planning application but an application for a Lawful Development Certificate for a Proposed Use or Development (PLDC). PLDC applications seek to establish whether a building, use or activity is 'permitted development' under the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). If it is considered to be 'permitted development' (and thus, does not require express planning permission), then a Certificate is granted to confirm this. It is purely a determination as to whether the proposal complies with the provisions of the aforesaid Order.
- 2.2 In this particular case the applicant has submitted a PLDC to ascertain whether the erection of a small, single storey, rear extension requires the benefit of planning permission or whether it is 'Permitted Development' by virtue of the provisions of Schedule 2, Part 1, Class A of the

above-mentioned Order. Class A refers to the enlargement, improvement or alteration of a house.

The proposed works would involve the erection of a small single story rear extension facilitating the enlargement of the existing kitchen. The extension will project 2.4 metres from the existing rear elevation and will stand 3 metres above ground level. It will sit on a brick faced plinth with matching dashing reflecting the split brickwork/dashing of the ground and first floors of the original dwelling house.

3.0 Site History

3.1 There is no relevant planning history for the property.

4.0 Consultation Responses

4.1 As the application is purely a legal determination based on a factual assessment of the proposal against 'permitted development' rights, no consultations are involved.

5.0 Neighbour Representations

5.1 For the reasons given in 4.1 above, no neighbour consultations were undertaken and at the time of writing this report.

6.0 Principal National and Development Plan Policies

6.1 None (not applicable).

7.0 Comment and Analysis

7.1 There are no matters for Members to consider other than to determine whether or not the proposal is 'permitted development'.

For the purpose of determining this proposal it should be considered against the provisions of Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 which allows for the enlargement, improvement or other alteration of a dwellinghouse. The wording of the legislation is set out verbatim below.

Permitted Development

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development not permitted

A.1 Development is not permitted by Class A if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

- (ii) fronts a highway and forms a side elevation of the original dwellinghouse;*
- (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—*
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or*
 - (ii) exceed 4 metres in height;*
- (g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—*
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or*
 - (ii) exceed 4 metres in height;*
- (h) the enlarged part of the dwellinghouse would have more than a single storey and—*
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or*
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;*
- (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;*
- (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—*
 - (i) exceed 4 metres in height,*
 - (ii) have more than a single storey, or*
 - (iii) have a width greater than half the width of the original dwellinghouse; or*
- (k) it would consist of or include—*
 - (l) the construction or provision of a verandah, balcony or raised platform,*
 - (ii) the installation, alteration or replacement of a microwave antenna,*
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or*
 - (iv) an alteration to any part of the roof of the dwellinghouse.*

A.2 *In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—*

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;*
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or*
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.*

Conditions

A.3 *Development is permitted by Class A subject to the following conditions—*

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

(c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

The proposal has been assessed against the aforesaid Order and has been found to wholly comply with all the criteria of Class A of Part 1 to Schedule 2 of the Order.

8.0 Planning Obligations

8.1 None (not applicable)

9.0 Conclusions

9.1 It is considered that the development as proposed meets the requirements of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and that Planning Consent **IS NOT REQUIRED** for the proposed works.

Recommendation

That a Certificate of Lawfulness of Proposed Use or Development be granted.

Background Papers

None

PLANNING AND HIGHWAYS REGULATORY
COMMITTEE

**Planning Committee Member Appointment to the
Crook O'Lune Advisory Committee
11 December 2017**

Report of the Democratic Services Manager

PURPOSE OF REPORT
To consider appointing to an outside body vacancy which has arisen on the Crook O'Lune Advisory Committee.
This report is public.

RECOMMENDATIONS

- (1) That nominations be made and voted upon at this meeting and an appointment be made to the Crook O'Lune Advisory Committee.**

1.0 Introduction

- 1.1 Council appointed former Councillor Roger Sherlock to the Crook O'Lune Advisory Committee as the Planning Committee representative.
- 1.2 Following the sad death of Councillor Sherlock, this place on the Crook O'Lune Advisory Committee is now vacant.
- 1.3 Accordingly, it is necessary for Planning and Highways Regulatory Committee to consider appointing another Member to the Committee.

2.0 Proposal Details

- 2.1 The Crook O'Lune Advisory Committee is one of a number of outside bodies which Councillors are appointed to. Council appoints three Members to the Committee; one is the ward member for Halton-with-Aughton (Councillor Frea); one is a ward member for Lower Lune Valley (Councillor Parkinson); and the third appointment is for the Council's Planning and Highways Regulatory Committee to make.
- 2.2 Following the recent vacancy on the Crook O'Lune Advisory Committee, Members are therefore asked to make nominations and appoint at this meeting.

3.0 Background

3.1 Some background information about the role has been provided below to assist Members:

- The Crook O'Lune Advisory Committee meets rarely and is known to conduct most business via email. Its primary function is to look after the 'Hermitage Field' which was gifted to the Council in perpetuity many decades ago.
- The Hermitage Field, was once owned by the Halton Park Estate and sold to the owner of the Hermitage Hotel during the 1930's to provide fresh produce for the hotel and its guests.
- The hotel fell into financial difficulties and as a result the field was purchased by a group of private subscribers and the local authorities namely: Lunesdale Rural District, Lancaster City, Morecambe & Heysham Borough, and Lancashire County Council. The field was to be retained by the local authority, currently Lancaster City Council, and administered by the Crook O'Lune Advisory Committee.

5.0 Conclusion

5.1 Members are asked to appoint a Member of the Planning and Highways Regulatory Committee to the Crook O'Lune Advisory Committee.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):

None.

LEGAL IMPLICATIONS

None.

FINANCIAL IMPLICATIONS

Members of outside bodies are entitled to travel expenses. Costs resulting from this appointment should be minimal and would be met from existing democratic representation budgets.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:

Human Resources: None

Information Services: None

Property: None

Open Spaces: None.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None.

Contact Officer: Debbie Chambers

Telephone: 01524 582057

E-mail: dchambers@lancaster.gov.uk

Ref:

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
17/00138/DIS	South Lakeland Leisure Village, Borwick Lane, Warton Discharge of conditions 8, 9, 10, 11, 12, 15, 18, 22, 23, 24, 26, 29, 31, 34 and 35 on approved application 12/01001/CU for Pure Leisure Estates Ltd (Warton Ward 2015 Ward)	Split Decision
17/00154/DIS	Lancaster Castle, Castle Park, Lancaster Discharge of conditions 3, 5, 6, 8, 9, 10, 12, 13, 15, 17, 18, 19, 20 on approved application 17/00689/LB for Mr Chalk (Castle Ward 2015 Ward)	Application Permitted
17/00155/DIS	Lancaster Castle, Castle Park, Lancaster Discharge of conditions 3, 4, 5, 6, 7, 8, 10, 11, 12, 13 and 14 on approved application 17/00688/FUL for Mr Chalk (Castle Ward 2015 Ward)	Application Permitted
17/00159/DIS	Mellishaw North Development Site, Mellishaw Lane, Heaton With Oxcliffe Discharge of conditions 3, 6, 7 and 10 on previously approved application 16/00439/FUL for Mr Simon Iyob Toclu (Westgate Ward 2015 Ward)	Split Decision
17/00164/DIS	Lancaster Castle, Castle Park, Lancaster Discharge of conditions 4, 7, 11 and 16 on approved application 17/00689/LB for - (Castle Ward 2015 Ward)	Application Permitted
17/00494/FUL	264 Marine Road Central, Morecambe, Lancashire Partially retrospective application for the installation of a new shop front for Easy Leisure Ltd (Poulton Ward 2015 Ward)	Application Permitted
17/00628/FUL	Ash House Farm, Ball Lane, Caton Erection of an attached garage. for Mr & Mrs James Collier (Lower Lune Valley Ward 2015 Ward)	Application Permitted
17/00641/FUL	Lune View, Victoria Terrace, Glasson Dock Replacement of existing single glazed timber windows and uPVC windows with double glazed uPVC for Mrs Helen Loxam (Ellel Ward 2015 Ward)	Application Refused
17/00642/FUL	Lune Villa, Victoria Terrace, Glasson Dock Replacement of existing single glazed timber windows and uPVC windows with double glazed uPVC for Mrs Helen Loxam (Ellel Ward 2015 Ward)	Application Refused
17/00677/LB	Musgrave House, Thurland Castle, Tunstall Road Listed building application for the retention of a bathroom extractor and a kitchen flue for Mr Paul Duxbury (Upper Lune Valley Ward 2015 Ward)	Application Permitted
17/00720/FUL	Scale House Farm, Scale House Lane, Wray Erection of an agricultural workers dwelling for Mr Daniel Towers (Upper Lune Valley Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

17/00785/CU	10 - 12 Market Street, Lancaster, Lancashire Change of use of upper floors into two 4-bed student flats (C3) including insertion of six windows and installation of entrance gates for Mr Simon Pickard (Castle Ward 2015 Ward)	Application Withdrawn
17/00786/LB	10 - 12 Market Street, Lancaster, Lancashire Listed building application for the insertion of a second floor level and staircase and six windows and installation of entrance gates for Mr Simon Pickard (Castle Ward 2015 Ward)	Application Withdrawn
17/00830/CU	24 Penny Street, Lancaster, Lancashire Change of use of first and second floor offices (B1) into student accommodation comprising four 1-bed studios (C3) for Mr Barton (Castle Ward 2015 Ward)	Application Permitted
17/00867/FUL	1 - 3 Osborne Grove, Morecambe, Lancashire Demolition of existing building and erection of 6 dwellings with associated access and landscaping for Mr Palamountain (Harbour Ward 2015 Ward)	Application Refused
17/00904/CU	Land Adjacent New England Caravan Site, Capernwray Road, Capernwray Change of use of agricultural field for the siting of 27 static caravans, creation of access track and hardstandings and installation of a sewage treatment plant for Mr John Chippendale (Kellet Ward 2015 Ward)	Application Refused
17/00912/PLDC	11 Nicholson Crescent, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey extension to the rear elevation for Mrs Amanda Greer (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
17/00977/FUL	7 St Margarets Road, Bolton Le Sands, Carnforth Installation of a hip to gable extension to the rear elevation and construction of a replacement dormer extension to the side elevation for Mrs Tracey Killilea (Bolton And Slyne Ward 2015 Ward)	Application Permitted
17/01011/FUL	Elixir Garden Supplies Ltd, Unit 2 And 3, Anchor Buildings Erection of a storage building (B8) for Mr David Furey (Westgate Ward 2015 Ward)	Application Refused
17/01015/FUL	High Barn, Snab Green Lane, Arkholme Change of use of agricultural land to domestic garden and erection of a detached garage for Mr & Mrs J Brassington (Kellet Ward 2015 Ward)	Application Permitted
17/01048/FUL	KFC, 110 Penny Street, Lancaster Installation of a replacement shop front and alterations to the existing entrance for B Patel (Castle Ward 2015 Ward)	Application Permitted
17/01053/ADV	Kentucky Fried Chicken, Central Drive, Morecambe Advertisement application for the display of 3 externally illuminated fascia signs for Mr Patel (Poulton Ward 2015 Ward)	Application Permitted
17/01060/FUL	10 Stankelt Road, Silverdale, Carnforth Erection of first floor side extension above existing attached garage and erection of a single storey outbuilding for a studio/office space for Mr & Mrs T Stothert (Silverdale Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

17/01084/FUL	The Lodge, Hornby Road, Claughton Change of use of existing dwelling (C3) to a Gospel Hall (D1) and associated works, demolition of outbuildings and the creation of a car park with associated access for The Crosshill Gospel Hall Trust (Lower Lune Valley Ward 2015 Ward)	Application Withdrawn
17/01090/FUL	31 Claremont Road, Morecambe, Lancashire Retrospective application for the retained change of use from retail (A1) to a one-bedroom flat (C3) and the installation of a replacement window to the front elevation for Mr C.I. Hemingway (Harbour Ward 2015 Ward)	Application Withdrawn
17/01095/ADV	Bella Italia, 26 - 28 Church Street, Lancaster Advertisement application for the retained display of 3 halo illuminated fascia signs, 1 non-illuminated projecting sign and 2 fixed awnings for Casual Dining Group (Castle Ward 2015 Ward)	Application Permitted
17/01100/CU	Pleasureland, Marine Road Central, Morecambe Change of use of first floor into a mixed use space comprising bowling alley (D2), cafe (A3) and drinking establishment (A4) for Mr Solomon & Gavin Reader (Poulton Ward 2015 Ward)	Application Permitted
17/01117/FUL	The Dell, 91 Coastal Road, Bolton Le Sands Demolition of rear outrigger and erection of a two storey rear extension for Messrs Harvey & Howard Bainbridge (Bolton And Slyne Ward 2015 Ward)	Application Permitted
17/01119/FUL	Cliffdale, Main Road, Thurnham Partial demolition of existing two storey outbuilding and single storey rear lean-to and erection of a two storey side and rear extension. for Mr Bose (Ellel Ward 2015 Ward)	Application Permitted
17/01122/CU	Site Of Former Norjac Service Station, Scotland Road, Carnforth Retention of an existing temporary 35 space car park for a further 5 years for Booth (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
17/01126/FUL	34 Broadlands Drive, Bolton Le Sands, Carnforth Erection of a single storey side extension for Mr R Whitehead (Bolton And Slyne Ward 2015 Ward)	Application Permitted
17/01130/LB	Halton Green East, Green Lane, Halton Listed building application for internal and external works to facilitate the conversion of part of existing barn to one dwelling (C3) including the demolition of existing attached outbuilding, blocking up of existing door and window openings and insertion of windows and rooflights for Mr Matthew Clarkson (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
17/01139/FUL	Barrow Greaves Farm, Barrow Greaves, Ellel Erection of a building over existing silage clamp and slurry store for Mr William Rhodes (Ellel Ward 2015 Ward)	Application Permitted
17/01141/FUL	1 Burlington Grove, Morecambe, Lancashire Erection of a part two storey part single storey side extension and a single storey rear extension for Mr./Miss Coombs/Hirst (Bare Ward 2015 Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

17/01144/FUL	11 Newlands Road, Morecambe, Lancashire Erection of a single storey rear extension for Mr M. Thornton (Westgate Ward 2015 Ward)	Application Refused
17/01149/FUL	2 Moorside Close, Melling, Carnforth Erection of a detached garage for Mr Michael Murray (Upper Lune Valley Ward 2015 Ward)	Application Permitted
17/01155/FUL	1 Ashbourne Road, Lancaster, Lancashire Erection of a two storey side extension for Mr Keith Hetherington (Skerton East Ward 2015 Ward)	Application Permitted
17/01159/FUL	North Farm, Moss Road, Heaton With Oxcliffe Installation of a roof between existing farm buildings to create covered yard for J Bargh And Sons (Overton Ward 2015 Ward)	Application Permitted
17/01161/FUL	Land Between 14 And 15 Betony, Morecambe, Lancashire Erection of three detached 2-storey dwellings, detached garage and associated access for Mr S Livesey (Torrisholme Ward 2015 Ward)	Application Permitted
17/01162/FUL	Curwen Hill Farm, Hornby Road, Wray Erection of farm building to cover existing open cattle yard for Mr Frank Towers (Lower Lune Valley Ward 2015 Ward)	Application Permitted
17/01163/FUL	13 - 15 Blea Tarn Place, Morecambe, Lancashire Creation of a doorway from an existing window opening, steps and ramp access to the south elevation and the removal of a doorway, steps and ramp access to the east elevation for Mr Sutha Ponnampalam (Westgate Ward 2015 Ward)	Application Permitted
17/01167/FUL	58 Norton Road, Heysham, Morecambe Erection of a first floor side extension over existing attached garage for Mr & Mrs Drummond (Heysham Central Ward 2015 Ward)	Application Refused
17/01171/FUL	Curwen Hill Farm, Hornby Road, Wray Erection of an agricultural building for Mr Frank Towers (Lower Lune Valley Ward 2015 Ward)	Application Permitted
17/01175/FUL	Whernside, Cantsfield Road, Cantsfield Erection of a single storey side extension, conversion and part rebuild of garage to provide ancillary accommodation and conversion of summer house to provide guest bedroom for Mr Mark Wilkinson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
17/01178/FUL	16 Gaisgill Avenue, Morecambe, Lancashire Construction of dormer extensions to the front and rear elevations and installation of a first floor window to the side elevation for Ms Ching Wong (Westgate Ward 2015 Ward)	Application Permitted
17/01187/FUL	Water Bottling Plant, Far Lodge, Postern Gate Road Change of use from water bottling plant to offices (B1) and storage/distribution (B8) with insertion of a mezzanine at first floor level for Mr & Mrs Tim and Amanda Parkinson (Lower Lune Valley Ward 2015 Ward)	Application Permitted
17/01189/FUL	1 Lentworth House, Lentworth Drive, Lancaster Erection of a single storey side extension to form bin store for Mr Paul Morris (Scotforth East Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

17/01191/FUL	Hawkshead, Quernmore Road, Caton Change of use of land to create an equestrian arena and erection of a stable block and associated fencing for Mrs C Sutherland (Lower Lune Valley Ward 2015 Ward)	Application Permitted
17/01195/LB	Lancaster Castle, Castle Park, Lancaster Listed building application for internal alterations to create additional toilets and a shower room in part of the former prison workshop on the first floor and the reinstatement of a timber door to existing infilled doorway on the ground floor for Duchy Of Lancaster (Castle Ward 2015 Ward)	Application Permitted
17/01197/FUL	Hare Appletree Farm, Quernmore Brow, Quernmore Erection of an extension to existing agricultural building for Mr Andrew Metcalfe (Lower Lune Valley Ward 2015 Ward)	Application Permitted
17/01199/FUL	38 Ashton Drive, Lancaster, Lancashire Erection of a first floor extension to front for Mr S. Leeming (Skerton East Ward 2015 Ward)	Application Refused
17/01200/FUL	11 Selside Drive, Morecambe, Lancashire Demolition of existing conservatory and garage and erection of a single storey side and rear extension for Mr S. Mackenzie (Westgate Ward 2015 Ward)	Application Refused
17/01201/FUL	Woodside, Bowerham Road, Lancaster Installation of a raised roof incorporating 2 dormer extensions to the front, erection of a two storey rear extension and erection of a detached double garage and storeroom for Mr Raymond Metcalfe (John O'Gaunt Ward 2015 Ward)	Application Permitted
17/01203/FUL	Hare Appletree Farm, Quernmore Brow, Quernmore Erection of building over existing silage clamp for Mr Andrew Metcalfe (Lower Lune Valley Ward 2015 Ward)	Application Permitted
17/01205/CU	20 Warley Avenue, Morecambe, Lancashire Retrospective application for the change of use from a dwellinghouse (C3) to a residential institution (C2) for 3 young persons in receipt of care for Sandcastle Care Limited Sandcastle Care Limited (Torrisholme Ward 2015 Ward)	Application Permitted
17/01206/FUL	3 Scotland Road, Carnforth, Lancashire Change of use of a mixed use unit comprising a workshop (B1), retail (A1) and associated residential accommodation to a mixed use unit comprising a workshop/retail unit (B1/A1) and 2 1-bed flats (C3) for Mr C. Corless (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
17/01209/FUL	22 Lancaster Road, Overton, Morecambe Erection of single storey rear extension, single storey side extension and front porch, creation of a new vehicular access and construction of stepped pedestrian access with handrail for Mrs J. Harker (Overton Ward 2015 Ward)	Application Permitted
17/01212/FUL	1 Station Buildings, Warton Road, Carnforth Change of use from estate agents (A2) to hot food takeaway (A5) with one 1-bed and one 2-bed self-contained flats above (C3) for Mr N. Palamountain (Carnforth And Millhead Ward 2015 Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

17/01214/PAH	9 Brantwood Avenue, Morecambe, Lancashire Erection of a 3.5 metre deep single storey rear extension with a maximum roof height of 3.4 metres and a maximum eaves height of 2.84 metres for Mr & Mrs Nicholls (Bare Ward 2015 Ward)	Prior Approval Not Required
17/01216/FUL	1 Ashmeadow Grove, Nether Kellet, Carnforth Erection of a conservatory to the side for Mr George Moore (Kellet Ward 2015 Ward)	Application Permitted
17/01223/FUL	The Flat, 154 Greaves Road, Lancaster Change of use of a first floor residential flat (C3) to a beauty salon (sui generis) to be incorporated into the existing beauty salon on ground floor for Mrs Christine Whitaker (Scotforth West Ward 2015 Ward)	Application Permitted
17/01224/FUL	18 The Row, Silverdale, Carnforth Erection of a detached garage for Mrs S Killalea (Silverdale Ward 2015 Ward)	Application Permitted
17/01231/FUL	16 Lindbergh Avenue, Lancaster, Lancashire Retrospective application for the retention of a replacement garage door for Mr And Mrs Metcalfe (Scotforth West Ward 2015 Ward)	Application Permitted
17/01234/FUL	16 Noel Road, Lancaster, Lancashire Change of use of existing detached garage to a residential living support unit (C3B), the removal of the garage door and installation of a replacement window and the erection of a glazed entrance porch to the side elevation for Sunnyfield Support Services (Skerton East Ward 2015 Ward)	Application Withdrawn
17/01235/PAH	28 South Road, Morecambe, Lancashire Erection of a 4 metre deep single storey rear extension with a maximum roof height of 3.8 metres and a maximum eaves height of 2.4 metres for Mr A Owen (Bare Ward 2015 Ward)	Prior Approval Not Required
17/01245/FUL	32 Claughton Drive, Lancaster, Lancashire Demolition of existing outbuilding, construction of a hip to gable roof extension, erection of a two storey rear and side extension, a single storey rear extension and a porch extension to the front elevation for Mr Alistair Higham (Scotforth East Ward 2015 Ward)	Application Refused
17/01254/FUL	32 The Drive, Carnforth, Lancashire Demolition of existing dwelling and erection of a replacement dwelling for Mr & Mrs Antony Cawood (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
17/01267/FUL	64 Emesgate Lane, Silverdale, Carnforth Conversion of detached garage to create a one-bedroom annexe for Mr M King (Silverdale Ward 2015 Ward)	Application Permitted
17/01273/AD	Lower Langthwaite Farm, Littlefell Lane, Lancaster Erection of an agricultural building to store straw for Mr Philip Woods (University And Scotforth Rural Ward)	Prior Approval Not Required
17/01280/NMA	Borwick Lake, Borwick Lane, Borwick Non material amendment on planning permission 17/00083/FUL to reduce ground floor area for Mr S Cream (Kellet Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

17/01283/FUL	10B Lindeth Road, Silverdale, Carnforth Erection of a single storey side extension and construction of external steps, raised decking and a raised terrace for Mr & Mrs Martin Lyde (Silverdale Ward 2015 Ward)	Application Permitted
17/01284/FUL	24 Church Brow, Bolton Le Sands, Carnforth Partially retrospective application for the erection of single storey rear extension for Mr Joseph Garnett (Bolton And Slyne Ward 2015 Ward)	Application Permitted
17/01288/FUL	Telephone House, Fenton Street, Lancaster Change of use of part of lower ground floor from offices (B1) to temporary place of worship with associated educational facilities (D1) for Lancaster Islamic Society (Castle Ward 2015 Ward)	Application Permitted
17/01289/FUL	The Willows, Starbank, Bay Horse Replacement of timber windows and doors with powder coated aluminium windows and doors for Mr A Radcliffe (Ellel Ward 2015 Ward)	Application Permitted
17/01299/PLDC	9 Bye-pass Road, Bolton Le Sands, Carnforth Proposed Lawful Development Certificate for the erection of a single storey rear extension for Mr H. Bainbridge (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
17/01300/PAH	83 Redruth Drive, Carnforth, Lancashire Erection of a 5 metre deep single storey rear extension with a maximum roof height of 3.5 metres and a maximum eaves height of 2.5 metres for Planet South Lakes (Carnforth And Millhead Ward 2015 Ward)	Prior Approval Not Required
17/01302/PAH	1 Leyburn Road, Lancaster, Lancashire Erection of a 6 metre deep single storey rear extension with a maximum roof height of 3.25 metres and a maximum eaves height of 2.8 metres for Mr D Shepherd (Skerton East Ward 2015 Ward)	Prior Approval Not Required
17/01303/PAH	98 Twemlow Parade, Heysham, Morecambe Erection of a 4.97 metre deep single storey rear extension with a maximum roof height of 3.95 metres and a maximum eaves height of 2.53 metres for Mr M Smith (Heysham Central Ward 2015 Ward)	Prior Approval Granted
17/01317/PAH	7 Lichfield Avenue, Morecambe, Lancashire Erection of a 4.8 metre deep single storey rear extension with a maximum roof height of 3.6 metres and a maximum eaves height of 2.3 metres for A Toogood And C Hall (Bare Ward 2015 Ward)	Prior Approval Not Required
17/01331/NMA	Petrol Filling Station, Morrisons, Hilmore Way Non material amendment to planning permission 16/01229/FUL to amend roof design of proposed side extension to existing kiosk from pitched roof to flat roof with parapet for Mr Carl Conlon (Harbour Ward 2015 Ward)	Application Permitted
17/01337/NMA	13 Lindow Square, Lancaster, Lancashire Non material amendment to planning permission 17/00163/CU for alteration to first floor layout and retention of a window to provide a bathroom for Mr Jason Smith (Castle Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

17/01344/EIR	Hillside Farm, Lancaster Road, Heaton With Oxcliffe Screening opinion for the erection of a food production facility for Mrs J C Altham & Sons (Morecambe) (Overton Ward 2015 Ward)	Closed
17/01346/EIR	Land Off Imperial Road, Heysham, Morecambe Screening opinion for erection of new factory and offices for Tony Gilmour (Overton Ward 2015 Ward)	Closed
17/01402/NMA	NTG Papermill Limited, 15 Lansil Way, Lancaster Non material amendment to planning permission 14/00929/FUL to revise office fascia colour to match factory for Mr Steve Oxley (Bulk Ward 2015 Ward)	Application Permitted