



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 26 APRIL 2021

Time: 10.30 A.M.

PLEASE NOTE

THIS WILL BE A 'VIRTUAL MEETING'. PLEASE CLICK [THIS LINK](#) TO ACCESS THE MEETING

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 29th March 2021 (previously circulated).

3 Items of Urgent Business authorised by the Chair

4 Declarations of Interest

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

Councillors 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, Councillors 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, Councillors 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	<u>A5 20/00607/VCN</u>	Land east of Scotland Road, Carnforth, Lancashire	Carnforth and Millhead Ward	(Pages 6 - 18)
		Outline application for residential development comprising 213 dwellings (Use Class C3) with associated vehicular and cycle/pedestrian access to Scotland Road and cycle / pedestrian access to Carnforth Brow / Netherbeck, public open space, creation of wetlands area, construction of attenuation basins, erection of sub-station, installation of a pumping station and associated earthworks and land re-grading and landscaping (Pursuant to the variation of conditions 2, 5, 6, 7, 10, 11, 14, 16, 18, 24, 25, 26 and 27 on planning permission 18/00365/OUT to take account of amendments to the layout of the residential development, changes to the housing mix, alterations to the associated earthworks and land re-grading scheme, amendments to the drainage scheme and changes to public open space and landscaping (including the removal of additional hedgerow).		

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|---|--|--|------------------------------|----------------------------|
| 6 | <u>A6 20/00451/VCN</u> | Galgate Mill, Chapel Lane,
Galgate, Lancashire | Ellel Ward | (Pages 19 -
28) |
| <p>Change of use, conversion and alterations of a retail show room (use class A1) plus associated storage and office into university student apartments (use class C3) with associated recreational facilities, and a silk weaving museum (use class D1) and the erection of a bicycle shelter (pursuant to the variation of condition 2 of planning permission relating to planning application 14/00989/CU to remove the external ramp, porch, cycle shelter from the approved scheme, removal of lean-to to east elevation and creation of landscaped yard and alterations to the internal layout to provide 11 additional student rooms and an internal cycle store).</p> | | | | |
| 7 | <u>A7 20/00550/FUL</u> | University of Cumbria, Bowerham
Road, Lancaster, Lancashire | John O'Gaunt
Ward | (Pages 29 -
39) |
| <p>Demolition of buildings including William Thompson Tower, William Thompson Offices, Primary Curriculum Building, Estates & Secondary Centre buildings and erection of an 8, 9 and 10 storey building comprising residential student accommodation in cluster flat arrangements with ancillary laundry room, cycle store, refuse store, management office and reception, plant room and associated landscaping, access and service infrastructure.</p> | | | | |
| 8 | <u>A8 20/00405/REM</u> | Old Hall Farm, Kirkby Lonsdale
Road, Over Kellet, Carnforth | Kellet Ward | (Pages 40 -
45) |
| <p>Reserved Matters application for the erection of 55 dwellings, associated accesses and alterations to land levels.</p> | | | | |

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|----|---|---|-------------------------------------|----------------------------|
| 9 | <u>A9 21/00114/FUL</u> | 4 and 6 Hall Drive, Caton,
Lancaster, Lancashire | Lower Lune
Valley Ward | (Pages 46 -
48) |
| | | Erection of a single storey rear and side extension. | | |
| 10 | <u>A10 21/00158/FUL</u> | 29 Beaumont Place, Lancaster,
Lancashire LA1 2EY | Skerton
East Ward | (Pages 49 -
51) |
| | | Erection of a detached garage. | | |
| 11 | <u>A11 21/00256/FUL</u> | Land Adjacent Salt Ayre Leisure
Centre, Salt Ayre Landfill Site,
Salt Ayre Lane | Skerton
West Ward | (Pages 52 -
58) |
| | | Installation of arrays of 2.96 metres high PV panels, underground cabling, battery containers, inverter and associated cabins and kiosks, construction of 2.1 metres high security fencing, CCTV mounted on 6m masts, construction compound and construction of internal temporary access track with associated landscaping to form Solar Farm. | | |
| 12 | <u>A12 21/00325/FUL</u> | Salt Ayre Sports Centre, Doris
Henderson Way, Heaton With
Oxcliffe Lancaster | Skerton
West Ward | (Pages 59 -
62) |
| | | Installation of air source heat pumps and associated infrastructure and erection of fencing and compound area. | | |
| 13 | <u>A13 21/00106/FUL</u> | 37 Kingsway Court, Kingsway,
Heysham, Lancashire | Heysham
Central
Ward | (Pages 63 -
66) |
| | | Change of use of dwelling (C3) to 2 self-contained 1-bed flats (C2) and installation of porch canopy to the front elevation. | | |
| 14 | Delegated List (Pages 67 - 73) | | | |

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Sandra Thornberry (Chair), Dave Brookes (Vice-Chair), Paul Anderton, Richard Austen-Baker, Mandy Bannon, Abbott Bryning, Keith Budden, Roger Cleet, Tim Dant, Mel Guilding, Janice Hanson, Cary Matthews, Joyce Pritchard, Robert Redfern

and John Reynolds

(ii) Substitute Membership

Councillors Alan Biddulph (Substitute), Victoria Boyd-Power (Substitute), Jake Goodwin (Substitute), June Greenwell (Substitute), Tim Hamilton-Cox (Substitute), Colin Hartley (Substitute), David Whitworth (Substitute) and Peter Yates (Substitute)

(iii) Queries regarding this Agenda

Please contact Democratic Services: email democracy@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

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

KIERAN KEANE,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on 13th April 2021.

Agenda Item	A5
Application Number	20/00607/VCN
Proposal	Outline application for residential development comprising 213 dwellings (Use Class C3) with associated vehicular and cycle/pedestrian access to Scotland Road and cycle/ pedestrian access to Carnforth Brow/Netherbeck, public open space, creation of wetlands area, construction of attenuation basins, erection of sub-station, installation of a pumping station and associated earthworks and land re-grading and landscaping (Pursuant to the variation of conditions 2, 5, 6, 7, 10, 11, 14, 16, 18, 24, 25, 26 and 27 on planning permission 18/00365/OUT to take account of amendments to the layout of the residential development, changes to the housing mix, alterations to the associated earthworks and land re-grading scheme, amendments to the drainage scheme and changes to public open space and landscaping (including the removal of additional hedgerow)
Application site	Land east of Scotland Road, Carnforth, Lancashire
Applicant	Rowland Homes Ltd
Agent	Mrs Helen Binns
Case Officer	Mrs Jennifer Rehman
Departure	N/A
Summary of Recommendation	Approve

1.0 Application Site and Setting

- 1.1 The application site relates to a 16.8 hectare parcel of land comprising undulating pastoral land located north of the main built up area of Carnforth on land designated as open countryside. The site lies beyond the Carnforth and Leeds railway line which abuts part of the southern boundary to the site. The south western corner of the site sits alongside a small existing employment area known as the Midland Units (office and industrial uses). Scotland Road (the A6) runs adjacent to the western boundary with further commercial premises (Travellers Choice coach depot) directly opposite the southern part of the site. To the north lies Truck Haven services which is separated from the site by the River Keer. Beyond Truck Haven services the strategic highway network (A601M) connects to the A6 where further employment premises are located, together with Pine Lakes leisure complex. Open pasture land, Netherbeck Holiday Park and a small cluster of existing dwellings sit alongside the eastern boundary of the site off Carnforth Brow.
- 1.2 The existing site can be accessed via field accesses off Scotland Road and Carnforth Brow. A public right of way (PROW) (1-3-FP-26) currently passes through the site alongside the southern boundary before it crosses the railway line and links back to Carnforth Brow. This PROW shall be diverted as part of the development. The Diversion order has been considered and the works to undertake the diversion have commenced, although formal certification of the works remains outstanding. Only when this occurs shall the Diversion Order be effective.

- 1.3 The site comprises several agricultural field parcels. Tree cover is largely restricted to the southern and eastern boundaries and internal field hedgerows. 8 individual trees and a 1 tree group are protected by a Tree Preservation Order (650 (2018)), although the outline planning permission granted consent for the removal of a number of these trees. The northern third of the site is also identified as priority habitat (Coastal Floodplain Grazing Marsh) and part of a much larger Nature Improvement Area. The River Keer lies outside the application site but abuts the northern boundary. A smaller watercourse (Nether Beck) passes through the site in a general west-east direction with a series of connected ditches within the northern parcel of the site. This part of the site is around 5m Above Ordnance Datum (AOD) and subsequently lies within flood zones 2 and 3. The southern part of the site is between 10m and 20m AOD and lies within flood zone 1.
- 1.4 Following the approval of the outline planning permission, the Council has adopted a new Local Plan. The site does not benefit from any housing or other land-use allocation. Instead, the site is subject to Countryside Area and Natural Improvement Area designations (as was the case when the outline planning permission was granted). The site is not within the Conservation Area nor are there any listed buildings within or near likely to be affected by the proposals. It is, however, very close to the south-eastern boundary of the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) and the nature conservation sites associated with Morecambe Bay (Special Protection Area, RAMSAR and Site of Special Scientific Interest). The site is also allocated as a Minerals Safeguarding Area.
- 1.5 Carnforth town centre is located approximately 0.8 to 1km from the site and provides a range of local services and facilities, including a medical centre, supermarkets, post office, some comparison retail, offices, restaurant/cafes/public houses and employment land. The railway station is located around 1.3km from the centre of the site. The closest bus stop on the A6 is around 0.5km south west of the site at its closest point and around 0.9km from the centre of the site. Primary and secondary schools are situated off either North Road or Kellet Road and are also around 1.2 to 1.3km walking distance from the centre of the site.

2.0 Proposal

- 2.1 Outline planning permission was granted for 213 dwellings including consideration of the access, layout and landscaping of the development. Scale and appearance have been reserved for subsequent approval (the reserved matters).
- 2.2 The applicant has applied to vary the original planning permission under the provisions of Section 73 of the Town and Country Planning Act 1990. A Section 73 application provides a useful mechanism to consider minor material amendments to development (i.e. amendments where its scale and/or nature results in development which is not substantially different from the one which has been approved). It is only possible to make such changes to a development where there is a relevant condition that can be varied.
- 2.3 The proposed changes result in the need to vary several approved plans and documents which are controlled by planning conditions 2, 5, 6, 7, 10, 11, 16, 24, 25, 26 and 27 on the outline planning permission. The proposed amendments affect the layout and landscaping of the development only. The approved access is not affected by the changes. The amendments are largely a result of necessary engineering works (earthworks) to deliver suitable development platforms to enable efficient buildability and to maintain development viability. Such issues were unknown at the outline stage. The proposals also comprise changes to the mix of dwelling types, housing layout and dwelling orientations, the location of some open space, removal of existing landscape features, alterations to the drainage basins and pumping station location and rationalisation of public paths through the open space.
- 2.4 In addition, the application is also able to provide additional information in respect of ground conditions, land contamination, parking provision and the extent of adoptable roads within the scheme to enable conditions 14, 18 and 26 to be varied from pre-commencement conditions to compliance conditions.
- 2.5 In summary, the applicant seeks to modify the relevant conditions as follows:

Condition 2 – to update the approved plans list with the submitted amended plans.

- Condition 5 – to update the condition to reflect submitted plans (no change to the access details).
- Condition 6 – to update the condition to reflect submitted illustrative highway plans (no change to the indicative highway works).
- Condition 7 – to update the condition to reflect amended tree removal and retention plans.
- Condition 10 – to update surface water drainage condition to reflect amended schematic plans and FRA Addendum.
- Condition 11 – to update foul drainage condition to reflect amended schematic plans and location of pumping station.
- Condition 14 – to amend from pre-commencement condition to compliance condition based on phase II site contamination investigation submitted.
- Condition 16 – to update landscaping condition to reflect amended plans.
- Condition 18 – to amend the condition to compliance condition based on parking plan submitted.
- Condition 24 – to update FRA condition to reflect updated FRA Addendum.
- Condition 25 – to update the earthworks, site levels and finished floor level plans to reflect the submitted amended details.
- Condition 26 – to update this condition to refer to the submitted Road Adoption Plan.
- Condition 27 – to update the noise and vibration condition to reflect the amended noise and vibration assessment based on the amended layout.

3.0 Site History

3.1 The only relevant planning history relates to 18/00365/OUT, which this application seeks to vary. The changes do not trigger the need to re-examine the EIA Screening Opinion.

Application Number	Proposal	Decision
18/00365/OUT	Outline application for residential development comprising 213 dwellings (Use Class C3) with associated vehicular and cycle/pedestrian access to Scotland Road and cycle/pedestrian access to Carnforth Brow/Netherbeck, public open space, creation of wetlands area, construction of attenuation basins, erection of sub-station, installation of a pumping station and associated earth works and land regrading and landscaping	Approved
17/01383/EIR	Screening opinion for erection of up to 250 dwellings	Not EIA development

4.0 Consultation Responses

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

Consultee	Response
Carnforth Town Council	<p>Objection for the following reasons:</p> <ul style="list-style-type: none"> • The proposed housing mix and tenure split will not meet the longer-term housing need in the town (based on their Neighbourhood Plan housing needs evidence prepared for the Carnforth Neighbourhood Plan). • With the shift to larger detached units, the claim that the extent of build-up area and greenspace is unchanged needs to be substantiated. • Safety concerns over the cycle/pedestrian access onto Netherbeck/Carnforth Brow.
Highways England	No objection
Lancashire County Council (Highways)	No objection
Arnsdale and Silverdale AONB Partnership	Extent and number of trees have been altered and reduced. The AONB Partnership recommends that the proposed copses are expanded and additional sites included across the housing site to help reduce the visual impact on the AONB. The whole site should represent a natural, native woodland appearance

	and planting along Scotland Road should be at suitable height to provide good screening.
Natural England	No comments to make on the variation of conditions.
Arboricultural Officer	No objection in principle, subject to revisions to the landscaping offer within the built development.
United Utilities	No objection in principle but note that plot 6 is within 15m of the new pumping station and that this would not meet their criteria for Sewers for Adoption.
Environmental Agency	No flood risk objections subject to the outdoor gym being repositioned outside the 8m easement from the watercourse.
Lead Local Flood Authority	No objection subject to the imposition of the original drainage conditions.
Lancashire County Council (School Planning Team)	No comments to the proposal at this stage. The School Planning Team note any changes to dwelling mix and bedroom mix that may impact on the school place position in the area will be picked up as part of the reserved matters calculation required as part of the s106 agreement attached to the outline planning permission 18/00365/OUT.
Lancashire County Council (Archaeology)	No objection and recommend the previously imposed archaeology conditions (12 and 13) should be remain in force.
Conservation Officer	No further comments to those made on the outline application 18/00365/OUT.
Lancaster City Council Waste and Recycling Team	Following submission of further information, no comments on the basis that the Highway Authority is satisfied with the dimensions of the road layout.
Environmental Health Service (Noise)	No objection subject to the noise mitigation measures detailed in the submitted noise and vibration assessment being conditioned.
Contaminated Land Officer	No objection and agrees with the conclusions and recommendations of the submitted reports.
Network Rail	Initial Holding Objection removed. No objection to the development subject to a series of recommendations relating to the railway's asset protection.
Greater Manchester Ecology Unit (GMEU)	No objection subject to ensuring the greenspace and grazing marsh land is delivered and that there is some delivery of greenspace before first occupation. GMEU recognises the loss of hedgerow G10 is disappointing but would not merit a refusal of planning permission provided the loss is off set with new planting. The HRA conclusions are unaffected by the proposals.
Public Rights of Way Officer (Lancashire County Council)	At the time of compiling this report, no comments have been received.
Ramblers Association	At the time of compiling this report, no comments have been received.
Wildlife Trust	At the time of compiling this report, no comments have been received.
Electricity North West	At the time of compiling this report, no comments have been received.
Cadent Gas	At the time of compiling this report, no comments have been received.
Lancashire Constabulary	At the time of compiling this report, no comments have been received.

4.2 The following responses have been received from members of the public:

1 letter of objection raising the following concerns:

- Brownfield sites should be developed ahead of greenfield sites.
- Netherbeck is a dangerous watercourse as it is tidal.
- Proposed access location effected by flooding and traffic on Scotland Road.

1 letter of support from the adjacent bus depot (Traveller's Choice) commenting on the opportunity of a new mains water supply on Scotland Road.

2 letters neither objecting nor supporting the proposal. The following comments have been raised:

- Safety concerns relating to the pedestrian link to Netherbeck and the availability of space to provide safe passage for pedestrians under the railway bridge.

- Queries received in relation to the ownership and extent of highway verge relied upon for the indicative off-site highway works along Carnforth Brow.

5.0 Analysis

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

1. Principle Matters and Housing
2. Landscape
3. Flood risk
4. Design, Open Space and Amenity
5. Access and Parking
6. Ecology

5.2 **Principle of Development (Housing) NPPF paragraph 7 – 12 (Achieving Sustainable Development), 47 (Determining applications), 54-57 (Planning Conditions and Obligations) and Chapter 5 (Delivering a Sufficient Supply of Homes); Strategic Policies and Land Allocations (SPLA) DPD policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, SP3: Development Strategy for Lancaster District and SP6: The Delivery of New Homes; Development Management (DM) DPD policies, DM1 (New Residential Development and Meeting Housing Needs), DM2 (Housing standards), DM3 (Delivery of Affordable Housing) and DM4 (Residential Development Outside Main Urban Areas).**

5.2.1 Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original planning permission, which remains intact and unamended. It is, ultimately, open to the applicant to decide whether to implement the new permission or the one originally granted. Section 73 provides a mechanism to consider and assess minor material amendments to an earlier planning permission. It is not an opportunity to re-examine the principle of the development. The provision of 213 dwellings within the southern part of the site (flood zone 1) with its main vehicular access taken off Scotland Road has been established. The proposals continue to restrict the housing development to flood zone 1 with the amount of developable area remaining at approximately 7.4ha and the remaining area (extending to approx. 9.4ha) being retained for public open space and nature conservation. The principal material considerations will focus only on the changes to the scheme proposed as part of this Section 73 application.

5.2.2 The development continues to propose 213 dwellings comprising a mix of one, two, three and four-bedroom properties. The applicant continues to provide 40% of the total number of dwellings as affordable homes, in accordance with the terms of the s106 planning agreement attached to the outline planning application. The precise details of the affordable housing scheme is a matter to be addressed at a later date (reserved matters stage/s106). However, as part of this submission, the applicant has indicated the tenure split would be 49% rented and 51% shared ownership. Given the development continues to offer 40% affordable housing (30% is the current policy position), the proposed tenure mix is reasonable and is considered to comply with the policy (DM3) expectations (60:40 or 50:50 rented: intermediate split).

5.2.3 Carnforth Town Council has raised concerns over the proposed housing mix and tenure split based on their own housing needs assessment (HNA) (part of their preparation for a Neighbourhood Plan), which recommends a split of 70% rented and 30% intermediate housing. Policy DM1 seeks a housing mix which will create balanced communities based upon the Strategic Housing Market Assessment (SHMA). It is recognised that there may be other evidence available on housing needs, such as local surveys carried out by parish councils that focus on the needs of households within a defined area. Such surveys can be a valuable source of information on local need providing they are carried out in accordance with a robust methodology and the results are statistically valid. The Carnforth HNA draws on a lot of the same data as the SHMA. However, it does not include a housing needs survey and has not been subject to consultation or viability testing. Whilst it is a material consideration, the SHMA is a more robust assessment as it has progressed through various stages of plan making. Subsequently, whilst the Town Council's HNA is a material consideration it does not outweigh the evidence set out in the SHMA and the Local Plan, particularly given the stage of preparation of the Neighbourhood Plan.

5.2.4 The breakdown of the proposed housing mix is as follows:

Affordable Homes (85 units):

- 8 x one-bedroom apartments
- 7 x two-bedroom bungalows
- 25 x two-bedroom dwellings
- 45 x three- bedroom dwellings

Open Market Homes (128 units in total):

- 40 x three-bedroom dwellings
- 88 x four-bedroom dwellings

The table below (taken from the applicant's submission) provides a summary of the changes between the approved housing mix and the proposed Section 73 housing mix.

	House Type				Dwelling size			
	Bungalow	Mews/ Semi	Detached	Apartment	1 bed	2 bed	3 bed	4 bed
Section 73	7	75	123	8	8	32	85	88
Approved	8	107	90	8	12	61	60	80
	-1	-32	+33	-	-4	-29	+25	+8

Overall, there is a good mix of housing types ranging from apartments, bungalows, mews houses, semi-detached and detached dwellings. The Section 73 amendments result in a greater number of larger detached market dwellings and a subsequent reduction in the number of smaller semi-detached dwellings. The affordable housing mix includes more 3-bedroom properties than the approved scheme with a subsequent reduction in 1 and 2-bedroom units. However, overall, the development continues to include a range of different property types and sizes. Contrary to the concerns raised by the Town Council, the revised housing mix better reflects the conclusions of the SHMA for Carnforth and is therefore acceptable and compliant with DM1 and DM3 of the DM DPD.

5.2.5 Policy DM2 requires all new homes to meet the Nationally Described Space Standards and for at least 20% of the dwellings to be meet the M4(2) requirements set out in Building Regulations for accessible and adaptable dwellings. This was not a policy requirement at the time of the outline planning application being granted. Officers are currently in negotiation with the applicant over these requirements and a verbal update will be provided.

5.3 **Landscape and Design considerations** NPPF: Chapter 15 paragraph 170 and 172 -177 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD policy EN2 (Areas of Outstanding Natural Beauty) and EN3 (The Open Countryside); Development Management (DM) DPD policies DM29: Key Design Principles, DM45 (Protection of Trees, Hedgerows and Woodland) and DM46 (Development and Landscape Impact).

5.3.1 The above referenced planning policy seeks to protect and enhance designated landscapes and other unique and valued landscapes which contribute to the place. This site does not fall within a designated landscape but forms part of the setting to the Arnside and Silver AONB. These policies collectively seek to ensure development proposals are in scale and in keeping with the landscape character and are appropriate in terms of its surroundings in terms of sitting, scale, massing, design and landscaping.

5.3.2 The proposed site forms an unallocated parcel of land beyond the established built up area of the town within designated countryside area. It is also within close proximity to the Arnside and Silverdale AONB. The landscape and visual impacts of the development when viewed from within the AONB was a significant material consideration at the time of the outline planning application being considered. Localised viewpoints of the development from Scotland Road and Carnforth Brow were equally important. To overcome initial concerns raised by Natural England strong structural landscaping was included within the layout and landscaping of the development. The inclusion of the proposed structural landscaping did not overcome the AONB Partnership's concerns. They maintained their concerns that the approved development would have negative impacts of the

character and setting of the AONB. Notwithstanding this, on balance, planning permission was granted conditionally. The outline planning permission (as part of the layout and landscape proposals) secured significant new native and structural woodland planting along the western boundary (as well as the east and southern boundaries) together with important “green fingers” of new structural planting within the developable areas. This landscaping formed part of the package of mitigation necessary to ensure the urbanising effect of the development is softened and the landscaping and visual effects, particularly when viewed from the AONB (Warton Crag), reduce to over time. The applicant continues to recognise the landscape-led approach required for the development of this site and has submitted their amendments with an updated Landscape and Visual Impact Assessment (LVIA). Critically, the proposed development maintains all the approved areas of open space to the north of the site, together with the buffer landscaping to Scotland Road, the railway and Carnforth Brow. Furthermore, the Section 73 amendments do not alter the amount of land (3.3 acres) dedicated to the structural green fingers within the developable area. However, the Section 73 proposals show some slight narrowing and dissecting (by new roads) of the green fingers to provide the amended layout.

- 5.3.3 The layout and landscape changes have largely arisen because of the applicant’s re-evaluation of the approved earthworks and re-grading of the site. The approved cut and fill proposals achieved development platforms that sought to reflect the undulating character of the developable area of the site. The proposed changes to the site’s topography do not compromise this. The applicant’s re-assessment of the site levels has been driven by making the buildability of the scheme more efficient (and viable), including the deliverability of a suitable gravity-fed surface water drainage scheme. The amendments still secure a varied composition of buildings across the site, to add interest and character to the development. Like the original proposal, this will be complemented by extensive landscaping particular around the periphery of the site. Consequently, the development does adversely affect the landscape character. Disappointingly however, the changes to the approved earthworks have led to an increased loss of existing landscape features within the site.
- 5.3.4 The Section 73 proposals result in the removal of 8 trees and 286m of lapsed hedgerow and 364m of current hedgerow. The main loss compared to the approved scheme is the loss of G10 (subject to the TPO), which comprises a heavily outgrown old hedge (some 286m in length) and forms a strong linear landscape feature within the site and is visually attractive. The proposed mitigation for hedgerow loss includes approximately 2107m of new native hedgerow planting – this is a net gain of 1957m of hedgerow. It is acknowledged that the new hedgerow planting will be more fragmented than the hedgerows lost due to the nature and layout of the development. Hedgerow planting is largely limited to the edges and within the developable area. No additional hedgerow planting is proposed within the wetland bird conservation area proposed in the northern section of the site as it is important to maintain the openness of the coastal floodplain grazing marsh habitat.
- 5.3.5 The land re-modelling does not significantly detract from what was previously approved and continues to provide varied site levels within the built development to reflect the drumlin landscape character and to add interest and character to the scheme itself. The amended earthworks do, however, compromise the ability to retain the central hedgerow running north-south through the site. Mitigation for the loss of tree and hedgerows is plentiful and exceeds that of the approved scheme. However, it is recognised that the loss of mature landscape features cannot be replaced and have the same visual effects in the short term. New planting will take time to establish. The AONB Partnership maintain their original concerns and recommend proposed copses within the development to be expanded to help reduce the visual impact on the AONB. Furthermore, they recommend all new planting is native to provide a woodland appearance and that trees planting along Scotland Road are of suitable height to provide good screening. The Council’s Tree Officer accepts the loss of G10 but insists that high quality replacement planting must be secured. The loss of 8 trees is equally accepted given the level of commitment proposed for replacement woodland planting within the site.
- 5.3.6 The approved and proposed planting typologies schedule included a range of ornamental street tree planting. Whilst changes to the structural landscaping have not changed significantly with the Section 73 application, the changes are such that officers are renegotiating the species mix in favour of incorporating more native woodland planting into the scheme. Additional standard trees within the hedgerow planting have also been requested to reflect existing landscape corridors on the site and in the locality. It is contended that these requests will, to a certain degree, overcome the concerns raised by the Council’s Arboricultural Officer and those of the AONB Partnership. The

applicant has accepted this position as well as the inclusion with an additional condition for a detailed planting scheme to be agreed based on the indicative planting schedules submitted as part of this application. This additional condition will secure the final number, species, size, grouping and spacing of all new planting. There will be a requirement, as part of this condition, for a number of heavy standard trees within the structural landscaping areas to secure immediate visual relief and landscape mitigation. This could also include the requirement for mature instant hedgerow planting in the area along the A6 where hedgerow translocation has been dismissed for the provision of the bus layby.

- 5.3.7 The proposed development continues to maintain the same development envelope as the approved scheme. It continues to incorporate strong structural landscaping corridors within and around the periphery of the developable area and, despite changes to the existing site topography, the development platform levels continue to vary across the site to reflect the drumlin landscape character. Overall and subject to the additional mitigation and planning conditions pertaining to the final planting scheme, the proposed changes to the layout and landscaping are considered acceptable and compliant with local and national planning policy listed at the head of this section.
- 5.4 **Flood Risk and Drainage - NPPF: Chapter 14 paragraphs 150 and 153 (Planning for Climate Change) and paragraphs 155-163 and 165 (Planning and Flood Risk); Strategic Policies and Land Allocations (SPLA) DPD Policy SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water) and DM36 (Protecting Water Resources and Infrastructure).**
- 5.4.1 National and local flood risk policy aims to direct new development to area of least risk of flooding and for all major development to incorporate sustainable drainage systems with appropriate climate change allowances, so drainage systems are effective for the lifetime of development. The fundamental aim is to reduce the risk of flooding and to protect development from flooding or causing an increase in flood risk elsewhere.
- 5.4.2 The proposed Section 73 amendments continue to adhere to the original Flood Risk Assessment (FRA), restricting the proposed dwellings and associated highway infrastructure to the area of the site within flood zone 1. Flood zones 2 and 3 continue to be utilised for extensive areas of public open space and a new wetland nature conservation area. The two dry attenuation basins are situated within flood zone 2 (as per the original scheme). The surface water drainage strategy continues to follow the same principles of the approved scheme with surface water discharging to the watercourse (at a controlled greenfield rate). Foul water from the site also remains unaltered from the approved scheme and will connect to the existing combined sewer within Scotland Road. The location of the pumping station for the foul water has changed as part of the Section 73 proposals. This has largely been dictated by the proposed site levels and access via the internal road network. A further amended layout has been provided to demonstrate that the closest habitable building is a minimum of 15m from the pumping station (as per the requests from United Utilities). Subject to the above requirement, United Utilities has raised no objection to the proposal.
- 5.4.3 The proposed layout shows minor changes to the proposed shape and depth of the attenuation basin, although the crest levels remain not less than 8.50 metres AOD as required by the original FRA and the EA. These changes are based on the submitted drainage drawings. However, as the drainage drawings are not accompanied by the necessary evidence (as per the requirements of the surface water drainage condition), these conditions and the final size of the basins are not matters that can be concluded or approved at this stage. The applicant has accepted this position. The drainage condition shall be re-worded to reflect the amended schematic drawings submitted but with full details reserved to the condition stage. The principles of the surface water drainage strategy remain unaltered. The Lead Local Flood Authority and the Environment Agency have raised no objections to the amendments sought by this application. The EA had commented that the outdoor gym equipment needed to be relocated outside the 8m easement area of Netherbeck. An amended plan has been provided to address these comments. In conclusion, the section 73 proposals do not alter the fundamental flood risk and drainage impacts arising from the development. Subject to the re-imposition of the FRA condition and the surface water and foul drainage conditions, the development is acceptable and compliance with national and local planning policy.

- 5.5 **Design, Open Space and Amenity** NPPF: Chapter 8 paragraph 91 (Promoting Healthy and Safe Communities), Chapter 12 paragraphs 124, 127 and 130 (Achieving Well-Designed Places), and paragraphs 178 – 183 (Ground Conditions and Pollution); Development Management (DM) DPD policies DM2 (Housing standards), DM29 (Key Design Principles), DM30 (Sustainable Design), DM31 (Air Quality Management and Pollution), DM32 (Contaminated Land) and DM57 (Health and Well-Being).
- 5.5.1 National and local planning policies seek to secure high quality designed development that positively contributes to place-making and the wider health and well-being of its community. Policy requires development to deliver a good standard of amenity for all and to be attractive, accessible and safe places. Policy recognises that the delivery of open space contributes significantly to good design and sustainable communities.
- 5.5.2 The approved development restricts the southern part of the site for housing, reserving all the land to the north and to the north east for open space, landscaping, drainage infrastructure and wetland habitat. The section 73 proposals do not fundamentally alter the zoning of the built development and its associated open space, drainage and biodiversity areas. There are modest changes to the layout of paths around the open space and the position of outdoor recreational equipment compared to the approved scheme, but such changes do not affect the design of the development. Within the built development, the layout maintains its green corridors and pedestrian routes through the development and linking into the extensive areas of open space. There are no changes to the type, amount or nature of the public open space (amenity green space, trim trail, equipped play area and bike track). In this regard, the proposal remains fully compliant with design and open space requirements of national and local planning policies.
- 5.5.3 The amended layout of the proposal has been altered because of the land re-modelling but also to fit the applicant's standard house types and their proposed housing mix. The general composition of the built development has not altered significantly. The layout and orientation of dwellings maintains an outward looking approach to the west, north and east (facing Scotland Road, Carnforth Brow and the floodplain to the north) with the internal dwellings fronting estate roads and the green corridors through the scheme. The interface distances between the proposed dwellings are largely acceptable and reflect similar interface distances to the approved scheme. Garden sizes are proportionate to the scale and size of the proposed dwellings. In most cases the development provides an acceptable level of private amenity space for each property. Where gardens are on the smaller size, the amount of accessible open space within the scheme adequately compensates for this and would not result in adverse impacts overall.
- 5.5.4 The density of the development remains as approved, although with the change in housing mix, there are areas that are markedly denser (in the centre and southern edge of the scheme) than other parts of the development. Modest changes have been made to try and mix some smaller units into the areas that are predominately detached dwellings. Whilst there are clear clusters of smaller dwellings in the centre of the scheme, given the layout and the integration of the green corridors, this would not lead to poor design and would still deliver well balanced communities. Overall, the development represents an efficient and effective use of land and also represents good design. Officers remain confident that the development will be an attractive and distinctive place to live and visit.
- 5.5.5 The internal arrangements of the development demonstrate that an acceptable standard of amenity can be provided for future residents. Like the approved scheme, consideration of the proximity of the proposed new dwellings to the adjacent transport corridors and employment land is also necessary. Paragraph 180 of the NPPF requires planning policies and decisions to aim to avoid noise from giving rise to significant adverse impacts on health and quality of life, along with policy DM29 of the DMD, which seeks to ensure existing and proposed residents benefit from a satisfactory standard of amenity. In this case, the proposed site sits alongside the A6 and the Carnforth to Leeds railway line. These transport corridors generate noise and therefore the development should, where necessary, mitigate against such impacts. The application site also sits next to the Midland Units which are used as offices and industrial uses. A revised acoustic report has been submitted to reflect the Section 73 amendments to the layout. This concludes the noise impacts associated with the transport corridors and the adjacent employment sites can be mitigated against through the use of acoustic glazing, mechanical ventilation and acoustic boundary treatments (between 1.8m and 2.4m high) to ensure the dwellings achieve a no observed adverse effect level (NOAEL). The

Council's Environmental Health Officer has raised no objections subject to a condition requiring the recommended noise mitigation. The existing noise condition will be re-imposed but re-drafted to reflect the updated noise and vibration assessment.

- 5.6 **Access and Parking** NPPF: Chapter 9 paragraphs 108-111 (Promoting Sustainable Transport) and Chapter 12 paragraph 127 (Achieving well-design places); Strategic Policies and Land Allocations (SPLA) DPD policies T2: Cycling and Walking Network and T4: Public Transport Corridors; Development Management (DM) DPD policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, DM62: Vehicle Parking Provision, DM63: Transport Efficiency and Travel Plans; DM64: Lancaster District Highways and Transport Masterplan;
- 5.6.1 The proposed Section 73 amendments do not alter the approved vehicular access arrangement onto Scotland Road, nor the emergency and pedestrian/cycle connections to Scotland Road and Carnforth Brow. The number of dwellings remains the same and as such there is no change to the traffic impacts (and associated air quality impacts) associated with the development. The original access and off-site highway work conditions (and the planning obligations relating to the traffic signals at the main town centre crossroad) shall remain as part of any amended planning permission. On this basis, there is no requirement to re-examine these considerations as part of the determination of the proposed application.
- 5.6.2 As part of the proposed changes to the layout, the applicant has provided a parking plan and a plan marking up the roads to be designed to adoptable standards. The majority of the proposed estate has been designed to adoptable road standards with sufficient footway provision and suitable highway geometry and turning facilities for emergency services and refuse vehicles. Despite some initial concerns raised by the Council's Waste and Recycling team, given the Highway Authority can confirm the layout is to an adoptable standard, the City Council's Waste and Recycling Team have raised no further comments. The condition relating to adoptable highway standards shall remain but re-worded to reflect the submitted plan marking out which roads to be designed to such standards.
- 5.6.3 The proposed parking plan is based on the Council's maximum parking standards with 3 spaces provided for the 4- bedroom units and 2 spaces for the 2 and 3-bedroom units. There is no additional visitor parking within the development, but roads are of sufficient width to accommodate some on-street parking and with the maximum parking provision being offered with the proposed dwellings, most of the larger properties will have space for visitors within the larger plots. Overall, the parking proposals are an acceptable response to the housing mix and general layout of the development and would not conflict with the Council's parking policy. Conditions will remain for the provision of cycle parking and electric vehicle charging points.
- 5.7 **Ecology** NPPF: Chapter 15 paragraph 170 and 174-177 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policy EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity), DM45 (Protection of Trees, Hedgerows and Woodland).
- 5.7.1 The ecological implications associated with the redevelopment of the site were considered potentially significant at the original pre-application stage and when considering the original outline planning application. This was on the basis that the site supports priority habitat (Coastal Floodplain Grazing Marsh), forms part of a wider Nature Improvement Area and is relatively close to the European conservation sites associated with Morecambe Bay. Coastal Floodplain Grazing Marsh can be important habitat for wader birds and therefore provides the potential to be considered functionally linked land to the designated sites of Morecambe Bay. The original assessment concluded that the proposed development would not significantly adversely affect nature conservation interests subject to mitigation.
- 5.7.2 The changes proposed as part of this Section 73 application do not fundamentally alter this position despite the scheme resulting in a further loss of trees and hedgerows. The development still caters for a significant amount of landscaping and retains the wetland nature conservation areas to the north. Additional replacement planting is proposed as a consequence of the additional hedgerow loss together with amendments to the planting typologies to service more native species across the development. Overall and subject to securing the proposed mitigation and enhancement measures,

the proposed development is not considered to adversely affect the integrity of the nearby nature conservation sites, nor adversely affect protected species or habitats and would deliver a genuine net gain in biodiversity. There are no objections from Natural England or GMEU in connection with the proposed changes, although GMEU has reinforced the requirements for securing the planned areas of greenspace and grazing marshland before first occupation. This is to ensure displaced wildlife is not displaced for a prolonged period. The planning obligation and original conditions already secure a mechanism to appropriately phase essential infrastructure and biodiversity mitigation/enhancement measures. The Wetland Conservation Area was agreed to be provided before occupation of the 30th dwelling. Overall, the proposal does not conflict with the Development Plan or the Framework with regards the protection and enhancement of the natural environment and biodiversity. All existing ecology and landscaping conditions shall be retained and re-worded to reflect the amended details and supporting documents.

5.8 **Section 106 Matters and other conditions**

5.8.1 This application has triggered the need for a Deed of Variation of the original s106 agreement. If these proposals are approved, this is mainly to link the S73 permission to the original terms of the planning obligation. In this case, it also requires the substitution of POS Zonal Plan to reflect the modest changes to the green infrastructure. There are no other changes sought to the original planning obligation. For the avoidance of doubt, the original obligation secures the following:

- Affordable Housing Provision – 40% of the total number of dwellings with the precise affordable housing scheme to be agreed at Reserved matters stage.
- Education Contribution – the final assessment and figure to be agreed reserved matters stage.
- Provision and long-term management of a new Wetland Conservation Area
- Provision and management of all on-site Public Open Space (Amenity Green space and Equipped Play Area, Young Persons Provision and the Trim Trail)
- Highways Contribution

5.8.2 The applicant has submitted a full Phase II Site Contamination Assessment and Ground Gas Assessment to enable the original site investigation condition to be re-drafted from a pre-commencement condition to a compliance condition (including verification). The details submitted and the recommendations conclude little remediation is required on site. The Council's Environmental Health Service concurs with the recommendations allowing the original condition to be amended as requested in the submission.

6.0 Conclusion and Planning Balance

6.1 The proposed changes to the scheme do not fundamental alter the development from what was previously accepted. Whilst the loss of the existing hedgerow through the centre of the site is disappointing, its loss is capable of being adequately mitigated and compensated for through the extensive landscaping and biodiversity enhancements proposed. The pattern and layout of the built development and its integration with the proposed open space, structural landscaping and the new nature conservation area remains largely the same as the approved scheme. The proposed development responds to the landscape character, achieves an acceptable standard of amenity for all and will deliver an attractive and inclusive place to live. Furthermore, the number and type of housing proposed, including the provision of 40% affordable housing, continues to make a very positive contribution to the district's housing supply and accords with the Development Plan and would constitute a sustainable form of development. On this basis, Members are recommended to support the proposed changes to this development.

Recommendation

That the proposed changes to the development and the subsequent variation to conditions 2, 5, 6, 7, 10, 11, 14, 16, 18, 24, 25, 26 and 27 on planning permission 18/00365/OUT **BE GRANTED** subject to a Deed of Variation to the original planning obligation (to link the S73 permission to the original terms of the planning

obligation and to substitute the POS Zonal Plan to reflect the modest changes to the green infrastructure) and the following conditions:

Condition no.	Description	Type
1.	Time Limit	Control
2.	Approved Plans	Control
3.	Phasing plan (to include details of the delivery of the residential development, wetland habitat, landscaping and POS)	Pre-commencement
4.	The existing public right of way to be formally diverted before the commencement of developed.	Control
5.	Full access details to be agreed	Pre-commencement
6.	Off-site highway works details to be agreed	Before slab level of dwellings
7.	Development to be carried out in accordance with amended AIA with TPP and AMS to be submitted for approval.	Pre-commencement
8.	Environmental Construction Management Plan	Pre-commencement
9.	Scheme for ecology mitigation and enhancement	Before slab level of dwellings
10.	Surface water drainage scheme	Pre-commencement
11.	Foul drainage scheme	Pre-commencement
12.	Scheme for archaeological investigation	Pre-commencement
13.	Scheme for archaeological investigation for Wetland Conservation Area	Before works take place in the Wetland Conservation Area
14.	Site Investigation and remediation	Control with validation before occupation
15.	No works to commence within flood zones 3 (as part of the delivery of POS/Landscaping) until full details of any earthworks are proposed to the bike track or footpaths in accordance with the FRA	Before works take place in flood zone 3 area
16.	Development to be carried out in accordance with Landscape Masterplan, with precise planting scheme (based on submitted details) to be agreed.	Before slab level of dwellings
17.	Lighting scheme	Before slab level of dwellings
18.	Parking provision	Control
19.	Boundary treatments and enclosures	Before slab level of dwellings
20.	Details of play equipment, street furniture, paths in the POS areas and nature conservation area	Before first occupation
21.	Drainage Maintenance	Before first occupation
22.	Scheme of cycle provision and EV changing points to be submitted to and agreed	Before first occupation
23.	Submission of full Travel Plan	Before first occupation
24.	Development to be carried out in accordance with FRA and addendum FRA	Control
25.	Development to be carried out in accordance with submitted cut/fill and site level plans	Control
26.	Roads to be built to adoptable standards	Control
27.	Noise mitigation to be implemented	Control
28.	Soil importation	Control
29.	Removal of PD	Control

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

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	A6
Application Number	20/00451/VCN
Proposal	Change of use, conversion and alterations of a retail show room (use class A1) plus associated storage and office into university student apartments (use class C3) with associated recreational facilities, and a silk weaving museum (use class D1) and the erection of a bicycle shelter (pursuant to the variation of condition 2 of planning permission relating to planning application 14/00989/CU to remove the external ramp, porch, cycle shelter from the approved scheme, removal of lean-to to east elevation and creation of landscaped yard and alterations to the internal layout to provide 11 additional student rooms and an internal cycle store)
Application site	Galgate Mill, Chapel Lane, Galgate, Lancashire
Applicant	UK Mills Ltd
Agent	Mr Matthew Atkinson
Case Officer	Mrs Jennifer Rehman
Departure	No
Summary of Recommendation	Approve

1.0 Application Site and Setting

- 1.1 The application site is located at the northern end of Galgate beyond the main built-up part of the village within Ellel Parish. It forms part of the listed Galgate Silk Mill complex which comprises several buildings but predominately consists of a former corn mill that was converted to a silk spinning mill in 1792 on the west side of Chapel Lane and the large mill dating 1851-2 on the east side of Chapel Lane. The application site relates solely to the large five-storey brick-built mill on the east side of the road and not the attached buildings around it. The application building, like the other mill buildings in the immediate area, are grade II listed (under 2 separate listings). Ellel House sits alongside the northern boundary of the mill complex and is also grade II listed, along with St John's Church which is situated north of Ellel House. Collectively this group of listed buildings form a small historic core in the northern part of the village. The field north beyond the church is currently being developed for housing.
- 1.2 The Mill complex comprises a mix of employment generating uses and is recognised in the Development Plan as a Development Opportunity Site (under the previous Local Plan the site was previously recognised as a local employment site). The application site consists of two elements namely the 5-storey mill building itself and a proportion of the existing car park at the access into the main complex (north of the mill). The buildings/units attached the application building consist predominately of employment uses - for example, the Silk Mill Garage, a joinery workshop, storage and distribution businesses and a small café. In addition to the existing employment uses, the application site also lies adjacent to existing residential development, namely Crofters Fold to the south and Ellel House and other residential properties on Chapel Lane. Land to the east of the industrial estate is open agricultural land. Land to the west consists of the oldest mill buildings which remain mainly in employment use, although there is a dwellinghouse facing Chapel Lane opposite

the application site. The grounds around the buildings are made up of hardstanding areas of varying condition with ad hoc parking throughout the site.

- 1.3 The main vehicular access to the mill complex is off Chapel Lane. Chapel Lane extends from the A6 (west of the application site) to Hazelrigg Lane (just under 1km north of the application site) where there is direct vehicular/pedestrian access to the University campus, albeit mainly without the benefit of footpaths. Before reaching the vehicular access to the mill complex (from the south) the road narrows between the eastern and western mill buildings. Here there are no footways. Beyond the village boundary, Chapel Lane is much more rural in character and only supports a narrow footpath for some of its length from Galgate to Hazelrigg Lane. The majority has no footpath and the road is characterised by sharp blends and narrow sections with minimal street lighting. The boundary of the estate with Chapel Lane consists of the buildings themselves, a small natural stone wall at the access and railings immediately in front of the 5 storey mill building. Other boundaries around the site consist of stone walls and lower walls with railings to the northern boundary with Ellet House. A new sub-station is in the process of being installed (to the south side of the estate access) by the utility company under permitted development rights.
- 1.4 The mill now lies within flood zone 2. This was not the case when the original scheme was proposed. There are no other allocations or designations affecting the site.

2.0 Proposal

- 2.1 The applicant has applied to vary the original planning permission (appeal decision) under the provisions of Section 73 of the Town and Country Planning Act 1990. A Section 73 application provides a useful mechanism to consider minor material amendments to development (i.e. amendments where its scale and/or nature results in development which is not substantially different from the one which has been approved. It is only possible to make such changes to a development where there is a relevant condition that can be varied. The principle of accepting the changes via the Section 73 route, despite an increase in bedroom numbers, was discussed and agreed with the LPA before the application was made. Having regard to case law, officers were satisfied that the increase in student rooms would not result in a substantially different form of developer to that allowed on appeal.
- 2.2 The applicant seeks amendments to the approved development pursuant to the variation of condition 2 of planning permission 14/00989/CU. The amendments include:
 - the removal of an external ramp and entrance porch to the south elevation of the building;
 - the removal of a detached cycle shelter (30 cycles) from within the existing car park area that formed part of the approved scheme and the provision of an internal cycle store instead;
 - the removal of an existing lean-to extension to the east elevation and the creation of landscaped yard in its place;
 - removal of fire escape to east elevation; and
 - alterations to the internal layout of the development to remove the glazed lift shaft forming part of the atrium and to provide 11 additional student rooms through re-configuring the internal circulation space/corridors.
- 2.3 The applicant no longer wishes to install an external ramp and new entrance porch to the side elevation of the building. The entrance into the development will be via the original main entrance on Chapel Lane. The applicant also seeks to remove the new lift within the central glazed atrium and will utilise the original lift shaft within the mill building. During the determination period, the scheme has been amended with the number of new studios reduced from 12 to 11.
- 2.4 A breakdown of the accommodation as proposed and approved is set out in the table below:

Floor	Section 73 Proposal	Approved
Ground Floor	8 studios, museum, cycle store, office, communal facilities, plant room.	5 studios, museum, communal facilities, office, plant room.
First Floor	26 studios, laundrette, store/plant room	24 studios, laundrette, store/plant room
Second Floor	28 studios	26 studios

Third Floor	28 studios	26 studios
Four Floor	28 studios	26 studios

- 2.5 Condition 2 of the planning permission lists all the approved plans. The submitted application seeks to substitute the previously approved plans with a list of new plans setting out the changes to the scheme. The application does not seek to amend any of the other conditions save for where they have been complied with as part of the earlier discharge of condition applications.
- 2.6 This Section 73 application was submitted to the Council and validated in June 2020. The development commenced in May 2019. Between the commencement of development and the submission of the Section 73 application, officers were engaging in informal pre-application discussions over the proposed amendments. Upon submitting the application, development was being carried out in accordance with the extant planning permission (and its associated listed building consent). However, due to the significant delays in the Development Management service and the applicant's commercial commitments, the applicant began to start implementing the amendments sought as part of this pending Section 73 (and associated listed building application). At the point of reporting this application to the Planning Regulatory Committee, the development is nearly complete (based on the proposed changes). Most of the development, in relation to the amendments proposed, is now retrospective.

3.0 Site History

- 3.1 The Mill complex has been the subject of many planning applications. However, the most relevant relate to the parent planning permission and listed building consent, which were allowed at appeal. The details of such are set out overleaf. The Local Planning Authority (LPA) has received and determined a number of discharge of condition applications relating to the decisions referenced below.
- 3.2 In autumn 2019, during pre-application discussions the LPA confirmed that the approved development had lawfully commenced before the permission had time expired. On this basis, at the point the Section 73 applications were submitted, the approved development was extant.
- 3.3 As noted above, applicant has progressed with the development (based on the proposed changes) before obtaining the formal consent (both eh Section 73 application and the pending listed building application). The applicant has knowingly done this at their own risk. For most of the development and works, officers have been satisfied with changes and where issues had arisen, earlier in the build programme, they were resolved. For example, the applicant stripped the roof and re-slatted in inappropriate roofing materials and pattern. Works voluntarily stopped on officer recommendation, and the applicant resolved the problem. Works continued to the roof (without consent) but to an acceptable detail. The LPA under enforced in accordance with its Enforcement Charter. However, at the beginning of this year it became apparent that the applicant, despite their submissions confirming all works to be carried out in accordance with the submitted and previously approved details, have installed windows that do not accord with the approved details. Officers are in discussions with the applicant about the unlawful works and the next steps, which is the reason why the corresponding listed building application is not being reported at the same time as this Section 73 application. The LPA is considering formal enforcement action on this matter. Officers will provide the Planning Regulatory Committee more details at the point the listed building application is reported.

Application Number	Proposal	Decision
14/00989/CU	Change of use, conversion and alterations of a mixed use showroom/warehouse with associated storage and office accommodation into 107 student studio apartments (use class C3) with associated communal facilities, a silk weaving museum (D1), cafe (A3), erection of a bicycle shelter and porch extension.	Refused and later allowed on appeal.
15/00271/LB	Listed building application for works to the Mill including removal of external lift and reinstated openings, insertion of new windows, restoration and replacement of drainpipes and hoppers, creation of atrium and light well,	Split decision - refused element allowed on appeal.

	insertion of rooflights, repairs to brickwork and repointing, glazed porch addition, creation of ramp and handrail, security gate, insertion of partitions, ceilings, air conditioning, lift, stairs, internal ramp and flues	
20/00448/LB	Listed Building application for works to the Mill including the removal of the external lift and external fire exit stairs, removal of the single storey lean-to to the east elevation, reinstating openings and the insertion of new windows, the creation of an atrium and light well, installation of external steps and repair to brickwork and repointing, re-roofing, restoration and replacement of drainpipes and hoppers and internal works comprising the insertion of partition walls, ceilings, lift and stairs, internal ramp, flues and ventilation system.	Still pending consideration

4.0 Consultation Responses

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

Consultee	Response
Conservation Team	Comments received, stating the proposal will not alter the overall level of harm to the significance of the Listed building from the previous allowed appeal, which determined less than substantial harm. At the time of the Conservation Officers comments, there remained some details lacking in the submission.
Environmental Health Service	No significant environmental health implications were noted and offer no adverse comments or advice.
County Archaeology	Concerns that the archaeology condition has not been discharged and that the proposed changes omit the boiler house and chimney from the proposals and the museum element of the ground floor area has been reduced in size, questioning the scope for the museum to display significant machinery.
Civic Society	Objection to the original development (14/00989/CU) re-submitted. Concerns raised over the use of the mill for student accommodation, living standards, minimal space for the museum element of the scheme and lack of parking.
County Highways	Concerns over the loss of the external cycle stand providing 30 spaces with internal facilities in the building. Difficult to ascertain the number of spaces proposed.
Lancashire Fire and Rescue Service	Standing advice in relation to compliance with Building Regulations.
Lancaster University	It is unclear from the representations received, whether the comments from the University relate to the previous appeal or the pending application. Nonetheless, the comments received are as follows: <ul style="list-style-type: none"> • University keen to see the City Council's supply and demand evidence for student accommodation • Preference for mixed accommodation rather than higher end studio accommodation • Recommend the development are homes under the LU Homes remit – their accreditation scheme. • Studio flats to adhere to fire service requirements and to provide adequate light levels • Walking route to campus is mainly unlit which poses a risk • Studio apartments are too small • Studios aimed at high end of the rental market only

4.2 One letter has been received neither objecting nor supporting the proposals. The comments received query the student entrance, noting the originally approved scheme had the entrance to the side of the building and that this is no longer indicated on the approved plans.

5.0 Analysis

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

- Principle of development
- Living Conditions
- Cultural
- Traffic, access and parking
- Other Matters

5.2 **Principle of development** NPPF paragraph 7 – 12 (Achieving Sustainable Development), 47 (Determining applications), 54-57 (Planning Conditions and Obligations) Chapter 5 (Delivering a Sufficient Supply of Homes); Strategic Policies and Land Allocations (SPLA) DPD policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, SP3: Development Strategy for Lancaster District, SP6: The Delivery of New Homes and DOS4 Galgate Mill; Development Management (DM) DPD policy DM7 Purpose Built Accommodation for Students

5.2.1 Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. Section 73 provides a mechanism to consider and assess minor material amendments to an earlier planning permission. It is not an opportunity to re-examine the principle of the development.

5.2.2 The Inspector's decision to allow the appeal accepted the loss of employment land, the effect of the development on highway safety and contended the proposal provided satisfactory living conditions for future occupants. The Inspector contended that the proposal would detract from the significance of the heritage asset but that the degree of harm would be less than substantial. This harm was weighed against the public benefits of the proposal, including securing the buildings optimum viable use. The Inspector concluded the proposals constituted sustainable development, that it would positively contribute to the district's housing supply and importantly, would prevent the mill from falling into disrepair (securing an optimal viable use).

5.2.3 Since the appeal was allowed, the Development Plan has changed. The Local Plan now allocates the whole of the Galgate Mill complex as a Development Opportunity site. Policy DOS4 states that the Council will support proposals for the regeneration and development of Galgate Mill, subject to meeting several policy requirements. The policy focuses on a conservation-led appropriate recognising the significance of the listed mill buildings within the allocation. Unlike the old Local Plan, current policy recognises that to achieve appropriate regeneration of the site mixed use proposals may be accepted, although the policy still seeks to see a significant element of employment land retained. This policy extends across the whole of the mill complex not just the proposed mill building. This policy is relevant; however, the extant planning permission provides a clear fall-back position.

5.2.4 The principle of the use of the mill as a student accommodation complex with a museum/cafe at ground floor (as well as communal accommodation and living accommodation) is established. Whilst the section 73 amendments include additional studio rooms for student occupation, the amendments are not substantially different to argue the proposed changes result in a different form of development. Therefore, in assessing the proposed changes, the main issues relate to the effects of the proposed works (the amendments) on the special architectural and historic interest of the listed building, the effect on highway safety and whether the proposal continues to provide a satisfactory living conditions for future occupants.

5.3 **Living Conditions** - NPPF Chapter 12 paragraphs 124, 127 and 130 (Achieving Well-Designed Places); Strategic Policies and Land Allocations (SPLA) DPD policy DOS4 Galgate Mill; Development Management (DM) DPD policies DM29 (Key Design Principles), DM7 Purpose Built Accommodation for Students and DM57 (Health and Well-Being).

5.3.1 The approved development comprised 107 studios for student occupation. Despite the Council's concerns that over 37 of these studios would not benefit from an acceptable standard of amenity (largely because of the lack of outlook and access to natural light because of the internal accommodation arrangement (around the atrium) and the semi-basement accommodation), the

appeal was allowed. The inspector contended that despite some conflicts with the accommodation standards set out in the DM DPD, the proposal would create rooms of sufficient size, with adequate daylight to provide a satisfactory living accommodation for students.

- 5.3.2 The proposed amendments do not fundamentally alter the arrangement of the approved student accommodation. The studios remain arranged around a central atrium (5 metres wide as approved) with an internal corridor separating studios that extend around the external walls of the building, benefiting from the large mill windows. The number of rooms around the central atrium remains as approved (eight on each floor except the ground floor). All the rooms around the atrium meet the space requirements set out in the DM DPD (19 sq.m). The main changes relate to the location of the entrance to each floor. The amendments seek to block up the original openings and form new openings to each floor off the original staircase enclosure. This has enabled minor changes to the internal corridors, slight reductions to the size of some studios (but not dropping below the policy requirements and overall ranging between 19 sq.m and 24 sq.m) resulting in the ability to add two additional policy complaint studios to floors 1 to 4. Furthermore and because of the changes, the layout of each room has been able to work around (and retain) the original steel columns which form a significant part of the mill's architecture and special interest. Whilst there are additional studios proposed, the size of each studio is policy compliant and the outlook and access to natural light (for floors 1-4) remains as per the extant permission.
- 5.3.3 The changes to the ground floor are more extensive. The scheme retains the museum element of the development (totals to 189 sq.m) and the communal student accommodation (cinema room, study space, relocated gym), plant room and office. The scheme also retains living accommodation within the ground floor as approved, although 3 additional studios are now proposed at this level. The approved ground floor arrangement proposed 5 studios along the eastern side of the building. These studios previously had no outlook and only benefited from rooflights to be installed in the former lean-to roof. These were accepted on appeal on the basis they were larger rooms and accessible. This section 73 application seeks to remove the lean-to roof (thus reducing the size of the rooms but still meeting the minimum 19 sq.m), retain the original window openings along the eastern wall (these windows were previously proposed to be removed) and remove an internal corridor from the approved scheme (to create more space to provide one additional studio along the eastern wall of the building). The proposed alternations result in a 3.5m wide external courtyard area between the mill and the adjacent mill buildings (outside the application site). The applicant proposes to make good the brickwork and external floor to form a small, landscaped area with an artificial living wall applied to the external walls of the courtyard. Despite a reduction to the size of these 5 (now 6) studio rooms, the changes will improve the outlook and natural light to these studios and are arguably an improvement to the approved scheme.
- 5.3.4 In addition to the extra studio along the eastern wall, the applicant proposes two further studios at the ground floor. These rooms replace the former offices proposed under the approved scheme. The studios have a floor area of 19 sq.m and 22 sq.m respectively and benefit from the large original windows to the south elevation. However, the ground floor is lower than the ground level externally, meaning on this side of the building these rooms do not have an outlook. They do still benefit from the large mill windows, which enables the rooms to have access to natural light. These two rooms are of sufficient size and have access to natural light. However, in the absence of any outlook, they do not conform to the living standard requirements set out in DM7 of the DMDPD.
- 5.3.5 The Inspector when determining the previous proposals, on balance accepted the overall living conditions were acceptable. This included the 5 studios at ground floor level without any outlook and all the rooms facing into the internal atrium. The Section 73 proposals retain the same number of rooms around the internal atrium and now proposes only 2 studios (at the ground floor level) without any outlook (the approved scheme had 5 studios with no outlook at ground floor level). On this basis, the overall effect on the living conditions of future residents is not materially different to the approved scheme. A refusal of the Section 73 proposals, on the grounds of unacceptable living conditions, could not be substantiated.
- 5.3.6 The removal of the side entrance porch and the use of the main mill entrance off Chapel Lane instead, is an improvement to the proposal - to not only the design of the development - but also removes previous concerns over the security. A scheme for crime prevention measures and security was approved by condition under the original scheme. The amendments will not fundamentally alter this. The approved scheme comprised the installation of CCTV and re-use of existing lights

already present on the mill building as well as secure access measures (intercom). This condition will remain in force to ensure the retention of the agreed measures while the building is in use for student accommodation.

5.4 **Cultural Heritage NPPF Chapter 16 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations (SPLA) DPD policy DOS4 Galgate Mill; Development Management (DM) DPD policies DM29 (Key Design Principles), DM37 (Development affecting listed buildings) and DM39 (The Setting of Designated Heritage Assets).**

5.4.1 The NPPF states that when considering the impact of a proposed development on the significance of a designed heritage assets, great weight should be given to the assets' 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"*. Paragraphs 192-193 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 judgement, but it must be informed by the need to give special weight to the desirability to preserve the heritage asset.

5.4.2 When the Inspector granted planning permission for the conversion of the mill into student accommodation, it was accepted that the proposal would result in less than substantial harm to the significance of the heritage asset as the proposed works/development would be detrimental to its special architectural and historic interest. The Inspector, however, recognised that without the proposal and its attendant public benefits which include securing the optimum viable use for the asset, the mill would be at high risk from disrepair which would be exacerbated by there being no other scheme in place to secure its longer-term future. The Inspector concluded that the public benefits outweighed the less the substantial harm identified and concluded the proposal complied with the NPPF and the local heritage policies in the Development Plan. The proposed Section 73 amendments do not alter the fundamental arrangements and building interventions required for the proposed student accommodation (i.e. the loss of the open plan floor plates and the significant level of sub-division and new suspended ceilings/walls etc to provide the accommodation).

5.4.3 The proposal will involve some minor increases in the level of harm in comparison to the previous application. This relates largely to the blocking up of original openings with brickwork on all floors and the insertion of new openings off the original staircase. The existing openings are not ornate or illustrative of particular construction technologies, but the changes would diminish the illustrative understanding of the historic layout of the building. The loss of the lean-to roof to the east elevation (ground floor level only) was a later addition to the mill building and is less significant. Its loss would not result in significant harm to the significance of the building. The scheme also proposes the removal of the external fire escape. Whilst its retention is preferable, the approved scheme sought to cut it in two and only retain the upper section, which would be structurally challenging. The applicant seeks its removal as part of the Section 73 amendments which would further improve the outlook from some of the proposed studio apartments. The proposal now includes a glazed section in the wall alongside the original engine room to expose this within the development. This will help sustain the heritage value and appreciation of the listed building and is a positive change. The original spiral staircase was removed during construction to install the suspended ceiling. The applicant has committed to reinstating this feature in its original position (part of the museum). A condition will be imposed to ensure this occurs. The loss of the external bike store, which was previously proposed directly in front of the listed café building at the complex access, has been removed with cycle storage incorporated into the internal layout. The loss of the external bike store would not lead to any further harm to the significance of the setting of the listed mill complex. The Council's Conservation Officer has not objected to the proposed amendments. Concerns over the lack of detail in relating to the Section 73 application have largely been resolved (but continue to be negotiated/discussed in relation to the pending listed building application) during the determination period, including several inspections to the site.

5.4.4 As part of the Section 73 application, the applicant did not seek to alter any of the details previously approved by condition. The applicant negotiated an approved window detail with the LPA as part of

the original planning permission and listed building consent, but it has transpired the applicant has installed alternative (not approved) windows. This is a matter currently being discussed in relation to the pending listed building application. For the purposes of this Section 73 application, the approved window detail shall remain a condition of the planning permission if the proposals are supported. This means the applicant will be in breach of their planning permission. The LPA will then pursue any necessary enforcement action accordingly. It is contended that the amendments to the planning permission proposed by this application should not be withheld because of this breach, as the breach can be pursued by the LPA separately.

- 5.4.5 Overall, the proposal would not alter the overall level of harm to the significance of the listed building in relation to the consideration of the NPPF and local planning policies. The harm would remain 'less than substantial'. It is considered that the minor increase in harm arising from the changes would be justified to allow improved amenity for the long-term uses of the building and that the overall public benefits continue to outweigh the harm to the listed building. On this basis, the development as proposed (and based on the previously approved details) accords with paragraph 196 of the NPPF and policies DM37 and DM39.
- 5.5 **Traffic, Access and Parking** NPPF: Chapter 9 paragraphs 108-111 (Promoting Sustainable Transport) and Chapter 12 paragraph 127 (Achieving well-design places); Strategic Policies and Land Allocations (SPLA) DPD policies T2: Cycling and Walking Network and T4: Public Transport Corridors; Development Management (DM) DPD policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, DM62: Vehicle Parking Provision, DM63: Transport Efficiency and Travel Plans.
- 5.5.1 The traffic effects of the proposal on the highway network, sustainable travel opportunities and parking demands were significant material considerations addressed and accepted upon the grant of the original planning permission. The approved scheme provided for 5 accessible spaces, 2 staff spaces and 3 spaces for the museum - a total of 10 spaces. A cycle stand for 30 cycles was also proposed as part of the development. The amendments to the scheme alter the parking arrangements and refuse areas and relocate the cycle storage within the existing building. This is largely a consequence of a new sub-station that has been installed by the utility provider (under permitted development rights) in the location where the approved parking was proposed. The scheme retains 5 accessible parking bays and 3 standard parking bays. There is a reduction of 2 parking spaces because of the proposed changes. Due to the extent of land within the application site (and the control of the applicant), its proximity to the access, the position of the new sub-station and the provision of the bin enclosures (larger than previously approved) it is not possible to provide any additional dedicated parking spaces. Cycle provision is now proposed at the ground floor level of the mill building in a room measuring 25 sq.m. The plans show 21 cycles but there is scope within this floor area to increase the amount of cycle parking should demand (through the Travel Plan) become apparent. This could be achieved with two-tier cycle racks.
- 5.5.2 The Inspector recognised the concerns raised about highway safety arising from the proposal but accepted that the site and Chapel Lane provides easy access on foot or cycling to the university. The Inspector noted the presence of an existing footway along the length of the mill building and noted the appellant's evidence (at the time of the appeal) in relation to highway improvements and parking restrictions and concluded the proposal would be unlikely to compromise highway safety for those using the lane. The Inspector also concluded that the level of parking proposed for the development (having regard to the site's sustainable location and the requirements for a Travel Plan), would equally not compromise highway safety on the local road network. On this basis, the development was approved with only a condition securing the implementation of the Travel Plan. No conditions were imposed in relation to parking provision or off-site highway works.
- 5.5.3 The loss of 2 parking spaces and a gain of 11 studios would not materially alter the approved position, bearing in mind the Travel Plan aims to encourage sustainable travel modes for students with the accommodation being offered without parking. A condition will be imposed to secure the parking provision proposed by this application. The Travel Plan condition shall be retained but re-drafted to accord with the approved Travel Plan. This requires the Framework Travel Plan to be developed into a Full Travel Plan within 6 months of occupation and after 3 months of the initial surveys. The applicant is aware of their need for ongoing compliance of the Travel Plan. They have confirmed that the development is being advertised as a car-free development and that bicycles have been purchased for future residents (albeit are restricted to use these due to current Covid

restrictions). This alone does not demonstrate full compliance. The initial 3-month travel surveys are unlikely to be meaningful at present due to the pandemic. As such a degree of flexibility is likely to be needed. Nevertheless, the applicant will be required to engage with the LPA and the County Council's Travel Plan teams to comply with their approved Framework Travel Plan. The matter of covenants to prevent students having cars in tenancy agreements goes beyond planning controls despite its good intension. The LPA, in approving condition 5, has not approved a tenancy agreement, rather the terms of what must be included in it in relation to the occupation of the development for full time student occupation. It is not possible to state students cannot own or have cars – this could not be enforced. Overall, it is contended that the changes would not significantly adversely affect the operation or safety of the local highway network above the position already accepted and established by the grant of the original planning permission. In this regard, the changes do not result in a conflict with the NPPF and the Development Plan.

5.6 **Planning Conditions**

5.6.1 Condition 1 of the planning permission relates to the time limit. As set out earlier, the LPA is satisfied that development commenced in accordance with the permission and before the planning permission time expired. The time limit condition is no longer necessary. Condition 2 shall be varied to relate to the plans submitted as part of this Section 73 application. Condition 3 requested precise details of various architectural detailing to be agreed and approved. Most of the required detail had been previously agreed by condition. Such details shall be included in the approved plans list. It appears that details pertaining to flues associated with the ventilation system have not been agreed, although the intention of the original scheme was to utilise the historic chimney. Officers are trying to establish the facts and details of any external flue/vent system which, if acceptable, can be dealt with by condition and the pending listed building application. Details pertaining to the glazed porch and external ramp are no longer necessary as these details no longer form part of the development as set out in this application. Condition 4 relates to the hours of work. This shall be re-imposed and remains relevant until the development has been fully completed. Condition 5 relates to the lease arrangements to restrict the occupancy of the development to full time student use. This remains relevant and necessary and shall be reimposed (albeit varied to account for the approved details). Condition 6 restricts the use of the museum/café element of the development for no other purpose. It is noted that there no planning controls on the original planning permission securing a trigger or mechanism for the delivery of the museum. As the changes to the scheme do not fundamentally alter the approved development in this regard, it would be unreasonable to impose such a condition now. Condition 7 relates to security measures. This condition will remain in force based on the previously approved details and amendments where necessary due to the changes to the site entrance. The Travel Plan condition remains relevant and necessary and shall be varied to reflect the approved Framework Travel Plan. Given the majority of the development is completed, the approved Construction Method Statement is no longer judged necessary. This will not be re-imposed if the proposals are accepted. An additional condition is recommended to secure the proposed parking and refuse areas as well as a condition securing the installation of the original spiral staircase. Additional information has been requested in relation to any new brickwork associated with the blocking up of windows and the making good and surfacing to the landscaped courtyard.

5.6.2 The proposed development now lies within flood zone 2. A sequential test is not required where it relates to a change of use, but in any case, there is a clear fall-back position of the extant planning permission. The extant planning permission allows living accommodation at the ground floor level. Whilst there is an increase in studios at this level, the level of risk is not significantly greater than the approved position. The applicant will be recommended to sign up to the Environment Agency Flood Warning scheme so there are appropriate flood warning and evacuation procedures in place to manage the residual risks associated with extreme flood events.

6.0 Conclusion and Planning Balance

6.1 The proposed development results in an increase in 11 studio rooms and associated alterations to the building to accommodate the revised layout. There are several positive changes to the scheme, including the removal of the side entrance porch, the external cycle stands and the creation of an external courtyard to improve the living conditions for the studios at the ground floor level. However, there is a minor increase in the level of harm to the listed building to facilitate this, as set out under the Cultural heritage section of this report. The level of harm remains 'less than substantial'. The

slight increase in harm does not outweigh the wider public benefits of the proposal or significantly worsen the identified impacts when compared to the original planning permission. Subject to the imposition of conditions, the proposed Section 73 amendments are, on balance, considered compliant with the Development Plan and the NPPF. On this basis, the Planning Regulatory Committee is recommended to support the proposed changes to the scheme.

Recommendation

That the variations to condition 2 of the Planning Permission 14/00989/CU **BE GRANTED** subject to the following conditions:

Condition no.	Description	Type
1	Approved plans (amended)	Control
2	Development to be carried out in accordance previously approved (by condition) architectural details for the windows, doors, atrium, vents, rainwater goods.	Control
3	Construction Hours	Control
4	Student occupation use condition	Control
5	Use of the museum and café	Control
6	Development to be carried out in accordance previously approved crime prevention measures	Control
7	Implementation of the approved Travel Plan	Control
8	Implementation and retention of parking and refuse areas	Control
9	Before completion of the development, the spiral stair case to be re-instated in accordance with the approved plans pursuant to condition 1	Control
10	Brickwork below former lean-to roof to be made-good, cleaned and re-pointed (where needed) in accordance with agreed details and to match existing building and new stone flagged surface to landscaped courtyard to be provided.	Control

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

In accordance with the above legislation, the City Council can confirm that Officers have made this 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 this 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
Application Number	20/00550/FUL
Proposal	Demolition of buildings including William Thompson Tower, William Thompson Offices, Primary Curriculum Building, Estates & Secondary Centre buildings and erection of an 8, 9 and 10 storey building comprising residential student accommodation in cluster flat arrangements with ancillary laundry room, cycle store, refuse store, management office and reception, plant room and associated landscaping, access and service infrastructure
Application site	University of Cumbria, Bowerham Road, Lancaster, Lancashire
Applicant	University of Cumbria & NWSDL
Agent	Clare Bland
Case Officer	Mr David Forshaw
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

This application was deferred from the meeting of the Planning Regulatory Committee on 1 March for the applicant to submit additional drainage details and verified views of the proposed building and for further consultation to be carried out.

1.0 Application Site and Setting

1.1 This site is in the southern part of the campus adjacent to the Gateway building and close to the chapel and Barbon building. Immediately to the south west are existing residential roads of Havelock Street and Cumberland View. To the north are the open grounds of the campus containing sports facilities and car parking. To the east are existing campus buildings including the non-designated heritage assets Barbon and Hornby buildings and car parking. The campus boundary between the site and neighbouring houses is formed by the original barrack stone wall – another non-designated heritage asset.

1.2 The precise location for this development is within the developable area of the campus identified in policy EC6 of the adopted Strategic Policies and Land Allocations DPD (SPLA). It is outside the SPLA identified heritage led residential site (H3.3) and key urban landscape (EN5).

2.0 Proposal

2.1 The proposal is to demolish the existing 10 storey accommodation block (William Thompson Tower) and associated single storey buildings and replace them with a new student accommodation block split into 8, 9 and 10 storeys on the same site albeit not the same footprint. The proposals take advantage of the sloping site to include a lower ground floor and external landscaped gardens. This is an amended proposal responding to concerns with the original design and location within the site.

- 2.2 The accommodation will provide 214 en-suite bedrooms arranged in clusters of 5 or 6 with each cluster served by a kitchen/dining area and additional shared social space on each floor. The main entrance is at ground level facing the Gateway campus building. The lobby is served by a reception area and office. At lower ground floor level further communal student social space is provided along with conferencing facilities, bar/café, laundry, cycle store, plant room, servicing facilities and late-night access door. The replacement block will provide an additional 49 student beds than the current block.

3.0 Site History

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

Application Number	Proposal	Decision
20/00762/FUL	Erection of a 2-storey supported living facility (C3), erection of a bin and cycle store, creation of access road and parking, and alterations of existing ground levels including retaining walls and gabion terraces, associated landscaping and service infrastructure	Application Permitted
20/00554/FUL	Demolition of buildings including Sarah Witham Thompson, Gressingham and Melling Halls, Black Box Theatre, Old Dining Room and the Long Corridor and erection of a 4 storey Extra Care residential building (use class C3), partial demolition, conversion and change of use of the Art Studio from education facility (use class D1) to ancillary space associated with the Extra Care residential building and change of use and conversion of Barbon Hall and Hornby Hall from education facility (use class D1) to provide affordable residential apartments (use class C3) with associated landscaping, parking, access and service infrastructure	Application Permitted
20/00425/EIR	Screening request for a replacement student residential block in area A following the demolition of the existing 10 storey William Thompson Tower and surrounding buildings	ES not required
18/01220/PREMTG	Demolition of existing teaching and accommodation blocks, conversion of 2 barrack buildings to 17 2-bed apartments, erection of 23 4-bed 3 storey townhouses and 2 4-storey student accommodation buildings comprising a total of 30 5-bed cluster flats	Advice provided
18/00399/PRETWO	Demolition of existing teaching and accommodation blocks, conversion of 2 barrack buildings to 17 2-bed apartments, erection of 23 4-bed 3 storey townhouses and 2 4-storey student accommodation buildings comprising a total of 30 5-bed cluster flats	Advice provided

4.0 Consultation Responses

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

Consultee	Response
United Utilities	The application does not provide sufficient drainage information at this time so request a condition requiring pre-commencement approval of the detailed drainage system. This will enable all parties the opportunity to work together to reach a suitable outcome.
Local Lead Flood Authority	The revised drainage strategy proposes to discharge at the minimum greenfield rate with excess volume stored on site. No infiltration testing has been carried out which is the first level of drainage hierarchy and the potential for this needs to be

	confirmed at detail design stage. The LLFA has no objection subject to conditions including requiring pre-commencement approval of the detailed drainage system.
County Highways	No objection subject to provision of a zebra crossing, contribution to improvements to Pointer roundabout, implementation of a parking management strategy and travel plan
County Archaeology	No further archaeological investigation is needed
Environmental Health	Condition requested relating to dust and EV charging points
Contaminated Land	No objection subject to standard conditions
Arboriculture Officer	No objection
NHS CCG	A contribution towards extension and reconfiguration of one of the Lancaster Medical Practice's premises is requested, without which they object
Conservation Team	No objections subject to conditions.
Civic Society	No objection to loss of the existing tower. From a cursory review some of the earlier reservations have been addressed and a more imaginative design has emerged for the replacement tower with a building taller than that originally envisaged. Concerned about the need for more student accommodation and the current over-supply of such facilities is evident from the number of half-empty and half-built residences around the city. It is to be hoped that the internal design of the new block will be future-proofed to allow for alternative uses.
Arboricultural Officer	No objection
Police	A crime impact statement provides security advice
Fire Service	Standard advice
CSTEP	More detailed Employment Skills Plan needed which can be conditioned
Natural England	No objections subject to a condition securing mitigation through a resident's pack and notice board

4.2 A total of 35 neighbour responses have been received. All are objections apart from one support and two making comments. The objections can be summarised as:

- The area already suffers from traffic, parking, flooding and litter issues
- Effect on wildlife
- Pollution
- Increased traffic
- Worsening parking problems, especially from loss of on-site spaces (planning condition needed to address)
- Out of character with the residential area
- Overshadowing and overbearing impact
- Boundary treatment issues
- Construction noise
- Loss of existing tower
- Too much student development
- Proposal exceeds height in UoC's original publicity and should be 18m tall.
- Building should be clad in slate or wood
- Car free for students is unenforceable
- Loss of part of historic wall and overall effect on historic site
- Footprint larger than existing
- Campus has been neglected for many years
- Approval should not be granted without a site visit
- Tower should be demolished but not replaced with one of similar height
- Roof installations should be controlled
- Locating a new zebra crossing close to bus stops and a junction is dangerous
- Raising in height is a new application not an amendment
- No assessment from long distance view points
- Building is too high and imposing, towering over two storey houses
- Insufficient consultation has taken place
- Site notices have not been displayed and/or properly
- Location on a ridge is particularly sensitive and this design is insensitive
- "Village" nature of the area will be ruined
- Loss of light

- Increased noise from students
- Location closer to neighbouring houses
- Loss of property value
- Covenant may prevent taller replacement buildings
- Effect on TV and radio signals

The support is for loss of the existing tower and the comments state materials should be sandstone in colour and type and not grey or brick.

5.0 Analysis

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

- Principle
- Design
- Townscape and visual impact
- Effect on neighbours
- Heritage
- Traffic and parking
- Other material considerations

5.2 **Principle of Development** SPLA DPD Policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, EC6: University of Cumbria Campus. Development Management DPD Policies DM7: Purpose Built Accommodation for Students and National Planning Policy Framework Sections 2, 6, 8, 9, 11, 12 and 16.

5.2.1 SPLA policy EC6 states the Council will support sustainable growth of the campus where it accords with both the masterplan for the University of Cumbria (UoC) and all relevant planning policies. Any expansion (except small scale and for outdoor sports) should be confined to the identified developable area. The location for the new block is within the developable area. The University's Masterplan and Estates Strategy have been submitted with the application along with a planning statement which sets the context for the UoC's estate management.

5.2.2. The planning statement states that the UoC is the country's largest provider of initial teacher training operating from five main campus sites. Changes in government policy and the nature of learning has reduced the number of students by over 2,000 or 30% between 2013/14 to 2017/18. The UoC considers future student growth will be modest and further changes to teaching/learning methods has and will reduce the overall amount of physical space required per head (students, teachers, admin and support staff). The Lancaster campus currently operates at almost double the optimum sq. m floorspace per head (14.02sqm v 7.5 sqm). To remain competitive and attempt to deal with the loss of revenue from reduced student numbers UoC has reviewed all its business practices, including the extent and future requirements for the wider estate.

5.2.3 The Estates Strategy sets out initiatives focusing on reducing the amount of space and improving the efficiency and learning environment of the remaining space. It also includes a student residential strategy which aims to provide attractive and affordable accommodation that is owned or leased by the university. The masterplan identifies estate management issues and options and guides future development requirements. This has been informed by various baseline studies.

5.2.4 Preparation of the masterplan is supported, and officers have had some involvement in it. However, wider Councillor involvement and endorsement has not taken place. Concern has been raised by officers about the short, 10 year timescale of the masterplan and the ability to plan with comfort for the longer term needs of the University. In response, the applicant states that the higher education sector is extremely fluid with teaching practices continuously evolving (as demonstrated during the pandemic). The UoC considers teaching, student support and administration will never return to the pre-pandemic form. Pre-pandemic, all higher education institutions were seeking to adapt their physical estates in line with new technology and advances in remote learning, alongside the growing demand for better and more dynamic, value for money teaching for students paying higher fees. Having regard to these factors the UoC considers the 10 year masterplan lifespan is appropriate and robust and, unlike a longer plan, is able to offer sufficient flexibility to meet the ever changing

requirements placed on it by stakeholders. The need by the UoC for a flexible and responsive masterplan (even if covering a shorter period than officers would like) is reasonable.

- 5.2.5 Part of the baseline research informing the masterplan is a condition survey of the existing William Thompson tower. The survey identifies numerous defects in the masonry and structure throughout the building that need urgent and extensive repair, including total re-pointing and structural strengthening. The survey considers without this work the building's expected life span is less than 5 years.
- 5.2.6 DMDPD policy DM7 covers purpose built student accommodation and sets out a number of criteria which a development must comply with. Other criteria are dealt with in following sections of this report but in terms of the principle, DM7 supports such new development located on campus. The proposal is therefore in compliance with EC6 and the first criterion of policy DM7, and the principle of the development is acceptable.
- 5.3 **Design Consideration DMDPD DM7: Purpose Built Accommodation for Students DM29: Key design principles; DM30: sustainable design; NPPF section 12**
- 5.3.1 The current design has evolved through a series of meetings and discussion with officers both at the pre-submission and determination stages. The original submitted design was considered monolithic, bland and uninspiring, lacking design quality and variation. That building was between 5 and 7 storeys in height with grey brick and bronze cladding predominantly around the top 3 floors and appeared more like a civic building than modern student accommodation. Informal plans were submitted for comment for a 10 storey block incorporating a plinth building but this was still unacceptable. The architects were encouraged to take a bolder and more imaginative approach given the character and constraints of the site.
- 5.3.2 The current plans respond to this criticism by proposing a building of distinctive architectural form that is similar in height to the existing tower, albeit larger in plan. The massing of the proposed building has been designed with an interplay of elements to break up the apparent scale and generate visual interest. The proposal creates more positive and memorable architecture than before, with a striking profile. It now represents a bolder, modern and imaginative design through its appearance, massing, scale, layout and materials.
- 5.3.3 The footprint is L shaped with 4 different size elements making up the single building. There is a central feature tower of 10 storeys running SW-NE clad in bronze metal panels. Its narrow end elevation faces residential properties on Havelock Street. Parallel to this on its SE side is a lower 8 storey tower, also end on to the nearest houses with its long elevation facing the Barbon and Hornby buildings. This tower will be finished in a contrasting way to the taller central tower with grey brick over buff bricks to the ground and lower ground floors. Adding a great deal of interest to the external elevations of the subservient tower will be a network of profiled aluminium fins which appear like an external supporting skeleton. At a right angle to the central tower on its NW side, furthest from the nearest houses are two more adjoining towers of 7 and 8 storeys. Like the other lower tower they will be finished with the same grey brick and aluminium fins. This design and use of materials breaks up the mass and provides an interesting design that is fitting for a feature building in this location. Although the same height as the existing building, the proposal provides a much improved visual appearance of the multi storey accommodation at the site. Around the building will be landscaped gardens providing sitting out areas for students. The proposed tree planting is largely ornamental but this would not reflect the existing character of the local area which incorporates large tree species or help integrate the development into the wider landscape character. It is important the character of the existing planting is reflected in the scheme particularly close to the boundaries, subject to appropriateness of species close to buildings. Therefore, a condition is proposed requiring a more suitable soft landscaping scheme. All servicing and late night entry to the building will take place at lower ground floor level from within the existing campus.
- 5.3.4 The building has been aligned with key views to the Lake District and links within the campus. The central tower is a visual anchor and link through to the campus and Gateway building enabling creation of a plaza. The contrasting materials and detailing accentuate the subservient nature of the towers surrounding the central feature tower creating a visually pleasing building. The mass is broken up through use of different heights and vertical projections.

- 5.3.5 All pedestrian and vehicle access to the building will be through the campus with no new external openings proposed to surrounding roads. The immediate grounds of the building will be landscaped at ground and lower ground floor levels with lawns, planting beds, trees, seating and pathways.
- 5.3.6 It is considered the design is appropriate to the character of the local area and the height is compatible given it matches the existing building. The building could be converted to hotel or residential use demonstrating its flexibility. The proposal fully complies with the design requirements of policies DM7, DM29 and DM30.
- 5.4 **Townscape and Visual Impact DMDPD Policy DM46: Development and Landscape Impact; NPPF section 12**
- 5.4.1 Policy DM46 states that the district has a landscape and townscape which is valued, unique and provides a distinct sense of place which should be protected and enhanced. The Council will support development that is in scale and keeping with the landscape character and is appropriate to its surroundings in terms of scale, siting, massing, design, materials, external appearance and landscaping.
- 5.4.2 The applicant has completed a Townscape and Visual Appraisal (TVA). At a national level the site is within National Character Area 31: Morecambe Coast and Lune Estuary. At the regional level, A Landscape Strategy for Lancashire (Lancs County Council, 2000) identifies the site as an "Urban" Landscape Character Type and within this as a Landscape Character Area of "Industrial Age". The TVA considers that an Urban character type is a diverse and varied area which has seen much change over the years, has a capacity to accommodate change and therefore of low sensitivity. The Industrial Age character area is described as medium sensitivity given it is defined as relatively attractive and formal although with some detracting features throughout. At the local level the TVA states the site is within the UoC campus which contains a range of land uses and buildings, including non-designated heritage assets and is considered of medium sensitivity. Outside the campus the area is characterised by residential dwellings, urban green space and key urban landscape designations with further residential and the registered Williamson Park, associated Listed buildings and Conservation Area beyond. In order to establish a baseline townscape position the TVA considers the site to be "ordinary" when assessed in terms of its townscape condition and value.
- 5.4.3 Following establishment of the baseline position of the site and sensitivity of the local character areas, the TVA completes an in-depth assessment of the proposals' effect when viewed from a number of locations by various receptors in the immediate locality. For townscape character and features and heritage assets the assessment concludes the development will give rise to a range of Neutral, Negligible, Minor (beneficial) and Moderate (beneficial) impacts. Loss of the existing buildings and replacement with a high quality, rationalised scheme promoting connectivity to the wider campus will result in an overall improvement to the local townscape and a positive effect on the setting of the non-designated heritage assets. For visual effects the development will have a range of Neutral, Negligible, Negligible (beneficial), Minor (beneficial) and Moderate (beneficial) impacts on residential, non-designated heritage assets, road users and users of open space. The overall conclusion is that the development would represent an overall improvement in townscape and visual terms and would not give rise to unacceptable townscape or visual effects.
- 5.4.4 In particular, the TVA includes an appraisal of the visual impact from a number of representative viewpoints close to the site. 13 of the viewpoints are outside the university campus ranging in distance from the site of 30 metres on Adelphi Street to 685 metres at the Ashton Memorial in Williamson Park. The views from roads closest to the site are a combination of close-range, direct and oblique, channelled and partially screened by existing buildings. The building will be visible, particularly between properties on Havelock Street. The assessment concludes the improvement in architectural merit and materials over the existing provides a small (beneficial) overall magnitude of effect giving rise to a minor (beneficial) overall significance of effect for residents and negligible for road users. This represents the worst visual effect identified in the appraisal. At other close viewpoints the overall effect is of small (beneficial) magnitude with a minor (beneficial) significance. The medium to long views have a range between negligible (neutral and beneficial) or no overall magnitude giving rise to a range of overall significance of effect from negligible, neutral or minor (beneficial). This is due to intervening buildings and vegetation. More distant views are limited in number but when visible the existing block appears prominent. Evidence of longer views of the proposal from Skerton Bridge and Lancaster Castle have been submitted which do not lead to a

different conclusion about lack of impact on the townscape given the prominence and appearance of the existing building.

- 5.4.5 Following concerns regarding the accuracy of the images submitted by the applicant, verified views were requested and have been submitted. These relate to 7 views from the following locations: Bowerham Road looking up Havelock Street; Golgotha Road; Cork Road; Coulston Road near Anderson Close; Skerton Bridge; Lancaster Castle approach and Parkfield Drive. The impact on long distant views of the proposal are acceptable, and in many more localised areas the proposal will not be visible due to topography. However, there are some locations, notably Parkfield Drive and some of the parallel streets where the scale of the proposal is much more noticeable and the visual impacts are significant. The verified views indicate that the impact on the local skyline to the west of the site would be greater than the existing building, with the new building undoubtedly more prominent in views, bulkier in form and dominant in scale. Against this, the building is of improved design compared to the original submission and the massing is linked to the wider strategic aims for the site, which include the provision of the Extra Care facility. While it might be possible to reduce some of the visual impact of the scheme given the size of the application site, this may require a larger building footprint, with likely increased construction costs and greater problems of overlooking. Nevertheless, following assessment of the impact of the design, mass and bulk as presented by these images, there is no change to the recommendation.
- 5.4.6 The existing 10 storey tower is of a 1960s design with multiple telecommunications installations on the roof. It appears dated and suffering from the effects of weather and use and does not enhance the townscape. The proposed building, for the reasons set out above relating to its design and materials will make a more positive contribution the townscape. Given it is the same height as the existing its height and massing are appropriate for the context within which it will be viewed. Local and longer views of the building demonstrate acceptable massing given the existing tower and spacious site context. Therefore, it is considered it complies with the requirements of policy DM46, subject to removing permitted development rights for telecommunication installations.
- 5.5 **Effect on Neighbours DMDPD DM7: Purpose Built Accommodation for Students; Policy DM 29: Key Design Principles**
- 5.5.1 The visual impact of the development for occupiers of surrounding residential properties is dealt with in the section above. This section deals with impact on neighbours living immediately adjacent the development, particularly on Cumberland View and Havelock Street, from overshadowing and overlooking causing loss of light and privacy issues respectively. Both roads contain traditional two storey terraced housing running in a straight line away from the campus and development site with rear yards and windows facing NW and SE.
- 5.5.2 The existing 10 storey building is located approximately 25 metres from the nearest houses, with a single/two storey building, campus stone boundary wall and pedestrian alley between. The closest elevation facing the housing contains windows to all floors above ground level serving staircase landings.
- 5.5.3 The original application plans proposed a new building 5 metres from the nearest houses positioned opposite the rear yards and alley between the rear of Cumberland View and Havelock Street. The nearest part of the new build would have been 5 storeys. The nearest windows in the student accommodation were proposed approximately 26 metres away, opposite the end of Havelock Street in a 6 storey wing. This relationship was unacceptable.
- 5.5.4 The current proposal has moved the block to 16 metres from the side elevations of the end terrace properties with the facing elevations of the new build containing no windows. The nearest facing windows in the student accommodation are in the 9 storey wing approximately 37 metres away from the end houses on Cumberland View and Havelock Street. The proposed block is therefore approximately 9m closer to housing than the existing building but facing windows have been moved a further 12metres away.
- 5.5.5 Any multi storey building close to lower height houses has the potential to create actual or a perception of overshadowing and overlooking. The existing building gives rise to both issues. The replacement building will be of the same height but 9m closer, potentially worsening any overshadowing effects. However, the replacement building, as is the existing, will be located north

east of the closest housing and therefore not within the direct sun path for the vast majority of the day. The only time direct sunlight may be blocked is early in the morning to the rear of properties on Cumberland View. This will occur at present and although will be worsened by the proposed building being closer to Cumberland View, not to a degree that warrants refusal. Overshadowing is also not greatly worsened due to the relative position of the building to the houses and the fact the houses face away at a right angle to the building and not towards it.

- 5.5.6 In terms of overlooking, the loss of the facing windows in the existing building is a great benefit. Proposed new windows facing south west directly towards the houses' gable ends will only have distant and oblique views of rear facing windows in those houses. This angle, despite the height, is unlikely to cause actual loss of privacy. Any perceived overlooking is much less than that caused at present from the much closer existing student block windows. The proposed south east facing windows will have an oblique view towards houses on Adelphi Street. This occurs at present and the location of the new accommodation is unlikely to worsen actual or perceived overlooking of those properties.
- 5.5.7 In conclusion, the current overshadowing and overlooking effects of the existing building will be part improved and part worsened by the proposed development. In terms of balance, the slight worsening of the loss of early morning sun is outweighed by the improvement in overlooking from locating windows further from existing housing.
- 5.6 **Heritage DMDPD DM41: Development Affecting Non-Designated Heritage Assets or their Settings; NPPF section 16**
- 5.6.1 None of the buildings to be demolished are heritage assets. The stone perimeter wall forming the site boundary to the north and west is a non-designated heritage asset (NDHA) being the original barracks wall. A new pedestrian access is proposed through the wall on the north boundary to link the site to the existing car park off Bowerham Road. This will be used for late night access. The opening has been positioned at the location of an existing modern window to minimise loss of historic fabric and therefore will not diminish the wall's historic significance. Full details of the opening are required by condition.
- 5.6.2 Within the campus are buildings considered NDHA. The main impact of the development will be on the Barbon and Hornby buildings (former married quarters). The existing building's poor quality materials do not sit comfortably with these buildings. The height of the proposed matches that of the existing but the highest part is set back from Barbon and Hornby. For the majority of the NDHAs the views would be similar to existing or the impact of greater massing neutral given the site's relatively spacious character of trees. The main impact of the development would be on near views to the immediate west of the site, where there would be the greatest change compared to existing, but where there are few notable heritage assets. The proposed bronze metal cladding, grey brick and aluminium fins will contrast with the stone used in the historic buildings ensuring they are readily distinguished. The location of the student block would not affect their setting or views from or of them. Other NDHAs are separated from the site by intervening open space or other buildings. It is not considered the proposed building will diminish the setting, appreciation, or significance of any of the campus NDHAs.
- 5.6.3 The scheme will be a marked improvement on the tired appearance of the existing buildings and help refresh the character of the campus environment. It would add to the varied architectural interest of the wider site while not harming the settings of the more historic and architecturally significant campus buildings nearby. Therefore, the proposal meets the requirements of policy DM41.
- 5.6.4 An archaeological desk based assessment does not consider there to be any potential for surviving below ground archaeology to be present. County's Historic Environment Team agrees that there is no need for further investigation. Policy DM42 is therefore satisfied.
- 5.7 **Traffic and Parking SPLA EC6: University of Cumbria Campus; DMDPD DM60: Enhancing Accessibility and Transport Linkages; DM61: Walking and Cycling; DM62: Vehicle Parking Provision; NPPF section 9**

- 5.7.1 SPLA policy EC6 states proposals that may result in an increase in student numbers and/or traffic movements must include mitigation to ensure no net increase in traffic movements occurs. The proposal will result in an additional 49 student bed spaces on campus. The submitted transport statement says *“the provision of student residential facilities as part of the overall offer at the Lancaster campus is a key element of the University’s strategy to reduce the number of journeys being made to/from the campus by private car. As part of a comprehensive travel plan approach, there are no dedicated car parking facilities proposed for the student residential scheme. As the development is located within the campus and in the immediate vicinity of all key services that future residents....will ultimately require, the demand for private car travel during term time will be extremely low.”*
- 5.7.2 The framework travel plan is accepted by County Highways and will cover monitoring of travel modes, support for students to travel sustainably and later submission of a Parking Management Strategy associated with term start and end times to minimise disruption of the surrounding highway network and residents. The site is well served by public transport, pedestrian and cycle links. The detailed measures to be implemented include appointment of a co-ordinator, welcome packs for students, information on and new signage for pedestrian and cycle routes; on site showers and changing facilities for staff; cycle parking and raising awareness of public transport and discount tickets. The travel plan will be implemented and reviewed through a condition attached to the permission.
- 5.7.3 A study of parking carried out on behalf of the University shows that on a typical university day no more than 65% of the total 528 on site parking spaces are used, leaving spare capacity of at least 184 spaces. Even with the loss of 72 spaces due to the extra care development (20/00554/FUL) if this is approved and implemented, sufficient parking is available on site. A detailed assessment of the parking implications of that development is included in the report elsewhere on this agenda.
- 5.7.4 County Highways states that it is recognised the University contributes to some vehicles parking on surrounding residential streets but that complaints have not been received recently regarding this. The results of the parking survey suggest on-site capacity is not a major factor in this.
- 5.7.5 A dedicated strategy will be designed to deal with vehicles at arrival and departure times of the academic terms. County Highways request a new zebra crossing on Coulston Road on the north east side of the junction with Golgotha Road and provision of 110 cycle parking spaces. These will be secured by conditions.
- 5.7.6 With the measures to be implemented through the travel plan, parking management plan, additional cycle parking and new zebra crossing County Highways raises no objection and it is considered the requirements of policy EC6 will be met by the development.
- 5.8 **Other Material Considerations**
- 5.8.1 **Drainage and flood risk** - Current drainage is by way of a combined system through the campus discharging to an off-site combined public sewer. Infiltration tests are not currently available so it is proposed to limit discharge to greenfield rates for all rainfall events up to the 100-year plus 40% climate change. Water runoff from hard surfaces will flow into a below ground attenuation tank under the car park from where the outflow will be controlled to the greenfield rate into the existing campus system. Infiltration may be possible, subject to testing, which will be carried out at the detailed design stage. Infiltration is the first aim in the drainage hierarchy and this must be investigated. Conditions proposed by the LLFA and United Utilities require this to be done and the final detailed drainage design agreed prior to commencement of any operations on site. Foul water will be gravity fed to the combined public sewer separately from the surface water while on site. Flood risk at the site is low apart from isolated surface water flooding of high potential. To mitigate this ground levels around the building will fall away so as not to create low points. The proposed conditions can be imposed based on the revised drainage strategy and overcome the previous concerns of the LLFA and United Utilities meeting the requirements of policies DM33 and DM34.
- 5.8.2 **Ecology and trees** – There are no priority habitats on site and the nearest designated site is 600m away (Lancaster Moor Hospital Grassland BHS) with no connectivity to the development site. Two buildings were identified as having potential suitability for bat roosts so the site has been subject of detailed bat surveys. No bats were seen emerging from either building and very low number of

commuting bats was recorded. Further species protection/mitigation is proposed through use of suitable external lighting, no site clearance during bird nesting season, use of bat and bird boxes and hedgehog friendly features. These are covered by conditions. Six trees are proposed to be removed which are all assessed as of low quality. They are cherry, goat willow and cypress trees. The tree protection plan is appropriate to the site with a combination of fencing, ground protection and arb supervision. Replacement in the ratio 3:1 will be included in the landscaping scheme, which can also be designed to ensure biodiversity net gain. The site is within the Morecambe Bay buffer zone and a Habitat Regulation Appropriate Assessment has been completed which concludes the recreational pressures from the development on the designated areas can be mitigated by suitable packs distributed to all resident students. The scheme is compliant with policies DM44 and DM45.

- 5.8.3 Air Quality – A qualitative air quality assessment for the construction and operational phases has been submitted. This concludes during the construction phase there is a medium to low risk of dust soiling effects and proposes mitigation measures to reduce any potential impacts based on best practice. During the operational phase concentrations of pollutants will be below air quality objectives and therefore not significant. Policy DM31 is therefore complied with.
- 5.8.4 Sustainability – An energy statement has been submitted which confirms the development has the potential to achieve a 21% reduction from Part L Building Regulations emission requirements through measures including enhanced thermal building fabric, recovery of waste heat, combined heat and power system, thermal storage water heating, air source heat pumps and solar panels. This complies with the requirements of policy DM30.
- 5.8.5 Planning obligations – A contribution of £5,627 has been requested by the NHS to mitigate the effects of the development. However, the request fails to meet the required standard tests as precise details of the project to which the money will contribute has not been provided. Therefore, there is no justification to request the contribution. In line with the terms of the request the CCG raises an objection to the development in the absence of the contribution. However, this is not sufficient reason to justify refusal.

6.0 Conclusion and Planning Balance

- 6.1 The existing building has a negative impact on the townscape and neighbouring properties. The replacement building is an improved design and uses materials which will improve the overall visual appearance in the locality and from further afield. A worsening of sunlight loss to a small number of properties on Cumberland View is outweighed by the removal of actual and perceived overlooking from existing closer windows than those proposed. There is no negative impact on heritage assets, though there are some localised viewpoints where the visual impact is significant. However, these are outweighed by the provision of on-site student accommodation that will reduce reliance on private cars and free up family housing for other parts of the community. Furthermore, the development will enable implementation of carbon reduction technologies. In the overall balance, benefits are considered to outweigh the negatives.

Recommendation

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

Condition no.	Description	Type
1	Time limit	Standard
2	Approved plans	Standard
3	Detailed Sustainable Drainage Strategy	Pre-commencement
4	Construction Phase Surface Water Management Plan	Pre-commencement
5	Foul Water Drainage	Pre-Commencement
6	Employment Skills Plan	Pre-commencement
7	Contaminated land	Pre-commencement
8	Details of pedestrian access in boundary wall	Pre-commencement of that work
9	Off-site highway works	Pre-commencement other than demolition

10	All materials and details of fenestration, eaves, external wall construction and entrance canopies	Above ground
11	Homeowner packs	Above Ground
12	Landscaping details and implementation	Prior to occupation
13	Lighting details	Prior to occupation
14	Travel Plan and car parking management strategy	Prior to occupation
15	Security details	Prior to Occupation
16	Cycle Parking Provision	Prior to Occupation
17	Drainage Operation and Maintenance Plan and Verification Report	Prior to Occupation
18	Approved tree Works	Ongoing
19	Ecological mitigation measures	Ongoing
20	Hours of construction	Ongoing
21	Travel Plan	Ongoing
22	Nesting birds	Specific time
23	Separate Drainage	Control
24	Sustainable construction and energy efficiency	Control
25	Removal of Telecommunications Permitted Development	Control
26	Restriction to student accommodation	Control

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

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	A8
Application Number	20/00405/REM
Proposal	Reserved Matters application for the erection of 55 dwellings, associated accesses and alterations to land levels
Application site	Old Hall Farm, Kirkby Lonsdale Road, Over Kellet, Carnforth
Applicant	Oakmere Homes (Northwest) Limited
Agent	Mr Ben Pycroft
Case Officer	Mr David Forshaw
Departure	No
Summary of Recommendation	Approve

1.0 Application Site and Setting

- 1.1 The site is located 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 (Wilson's Endowed C of E). The site occupies an area of 3.41 hectares of agricultural land, over 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 is 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 although the Over Kellet Conservation Area is immediately to the south. Whilst there are no listed buildings within the site there are a number located in close proximity: 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 100 metres of the site boundary). Whilst no footpaths cross through the site, footpath 1 is sited 115 metres to the west. There is a small beck located on the northern periphery of the site, and whilst not within flood risk zones 2 or 3, 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 Proposal

- 2.1 The application comprises the reserved matters details for the development of 55 residential units. Outline planning permission was granted for the proposed development on 27 April 2018 (reference 17/01050/OUT). All matters including access were reserved for future consideration. This current application has been made for approval of these remaining details which includes access, appearance, landscaping, layout, and scale. The site is a rural housing allocation for 55 dwellings (ref. H2.5). Therefore, the principle of the development is established and cannot be considered at this stage.

- 2.2 The proposed 55 dwellings comprise of 18 different dwelling types in a mix of 1 and 2 bed apartments and terraces, 3, 4 and 5 bed detached dwellings in 2 storeys or split level (to cater for the change in levels) and 3 bungalows.
- 2.3 A single point of vehicular access is proposed off Capernwray Road south of the junction with Kellet Lane. Pedestrian/cycle links are proposed through the site exiting at 2 locations on Capernwray Road close to Hall Garth Gardens and opposite the village green. The layout of the scheme includes areas of amenity open space and structural landscaping within and to the boundaries of the site, retaining existing hedgerows and trees.

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
17/00264/PRETWO	Residential development for approx. 70 residential units	Pre-application advice Provided
17/01050/OUT	Outline application for the erection of up to 55 residential dwellings	Approved 27 April 2018
20/00050/DIS	Discharge of conditions 3,4,5,6,7,9,10,11,16,17,18,20 and 21 on approved application 17/01050/OUT	Pending

4.0 Consultation Responses

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

Consultee	Response
United Utilities	Submitted surface water drainage layout is acceptable.
County Highways	No objection to the revised plans and layout
Natural England	Agrees with the Habitat Regulations Appropriate Assessment that a Homeowners Pack is suitable mitigation for potential adverse effects on the Morecambe Bay designated sites.
Public Realm	On site amenity space is sufficient; contributions totalling £57,904 are needed for upgrading an existing play area and provision of young person's open space (both off site)
CSTEP	Revised ESP does not show a measurable commitment to achieving required benchmarks
Conservation Team	It was noted at outline stage that this scheme would have a significant impact on the historic form and layout of Over Kellet. Following submission of amended plans some earlier concerns still stand.
Arboriculture Officer	No objection
County Historic Environment Team	Further archaeological evaluation is required
Strategic Housing	Concerned about the proposed amount, tenure, type and clustered location of the affordable housing.
Environmental Health	No objection subject to conditions
Parish Council	Object to the spread, density and design of the affordable housing (particularly the scale and form of the apartment block close to the Conservation Area, reduction from 40% provision and locating all units in one part of the site); Object to the traffic management strategy and method statement (particularly use of a layby as a holding area for large construction vehicles and route for them through the village and turning across a busy road). Concern raised about site operative car parking in the village, effects of increased traffic in the village and maintenance of the open space on site.
Ramblers Association	Wish to see a footway on Capernwray Road between the site and existing junctions

4.2 17 responses from 12 addresses have been received from members of the public objecting on the following grounds:

- Insufficient village infrastructure (shop/medical services/pub/school/buses/drainage)
- Increased flooding
- Adverse effect on village and local roads/traffic (roads already narrow and busy, used by large agricultural and caravan vehicles, speeding vehicles)
- Loss of wildlife habitat
- Contaminated remains in foot and mouth burial pits
- Exit point of the footpath is dangerous
- Affordable housing is unsuitable and insufficient
- A community orchard should be provided
- Further landscaping needed rear of Hall Garth Gardens
- Too many houses proposed
- No footpath to village centre being provided
- Loss of greenfield site
- Not an infill site
- Unsustainable location

5.0 Analysis

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

- Principle of development
- Access and traffic
- Scale and Appearance
- Landscaping
- Layout
- Heritage
- Compliance with outline permission

5.2 **Principle of Development** SPLA DPD Policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, Development Management DPD Policies DM1: New residential development and meeting housing needs, DM2: Housing standards, DM3: Delivery of Affordable Housing and National Planning Policy Framework Sections 2, 5, 11, 12.

5.2.1 Following the grant of outline planning permission 17/01050/OUT on the 27 April 2018 the site was allocated in the adopted Spatial Policies and Land Allocations DPD as a rural housing site (ref. H2.5). Therefore, the principle of residential development on this site is established and cannot be revisited.

5.3 **Access and Traffic** DMDPD DM60: Enhancing Accessibility and Transport Linkages; DM61: Walking and Cycling; DM62: Vehicle Parking Provision; NPPF section 9

5.3.1 A single vehicular access is proposed off Capernwray Road, south west of the junction with Kellet Road. A pedestrian/cycle path is proposed between Capernwray Road and the centre of the village running around the rear of Hall Garth Gardens and linking into the development.

5.3.2 The internal road layout comprises a main spine road serving frontage development and 4 cul-de-sac roads. All roads will be privately owned and maintained.

5.3.3 Following amendments, County Highways' concerns have been resolved and no objections are raised to the access or road layout.

5.4 **Scale and Appearance** DMDPD DM29: Key design principles; DM30: sustainable design; NPPF section 12

5.4.1 All houses are to be constructed from a palette of materials including white render, natural stone elevations and detailing, natural slate roofs and anthracite (grey) window frames and fascias.

- 5.4.2 All buildings apart from the 3 bungalows are two storeys in height. This includes the apartment building which contains 4 ground floor and 4 first floor apartments. The split level houses are designed to follow the steeper contours and are single and two storeys in height. The house designs include front elevation gable features, porches and bay windows and a mix of integral and attached garages. The development is policy compliant on Nationally Described Space Standards and M4(2) space requirements.
- 5.4.3 Extensive open landscaped areas are proposed around the edges of the site which also retains the vast majority of existing boundary hedges and trees, softening the external impact of the buildings and creating an attractive setting for the development and pedestrian paths. A significant existing length of hedgerow/trees within the site is retained as well as areas of public open space between the site and the village.
- 5.4.4 External plot boundary treatments are mainly 1.8m high timber fencing but these will be softened by extensive new planting of an appropriate mix of native species and hedging. Within the development boundaries to roads will be formed by low stone walls and 1.8m stone wall/timber panel construction.
- 5.4.5 All materials, ground and floor levels and boundary treatments have been submitted as part of this application and are acceptable. They will be included as approved plans which the development must comply with.
- 5.5 **Landscape DMDPD Policy DM46: Development and Landscape Impact; NPPF section 15**
- 5.5.1 The layout seeks to minimise the visual impact arising from development of the sloping site. Detached houses, some with split level ground floors, and minimisation of finished floor levels as dictated by the drainage system allow sympathetic street scenes to be created. The bulkier apartment building is located at the lower northeast corner.
- 5.5.2 Four trees are proposed to be removed due to their poor condition, all being either in decline or dead (damson, pear, elm and willow). To facilitate the development 3 short lengths of hedgerow are to be removed. The proposed planting scheme more than makes up for this loss. All other hedgerows and trees are to be retained and protected during construction.
- 5.5.3 Any development here will drastically alter the visual impact of the locality. However, the principle of development has already been established through the granting of outline permission and allocation of the site for housing. The layout minimises this impact and is considered acceptable. A landscaping plan and planting schedule has been submitted and is acceptable. These will be conditioned as part of the approved plans.
- 5.6 **Layout DMDPD Policy DM 29: Key Design Principles**
- 5.6.1 The nearest properties outside the site are Tithe Barn and bungalows on Hall Garth Gardens. These neighbouring properties are at a higher level than the development and the interface distances between them and proposed plots exceed the standard required by policy. Therefore, the development will not cause loss of amenity for neighbours from overlooking or overshadowing.
- 5.7 **Heritage DMDPD Policy DM37: Development Affecting Listed Buildings; DM38 Development Affecting Conservation Areas**
- 5.7.1 It was noted at outline stage that this scheme would have a significant impact on the historic form and layout of Over Kellet, the historic core of which is designated a Conservation Area and has a number of listed buildings. There is an opportunity to mitigate this impact by a design that reflects the character of the settlement and its setting. The layout of Over Kellet centres around its village green and this greatly enhances its character. There is an informal mix of buildings of various ages, forms and styles, from vernacular cottages to large houses in polite style, with agricultural buildings also prominent within the local townscape. The fields and parkland associated with the grade II listed Hall Garth also feature prominently in the village.
- 5.7.2 The application site has no historic buildings of note but appears to be of some landscape interest and would once have formed the 'townsfield' for the settlement before enclosure. The proposal shows some awareness of the need to front open spaces wherever possible and retains important

trees and hedgerows. There is an opportunity to create a new village green that would serve as a functional open space for the development. The overall design of the development could more meaningfully embrace the character of the village and become better integrated with it rather than being separate and unrelated. However, the site is seen in glimpses from the centre of the village between the listed buildings. Although it forms part of the wider setting for the Conservation Area and listed buildings its contribution is limited. In views from Capernwray Road the listed buildings and Conservation Area are not visible.

- 5.7.3 The proposed layout will have a limited impact on the setting of the Conservation Area and listed buildings amounting to less than substantial harm. On this basis, under paragraph 196 of the NPPF, the harm has to be weighed against the public benefits arising from the development. In this case the new footpath links serving the village and provision of housing on an allocated site are considered to outweigh the limited scale of harm.

5.8 **Compliance with Outline Permission**

- 5.8.1 The outline planning permission imposed a number of conditions against which the applicant has submitted details as part of a separate discharge of conditions application (20/00050/DIS) which relates to the following:

- Highway and access matters – construction details of the access, pedestrian/cycle paths, lighting and off site highway works (comprising street lighting on Capernwray Road, village green shared space, traffic calming measures on surrounding roads, extension of the 30mph speed limit to beyond the site access and new footways) are acceptable to County Highways.
- Drainage – the surface water (incorporating SuDS) and foul water schemes are acceptable to United Utilities and the LLFA.
- Ecology – The proposal will result in a net gain in biodiversity through improved habitat and additional hedgerow. No protected species or habitats are present. Arboricultural proposals are acceptable.
- Electric vehicle charging proposals are acceptable
- Ground contamination – there are two foot and mouth burial pits on site which require further investigation. This condition cannot be discharged at this time.
- Archaeology – Further investigation is required so this condition cannot be discharged at this time.

Recreation facilities are dealt with under an outline condition and the s106 which the developer must comply with.

- 5.8.2 **S106 Contributions** - The s106 agreement signed at the time the outline permission was granted requires contributions towards school places and off-site open space improvements. The final school place sum will be agreed by the developer with County Education. Public Realm confirm the sum required for improvements to the off-site play and open space provision is £57,904.

- 5.8.3 **Affordable Housing** - The s106 attached to the outline permission states affordable housing is to be determined at the reserved matters stage. Policy DM3 requires 40% of the dwellings to be affordable (22 units) in either a 60/40 or 50/50 split of rent/intermediate tenure. An independent review of the applicant's financial viability appraisal has been completed. This review concludes that 17 on-site affordable dwellings (30.91%), with a 59/41 mix between affordable rent and intermediate tenures, plus the S106 contributions is viable. This is a greater number of affordable units than the applicant is currently offering to provide. Discussions are ongoing but it should be noted that it is appropriate to deal with this matter through the relevant clauses in the s106. No occupation of any dwelling can occur until an affordable housing scheme is agreed.

6.0 **Conclusion and Planning Balance**

- 6.1 The principle of development of this site is established. The proposed details submitted as reserved matters show how the impact of the layout and design has been minimised and should not give rise to any unacceptable effects. Further technical matters will be dealt with under conditions imposed on the outline permission and agreed under the terms of the s106.

Recommendation

That Reserved Matters Consent **BE GRANTED** subject to the following conditions:

Condition no.	Description	Type
1	Timescale	Standard
2	Approved plans	Standard

Background Papers

None.

Agenda Item	A9
Application Number	21/00114/FUL
Proposal	Erection of a single storey rear and side extension
Application site	4 & 6 Hall Drive, Caton, Lancaster, Lancashire
Applicant	Mrs Alison McGurk
Agent	Mr Richard Alston
Case Officer	Mr Patrick Hopwood
Departure	No
Summary of Recommendation	Approval but delegated back to the Head of Planning and Place to allow the consultation period to expire

(i) Procedural Matters

At the point of submitting the application, the applicant was employed by Lancaster City Council. Therefore, in accordance with the Council's Scheme of Delegation, the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

- 1.1 The properties which form the subject of this application are a pair of semi-detached bungalows, located on Hall Drive, Caton.
- 1.2 The dwellings comprised a pebbledashed exterior under a tiled roof with white UPVC windows throughout. A dormer extension clad in brown boarding spans the rear roofslope of both properties.
- 1.3 Both properties feature driveway parking to the front and side, and large garden areas to the rear. A mature oak protected by Tree Preservation Order 217(1993) occupies the southernmost corner of the rear garden at 4 Hall Drive. Boundary treatments are largely comprised of timber panel fencing.
- 1.4 The properties lie within the Forest of Bowland Area of Outstanding Natural Beauty.

2.0 Proposal

- 2.1 This application seeks consent for the erection of a single storey rear extension across both properties. The proposed rear extension will project beyond the existing side elevation of each property. The extension on 4 Hall Drive will include a garage linked by a canopy. The existing garage at 4 Hall Drive and existing rear extensions on both properties will be removed to facilitate the proposal.
- 2.2 The extension on 4 Hall Drive measures approximately 4.6m in depth and 6.4m in width, with the garage measuring approximately 4.1m in width and 6.5m in depth. The extension on 6 Hall Drive

measures approximately 4.6m in depth (where adjacent to 4 Hall Drive) with a maximum depth of 7.5m, and a maximum width of 12.8m. Both extensions measure approximately 2.9m in height.

2.3 Walls will be finished in a combination of dark grey or black vertical timber cladding, lighter horizontal timber cladding and white silicone render. Windows and doors will be black or dark grey UPVC and the roof will be a single ply membrane flat roof.

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
1/78/1448	Renewal for demolition of garage extn to dining annexe kitchen (4 Hall Drive)	Approved
96/00601/FUL	Demolition of existing garage and erection of new garage and detached single storey building for use as a hobby room. (6 Hall Drive)	Approved
99/00328/FUL	Construction of dormer windows to rear (6 Hall Drive)	Approved
99/00329/FUL	Construction of dormer windows to the rear (4 Hall Drive)	Approved
04/00378/FUL	Demolition of existing conservatory to rear and erection of replacement conservatory (4 Hall Drive)	Approved

4.0 Consultation Responses

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

Consultee	Response
Caton Parish Council	No response received
Arboricultural Officer	No objection

4.2 Three letters of support were received from members of the public.

5.0 Analysis

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

- Design and Landscape Impact
- Residential Amenity
- Trees and Protected Species

5.2 Design and Landscape Impact (Policies DM29 & DM46 of the Development Management DPD, Policies EN 2 & EN3 of the Strategic Policies and Land Allocations DPD EN2 and EN3 and NPPF paragraphs 124, 127, 130 & 172)

5.2.1 The applicant has opted for a contemporary design and palette of materials. The local planning authority’s Householder Design Guide recognises that contemporary design can add to the richness and interest of an area and it is welcomed where it complements the host dwelling and local context. There will be no adverse impact to the street scene and the design of the proposal is considered acceptable.

5.2.2 In terms of screening under the Environmental Impact Assessment Regulations, the type of the development proposed falls outside Schedule 1 and the scale of the development proposed falls below the thresholds within Schedule 2. Although located within a designated sensitive area (an Area of Outstanding Natural Beauty), the development is a small-scale proposal and there would be no likely significant environmental impacts in terms of noise, waste, contamination, flooding, archaeology, heritage, ecology or landscape. Therefore, an Environmental Statement is not required.

5.3 Residential Amenity (Policy DM29 of the Development Management DPD and NPPF paragraphs 124, 127 & 130)

5.3.1 As a result of the existing boundary treatments, views from the extensions will be restricted to the applicants' own gardens. Therefore it is considered that the proposal raises no privacy or overlooking issues. Furthermore, the scale and massing of the proposed single storey extensions are proportionate to the existing dwellings and the 45 degree rule is not breached. As such, daylight and sunlight levels are unlikely to be adversely affected. An appropriate amount of private garden space is retained.

5.4 Trees and Protected Species (Policies DM44 & DM45 of the Development Management DPD and NPPF paragraphs 170, 174 & 175)

5.4.1 An Arboricultural Implications Assessment (AIA) was submitted with the application. This found that the extension will not encroach upon the root protection area of the protected oak tree. The report includes recommendations including tree protection during construction phase. This can be conditioned. The Arboricultural Officer raised no objection.

5.4.2 The application involves works to a roof and is close to a beck, so a bat survey was undertaken. A daytime building inspection survey, desk study and data search were carried out. No indications of use of the site by bats was found during the survey, although the surrounding habitat offered moderate foraging potential. It was the professional ecologist's opinion that the risk to bats in the building will remain low and no additional survey work will be required. A Protected Species Mitigation Licence for bats will not be required, although as a precautionary approach a mitigation strategy has been prepared and should be followed in order to ensure that the welfare of the local bat population is maintained during, and following the works. The mitigation measures can be included in a suitably worded condition appended to the decision notice.

6.0 Conclusion and Planning Balance

6.1 For the reasons outlined above, the proposal is considered to comply with the relevant local and national policies and as such is recommended for approval.

Recommendation

That Planning Permission **BE GRANTED** in principle subject to the following conditions, but the application be delegated back to the Head of Planning and Place to allow the consultation period to expire:

Condition no.	Description	Type
1	Standard planning permission timescale	Control
2	Development in accordance with approved plans	Control
3	Materials – colours to be agreed	Prior to installation
4	Implementation of approved Arboricultural Implications Assessment	Control
5	Protected species mitigation measures	Control

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

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	A10
Application Number	21/00158/FUL
Proposal	Erection of a detached garage
Application site	29 Beaumont Place, Lancaster, Lancashire LA1 2EY
Applicant	Mr Nathan Waring
Agent	n/a
Case Officer	Mr Alan Lynch
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 applicant is related to a Council employee, and as such the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The application property is a semi-detached house located in suburban Lancaster. The application property has a small residential curtilage at its rear. The site and surrounds are generally flat. At the bottom of the garden is Lancaster Canal.

2.0 Proposal

2.1 This application seeks consent for the erection of a single garage in the rear garden which is single storey and has a pitched roofed. The footprint of the proposed building measures approximately 5.9m in depth and 3.0m in width. The building's roof height is approximately 2.5m to the eaves and approximately 3.1m to the ridge. The exterior walls of the building are proposed to be finished in pebbled dashed render to match the house and roof is to be in artificial slates to match the house. The building has a window in its southern elevation facing the canal. On its northern elevation is the garage door facing the road. On the western facing elevation is a high-level window and a pedestrian door facing the garden. On the eastern elevation, close to the boundary shared with the neighbour, no openings are proposed.

3.0 Site History

3.1 No previous applications relating to this site have been received by the Local Planning Authority.

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection.
Canal and River Trust	The Trust have no comment to make on this proposal

4.2 No neighbour comments received to date.

5.0 Analysis

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

- Principle of Development
- Design and Effect on the visual amenity of the area
- Effect on amenity of neighbours and the application property
- Highway safety

5.2 Principle of Development SPLA DPD Policies SP1: Presumption in Favour of Sustainable Development

5.2.1 The principle of the construction of the outbuilding (garage) for domestic use inside the residential curtilage of the property is acceptable.

5.2.2 The building's long side is located close to the eastern boundary of the curtilage of the dwelling house. The eaves height of the building is proposed to be approximately 2.5m high. A modified design with a flat roof and with an eaves height of 2.5m could be constructed under class E of the GPDO on the footprint of this building, which would not require planning permission and this appears to be a viable fall-back position.

5.2.3 The building is of a size that it could be converted into a separate residential property, so a condition is recommended to prevent it being used as such without a further application for planning permission. Furthermore, the building is of a size that could be used for a commercial purpose so the aforementioned condition will also prevent such uses unless the express planning consent is otherwise granted by the local planning authority.

5.3 Design and Effect on the visual amenity of the area DM 29 Key design principles and NPPF section 12 paragraph number 127

5.3.1 The design of the building is seen as acceptable and a typical domestic curtilage building. The garage is proposed to be located behind the houses and it will have almost no effect on the street scene given its position and the use of matching materials. The building will be significantly more visible from the canal tow path, which is on the opposite side of the canal to the application property, but it is not seen as causing any real visual harm. The garage which could be built under permitted development if it had a flat roof, but this would be a less visually attractive.

5.4 Effect on amenity of neighbours and the application property DM29 Key design principles

5.4.1 The nearest residential property to the proposed garage is No. 28 Beaumont Place. Views from this neighbouring property are screened by the neighbour's own shed and an existing substantial boundary privet hedge. The garage will cause some loss of outlook, but is not considered to cause such a loss of residential amenity for occupiers of the neighbouring properties to be able to justify refusal of the application on these grounds.

5.4.2 The other attached residential property to the proposed garage is No. 30 Beaumont Place. The proposal would not breach the 45 degree rule from its nearest window in the ground floor rear elevation.

5.5 Highways DM29 Key design principles and NPPF section 9 paragraph number 108

5.5.1 The proposal will be using an existing pavement vehicular crossing, which the house already uses to access the existing hard standing parking area at the side. The Highway Authority does not object to the development. There will be no change to the highway access arrangements, thus the development is considered to be acceptable in terms of highway safety

6.0 Conclusion and Planning Balance

6.1 For the reasons outlined above the proposal is considered to comply with the relevant local and national policies and as such is recommended for approval.

Recommendation

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

Condition no.	Description	Type
1	Standard 3 year timescale	Compliance
2	Development to be carried out in accordance to approved plans	Compliance
3	Materials to match	Compliance
4	Restrictions regarding use of garage	Compliance

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
Application Number	21/00256/FUL
Proposal	Installation of arrays of 2.96 metres high PV panels, underground cabling, battery containers, inverter and associated cabins and kiosks, construction of 2.1 metres high security fencing, CCTV mounted on 6m masts, construction compound and construction of internal temporary access track with associated landscaping to form Solar Farm
Application site	Land Adjacent Salt Ayre Leisure Centre, Salt Ayre Landfill Site, Salt Ayre Lane
Applicant	Lancaster City Council
Agent	Miss Kellie Hainsworth
Case Officer	Mr David Forshaw
Departure	No
Summary of Recommendation	Approve

1.0 Application Site and Setting

- 1.1 This proposal relates to a 4.3ha part of the former waste disposal site off Salt Ayre Lane. It is located in the south east corner of the restored landfill site, adjacent to the south western boundary of Salt Ayre Sports Centre (nearest a grass football pitch). The landfill site has been capped under control of the Environment Agency with a suitable layer to prevent the tipped material from emitting air or water borne contaminants.
- 1.2 Access will be gained through the existing waste recycling centre off Ovangle Road via Salt Ayre Lane using existing informal tracks on the former landfill site. Beyond and immediately adjacent to the southern boundary is a cycle and pedestrian route with the River Lune beyond.
- 1.3 The site is part of the Key Urban Landscape local landscape designation.

2.0 Proposal

- 2.1 The proposal is to install a solar farm of photovoltaic (PV) panels arranged in rows on an east-west axis facing south. To retain the integrity of the landfill capping layer it is important there is nothing penetrating the ground surface. Therefore, the panels will be supported by ballast blocks which will sit on the land surface. The rows will be spaced enabling pedestrian access between the panels and around the outside. These accesses will not be permanently surfaced as no vehicles will be required to enter the site once installed. All ground around the panels will be planted to support grass growth. The maximum height of the panels will be approximately 2.96m above ground.
- 2.2 Supporting infrastructure of a compound containing electrical switchgear and battery storage, security fencing and pole mounted CCTV will be provided. The compound will be located in the north east corner of the site and contain 2 switchgear kiosks of approximate dimensions 4.25m x 4.25m x 3.9m high to ridge and 5 battery storage containers measuring 6m long x 2.4m wide x 2.6m high. The site security fencing will be 2m high and made of galvanised lattice style metal supported on ballast blocks. 6m CCTV poles will also be supported on ballast blocks. All cabling will be surface

mounted apart from the supply cable to the sports centre which will be below ground where it runs through the sports centre grounds.

- 2.3 A temporary construction compound will be needed during installation which will be located north of the site and contain an office and storage cabins.

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
20/00872/EIR	Screening opinion for solar farm	Environmental Statement not required
17/00078/CCC	Variation of condition 1, to allow continued use of the material recycling facility until 31 December 2022 with restoration no later than 31 December 2023 and condition 8, to allow for a scheme and programme for the restoration of the site to be submitted within 3 months of the cessation of use of the material recycling facility, of permission LCC/2014/0005	No objections
LCC/2014/0005	Vary permission to require operations to cease not later than 31 December 2017 and restoration by 31 December 2018	Permitted (Lancashire County Council)
08/01210/CCC	Continuation of shredding and composting of green waste	No objection
01/08/1407	Variation of Condition 1 of planning permission 01/02/1255 to allow operation of material recycling facility until 31 December 2017	Permitted (Lancashire County Council)
01/02/1255	Retention of Materials Recycling facility allowing extended time period of operations until 31 December 2017	Permitted (Lancashire County Council)
01/93/0403	Material Recycling facility	Permitted (Lancashire County Council)
1/86/800	Landfilling of household, commercial and industrial waste	Deemed Consent (Lancashire County Council)

4.0 Consultation Responses

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

Consultee	Response
County Waste Service	No objection
County Development Management	No objection in principle but the solar panels should not significantly reduce the areas of tree and shrub planting proposed as part of the site's restoration from its use for landfill and new planting should not affect the future maintenance of landfill gas or leachate collection infrastructure.
LLFA	No objection subject to conditions
Planning Policy	The benefits of the solar farm in tackling the climate emergency, and subsequently the overall positive impact this would have on the residents of the District, outweigh any temporary loss of amenity value on the site.
Environment Agency	The site is managed under the Environment Permitting (England and Wales) Regulations 2016 and the EA is in direct discussion with the applicant in relation to construction and maintenance works to ensure the development will have no adverse impact on the integrity of the landfill site infrastructure. No objections raised

	subject to a condition requiring prior approval of any infiltration drainage system. Without this condition the EA objects.
County Highways	Raise concerns about the potential for conflict between construction traffic and traffic queuing to access the recycling centre at the Ovangle Road junction and glare caused to cyclists using the Lune Cycleway
Environmental Health	No objection - no significant environmental health implications noted
Arboricultural Officer	A tree constraints plan is needed to assess the impact of the buried cable on existing trees
Civic Society	Supports the principle of the climate emergency agenda and this location is suitable for the proposal. Wish to see CGIs to assess how obtrusive views would be from the Castle and Priory, especially due to potential glare
Lune River Trust	No comment to make
Greater Manchester Ecology Unit (GMEU)	The applicant's shadow Habitat Regulations Assessment is valid and GMEU concurs with the findings that no likely significant effects on protected areas will occur. Conditions are recommended to deal with other material considerations.
Natural England	No objection. The submitted assessment demonstrates the site does not offer functionally linked land to the designated sites and that significant effects on them either alone or in combination are unlikely to occur.
RSPB	To be reported verbally

4.2 Two responses have been received from members of the public supporting the proposal for the following reasons:

- The sports centre will be able to find a break-even point so it will not need further input from rate payers
- Future revenue from the scheme could be used by the council to offset cuts
- This is the start of a green revolution as an example to other places

5.0 Analysis

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

- Principle
- Landscape Impact
- Neighbour Amenity
- Ecology
- Access and Traffic
- Drainage
- Effect on landfill site

5.2 Principle (SPLA policies SP1: Presumption in Favour of Sustainable Development; EN5: Local Landscape Designations; EN9: Air Quality Management Areas; SC3: Open Space, Recreation and Leisure; DMDPD Policies: DM27: Protection of Open space, Sports and Recreation Facilities; DM29: Key Design Principles; DM30: Sustainable Design; DM46: Development Affecting Protected Landscapes; DM53: Renewable and Low Carbon Energy; NPPF Section 14)

5.2.1 The Council is committed to reducing its own carbon emissions to net zero by 2030 while supporting the district in reaching net zero by 2050. The Salt Ayre Leisure Centre is the largest CO₂ emitter in the Council's building and property portfolio. It is also responsible for over a tenth of the Council's carbon emissions. The PV array will provide power to the sports centre to make it largely self-sufficient in electricity terms and in conjunction with other planned improvements to the leisure centre, including the installation of air source heat pumps, will drastically reduce CO₂ emissions.

5.2.2 There is a presumption in favour of sustainable development in development plan policies and the NPPF. DM DPD policy DM53 actively supports proposals for renewable and low carbon energy schemes and therefore the proposal is acceptable in principle, subject to site specific issues relating to landscape impact, amenity and ecology, which are assessed below.

5.3 Landscape Impact (SPLA policies SP1: Presumption in Favour of Sustainable Development; EN5: Local Landscape Designations; EN9: Air Quality Management Areas; SC3: Open Space, Recreation and Leisure; DMDPD Policies: DM27: Protection of Open space, Sports and Recreation Facilities;

- 5.3.1 The site slopes up from 9m AOD at the south east corner to 21m AOD at the north west corner following the landfill site restoration. It is a modified landscape of low visual interest consisting of improved grass and obviously recently worked ground with varying degrees of evidence of restoration. Beyond the site, the restored site's landform continues to rise to two summits of 24m AOD to the north and 31m AOD to the west.
- 5.3.2 The site is designated as a Key Urban Landscape (KUL) under policy EN5 which states that such areas should be protected from inappropriate development which would erode this character. Recognition is given to the fact these areas can provide amenity value for local residents and the wider community. Policy DM46 requires the contribution a KUL makes to the character and setting of the urban areas to be conserved and important natural features safeguarded. Development within these areas should only be supported if it preserves the open nature of the area and character and appearance of its surroundings in accordance with EN5.
- 5.3.3 The importance of the site and wider area as a KUL will be adversely affected by the visual appearance of the installation and loss of some amenity space. However, the benefits in helping to tackle the climate change emergency would provide an overall positive benefit to residents of the district outweighing the negative impact on the KUL. Furthermore, natural vegetation will be planted to establish between the rows of panels and additional planting will boost boundary screening and enhance the landfill site restoration.
- 5.3.4 The site does not have public access and serves no practical leisure or recreational function. Due to the use of ballast supporting blocks on the surface with no ground penetration, the installation is of temporary construction and can be removed to re-instate the open space. In other words, the impact is visual only, is non-permanent, and there is no loss of publicly accessible open space.
- 5.3.5 The site forms part of the wider national landscape character area of the Morecambe Coast and Lune Estuary. At the county level the western half of the site is within the Lune Marshes part of the Open Coastal Marsh landscape character type and the eastern half within the Suburban sub-character area of the urban landscape type. The modified landform does not fit the description of the Open Coastal Marsh landscape character type. The site is not urban in character but does have a relationship with the built-up area to the west and north. Ultimately the site is a non-natural, manmade landscape.
- 5.3.6 Primary mitigation is achieved through locating the panels on lower slopes at the eastern extent of the former landfill site with higher ground behind. Existing vegetation to the east and higher ground to the north will limit views from the south. Secondary mitigation will be provided through reinforcement planting to hedgerows on the southern and eastern boundaries.
- 5.3.7 The submitted landscape and visual impact assessment confirms there will be some temporary adverse effect of minor significance in the short and long term at a local level to the wider setting of the Open Coastal Salt Marsh and suburban landscapes. Adverse visual effects will be felt at the immediate boundaries of the site which will be mitigated by additional hedgerow planting. Distant views are affected to a lesser degree up to moderate significance.
- 5.3.8 The installation will undoubtedly change the character and appearance of the landscape when viewed from the cycle/footpath immediately to the south and road users and residents on New Quay Road on the opposite side of the river. However, the panels will be seen against the adjacent higher land and partially screened at lower levels by existing and proposed vegetation. Any negative visual effect is offset by the overall climate change benefits arising from the proposal.
- 5.4 Neighbour Amenity DMDP Policy DM29: Key Design Principles
- 5.4.1 The nearest facing housing is located on New Quay Road south of the River Lune over 200m away. A Glint and Glare Assessment has been carried out and submitted by a specialist consultant. The assessment is based on the consultant's own published guidance document which is in its third edition and published following engagement and consultation with and review by solar developers. Quantification of impact is based on whether significant reflection is predicted in practice and the

duration of the predicted effects. Where effects occur for less than 3 months per year and less than 60 minutes per day the significance is low and no mitigation is required. Where effects last for more than 3 months and less than 60 minutes per day the impact is moderate and assessment of mitigating factors is required, such as screening, separation distance and location of the receptor. Impacts amounting to over 3 months per year and 60 minutes per day are high and mitigation is needed.

5.4.2 Assessment of the likely effects of glare on 60 residential properties on New Quay Road facing the site has been carried out. The conclusion finds that for 35 properties the impact will be low. For 25 properties the worst case impact will be moderate due to the effects lasting more than 3 months per year but for approximately 20 minutes on any one day. This requires mitigation which is provided in the form of separation distance of over 300 metres between the houses and reflecting area of panels; partial screening from 1st and 2nd floors and total screening from ground floor viewpoints; cloud cover which will reduce the likely duration; effects will occur when the sun is lower in the sky to the west which means an observer would also be looking towards the sun at the same time as the reflection and obliqueness of the angles of the panels to the receptor windows. Overall, the assessment concludes no further mitigation than the additional planting proposed on the southern and eastern boundaries of the site is required.

5.4.3 There will also be an impact on New Quay Road residents from the visual appearance of the panels. Although they will be highly visible from the front facing windows of those houses, the distance, partial screening and overall public benefit is considered to outweigh the negative effects of being able to view the panels.

5.5 Ecology: SPLA Policy SP8: Protecting the Natural Environment; DMDPD Policy DM44: Protection and Enhancement of Biodiversity

5.5.1 Immediately south of the site is the River Lune which flows into Morecambe Bay and its protected designations, including those of European importance. An ecological appraisal and shadow Habitat Regulations Appraisal has been submitted with the application. These conclude the development is unlikely to have a significant adverse effect on any of the designated nature conservation sites or functionally linked land. The Greater Manchester Ecology Unit and Natural England agree with this assessment. The information provided within the ecological appraisal which forms the evidence base for the screening assessment within the shadow HRA demonstrates the application site does not offer functionally linked land capable of supporting significant numbers of qualifying species. On this basis likely significant effects can be ruled out.

5.5.2 Biodiversity is in decline across the UK and is intrinsically tied with the climate emergency. Under best practice, solar farms have the potential to contribute to increased biodiversity and improved wildlife habitats. The current site of improved grassland covering a restored landfill is considered to be of moderate to low quality. The proposed solar farm will minimally disturb the site due to the ballasted installation method and use of an existing access. The proposed panels are to be in rows with spaces allowing for habitat growth such as a referenced wildflower meadow in the submitted documents. Additionally, the proposal includes secondary mitigation measures for the visual effects which will support biodiversity including the planting of native hedges. This can be secured through conditions.

5.6 Access and Traffic: DMDPD Policy DM29: Key Design Principles

5.6.1 During construction, materials brought by large vehicles will be transferred to smaller vehicles for transport through the recycling centre and onto the site. County Highways has requested further details on the size and management of construction vehicles to avoid conflict with vehicles using the recycling centre, which can be conditioned.

5.6.2 Once installed the solar farm will require minimal maintenance. Only periodic on-site checks and cleaning will be required. All monitoring and fault detection will be done remotely. Once construction is complete, operation of the site should not give rise to any highway issues.

5.6.3 The Glint and Glare Assessment has looked at the potential effects on drivers and cyclists on surrounding roads and cycle paths, including either side of the river. For road users, the key

considerations are whether a reflection is predicted in practice, the type of road (and associated speeds and levels of traffic) and location of the panels relative to direction of travel.

5.6.4 Reflections towards Lancaster Road (to the west and south west) are not significant because they would occur from a bearing outside the driver’s primary field of focus when facing the direction of travel and there will be partial to complete screening by intervening terrain at locations where reflections would be possible.

5.6.5 There are no formal guidelines for reflections towards cycle lanes. However, the assessment has used the same criteria as for other road users. The conclusions are that the visibility of reflecting panels is significantly or entirely obstructed for users of the cycle paths alongside the River Lune due to existing screening along the site’s southern and eastern boundaries. This will be boosted by additional planting as part of the development.

5.7 Drainage DMDPD Policy DM 34: Surface Water Run-off and Sustainable Drainage

5.7.1 Water run-off from the panels is proposed to fall onto the ground into the proposed vegetation. The Environment Agency’s only concern is to ensure no below ground drainage is installed without its consent, which can be conditioned. Therefore, infiltration sustainable drainage systems are not appropriate. Without penetrating the ground there is no reason why flows will contaminate downstream, including the River Lune or Morecambe Bay.

5.8 Effect on Landfill Site

5.8.1 The operator of the solar farm is speaking directly to the Environment Agency and Lancashire County Council to ensure the development will fit in with the landscaping phase of the site’s restoration and not compromise the contaminated material contained below ground. To ensure control over this, a condition is proposed requiring submission of a full landscaping and maintenance scheme.

6.0 Conclusion and Planning Balance

6.1 There will be negative effects from loss of part of the key urban landscape and amenity afforded by the open space and the visual appearance when viewed from the adjacent public routes and by residents from across the river. However, these are more than sufficiently mitigated by the significant contribution the development will make towards the Council’s initiative to tackle climate change. During its operation, the development will contribute to biodiversity enhancements by increasing vegetation. If decommissioned, the site can revert to open amenity space. The site can be developed without causing harm to the important habitats in Morecambe Bay.

Recommendation

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

Condition no.	Description	Type
1	Standard 3 year timescale	Standard
2	Approved plans	Standard
3	Landscaping and management scheme/implementation	Prior to commencement
4	Details of colours/materials	Prior to commencement
5	Drainage including no intrusive system unless approved	Prior to commencement
6	Construction Vehicle Management Plan	Prior to commencement
7	Works outside nesting bird season	Specific time

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	A12
Application Number	21/00325/FUL
Proposal	Installation of air source heat pumps and associated infrastructure and erection of fencing and compound area
Application site	Salt Ayre Sports Centre, Doris Henderson Way, Heaton With Oxcliffe Lancaster
Applicant	Lancaster City Council
Agent	Will Swarbrick
Case Officer	Mr David Forshaw
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

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

1.0 Application Site and Setting

1.1 The site of this installation is at the eastern end of the sports centre building furthest from the main vehicular entrance. It is currently part of the paved pedestrian area between the building and car park.

1.2 It is wholly contained within the grounds of the sports centre. The nearest housing is approximately 70m away on Brindle Close with the sports centre building between and approximately 82m away on Brindle Mews separated by public open space and mature trees along the route of a footpath.

2.0 Proposal

2.1 The proposal is to site 3 air source heat pumps (ASHP) and 2 thermal buffer tanks on a concrete plinth in a compound measuring approximately 186 sq.m in area. Each ASHP is contained within a 7.2m x 2.2m x 2.4m high box constructed of metal finished in goosewing grey. On top of each box are 8 fans pointing upwards. Each ASHP is connected to the building by two pipes. The thermal buffer tanks are cylindrical with a diameter of 1.8m and 2m high and also finished in goosewing grey metal. The compound will be irregular in shape with maximum dimensions of 20.3m x 11.3m formed by solid timber feather edged fencing 2.6m high with pedestrian and vehicle access gates. The timber will be pre-treated and left in its natural colour.

2.2 The ASHP system will provide the sports centre with full heating capacity to replace the existing dilapidated natural gas boilers. The ASHPs work by absorbing heat from the air into a fluid at low temperature. The fluid passes through a compressor which increases its temperature. The higher temperature is then transferred to the heating and hot water circuits in the leisure centre. The system

runs on electricity with efficiencies of between 200% and 400% depending on the external ambient temperature.

- 2.3 An application has also been received to site solar photo voltaic (PV) panels on part of the former Salt Ayre landfill site west of the sports centre (application number 21/00256/FUL). The aim is to have the solar PV provide the majority of the ASHP's daytime electricity consumption in summer, autumn and spring but only a small percentage in winter and during the night. At times where there is insufficient electricity generation from the Solar PV, or if the solar PV scheme does not go ahead, the ASHPs will run off mains electricity.
- 2.4 Without the solar PV, the ASHP system will initially provide over a 25% reduction in the sports centre's carbon emissions, which will only increase as the National Grid is decarbonised, so that even without further interventions, the sports centre should be 100% green by 2050 (assuming government targets are reached). With the solar PV installed along with the ASHPs the initial carbon emission reduction will be over 50%.
- 2.5 Capital cost for both the ASHPs and PV are being funded by Salix. If the PV side of the project does not go ahead, the Salix funding for the ASHPs would not be affected. The only implication for the ASHP project, should the solar PV not be built, is an increase in electricity costs in running the sports centre.

3.0 Site History

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

Application Number	Proposal	Decision
20/01053/VCN	Erection of an extension, alterations to the main entrance and construction of a jump tower with a briefing cabin (pursuant to the variation of condition 2 on planning permission 17/00181/VCN to retain the proposed frontage)	Pending decision
19/00688/FUL	Change of use of car park and public space to the front of the sports centre to children's playground, outdoor activity area and mini golf area	Application Permitted
18/00484/FUL	Erection of a single storey extension and bin store and creation of a seated area and children's playground/outdoor activity area to the front	Application Permitted
17/00181/VCN	Erection of an extension, alterations to the main entrance and construction of a jump tower with a briefing cabin (pursuant to the variation of conditions 2 and 3 on planning permission 16/00552/FUL to amend the proposed extension elevations with the addition of louvres)	Application Permitted
16/00552/FUL	Erection of an extension, alterations to the main entrance and construction of a jump tower with a briefing cabin	Application Permitted
11/01076/DPA	Installation of photovoltaic solar panels to roof slopes	Application Permitted

4.0 Consultation Responses

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

Consultee	Response
Environmental Health	Agrees with the submitted noise assessment that providing the plant is installed as shown on the plans, including the 2.6m high solid timber fence no adverse effect due to noise will be experienced at the nearest noise sensitive receptor in Brindle Mews.

4.2 No responses from neighbours have been received at the time of writing. Any comments received will be verbally reported.

5.0 Analysis

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

- The Council's climate change agenda and sustainable development
- Effects on Amenity
- Visual appearance
- Ecology
- Loss of functional space

5.2 The Council's climate change agenda and sustainable development (SPLA policy SP1: Presumption in Favour of Sustainable Development; DM29: Key Design Principles; DM30: Sustainable Design; DM53: Renewable and Low Carbon Energy; NPPF Section 14)

5.2.1 The Council is committed to reducing its own carbon emissions to net zero by 2030 while supporting the district in reaching net zero by 2050. The Salt Ayre Leisure Centre is the largest CO₂ emitter in the Council's building and property portfolio. It is also responsible for over a tenth of the Council's carbon emissions. The ASHPs, in conjunction with other planned improvements to the leisure centre, will drastically reduce CO₂ emissions.

5.2.2 There is a presumption in favour of sustainable development in development plan policies and the NPPF. DM DPD policy DM53 actively supports proposals for renewable and low carbon energy schemes and therefore the proposal is acceptable in principle, subject to site specific issues relating to amenity, appearance, ecology and loss of space at the leisure centre, which are discussed below.

5.3 Effects on Amenity (DMDPD policies DM27 Open Space, Sports and Recreational Facilities; DM29: Key Design Principles; DM53: Renewable and Low Carbon Energy)

5.3.1 The single storey installation will not give rise to any adverse impact on neighbours from its location, size or appearance. The ASHPs and tank will be screened from ground floor views from the nearest facing housing on Brindle Mews by the compound fencing and views from upper floors will be mitigated by intervening trees and distance.

5.3.2 It is expected that the pumps will operate primarily during the operational hours of the centre (typically 06:00 to 22:00 during normal times) and tick over at a low level overnight. The submitted noise survey states the noise level will not create nuisance for occupiers of the nearest residential properties in Brindle Mews during the day or night (if used 24 hours) provided the solid screen fencing is erected and maintained. This can be conditioned.

5.4 Visual Appearance (DMDPD policies DM27 Open Space, Sports and Recreational Facilities; DM29: Key Design Principles; DM53: Renewable and Low Carbon Energy; NPPF section 12)

5.4.1 The ASHPs, tank and pipes will be wholly screened by the solid timber fencing. The compound is located at the rear of the main sports centre building and is vastly subservient to it. Although visible from the car park, footpath and open space to the north and housing beyond, the fencing is sympathetic being made of timber and does not appear industrial and harsh as a result. The visual appearance is considered acceptable.

5.5 Ecology (DMDPD policies DM27 Open Space, Sports and Recreational Facilities; DM53: Renewable and Low Carbon Energy; NPPF section 15)

5.5.1 There are no ecological implications of locating the compound on the existing paved area immediately rear of the main building.

5.6 Loss of Functional Space (DMDPD policy DM27 Open Space, Sports and Recreational Facilities)

5.6.1 The site is part of a larger open paved area which provides amenity circulation space around the sports centre. Loss of this space will not adversely affect the use of the wider grounds or the link between the building and the car park.

6.0 Conclusion and Planning Balance

6.1 The development is welcomed as a major contribution towards meeting the council’s response to the climate change emergency. There are no significant negative impacts from the proposal so the recommendation is for the application to be approved.

Recommendation

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

Condition no.	Description	Type
1	Standard 3 year timescale	Control
2	Approved plans	Control
3	Installation and Retention of Fencing	Control

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	A13
Application Number	21/00106/FUL
Proposal	Change of use of dwelling (C3) to 2 self-contained 1-bed flats (C2) and installation of porch canopy to the front elevation
Application site	37 Kingsway Court, Kingsway, Heysham, Lancashire
Applicant	Lancaster City Council
Agent	n/a
Case Officer	Mr Andrew Drummond
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

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

1.0 Application Site and Setting

1.1 The property subject of this application relates to a 3-bed, 2-storey former scheme manager's residential unit within a sheltered housing scheme. The site is accessed from Kingsway, with parking provision immediately north of the application site and further off-street parking to the south of the sheltered housing block. The property is associated with a wider residential sheltered housing scheme, and is finished in pebbledash under a grey tiled roof with brown window frames within cast stone surrounds. The site is owned and managed by Lancaster City Council.

2.0 Proposal

2.1 The application proposes the change of use of the existing 3-bed, 2-storey residential dwellinghouse (use class C3) to form two additional self-contained 1-bed flats (use class C2) as part of the wider sheltered housing scheme. To facilitate the proposed change of use, the only proposed external alterations are to the front elevation – to block up an existing door opening and replace one window opening with a door opening. Internal alterations are proposed to form a bedroom, bathroom and a living/dining room on the ground floor and the same on the first floor, to form the two self-contained units.

3.0 Site History

3.1 No previous applications relating to this site have been received by the Local Planning Authority.

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection
Fire Safety	Advice only received - it should be ensured that the scheme fully meets all the requirements of part B5 of the Building Regulations
Heysham Neighbourhood Council	No comments received.

4.2 No neighbour comments received to date.

5.0 Analysis

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

- Principle of the Use
- Scale and Design Impacts
- Residential Amenity
- Highways and Parking

5.2 Principle of the Use (NPPF Section 5 (Delivering Supply of New Homes) & DPD Policy DM1)

5.2.1 The proposal forms part of the wider sheltered housing scheme at Kingsway Court and will provide two additional self-contained sheltered accommodation units. The existing 3-bed, 2-storey property is currently vacant as it is surplus to requirements. The proposal is to provide two additional sheltered housing units within an existing sheltered housing scheme. The flats would be managed in the same manner as the rest of the sheltered housing scheme to ensure the safety and care of residents. This is considered to be acceptable in principle and the proposal would make a modest contribution to meeting the District's housing needs for those requiring care.

5.3 Scale and Design (NPPF Section 12 (Achieving Well-Designed Places) & DPD Policies DM29 & DM30)

5.3.1 The property would remain externally very similar to the existing, with a new front door proposed, replacing an existing window opening and the existing front door opening blocked up and finished in the matching peppledash render. Works to the ground floor doors and windows benefit from householder permitted development and does not require planning permission providing that they are undertaken prior to the proposed use commencing. The existing porch canopy and surround is to be removed, with these or a similar porch canopy and surrounds provided for the new front door opening. The upper floor flat will use the existing back door as a front door access to the internal stairwell, so each property will have its own separate front door.

5.3.2 Given the matching materials proposed, the proposal is considered to be of an acceptable design and will have no undue impact upon the streetscene or wider landscape. Two new kitchen vents are to be provided to the front elevation, though given the setback of the property from the public viewpoints and location of vents immediately adjacent to existing rainwater downpipe, these will appear inconspicuous.

5.4 Residential Amenity (NPPF Section 12 (Achieving Well-Designed Places) and DPD policy DM2)

5.4.1 The proposed one-bed self-contained units are of a similar size and style to typical single person's elderly residential sheltered housing, although space is relatively limited due to the conversion and space confined to the existing built form. In terms of internal room standards, Policy DM2 states that all new residential units should meet the standards set out in the Nationally Described Spacing Standards (NDSS). When considering the standards set out in NDSS, the bedrooms proposed are for single occupancy. These measure over 10sq.m, 3m in width and have a 2.4m floor to ceiling height, which exceed the requirements set out in NDSS (7.5 sq.m, 2.15m. and 2.3m respectively). In addition, the proposed 1.3sq.m and 1.6sq.m storage facilities also exceed NDSS requirements (1 sq.m) and this is considered acceptable. However, overall, the floor space does not meet the requirements of 37sq.m for a 1 storey 1 bed unit that has a shower room (rather than a bathroom).

The flats proposed are 32.3sq.m and 33sq.m respectively. This is a drawback of the proposal but it is acknowledged that the proposal is working with the constraints of the existing building and exceeds the Council’s adopted flat conversion standards (30.6sq.m for a 1 bed flat).

- 5.4.2 The ground floor flat demonstrates some wheelchair accessibility and manoeuvrability, and the stairwell to the first floor flat is of sufficient width to accommodate a stair lift if required. Although the proposed units could not be converted to be fully accessible to all, the proposed accommodation is considered to be sufficient to meet the needs of tenants and will offer acceptable residential amenity to future occupants.
- 5.4.3 The site currently benefits from a modest external area, which is to be used for bin storage as existing, with the space sufficient for a small drying area. As part of the wider sheltered housing scheme, the two proposed units are considered to offer a satisfactory level of residential amenity and will not cause any adverse impacts to the amenity of neighbouring properties.
- 5.5 Highways and Parking (NPPF Section 9 (Promoting Sustainable Transport) & DPD Policy DM62.)
- 5.5.1 The site overall benefits from external parking as part of the sheltered housing scheme, with off-street parking available to the north and south sides of the site, with on-street parking available in this residential area.
- 5.5.2 There is no proposed increase to this existing parking provision through this application. However, given that one 3-bed dwellinghouse has the same parking requirement as two 1-bed flats, the proposal is considered to have no severe impact upon highways or parking, particularly in this sustainable location with good bus links and walking distance from services and facilities in the wider area. County Highways raised no objection to the proposal.

6.0 Conclusion and Planning Balance

6.1 The proposed two self-contained flats for sheltered accommodation are considered to provide suitable levels of residential amenity whilst not detracting from the residential amenity of neighbours. The physical alterations to facilitate the change of use are modest and will appear inconspicuous in matching materials and colours. The site will benefit from the existing parking provision as part of the sheltered housing scheme at Kingsway Court, resulting in no severe highway or parking impact. The drawback of the scheme is that the flats do not meet the overall size standards for a 1 bed flat, though the bedrooms and storage spaces are more than sufficient in size. However, the proposal is restricted by the constraints of the existing building and it exceeds the Council’s adopted standards. On balance, the proposal seeks to provide 2 sheltered accommodation units and this outweighs the fact that the flats are below the NDSS.

Recommendation

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

Condition no.	Description	Type
1	Standard 3 year timescale	Compliance
2	Development to be carried out in accordance to approved plans	Compliance
3	To be owned and operated as part of the sheltered housing scheme at Kingsway Court only	Compliance

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

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
19/01130/FUL	Baldrand Veterinary Practice, Bowerham Road, Lancaster Erection of a single storey side extension for Karen Postlewaite (Scotforth West Ward 2015 Ward)	Application Refused
20/00096/DIS	7 Market Street, Lancaster, Lancashire Discharge of condition 3 on planning permission 19/00889/FUL for Ms R Roberts (Castle Ward 2015 Ward)	Application Permitted
20/00156/DIS	South Lakeland Caravans, Milnthorpe Road, Yealand Redmayne Discharge of condition 4 on approved application 17/00596/FUL for Mr David Owens (Silverdale Ward 2015 Ward)	Application Refused
20/00159/DIS	J Kelly Laminates (Morecambe) Ltd, Northgate, White Lund Industrial Estate Discharge of conditions 3,4,5,6 and 7 on approved application 19/01359/FUL for Hazel Ronson (Westgate Ward 2015 Ward)	Application Permitted
20/00433/FUL	Greendales Farm, Carr Lane, Middleton Erection of a new office building, change of use of 10 touring caravan pitches to 7 static caravan pitches and creation of new amenity area for Mr McCarthy (Overton Ward 2015 Ward)	Application Permitted
20/00610/FUL	Johnny's Entertainments, 4 Winter Gardens Arcade, Marine Road Central Change of use of mixed-used indoor play centre and part of amusement arcade to a mixed use drinking establishment and takeaway with external seating areas to front forecourt and creation of rear terrace. for Mr Solomon Reader (Poulton Ward 2015 Ward)	Application Permitted
20/00654/ADV	Johnny's Entertainments, 4 Winter Gardens Arcade, Marine Road Central Advertisement application for the display of 2 internally illuminated individual letter signs to the front and rear for Mr Solomon Reader (Poulton Ward 2015 Ward)	Application Permitted
20/00752/FUL	Hodgsons Croft Farm, North Road, Carnforth Demolition of agricultural buildings, conversion of two barns into two dwellings (C3), erection of four dwellings (C3) with associated access and erection of a garage for farmhouse for Mrs J Harris (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
20/00795/LB	Harterbeck House, Harterbeck, Wray Listed building application for the installation of replacement ground floor windows to the front elevation for Rachel Wilson (Lower Lune Valley Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

20/00808/LB	Hodgsons Croft Farm, North Road, Carnforth Listed building application for conversion of adjoining barn into dwelling (C3), creation of rooflight and window, installation of glazing to existing opening to SE elevation, creation of two rooflights and doorway with glazed panels above, reopening of window and replacement doors to the W elevation; and conversion of adjacent barn into dwelling (C3), part demolition, erection of extension, creation of four rooflights, two windows, doorway and patio doors to SW elevation, installation of two rooflights, six windows and entrance door with window above to NE elevation, installation of one window and replacement door and window to SE elevation; and internal alterations for both barns including reconfiguration of layout demolition of walls, creation of doorways, ceilings and staircase for Mrs J Harris (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
20/00812/FUL	Wennington Institute, Bentham Road, Wennington Change of use and conversion of the existing village hall to a residential dwelling (C3) including alterations to existing openings, the insertion of new openings and changes to the roof arrangement to provide first floor accommodation, together with an associated access and installation of package treatment plant for Mrs Pauline Smith (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/00974/FUL	Land To The East Of Jeremy Lane And South Of The Canal, Glasston Dock, Lancashire Retrospective application for retention of hard standing and access track and erection of building for Mrs Beverley Morgan (Ellel Ward 2015 Ward)	Application Refused
20/00989/FUL	Higher Thrushgill, Lower Green Bank, Wray Change of use of agricultural land for siting of hut for use as holiday accommodation including decking, access and parking and installation of a sewage treatment plant for Mrs. Danielle Stancliffe (Lower Lune Valley Ward 2015 Ward)	Application Withdrawn
20/01040/FUL	33 Sunnyfield Avenue, Morecambe, Lancashire Retrospective application for the retention of a detached garage for Andrew Burrow (Bare Ward 2015 Ward)	Application Permitted
20/01043/VCN	Land To The Rear Of Cottages, Long Level, Cowan Bridge Erection of 2 dwellings with associated access (Pursuant to the variation of condition 2 on planning permission 18/01591/FUL to add an integrated garage with bedroom above to plot 2 and to amend internal layout and external elevations) for Mr Matthew Howson (Upper Lune Valley Ward 2015 Ward)	Application Refused
20/01056/LB	Old Hall, Kirkby Lonsdale Road, Over Kellet Listed building application for the installation of secondary glazing to all windows for Mrs Sam Pickett (Kellet Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

20/01057/FUL	Coach House To Rear Of Mansergh House, Borwick Lane, Borwick Change of use of coach house to dwellinghouse (C3) and change of use of part of agricultural land to residential land in association with the proposed dwelling, alterations to windows and doors, installation of solar panels to the west elevation and associated hard landscaping for Mr Howson (Kellet Ward 2015 Ward)	Application Withdrawn
20/01058/LB	Coach House To Rear Of Mansergh House, Borwick Lane, Borwick Listed building application for conversion of coach house to dwellinghouse, alterations to internal walls, installation of timber first floor with staircase and insulated timber rafters, alterations to windows and doors, installation of a rooflight to the east elevation, installation of solar panels to the west elevation and associated hard landscaping for Mr Howson (Kellet Ward 2015 Ward)	Application Withdrawn
20/01100/FUL	Far Waterslack, Waterslack Road, Silverdale Erection of a stable block and hardstanding for Mr & Mrs Burrow (Silverdale Ward 2015 Ward)	Application Permitted
20/01146/FUL	61 Brookhouse Road, Caton, Lancaster Retrospective application for the retention of hardstanding to the front and construction of an extended dropped kerb for Dr Mark Slaski (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/01152/VCN	Development Land - Plot 1 And 2, Kirkby Lonsdale Road, Over Kellet Erection of two 2-storey detached dwellings (C3) with associated access (pursuant to the variation of condition 2 and 9 on planning permission 18/01207/FUL to make amendments to plot 1 comprising of the conversion of the proposed garage to additional living accommodation, the removal of garage door and installation of replacement window, the addition of first floor patio doors and a juliet balcony, the omission of a window to the side, creation of an additional parking space to the front, changes to windows and door in the north-west elevation and minor alteration to land levels adjacent to north-west elevation) for Mr John Collis (Kellet Ward 2015 Ward)	Application Permitted
20/01156/FUL	1 Hunter Street, Carnforth, Lancashire Erection of a first floor rear extension for Mr Kevin Williams (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
20/01208/FUL	4 Needham Avenue, Morecambe, Lancashire Erection of a 1.5 storey side extension incorporating conversion of existing garage to additional living accommodation and erection of a replacement front porch for Mr Darren Knowles (Harbour Ward 2015 Ward)	Application Permitted
20/01237/LB	Stork Hotel, Corricks Lane, Conder Green Listed building application for the installation of a replacement roof for C Nettleton (Ellel Ward 2015 Ward)	Application Permitted
20/01288/FUL	4 Quernmore Drive, Glasson Dock, Lancaster Erection of single storey rear extension and first floor side extension for Mr Price (Ellel Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

20/01335/VCN	Land Rear Of Launds Field, Stoney Lane, Galgate Erection of 2 detached dwellings (pursuant to the variation of condition 2 on planning permission 20/00213/FUL to amend the appearance of dwellings) for Mr Lee Norman (Ellel Ward 2015 Ward)	Application Permitted
20/01399/FUL	119 Brookhouse Road, Brookhouse, Lancaster Removal of existing front and rear dormer extensions, construction of dormer extensions to the front and rear elevations and re-render existing elevations for Claire Rogerson (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/01406/FUL	7 Broadacre Close, Caton, Lancaster Erection of a single storey rear/side extension and construction of dormer extension to the side elevation for Mr and Mrs Bowler (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/01435/FUL	Windrush, Haverbreaks Road, Lancaster Demolition of existing garage, erection of a single storey side and rear extension and a 1.5 storey front extension, construction of a dormer extension to the rear elevation and construction of a raised terrace to the rear for Kevin Murphy (Scotforth West Ward 2015 Ward)	Application Permitted
20/01464/FUL	Otago, 15 Kirklands Road, Over Kellet Erection of a single storey rear and side extension for Mr & Mrs Phillips (Kellet Ward 2015 Ward)	Application Permitted
21/00003/DIS	Hall Farm Barns, Kellet Road, Over Kellet Discharge of condition 3 on approved application 20/00395/FUL for Mr John Benson (Kellet Ward 2015 Ward)	Application Permitted
21/00004/DIS	Hall Farm Barns, Kellet Road, Over Kellet Discharge of condition 3 on approved application 20/00396/LB for John Benson (Kellet Ward 2015 Ward)	Application Permitted
21/00006/DIS	Greenfold Farm, Old Moor Road, Wennington Discharge of conditions 3,4,5 and 6 on approved application 17/01492/FUL for Mr Dennis Lund (Lower Lune Valley Ward 2015 Ward)	Application Permitted
21/00006/FUL	170 Brookhouse Road, Brookhouse, Lancaster Retrospective application for the construction of a dormer extension to the rear elevation for Miss Rhiannan Breslin (Lower Lune Valley Ward 2015 Ward)	Application Permitted
21/00018/DIS	Land Adjacent Appletree Barn, 34 Wennington Road, Wray Discharge of conditions 2 and 3 on approved application 18/01376/VCN for A Turner (Lower Lune Valley Ward 2015 Ward)	Application Refused
21/00023/FUL	31 Buckingham Road, Morecambe, Lancashire Erection of a part one storey and part two storey side extension. for Mrs. K. Rumney (Harbour Ward 2015 Ward)	Application Refused
21/00027/DIS	Land North Of, Royal Oak Meadow, Hornby Part discharge of condition 11 on approved application 15/01593/OUT for Mr J Beard (Upper Lune Valley Ward 2015 Ward)	Application Permitted

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21/00031/FUL	Railway Cottage, Corricks Lane, Conder Green Retrospective application for the construction of a raised decking area with external steps for Mr D Sharratt (Ellel Ward 2015 Ward)	Application Refused
21/00037/DIS	14 Clarksfield Road, Bolton Le Sands, Carnforth Discharge of condition 3 on approved application 18/00111/FUL for Mr Lawrence Young (Bolton And Slyne Ward 2015 Ward)	Application Permitted
21/00041/PAC	9A New Street, Carnforth, Lancashire Prior approval for change of use from office (E) into dwellinghouse (C3) for Mrs Caron Procter (Carnforth And Millhead Ward 2015 Ward)	Prior Approval Granted
21/00043/FUL	8 Brookholme Court, Lancaster, Lancashire Erection of a single storey rear extension, installation of replacement/altered windows and doors to rear and side elevations, construction of an extended patio and bin store and alterations to land levels for Mr Finlay Sutton (Marsh Ward 2015 Ward)	Application Permitted
21/00050/FUL	7 Halton Road, Lancaster, Lancashire Erection of a single storey rear extension for A. Lees & C. King (Skerton East Ward 2015 Ward)	Application Permitted
21/00060/FUL	65 Twemlow Parade, Heysham, Morecambe Erection of a two storey rear extension with balcony and construction of a dormer extension to the rear elevation with 2 balconies for Mr & Mrs M. Lingwood (Heysham Central Ward 2015 Ward)	Application Permitted
21/00061/FUL	63 Twemlow Parade, Heysham, Morecambe Erection of a two storey rear extension with balcony and construction of a dormer extension to the rear elevation with 2 balconies for Mrs. R. Frankland (Heysham Central Ward 2015 Ward)	Application Permitted
21/00064/FUL	17 Branksome Drive, Morecambe, Lancashire Erection of a single storey side and rear extension for Mr.&Mrs. D. Williams (Westgate Ward 2015 Ward)	Application Permitted
21/00068/FUL	1 Park Meadow, Lancaster, Lancashire Construction of a dormer extension to the rear elevation with a Juliet balcony for Mr C Bradley (Scotforth West Ward 2015 Ward)	Application Permitted
21/00070/FUL	47 Bay View Avenue, Slyne, Lancaster Demolition of existing garage, erection of single storey rear and side extension and construction of dormer extension to the front elevation for Mr Christopher Edmondson (Bolton And Slyne Ward 2015 Ward)	Application Permitted
21/00072/FUL	125 Slyne Road, Bolton Le Sands, Carnforth Erection of a single storey rear extension with the construction of dormer extensions to the side and rear elevations for Mrs Laura Fisher (Bolton And Slyne Ward 2015 Ward)	Application Permitted
21/00087/FUL	23 Rossall Road, Lancaster, Lancashire Demolition of existing car port and the erection of a two storey side extension for Mr Lee McCulloch (Skerton West Ward 2015 Ward)	Application Permitted
21/00091/FUL	8 Cleveland Drive, Lancaster, Lancashire Erection of a single storey rear extension for Mr and Mrs Sudell (Marsh Ward 2015 Ward)	Application Permitted

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21/00111/PIP	Land At Corner Of Fenham Carr Lane/Wyresdale Road, Lancaster, Permission in principle application for the erection of up to 7 dwellings for Miss Claire Parker (John O'Gaunt Ward 2015 Ward)	Application Refused
21/00127/FUL	12 Brookholme Court, Lancaster, Lancashire Erection of a single story rear extension for Mr Chris Lonsdale (Marsh Ward 2015 Ward)	Application Permitted
21/00142/PAC	Holmere Hall, Dykes Lane, Yealand Conyers Prior approval for change of use from office (E) into four dwellinghouses (C3) for Mr R Green (Warton Ward 2015 Ward)	Prior Approval Granted
21/00163/FUL	13 St Margarets Road, Morecambe, Lancashire Demolition of existing garage and erection of replacement garage for Mr. B. Shelling (Bare Ward 2015 Ward)	Application Permitted
21/00165/FUL	33 Sandylands Promenade, Heysham, Morecambe Replacement of existing first floor front window with patio door and erection of first floor balcony on the front elevation for Mrs E. Nicholson (Heysham North Ward 2015 Ward)	Application Permitted
21/00169/FUL	62 Norwood Drive, Morecambe, Lancashire Erection of a single storey rear extension for Mr.&Mrs. R. Bright (Torrisholme Ward 2015 Ward)	Application Permitted
21/00194/PAC	5 Gordon Terrace, Bowerham Road, Lancaster Prior approval for the change of use of shop (E) to dwellinghouse (C3) for Mr David Cookson (Scotforth West Ward 2015 Ward)	Prior Approval Granted
21/00201/FUL	20 Anthony Road, Lancaster, Lancashire Erection of single storey side extension for Mr Nigel Smith (Castle Ward 2015 Ward)	Application Permitted
21/00204/FUL	9 Chestnut Drive, Morecambe, Lancashire Demolition of existing conservatory and erection of a single storey rear extension. for Mrs. A. Harrison (Bare Ward 2015 Ward)	Application Permitted
21/00226/FUL	69 Coulston Road, Lancaster, Lancashire Erection of a single storey rear and side extension for Mr & Mrs L Harding (John O'Gaunt Ward 2015 Ward)	Application Permitted
21/00236/FUL	60 Regent Park Grove, Morecambe, Lancashire Erection of a single storey rear extension and the construction of a front porch for Mr. N. Palamountain (Harbour Ward 2015 Ward)	Application Permitted
21/00248/FUL	106 Morecambe Road, Lancaster, Lancashire Erection of single storey side extension, incorporating replacement roof with existing rear extension for Mr. J. Harris (Skerton West Ward 2015 Ward)	Application Permitted
21/00272/AD	Downlands Farm, Moss Road, Heaton With Oxcliffe Agricultural determination for the creation of two access tracks for Mr Grant Thornton (Overton Ward 2015 Ward)	Prior Approval Not Required
21/00273/AD	Downlands Farm, Moss Road, Heaton With Oxcliffe Agricultural determination for the creation of two areas of hardstanding for Mr Grant Thornton (Overton Ward 2015 Ward)	Prior Approval Not Required

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21/00274/AD	Moss House, Gulf Lane, Cockerham Agricultural determination for erection of a storage building for Mr Sutcliffe (Ellel Ward 2015 Ward)	Prior Approval Not Required
21/00304/NMA	Padeswood, Westbourne Drive, Lancaster Non-material amendment to planning permission 19/00846/FUL to connect the proposed bay window to ground level and to re-align the rooflights for Mr and Mrs Waugh (Marsh Ward 2015 Ward)	Application Permitted
21/00338/AD	Langthwaite Heights, Langthwaite Road, Quernmore Agricultural determination for the resurfacing of existing farm yard for Mr Nelson Pye (University And Scotforth Rural Ward)	Prior Approval Not Required
21/00414/NMA	Windrush, Haverbreaks Road, Lancaster Non-material amendment to planning permission 20/01435/FUL to reduce the width of front extension, alter the door position, change bifold door to a double door with side windows, rotate the roof lantern and extend the front garage roof overhang for Mr Kevin Murphy (Scotforth West Ward 2015 Ward)	Application Permitted