



**Committee:** PLANNING REGULATORY COMMITTEE

**Date:** MONDAY, 28 MARCH 2022

**Venue:** MORECAMBE TOWN HALL

**Time:** 10.30 A.M.

## A G E N D A

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

**The Planning Regulatory Committee scheduled for 28 March 2022 was postponed for public safety reasons following lack of power at Morecambe Town Hall. Decisions on applications will be taken at a future meeting.**

**1 Apologies for Absence**

**2 Minutes**

Minutes of meeting held on 28<sup>th</sup> February 2022 (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.

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|---|---------------------------------|---|------------------------------|----------------------------|
| 5 | A5 <a href="#">20/01442/FUL</a> | <b>Land North Of Whernside Road<br/>Watery Lane Lancaster</b>   | <b>Skerton<br/>West Ward</b> | <b>(Pages 5 -<br/>27)</b>  |
|   |                                 | Demolition of existing dwelling and erection of 78 dwellings (C3) with associated vehicular and pedestrian access, internal roads, footpaths and parking, re-grading of land and retaining structures, drainage infrastructure and the provision open space and equipped play area. |                              |                            |
| 6 | A6 <a href="#">21/00798/REM</a> | <b>Land At Higher Bond Gate<br/>Abbeystead Road Dolphinholme<br/>Lancaster</b>  | <b>Ellel Ward</b>            | <b>(Pages 28 -<br/>39)</b> |
|   |                                 | Reserved matters application for the erection of 18 dwellings.  |                              |                            |

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|--|----------------------------------|--|-----------------------------|----------------------------|
| 7  | A7 <a href="#">21/00799/REM</a>  | <b>Land At Higher Bond Gate<br/>Abbeystead Road Dolphinholme<br/>Lancaster</b> | <b>Ellel Ward</b>           | <b>(Pages 40 -<br/>51)</b> |
| Reserved matters application for the erection of 9 dwellings.  |                                  |  |                             |                            |
| 8  | A8 <a href="#">21/00695/FUL</a>  | <b>Land North of A683 Bay Gateway,<br/>Heaton With Oxcliffe</b>                | <b>Overton<br/>Ward</b>     | <b>(Pages 52 -<br/>57)</b> |
| Installation of a 99.9MW battery storage facility with ancillary development including 3m high fencing, battery storage containers, substation, transformers, switchroom, control room, welfare cabin and storage room, construction of internal access points, creation of hardstanding and turning area, erection of gates and 4m high CCTV columns, creation of temporary compound area, raising of land levels and construction of new access onto the A683 Bay Gateway. |                                  |  |                             |                            |
| 9  | A9 <a href="#">21/01295/FUL</a>  | <b>Hawthorne House Bye-pass Road<br/>Bolton Le Sands</b>                       | <b>Bolton and<br/>Slyne</b> | <b>(Pages 58 -<br/>66)</b> |
| Demolition of existing restaurant and erection of five new dwellings (C3) with associated landscaping and altered access.  |                                  |  |                             |                            |
| 10   | A10 <a href="#">22/00237/CCC</a> | <b>Dunald Mill Quarry Long Dales<br/>Lane Nether Kellet</b>                    | <b>Kellet Ward</b>          | <b>(Pages 67 -<br/>69)</b> |
| County Council Consultation request for the variation of condition 1 of planning permission LCC/2016/0061 to allow for continued operation of the concrete batching plant until 21 February 2034, with all buildings, plant and associated equipment being removed and the site restored by 21 February 2035.  |                                  |  |                             |                            |

**11 Delegated List (Pages 70 - 81)**

**ADMINISTRATIVE ARRANGEMENTS**

**(i) Membership**

Councillors Keith Budden (Chair), Sandra Thornberry (Vice-Chair), Paul Anderton, Victoria Boyd-Power, Dave Brookes, Abbott Bryning, Roger Cleet, Tim Dant, Kevin Frea,

June Greenwell, Mel Guilding, Janice Hanson, Cary Matthews, Robert Redfern and Malcolm Thomas

**(ii) Substitute Membership**

Councillors Alan Biddulph (Substitute), Mandy Bannon (Substitute), Jake Goodwin (Substitute), Tim Hamilton-Cox (Substitute), Colin Hartley (Substitute), Debbie Jenkins (Substitute), Joyce Pritchard (Substitute) and Peter Yates (Substitute)

**(iii) Queries regarding this Agenda**

Please contact Eric Marsden - Democratic Services: email [emarsden@lancaster.gov.uk](mailto:emarsden@lancaster.gov.uk).

**(iv) Changes to Membership, substitutions or apologies**

Please contact Democratic Support, telephone 582170, or alternatively email [democracy@lancaster.gov.uk](mailto:democracy@lancaster.gov.uk).

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

Published on 16<sup>th</sup> March 2022.

<b>Agenda Item</b>	A5
<b>Application Number</b>	20/01442/FUL
<b>Proposal</b>	Demolition of existing dwelling and erection of 78 dwellings (C3) with associated vehicular and pedestrian access, internal roads, footpaths and parking, re-grading of land and retaining structures, drainage infrastructure and the provision open space and equipped play area.
<b>Application site</b>	Land North Of Whernside Road Watery Lane Lancaster Lancashire
<b>Applicant</b>	Oakmere Homes
<b>Agent</b>	Mr Daniel Hughes
<b>Case Officer</b>	Mrs Jennifer Rehman
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approve

(i) **Procedural Matters**

The proposed site and its immediate surroundings were visited by representatives of the Planning Regulatory Committee on the Monday 21<sup>st</sup> February 2022.

**1.0 Application Site and Setting**

- 1.1 The application site is located on the northern fringe of the built-up area of Lancaster, lying to the north of the Ryelands and west of the Skerton suburbs, approximately 1.3 miles to the north west of the city centre. The application site relates to a 4.1 hectare greenfield meadow consisting of a small group of connecting fields, sub-divided by post and wire fencing or hedgerows with a distinctive pond in the northern most field. The site is positioned to the rear of properties on Watery Lane (east) and Whernside Road (south) within the urban area of North Lancaster. Between the site and properties on Whernside Road is a slither of land used as a small-holding. The site borders Lancaster Crematorium and Barley Cop Woods to the north with the Vale of Lune Rugby Club and associated playing pitches to the west. A mature bank of woodland along the western boundary separates the proposed development from the Vale of Lune Rugby Club. The landscaping buffer and gardens around the crematorium, along with Barley Cop woods, also form strong landscape features to the north of the site. The topography of the site is notable within the urban landscape. It occupies a prominent and elevated position above the surrounding residential and area. The site slopes up from Watery Lane to its highest point (mid-way in the site at approximately 34m AOD) and then falls sharply towards the Vale of Lune Rugby Club (approx. 20m AOD).
- 1.2 Access to the site is via Watery Lane itself, leading to the south via Scale Hall Lane to the A589 Morecambe Road around half a mile to the south, linking the city with Morecambe to the north west

and to the strategic road network at Junction 34 of the M6 motorway (via the A683 Bay Gateway) around 2 miles to the north east.

- 1.3 The site is located approximately 2km to the centre of Lancaster City Centre with local shops (Spar c350m), and schools (Rylands Primary School c420m, Lancaster and Morecambe c680m), located much closer to the site. The site is located within 160m of the closest bus stops on Watery Lane (Route 8 City Centre – Rylands – St Chads) and c325m to the bus stops on Torrisholme Road (Services 1, 1A, 100). The closest cycle route is located approximately 650m south east of the site at Rylands Park. There are no public rights of way through the site. The closest is Footpath 1, which links Watery Lane to Barley Cop Lane, through Barley Cop Wood.
- 1.4 The site is an unallocated site (white land) within the Lancaster District Local Plan. It is not constrained by landscape, heritage or any nature conversation designations and lies within floodzone 1 (suitable for development). There are no definitive public rights of way through the site but informal paths are apparent. There has previously been informal access between the site and Barley Cop Woods, though this is now closed off by post and wire fencing.

## 2.0 Proposal

2.1 The application seeks full planning permission for the erection of 78 dwellings with associated access, infrastructure, open space and landscaping. To facilitate the access into the site, a single detached dwellinghouse (39B Watery Lane) is proposed for demolition.

2.2 The breakdown of the proposed development is as follows:

- 8 No. one-bedroom cottage-style apartments
- 2 No. one-bedroom bungalows
- 4 No. two-bedroom houses
- 40 No. three-bedroom houses
- 24 No. four-bedroom houses
- 

The proposed housing types comprise two-storey (some split-level) detached and semi-detached houses, cottage-style apartments and bungalows. The proposed materials consist of reconstituted buff stone, off-white render under grey concrete tile roofs. An equipped play area shall be provided in the centre of the site, with amenity greenspace and landscaping provided largely to the west and along the boundary with Barley Cop Wood. The proposal seeks to retain the existing pond within the centre of the site, together with all the trees and hedgerows around the periphery of the site. Owing to the site topography, extensive earthworks are required to create the development platforms across the site.

2.3 The proposed access shall be formed between 39A and 41A Watery Lane. The access consists of a simple priority controlled junction comprising a 5.5 metre carriageway width with 1.8 metre footways to either site, a 5 metre radii and viability splays of 33 metres in both directions. The existing carriageway in the vicinity of the proposed access is proposed to be realigned to provide a 6.5 metre carriage width (to secure an appropriate access design).

## 3.0 Site History

3.1 The applicant approached the local planning authority for pre-application advice for residential development of up to 104 dwellings in late 2018. The advice offered at this time acknowledged that if the Local Plan was found sound and adopted (thus removing the Green Belt designation) the site would not be subject to an strategic allocations, therefore, offering more scope for future development, subject to all other considerations being acceptable. Our pre-application advice equally raised concerns over the access arrangements and the potential effects this would have in terms of design and residential amenity. Later pre-application discussions focused on a reduced number of dwellings (80) and mainly design matters. Aside from this recent pre-application engagement, a number of relevant applications relating to this site have previously been received by the Local Planning Authority. All of which were refused and are noted by some of the public representations opposing the scheme. These are set out in the table overleaf:

Application Number	Proposal	Decision
2/1/5016	Erection of 41 houses and 15 bungalows	Refused on open space and landscape impacts
1/76/675	Erection of two pairs of semi-detached houses and five detached houses	Intrusion of open space and impact on residential amenity
1/75/871	Outline application for residential development (51 houses)	Intrusion of open space and impact on residential amenity

#### 4.0 Consultation Responses

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

Consultee	Response
County Highways (LCC)	<p>Initial concerns have been addressed. LCC offer <b>no objection</b>, subject to the following conditions:</p> <ul style="list-style-type: none"> <li>• Construction Method Statement</li> <li>• Scheme for the site access and off-site highway works</li> <li>• Arrangements for the future maintenance of estate roads (captured by s106)</li> <li>• Scheme for the full engineering, drainage, street lighting and construction details to adoptable standards of the internal estate roads</li> <li>• Roads to be provided to base course before first occupation and completed in full before completion of the development.</li> <li>• Drives and parking areas to be constructed in a bound porous material and to be available and maintained for as long as the development is occupied.</li> <li>• Provision of cycle and EV charging (minimum of 7kW) to each dwelling</li> <li>• Framework Travel Plan</li> </ul>
United Utilities	<p>Following the submission of amended drainage details, United Utilities have been able to remove their initial objection. UU have <b>no objection</b> to the development subject to the implementation of the amended drainage scheme with an appropriate management and maintenance regime.</p>
Lead Local Flood Authority	<p><b>No objection</b> subject to a pre-commencement condition to ensure the final drainage scheme takes account of how surface water from driveways, gardens and areas of public open space will be managed.</p> <p><i>NB: this matter has now been addressed but formal comments from the LLFA are yet to be received.</i></p>
Arboricultural Officer	<p><b>No objection</b>, subject to the following comments:</p> <ul style="list-style-type: none"> <li>• Pleased to see increased separation between the development and Barley Cop Wood and increased planting to provide a suitable buffer;</li> <li>• Existing woodland to the west now includes degree of successional planting with additional tree planting, with the remainder of the tree planting still in a circular area, surrounded by species rich grassland. The Arboricultural Officer suggests planting should be used as a buffer to the woodland area to create a diverse edge habitat.</li> <li>• Queries whether fencing could be used to prevent tramping within the woodland areas.</li> <li>• Provision of a clear Tree Protection Plan.</li> </ul>
GMEU	<p>Initial concerns included: Insufficient information in relation to the following:</p> <ul style="list-style-type: none"> <li>• to assess the ecological impacts of the proposal, namely lack of Great Crested Newt surveys;</li> </ul>

	<ul style="list-style-type: none"> <li>• amendments and additional consideration needed in relation to woodland habitat to the north;</li> <li>• further clarification needed in relation to the retained pond</li> <li>• clarification needed in relation to the BNG calculations</li> <li>• proposed landscaping fails to maintain and develop habitat connectivity through the site.</li> </ul> <p>Following the submission of further information, GMEU have raised no further concerns in relation to the impact on Great Crested Newts or other protected species.</p> <p>GMEU have confirmed the applicant's BNG report is inadequate and contains errors, resulting in the percentage net gain likely to be less than suggested. This matter is ongoing, and a verbal update will be provided.</p>
Natural England	<b>No objection</b> and concur with the Council's HRA. A condition must be secured to deliver the required mitigation (homeowner packs).
RSPB	<b>No comments received.</b>
Woodland Trust	<b>No comments received.</b>
LCC Planning Policy Team	Issues raised: <ul style="list-style-type: none"> <li>• loss of open space; archaeological interests; need for a heritage statement (archaeological desk-based assessment).</li> <li>• Conflicting information over the housing mix/affordable housing mix</li> <li>• Notes the council only has a 3 yr supply of housing and para 11 of the NPPF is triggered.</li> </ul>
LCC Strategic Housing	No formal comments received.
LCC Waste and Recycling Team	At present, the waste management of several areas of the development is falling short of what is required, and is not viable or sustainable in the long term. Amendments to the layout of the scheme are recommended. No further comments provided following the submission of amendments and further consultation.
Sport England	<b>No objection</b> – concludes that the proposal will have no prejudicial impact on the use of the adjacent playing field.
Lancashire County Council School Planning Team	<b>No objection</b> - no education contribution required (as of 24 January 2022).
Lancashire Historic Environment Team (Archaeology)	<b>No objection</b> subject to condition securing the implementation of a programme of archaeological works.
Environmental Health Service	<b>No objection</b> on the grounds of air quality, noise or ground contamination subject to mitigation as set out in the submission. The mitigation (listed below) shall be secured by condition. <ul style="list-style-type: none"> <li>• EV charging points rated at a minimum of 7kW</li> <li>• Travel Plan (inc. range of measures)</li> <li>• Construction Emissions Management Plan</li> <li>• Acoustic mitigation in accordance with submitted assessment</li> <li>• Implementation of the recommendations set out in the submitted Phase II Site Investigation report.</li> </ul>
Property Services	No comments received.
Public Realm	<b>No objections</b> subject to the provision of on-site amenity space (1409.8 square metres, equipped play area (to be enclosed), link to Barley Cop Woods and an off-site contribution towards Rylands Park (changing facilities to support the sports pitches) totalling £123,174.30.
Lancashire County Council Historic Environment Team	<b>Comments</b> received recommending the application not be determined until a Heritage Statement has been provided given the potential for locally significant archaeological remains/interest.
Conservation	<b>No comments</b>
Civic Society	<b>Objection</b> on the following grounds: <ul style="list-style-type: none"> <li>• Loss of open green space</li> <li>• Uniformly bland and unimaginative house designs</li> </ul>



	<ul style="list-style-type: none"> <li>• Houses densely arranged on site leaving little space between plots</li> <li>• Access is scarcely adequate for construction traffic and emergency vehicles</li> <li>• Increase traffic</li> <li>• Flood risk concerns downstream</li> </ul>
CSTEP	<p><b>No objection</b></p> <p>The amended ESP when supported by the NSAfC KPIs is acceptable and demonstrates a commitment to support local employment and upskilling during the construction of the development.</p>
Morecambe Bay Clinical Commissioning Group	<p><b>No objection</b>, subject to a <b>contribution of £25,609</b> towards the extension and reconfiguration at Lancaster medical practice for additional clinical capacity.</p>
Lancashire Constabulary	<p>Comments received in relation to 'secure by design' measures, including:</p> <ul style="list-style-type: none"> <li>• Safe permeability through the development</li> <li>• Design and integration of open space and landscaping</li> <li>• Access control and suitable boundary treatment to segregate public from private space</li> <li>• Provision of security lighting to the dwellings and street lighting</li> <li>• Physical security to the dwellings (types of windows/doors/glazing/alarms)</li> <li>• Site security during construction</li> </ul>
Lancashire Fire and Rescue Service	<p><b>No objection</b> – standing advice issued in relation to Part B5 Access and facilities for the Fire Service (Building Regulations)</p>
Cadent Gas	<p><b>No objection</b></p>

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

98 number of representations to the original proposal opposing the development. A summary of the main reasons are as follows:

**Principle issues** including,

- similar proposals have been rejected historically because of the loss of open space and impacts on residential amenity and if approved would result in poor planning of the area - these issues remain the same.
- the land is within Green Belt and should be resisted.
- the SHLAA concluded the site was undeliverable.
- concerns over loss of a single house to provide access for 80 dwellings.
- loss of green open space (referred to as 'public space' by some). The woodland and field have brought the community together (especially during the pandemic) – its loss would have huge impacts. The green space is highly valued, described as 'unique and precious' to the community.
- loss of green space which will negatively impact community well-being.
- brownfield sites should be developed in favour of greenfield sites which lead to significant environmental damage.
- benefits to the community do not outweigh the costs against it.
- existing homes were purchased because they were previously in the Green Belt and thought the land would be protected.
- lack of affordable homes.
- The public use the site to observe firework displays, recreational walks and dog walking, nature study groups, children observing nature in its natural setting.
- The Council's Open Space Assessment describes it as one of the last remaining open space measures in the immediate area. Failure to designate the site as a Local Green Space does not undermine its value to the community, a reassessment of the designation of this site should be taken.
- The site is not sustainable and is around 2.5 miles to Lancaster city centre.
- Lack of a housing need noting excessive amount of student accommodation and empty homes in the city which could be provided as family homes instead.

**Highway concerns** including:

- additional traffic served by a small access and narrow road heavily congested with parked cars (Watery Lane) will lead to adverse highway safety impacts (to people and property),
- the junctions onto Torrisholme road are narrow and cannot accommodate additional traffic,
- increase in traffic will exacerbate existing difficulties for emergency vehicles and the local bus service navigating Watery Lane,
- active bus stops are over 400m from the site (contrary to the TA),
- challenges to the robustness of the TA and the traffic survey undertaken,
- lack of visitor parking on the new estate which is likely to exacerbate parking on Watery Lane
- a second access route should be considered to mitigate impacts to Watery Lane.

### **Amenity concerns** including:

- harmful visual impacts elevated above the local area affecting the skyline of the site (and views from Torrisholme Barrow),
- its scale and density would be completely out of character.
- loss of outlook, overlooking and loss of privacy from the development at a higher elevation,
- loss of light, increased noise and disturbance, light and air pollution, removes emergency escape routes to the rear of exiting property, loss of views, access arrangement adversely affect residential amenity (noise/headlights),
- loss of peace and tranquillity to the area and immediate homes.

### **Environmental concerns** including:

- increase flood risk.
- loss of valuable wildlife habitat and species.
- impact on wider biodiversity by loss of biodiversity corridors and linkages between habitats.
- bird and bat boxes are tokenistic.
- excessive earthworks required given sloping nature of the site (to the detriment to existing natural features).
- loss of green space fails to help mitigate against the impacts of climate change.
- negative impacts on Barley Cop Woods,
- landscape impacts – the site offers a similar landmark feature to Torrisholme Barrow.
- no consultation with the Friends of Barley Cop Woods and link from the development to the woods in the wrong location and would include trees to be felled.
- long term landscape and habitat management to be included in the s106 and potentially enabling collaboration with local groups, such as Friends of Barley Cop Wood.

### **Infrastructure (and other) concerns** including:

- lack of school places.
- impact on GP resources.
- impacts on existing drainage infrastructure.
- robustness of soakaway testing for drainage, the pond should be treated as a watercourse (spring with flowing water).
- impacts on house prices, if approved houses losing their views over the field should have their Council Tax band reduced.
- loss of privacy to mourners visiting the Crematorium and consideration of the Crematoria Act.

A petition opposing the scheme has also been received with 25 signatures.

Following the submission of amendments and re-consultation, a further 35 representations have been received opposing the development. A summary of additional comments to those already raised above are as follows:

- Granting consent would be a disgrace it is unsustainable development and must be rejected.
- Reference to the Local Green Space Assessment is made – noting the assessment of LGS should be reviewed.
- Visual impacts would be imposing and overbearing.

- Concerns over public comments not been considered and lack of faith in the planning process.
- Concerns that the application has taken over a year to determine, suggesting the decision is already made and it is a foregone conclusion to support the scheme (once the drainage scheme is acceptable).
- Traffic impacts will worsen despite the 'experts' suggesting otherwise.
- Loss of two units is not substantive to address concerns.
- Local children play on the field – its loss to housing will have impact on the quality of lives of many.
- The environmental impacts are significant with zero added value to the local community.
- Comments reinforcing errors in the submission, particularly in relation to the pond, which local residents state is spring-fed.
- Drainage scheme does not resolve previous concerns.
- A public enquiry should take place if the application is approved.

1 letter of support has been received (with no further comment).

## 5.0 Analysis

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

- Principle of development and housing need
- Transport and accessibility
- Biodiversity
- Residential amenity
- Flood risk and drainage
- Landscape, open space and design
- Other Matters

5.2 Principle of Development (Housing Matters) 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) and DM3 (Delivery of Affordable Housing).

5.2.1 The proposed site is unallocated (white land) in the Local Plan. It lies within the urban area of Lancaster and therefore the proposed development complies with the overall development strategy for the district (policy SP3), which seeks to promote an urban-focussed approach to new development. As part of the Local Plan evidence base, the Strategic Housing and Employment Land Availability Assessment (SHELAA) did not consider the site deliverable for housing (largely on highway grounds) and as such the site is excluded from policy SP6 (housing allocations). At this juncture it is also important to note that prior to the adoption of the current Local Plan, the site formed part of the North Lancashire Green Belt (NLGB). For this reason, the land was protected from significant development. However, following the NLGB Review (2018) and the adoption of the Local Plan, the proposed site has been removed from this designation with the NLGB boundary moving north beyond the Bay Gateway. In land use planning terms, the principle of housing in the urban area of Lancaster on an unallocated site can, in principle, be supported. In this case, the main issues relate to the technical constraints associated with development the site for housing. These considerations will be addressed below.

5.2.2 The National Planning Policy Framework (NPPF) is a material consideration in the determination of planning applications. In this instance, the NPPF reiterates that there is a need to 'significantly boost' the supply of homes and chapter 5 sets out the priorities that local planning authorities should pursue in delivering an appropriate number of dwellings to meet their objectively assessed need (OAN). Policy SP6 of the SPLA DPD sets out the Council's OAN and its housing requirements over the plan period, which amounts to 10,440 new dwellings required over a 20-

year period. Despite local objection over housing needs, there is a clear and evidenced housing need in the district. The most recent five-year housing land supply position statement confirms that the Council is currently only able to demonstrate 2.6 years' worth of supply of deliverable housing. As a consequence, there is a clear expectation in the NPPF that residential proposals should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole (Paragraph 11d of the NPPF – the tilted balance). Given the acute undersupply of housing in the district, the delivery of 78 new dwellings weighs substantially in favour of the proposal.

5.2.3 Affordable Housing and Housing Mix

Policy DM1 of the DM DPD states the Council will support proposals for new residential development which ensures land is used effectively taking into account the characteristics of locations and specific circumstances of individual sites including viability and are located where the natural environment, services and infrastructure can be, or could be, made to accommodate the impacts of development. Policy DM1 offers support for new housing development where it promotes inclusive and balanced communities and meets evidenced housing needs (set out in the Strategic Housing Market Assessment (SHMA)).

Table 4.1 within policy DM1 (based on the SHMA) provides an indicative approach to housing mix. This is set out in the table below with comparisons made to the proposed development.

Dwelling Type	Strategic Housing Market Assessment guidance (%)	Original Submitted scheme (%) of 80 dwellings	Current Proposal (%) of 78 dwellings
1 / 2 bed house	20	7.5	2.56
3 bed house	35	46.25	51.28
4 bed plus house	25	28.75	30.76
Bungalow	10	5	5.12
Flat	10	12.5	10.25
<b>Total</b>	100	100	100

5.2.4 The proposed scheme does not strictly align with the housing mix aspirations of the SMHA and policy DM1. This is partly a result of design negotiations leading to a loss of the two-bedroom apartments and two-bedroom dwellings in favour of one-bedroom cottage style apartments and a greater number of 3-bedroom dwellings. The scheme has also been subject to detailed viability considerations. Increasing the number of smaller properties and bungalows to comply with the SHMA would have been preferable, however, this would worsen the financial viability position, which has already evidenced no affordable housing as part of the development. Whilst there remains a significant portion of four-bedroom units, the three-bedroom dwellings form the predominant house type, which accords with the indicative aspirations of table 4.1. Therefore, refusal based on the proposed mix is not considered justified given the terms of the tilted balance set out in the NPPF.

5.2.5 In terms of affordable housing, for greenfield sites in Lancaster, the policy position (DM3) requires 30% of the total number of dwellings to be affordable homes, unless this has a disproportionate and unwarranted negative impact on the viability of the proposed development. In accordance with policy DM3, the application has been supported by a financial viability appraisal (FAV) to evidence why the development cannot support any on-site affordable housing contribution (the applicant's position). This has been independently assessed by the Council's Viability expert (CP viability), with support from an independent Quantity Surveyor, who concurs with the applicant's overall conclusion that the development is unable support any affordable housing. For transparency, the Council's viability expert has re-run the appraisals appended to the FVAR based on the amended housing mix and reduced housing numbers. This does not alter the viability outcome. The applicant's proposed profit margin to bring the site forward is 17.5% on net revenue for the market dwellings. This is accepted by the Council's expert as a reasonable profit margin. In terms of land values, the applicant allowed for a benchmark land value of £250,000 per developable acre (or £155,709 per gross acre). However, the applicant did not justify this position. Subsequently, the Council's expert has reviewed this and concluded a reasonable benchmark land value (based on existing use value (£10,000 per acre) plus a premium (15 times the existing use value) would equate to £946,500 for the net developable area and a further £38, 211 when

combined with the remaining land (at its existing use value). The overall benchmark land value would be £984,711 (or £97, 197 per acre). The Council's expert has reappraised the viability with appropriate adjustments to the assumptions in the appraisal, but this does not alter the negative viability outcome.

5.2.6 The viability pressure on this scheme is so high due to the sales values being lower than other parts of the city in this particular location and the external/site specific and abnormal costs being relatively high (despite some reductions through the independent FVAR). The consequence results in a residual land value considerably below the benchmark land value, rendering the scheme unviable with affordable housing and other planning policy contributions.

5.2.7 The lack of affordable housing is very disappointing. However, in accordance with both policy DM3 and the NPPF, the applicant has justified this position. A refusal on the grounds of a lack of affordable housing could not be substantiated. The provision of affordable housing and other contributions would simply render the development undeliverable. Officers are considering an affordable housing claw back mechanism in the s106, however, there remains ongoing discussion with the applicant over this matter. A verbal update will be provided.

5.3 **Traffic impacts, access, parking and sustainable travel** (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 SP10 Improving Transport Connectivity and T2: Cycling and Walking Network; Development Management (DM) DPD policies DM29: Key Design Principles, DM57 Health and Well-being, DM58 Infrastructure Delivery and Funding, 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.)

5.3.1 The Local Plan transport/accessibility policies seek to direct new development to sustainable locations and to ensure new development provides and encourages opportunities for a range of transport options and to reduce the overall need to travel. Policy requires development to make positive contributions to the walking and cycle network. The proposed development includes the provision of footways within the access design to enable safe and convenient walking environment between the development and the surrounding area. As part of negotiations, off-site highway works to enhance the pedestrian environment will be provided as part of the development. This shall include a new central pedestrian refuse on Torrisholme Road, together with reductions to the radii and tactile paving at the junctions of Barbon Place, Rylands Road and watery Lane. There are no proposals to enhance the cycle network as part of the scheme, though provision for cycle parking is catered within the layout of the scheme. To offer further enhancements, the applicant is agreeable to a planning condition requiring a new path between the development and Barley Cop Woods. Due to the steep gradient of the site to the west and land ownership constraints, it is not feasible to create new pedestrian/cycle connections between the development and the residential area to the south (Pendle Road/Ingleborough Road).

5.3.2 Despite the local topographical constraints, the proposed site falls within the urban area of Lancaster within recommended Department of Transport walking and cycling distances. There is equally good access to regular public bus services, which supports the locational sustainability of the site. This, combined with modest enhancements to the pedestrian route between the site and Rylands Park (along Torrisholme Road) and the potential for a pedestrian connection to Barley Cop Wood, ensures compliance with policies DM60 and DM61 of the DM DPD. Whilst the proposal does not make any contribution to the enhancement of local cycle routes, the development would not adversely impact existing cycle networks or cycle users. Cycle parking provision will be provided for each dwelling in accordance with policy DM62. Subsequently, the lack of provision for cyclists within the housing layout and off-site within the highway network would not lead to a material conflict with policy DM61. The applicant's Framework Travel Plan and the provision of EV charging points for each dwelling contributes to the sustainability of the site (and the promotion of more sustainable modes of travel).

5.3.3 Policy DM60 requires development proposals to be accessed safely during construction and operational phases of development. It equally requires development proposals to not adversely impact the local highway network and where highway capacity is insufficient to accommodate the impacts of the proposal, to secure appropriate mitigation. This aligns with paragraphs 110 of the

NPPF. In accordance with paragraph 111 of the NPPF, development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be serve.

- 5.3.4 The sole means of vehicle access to the development site is a new priority junction from Watery Lane in the location of 39B Watery Lane. The access design has been the subject of pre-application discussions with the local highway authority (LHA). The access comprises a 5.5m wide carriageway with 1.8m footways to both sides. Buildouts are proposed on Watery Lane to secure an appropriate radii and visibility splays of 33 metres (for 85% speeds on 23mph south bound and 24.4mph north bound), together with a junction table and the widening of the existing footway along Watery Lane between Belmont Close and Malham Close. These embedded design features are aimed to keep background and development traffic vehicles speeds low to minimise conflict at the proposed junction, particularly in relation to the close proximity of the new access to the driveway of 41 Watery Lane. From a highway safety perspective, the proposed access is considered acceptable and compliant with policy DM60 and paragraph 110 of the NPPF. Subject to securing the access proposals and associated off-site highway works (by planning condition), the LHA considers the proposal acceptable and notes the new access would not present a serve impact to highway safety.
- 5.3.5 The proposed development will generate an estimated 370 two-way movements per day, with the AM peak (08:00-09:00) equating to 41 two-way movements and the PM peak (16:00-18:00) equating to 82 two-way movements. The proposed trips would disperse across the network in three directions (east and then North/South; west and at Scale Hall Lane (south). Many residents objecting to the scheme have raised valid concerns over the location and design of the access and the potential highway safety implications arising from increased traffic along Watery Lane. Some objectors have also cited concerns over the narrow and constrained nature of Watery Lane (due on on-street parking) being unable to cope with the impacts of the development traffic. The LHA has assessed the application, including the Transport Statement and Road Safety Audits and the Construction Method Statement, and has raised no objection to the development. Despite strong opposition to the scheme on highway safety grounds, given the position from the LHA, there would be no substantive planning reason to resist the proposal on highway safety and capacity grounds.
- 5.3.6 Turning to the estate layout, the applicant has amended the proposals to address initial concerns raised by the LHA in respect of the internal road layout and footway provision. The revised proposals do improve the provision of footways in some locations of the scheme, however, they do not go far enough to meet the County's adoptable standards. The Council' Waste and Recycling team also raised concerns over the road layout. Notwithstanding this, the LHA has confirmed (having regard to the recommendations of the submitted Road Safety Audit), the lack of footways and divergent footways would not pose a highway safety concern given the low level of traffic movements in and around the areas of concern (plots 19-32, 55-69), sufficient forward visibility at the junction near plot 19 the provision of a change in surface material to the roads to reflect its shared surface. The applicant's amended surface treatment plan does not include such provision, however, this can be controlled by planning condition. The Council's Waste and Recycling team have not commented further on the amended scheme. However, given the highway authority are satisfied with the access and estate road geometry/swept path analysis, visibility and turning provision, it would be difficult to substantiate a refusal on the basis of the waste and recycling teams initial concerns. All dwellings will be provided with cycle storage provision and Electric Vehicle charging points. A condition for the implementation of the agreed provision is recommended.
- 5.3.7 The applicant has designed the development to ensure most of the proposed dwellings have sufficient parking provision in accordance with DM62 (and appendix E). These are maximum standards which, given the sustainable location of the site, there is no reason to expect all dwellings to have the full quantum of parking. Such would go against the promotion of alternative sustainable modes of travel, including walking and cycling. Notwithstanding this, officers are satisfied sufficient parking is provided to prevent significant on-street parking within the site and spilling out into neighbouring areas.

- 5.4 **Biodiversity** (NPPF: Chapter 15 paragraph 170 and 174-177 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policy SP8 (Protecting the Natural Environment and

- 5.4.1 Strategic policies SP8 and EN7 both recognise the importance and value of biodiversity within the district and expects development proposals to protect, maintain and enhance biodiversity. This policy position is reflected in the Development Management DPD policies. Policy DM44 states development proposals should protect and enhance biodiversity and, as a principle, there should be net gain of biodiversity assets wherever possible. The policy goes on to state that where harm can not be avoided, it should be mitigated and as a last resort compensated for, and where a proposal leads to significant harm, planning permission should be refused. Policy DM45 identifies the importance of retaining trees, woodland and hedgerows where they positively contribute to visual amenity, landscape character and/or the environmental value of an area. This policy expects new development to positively incorporate existing trees and hedgerows and where this can not be achieved, the losses must be justified and mitigation. Policy DM45 seeks to maximum and encourage new tree and hedgerow planting of indigenous species to mitigate against the wider impacts of climate change and to enhance the character and appearance of the district.
- 5.4.2 The proposed site is not designated or protected for its nature conservation. The closest designated sites relate to Lancaster Canal (a Biological Heritage Site (BHS)) and the River Lune (also a BHS). There is a mature group of protected trees along the western boundary of the which are of significance (TPO No. 612(2017)). The site lies approximately 2.3km northeast of the Lune Estuary Site of Special Scientific Interest (SSSI) and the Morecambe Bay Special Area of Conservation (SAC), RAMSAR site and Morecambe Bay and Duddon Estuary Special Protection Area (SPA) (National and European designated sites).
- 5.4.3 Due to the proximity of the site to the European designated sites, the applicant has submitted a shadow Habitat Regulations Assessment (sHRA), including an Appropriate Assessment, to assess the potential of likely significant effects (LSE) on the integrity of the designated sites arising from the development. At its closest point, the site is located approximately 2.3km from the SPA, SAC and Ramsar Site. Given the sites separation from the designated sites, combined with the intervening development and infrastructure, the development will not, therefore, result in any direct impact of these designated areas. Whilst it is understood that the interests features of the designated sites (SPA birds) may rely on areas outside of the SPA boundary in some circumstances for foraging and feeding, in this case, due to the location of the site away from the Bay and the intervening development, the site is not judged to be Functionally Linked Land (FLL). The potential for indirect effects have also been assessed, this concludes potential LSE arising from noise, air and waterborne pollution would be screened out of the assessment. This is because there are no direct pollution or hydrological pathways between the application site and the European designated sites. LSE are therefore limited to indirect disturbance to the qualifying species arising from an increase in population and the potential for recreational distance along the coastline. The potential for LSE arising from recreational disturbance can not be ruled out. The impacts, however, are relatively low and can be adequately mitigated by the preparation and provision of homeowner packs. The Council have undertaken its own HRA and Appropriate Assessment (as the competent authority) and conclude the proposed development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in-combination with other plans and projects. The mitigation measures can be adequately covered by a condition attached any planning consent.
- 5.4.4 In terms of the ecological value of the site itself, despite comments to the contrary, the grassland habitat is of relatively low ecological value. The most significant ecological features include the trees and woodland areas surrounding the site, which are to be protected and retained (where they fall within the site) and the pond in the northern section of the meadow. The initial ecology assessment was deemed inadequate and did not adequately assess the impacts of the proposal on amphibians, in particular Great Crested Newts (GCNs). GMEU (our ecology advisers) also raised concerns over the fragmentation of ecological corridors and habitats, inadequate buffering of the woodland to the north and the accuracy of the applicant's biodiversity net gain (BNG) assessment.

5.4.5 In summary, it is now accepted that no further survey effort is required in respect of GCNs noting GNCs would not be impacted by the development. The survey effort in respect of protected bats is also accepted. GMEU have raised no concerns in relation to other protected species, although the proposed precautionary mitigation set out in the ecology report will need to be secured via an appropriately worded planning condition (Construction Environmental Method Statement (CEMP)). The applicant has adequately evidenced (through their Arboricultural Implications Assessment) the protected trees to the west can be protected and the buffer to the woodland to the north would ensure no negative impacts on the woodland and the species it supports. In this regard the scheme would comply with policies DM44 and DM45 of the DM DPD. However, the fragmentation of existing habitat and ecological corridors will be severed by the development. This largely relates to the existing green corridors that exist between the existing pond and the woodland and tree belts to the north and west. The impact of this will undoubtedly affect the wider ecological value of the site and the use of the land by wide ranging species. The applicant has attempted to mitigate the impacts by the provision of new bird and bat boxes, extensive landscaping, and the creation of a new pond on the western bank of the site. The existing pond shall be retained but works are proposed to the pond therefore likely to affect its current value. The ecological value of the mitigation remains a matter of discussion in respect of BNG considerations. However, Notwithstanding this, the fragmentation of habitat and loss of ecological corridors does conflict with policy DM43 and DM44.

5.4.6 Policy DM44 states *'there should, as a principle, be a net gain of biodiversity assets wherever possible'* and goes on to state *'where a proposal leads to significant harm planning permission should be refused'*. The applicant's latest BNG assessment concludes a net gain of 23.26%. Some of the assumptions in the assessment are reasonable, however, there remains some disagreement over the types and values attributed to certain habitats in the pre and post development scenarios within the assessment. At this stage, it is not possible to confirm the actual percentage increase in biodiversity assets in the post-development scenario. However, there is a strong commitment from the applicant to address this outstanding issue. Currently, planning policy does not stipulate the percentage increase required for net gain and the 10 percent net gain stipulated in the Environment Bill is not yet a mandatory requirement. Provided the applicant can demonstrate a meaningful BNG across the site, the effects of the development on nature conservation would be limited to the fragmentation of ecological habitats. Such would result in some harm and conflict with the development plan, but would not lead to significant harm to justify a refusal of planning permission. A verbal update will be provided in relation to the outcomes of further negotiation in relation to BNG.

5.5 **Residential Amenity** (NPPF: Chapter 8 paragraph 92 and 98 (Promoting Healthy and Safe Communities), Chapter 12 (Achieving Well-Designed Places) paragraph 130 and paragraphs 183 – 187 (Ground Conditions, Pollution and Agent of Change); 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 Planning policy DM29 and paragraph 130 of the NPPF requires new development to ensure and maintain a high standard of amenity for existing and future users. Starting with the amenity of future users of the development – the proposed scheme has been amended to ensure adequate interface distances exist between the proposed dwelling (taking account of the land levels), that each property has sufficient private garden space (according to the requirements of policy DM29) and that all dwellings meet the Nationally Described Space Standards. Taking the NDSS first – the applicant has demonstrated that all the house types meet the required NDSS standards and, in accordance with DM2, over 20 percent of the total number of dwellings (the Brathay housetype) are M4(2) compliant. In this regard the development fully accords with planning policy. Planning policy recognises that access to private gardens and open space as part of new development is important for the health and well-being of communities. In this case, all of the proposed dwellinghouses have access to a private garden over the minimum 50 square metres. Most of the dwellings have gardens no less than 10 metres in length. There are some plots (notably those on the curves of the central development parcel) where the gardens have an awkward configuration or are tiered (due to the levels). However, such would not render the scheme unacceptable from an amenity point of view. Finally, interface distances between the proposed dwellings have been designed, where possible, to achieve the minimum recommend standards set out in policy DM29. For example, the distances between the plots forming the central circular parcel of development



range from 23 metres to 38 metres (accounting for the level differences). The separation distances are tighter towards the curved ends of this section of the site and do not strictly comply with policy, however, the orientation of the plots protects future residents from direct overlooking and loss of privacy between habitable spaces/property. The layout of the south eastern corner (plots 62-65 and 66-69) has been carefully considered as the interface between the two-storey dwellings (plots 62-65) is close to the gable ends of plot 66. Here, however, the housetypes to the rear (plots 66-69) are proposed as bungalows and so reduce the extent of overbearingness.

- 5.5.2 In assessing the amenity of future residents, the applicant has also provided an acoustic assessment and lighting assessment to ensure the proposed development is compatible and visa versa with the neighbouring rugby club (agents of change principle). From a noise perspective the closest façade to the rugby pitch is 94 metres. Account for distance and the significant level difference between the two sites, the resulting sound levels would be significantly below recommended guideline values (for daytime outdoor areas - 50dB(A)  $L_{Aeq,16hr}$  and daytime indoor levels - 35dB(A)  $L_{Aeq,16hr}$ ). This indicates a No Observed Effect Level (NOEL) will be experienced at the proposed dwellings from rugby matches. No mitigation is required. The effects of the existing flood lighting at the rugby club on future residents has also been considered. This concludes two of the floodlights do provide a degree of glare directly at the proposed site with some overspill to the northern section (plots 31,32, 53 and 54). The effect is minor and amounts to approximately 9 hours a week during darker winter months. Mitigation is proposed in the form of tinted glazing and landscaping. The precise details of such are recommended to be controlled by planning condition.
- 5.5.3 Finally, the applicant has also submitted Preliminary Risk Assessment and Site Investigation (SI) to assess and understand the potential risks to future users of the site in respect of land contamination. The assessment concludes the potential risks from contamination are to be very low, despite some potential risks associated with made ground from the infilling of the ponds on site. Mitigation is set out in the submitted SI, which is recommended to be secured by planning condition. The Council's Environment Health Officer is satisfied with the outcomes of the assessments and raised no objections to the development. Overall, the layout and relationship of the dwellings to each other, and the relationship of the development to the rugby club is considered acceptable and conforms with the policy requirements of DM2, DM29 and DM31 of the DM DPD as well as paragraphs 130 and 183,185 and 187 of the NPPF.
- 5.5.4 Turning to existing residents. The most neighbouring residents most affected by the development are those on Watery Lane, which immediately back the proposed site, and in particular the two dwellings adjacent to the proposed access (No39A and No41 Watery Lane). These neighbouring properties are two-storey dwellings, positioned at a lower elevation to the site. The rear gardens of these properties generally tier up towards the site boundary. The boundary treatments are mixed along the eastern edge of the site, including closed boarded timber fencing (varying heights) and some open post and wire treatments overlooking the proposed meadow. The level difference is quite substantial between the finish floor levels (FFL) of existing property on Watery Lane and the proposed development. For example, the FFL of the existing dwelling (No 39a Watery lane) is 24.65m Above Ordnance Datum (AOD) with a ridge height of 31.3m AOD. The existing level at the eastern boundary of the site (relative to NO. 39a) is 27.3m AOD with the land rising to approximately 33.3m AOD at the crest of the hill. The proposed dwelling behind Nos 39/39A Watery Lane has a proposed FFL of 27.8m AOD (a difference of 3.15m). As shown in the site sections (and the external works plans) the proposed dwellings will then step up the site (following the existing site contours) resulting the in the development sitting above the surrounding dwellings to the east. The effects of the proposal will substantially alter the visual outlook currently enjoyed by those existing residents bordering the eastern boundary of the site.
- 5.5.5 However, the test is whether the relationship of the development significantly adversely affects residential amenity. During the determination period of this application, the applicant has sought to make positive, yet modest, changes to the layout to improve the interface distances and the scale of development along the eastern boundary. The apartment blocks in the northern extent of the site have been re-orientated to reduce the bulk and massing of development in this location. This has provided more space between the buildings to allow for more landscaping thereby reducing some of the overbearingness of the scheme. Interface distances have been increased to account for the level differences and a swale and landscaping buffer is proposed between existing and proposed dwellings. Furthermore, the housetypes at plots 1 and 70 have been revised

and garages repositioned to improve the impacts on neighbouring residents. The following table sets out a series of estimated interface distances (north to south along the eastern boundary) between the development and existing residents:

Plot No. – Existing House No.	Requested Separation (plus difference for level change) (metres)	Proposed Separation (metres)
Plots 11-14 – 63 Watery Lane	12 (plus circa 8)	c21.7
Plot 9 – 55 Watery Lane	21 (plus c8)	c28
Plot 1 – 41/43 Watery Lane	12 (plus c8 -9)	c24 (to house and c21 to garage)
Plot 70 – 39 Watery Lane	12 (plus c6-7)	c19.6
Plots 68/69 – 33/35 Watery Lane	21 (plus c10-12)	c34

The proposed interface distances offer a reasonable degree of separation and would adequately protect the amenity of future and existing residents. In this regard the proposal conforms with the requirements of policy DM29. The visual impacts are minimised further by the inclusion of a landscape strip (wide enough to enable maintenance access).

5.5.6 Aside from the physical location of buildings and its relationship to existing residents, 39A and 41 Watery Lane will also be impacted by the location of the proposed access and the noise and light pollution associated with passing traffic. The proposed access geometry takes up all the space left by the demolition of the existing house. This results in the edge of pavement immediately abutting the boundaries to these two dwellings and their associated gardens. The proposal includes the provision of new acoustic boundary treatments no less than 2 metres high (from the level of the new access road) alongside the access road. The precise detail of the acoustic boundary treatment is not provided at this stage and would be the subject of planning condition. The acoustic assessment indicates an hourly average sound level during the maximum traffic flow for the site of 55.4dB(A). The inclusion of a 2m high acoustic fence along the length of the access road will provide a sound reduction of 17.8 dB to the garden amenity areas and 10.7dB to the first-floor, ensuring the sound levels at the property (garden and internal) fall below the recommended sound levels resulting in a NOEL. This acoustic mitigation will also help minimise the impacts of headlights glaring into the rear of these neighbouring properties. As the acoustic fence does not extend to the rear of these existing properties (only the side), a condition is also recommended to ascertain the boundaries treatments and landscaping to prevent further glare from head lights in this location. A further condition is recommended in respect of street lighting and lighting in the areas of open space. The details of such will be required to safeguard residential amenity and nature conservation.

5.5.7 The relationship of the development to existing properties to the south is not judged to be harmful. Whilst their views and outlook will alter, these properties are more than 50 metres from the southern boundary of the site and are separated by an area of paddock/small holding.

5.5.8 Whilst the visual amenity experienced by these existing residents will substantially alter (by virtue of the change in use of land and the buildings themselves), the development is considered to comply with the requirements of policy DM2, DM29 and DM31 of the DM DPD and paragraphs 130 and 183 – 187 of the NPPF and consequently, will not result in significant harm to residential amenity.

5.6 **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) and DM35 (Water Supply and Waste Water) and the draft policies DM33 and DM34 of the Climate Emergency Review of the Development Management Development Plan Document Publication Version (January 2022)).

5.6.1 Strategic policy seeks to ensure new growth within the district does not create new or exacerbate existing flooding issues and to reduce flood risk overall. The NPPF and the above referenced

DM DPD policies require development to be in areas at least risk of flooding (following the sequentially and exception test) and for major proposals to ensure surface water is managed in a sustainable way accounting for climate change. The emerging policy places an even greater emphasis on managing flood risk, sustainable drainage proposals and the maximisation of above ground SUDS features.

- 5.6.2 The proposed site is in floodzone 1 and is therefore a sequentially preferable location for residential development. Given the scale of the development, a Flood Risk Assessment (FRA) accompanies the application. This sufficiently evidences the site is at low risk of tidal, fluvial, groundwater and pluvial flooding. However, there are areas around the site (such as Powder House Lane) that suffer considerable flooding. Consequently, it is essential the development does not increase the risk of flooding off-site. This largely relates to the management of surface water flooding. Policy requires consideration to be given to the SuDS hierarchy which advocates drainage by infiltration, to a surface water body, a surface water sewer and only when the other options are not feasible, to a combined sewer. The site is a greenfield site which has no formal drainage network and no connection to surroundings drainage infrastructure. In this case, the applicant has demonstrated infiltration will not be feasible (due to the underlying geology and superficial deposits of boulder clay) and the lack of a suitable surface water body in the vicinity of the site to provide direct discharge. Subsequently, the proposal is for a control discharge to the existing sewer with attenuation provided on site, including a combination of attenuation baskets and an above-ground attenuation swale and basin.
- 5.6.3 The surface water drainage scheme has been split into two sections, east and west. The east section will be served by geocellular attenuation baskets and an attenuation swale for half of the houses and oversized pipes and an attenuation swale for the highway. The discharge from this section is to the existing adopted combined sewer in Watery Lane and has been restricted to 5l/s all return periods up to 100 years plus 40% climate change with a 10% allowance for urban creep. The west section of the site will be served by geocellular attenuation baskets for plots, with an attenuation basin central to the site and an attenuation swale running parallel to the main carriageway within the site designed for return periods of 100 years plus 40% climate change. The discharge from this section is to the existing adopted combined sewer in Watery Lane and has been restricted to 5l/s all return periods up to 100 years plus 40% climate change with a 10% allowance for urban creep.
- 5.6.4 Due to the site topography, exceedance routes have been carefully considered to avoid flood water (exceeding the design period of the drainage scheme - 1 in 100yr plus 40% for climate change) entering proposed and existing dwellings. The proposed drainage scheme has been carefully considered and is now considered to comply with the requirements of planning policy. The scheme has also been assessed and considered by statutory consultees (United Utilities and the Lead Local Flood Authority) whom are now satisfied the proposals are acceptable. A condition is recommended to ensure the implementation of the proposed drainage scheme in full before first occupation.
- 5.6.5 The foul drainage system will be a traditional gravity piped network that will be split into two sections. Again, there are no objections raised by United Utilities in this regard. A planning condition would secure the implementation of the scheme.
- 5.6.6 The highways and drainage network are not proposed to be put forward for adoption (under separate legislation this is at the discretion of the applicant). Subsequently, the maintenance and management of all the highway and drainage infrastructure will be a combination of homeowners and an estate management company. A planning obligation would be required to secure the provision of a management company along with the long-term maintenance of such infrastructure. This is commonplace and no different to other planning proposals. A planning condition is also recommended to secure the maintenance plan for the sustainable drainage system.
- 5.7 **Landscape, Open Space and Design NPPF: Chapter 8 paragraphs 92 -94, 98-100 (Open Space and Recreation), Chapter 11 (Making effective use of land) paragraphs 124-125, Chapter 12 (Achieving Well-Designed Places) paragraphs 124-136) Chapter 15 paragraph 170 and 172 -177 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD EN3 (The Open Countryside), Policy EN4 (North Lancashire Green Belt); Development Management (DM) DPD policies DM29 (Key Design Principles) and DM27 (Open**

- 5.7.1 **Landscape** – Paragraph 174 of the NPPF states planning decisions should *contribute to and enhance the natural local environment by protecting and enhancing valued landscapes....and recognising the intrinsic character and beauty of the countryside.* Paragraph 175 emphasises the point that Local Plans should clearly distinguish between the hierarchy of international, national and locally designated sites and to allocate the land with least environmental or amenity value. In this case, the proposed site does not benefit from any landscape designation (at national or local level). However, policy DM46 does state that outside protected and designated landscapes, the Council will seek to protect and enhance landscapes and townscapes which are values, unique and provide a distinct sense of place. It goes on to state that in such landscapes development should be in scale and keeping with the landscape character and appropriate to its surroundings in terms of siting, scale, massing, design, materials, appearance and landscaping.
- 5.7.2 In assessing whether the landscape meets the tests of DM46 to require its retention and enhancement, it is useful to reflect on the work and evidence that informed the adopted Local Plan. Many objectors raise concerns over the loss of the meadow noting it should not be developed due to its Green Belt designation or its landscape value. The site had been in the North Lancashire Green Belt (NLGB) for some considerable time over several plan periods. However, as part of the preparation of the current Local Plan, a review of the NLGB was undertaken. This concluded, through rigorous assessment, that the site no longer met the objectives of Green Belt land. The decision to remove the site from the Green Belt was made upon adoption of the Local Plan in July 2020. The NLGB boundary now lies to the north of the Bay Gateway.
- 5.7.3 The site was also considered in the Local Green Space (LGS) Assessment Report (including Phase One and Phase Two sites) published in May 2018 to accompany the submission of the Local Plan (this superseded the Summary Report (Phase One) and includes all sites that were submitted and assessed by the Council). The site was referred to as ‘Barley Cop Meadow’ (LGS\_48). the assessment (which considers the evidence with regards to Beauty, Historic Significance, Recreational Value, Tranquillity and Richness of Wildlife) concluded:  
*“The site is located on the northern edge of Lancaster within the adopted green belt, this is however under review as part of the green belt review. Whilst there is no doubt that the area is of value the extent to which this would be sufficient to warrant LGS designation is questionable. The LGS designation has been created to identify those extra special areas of space which can be shown to be of particular value to the local community. Failure to designate as a LGS does not undermine the local value of the area (our emphasis). The Land Allocations DPD will need to investigate whether alternative green space designation in the area can be extended to incorporate this area”.*
- 5.7.4 The site (site reference LPSA 314) was put forward as part of the call for sites process for the Strategic Housing and Employment Land Availability Assessment (SHELAA). To inform this assessment, site-specific evidence was collated to assess the landscape, ecological and archaeological value of the site. The site was concluded to be ‘Undeliverable’. As the evidence used to inform this decision demonstrates, the site was considered from an ecological and landscape perspective. The landscape assessment concluded: *“The site is rough poorly maintained pasture rising from the western edge of post war housing estate to a rest and sloping down further westwards towards playing fields, separated from the housing by a small strip of pasture (Site 316). The pasture is divided by poorly maintained post and barbed wire fencing. The site has a sense of abandonment and low quality. Sensitive development here would be possible with appropriate landscape treatment. The site has a prominent position due to its elevated position. Housing development should be located towards the lower edges of the site with the higher parts of the site retained for amenity.”* Access to the site also contributed to the conclusion of it being an Undeliverable site.
- 5.7.5 With regards to alternative green space designation, from a landscape perspective there are two types of local landscape designations; Key Urban Landscape (KUL) and Urban Setting Landscape (USL). The definitions of which are set out below:

Key Urban Landscapes (KULs): KULs include those areas within the main urban area which are integral to the built form of the district, providing a setting for important features and/or heritage assets. They play an important role in defining the townscape of the main urban area and are inextricably linked to the experience of the wider setting of these features. These areas also provide amenity value for local residents and the wider community. The amenity value of these areas is protected via other policies within the Local Plan.

Urban Setting Landscapes (USLs): In comparison, USLs are peripheral to the built form and located only on the edge of main urban area. They are identified because they provide a visual frame for the urban area, providing an important role in the setting of existing development, and providing a significant context or legibility to features either within the landscape or surrounding it.

As demonstrated above, the landscape value of this site was assessed but it was deemed to be of low quality. Furthermore, when considering the below definitions for KUL and USL, with regards to KUL the site was not considered to be integral to the built form of the district in the context of the KUL definition. Nor was it considered to define the townscape of the main urban area. In terms of USL, land further north which runs parallel to the Bay Gateway, setting the visual frame for the urban area, was considered to be USL. The proposed site was considered to be separate to this USL area and as such was not designated as USL. Therefore, through the Local Plan process, it was concluded that a local landscape designation was not considered appropriate for this site. Consequently, we are left with an unallocated site that equally does not benefit from the blanket countryside area designation either.

- 5.7.6 As noted by members of the public opposing the scheme, the Local Green Space Assessment did provide a useful assessment of the value of the site. This is helpful in considering whether the site warrants protected under policy DM46. The site is relatively self-contained on the edge of the existing built-up area but easily distinguishable from the surrounding land uses. It was noted to provide one of the last remaining elevated open space meadows in the immediate area that offers 360-degree views of Morecambe Bay with the Lake District beyond, views towards the city and its historic townscape and the Lune Valley, the Forest of Bowland, Clougha and beyond. It was also noted to offer a tranquil area of open space offering sanctuary for nature of which the site was plentiful.
- 5.7.7 The site lies within the Morecambe Coast and Lune Estuary National Character Area (LCA) in a Low Coastal Drumlin Landscape Character Type (LCT). This LCT forms a transitional landscape between the coast, the Suburban LCT immediately to the south and the Drumlin Field LCT to the north east. The Low Coastal Drumlins are around 40m high. This site is slightly lower but not dissimilar in scale and form to Torrisholme Barrow. The alignment of drumlins in this LCT gives it a distinctive grain and the strong pattern of pastureland emphasises the undulating topography. Trees and shrubs are limited in this predominately agricultural landscape, although small copses occur on the tops and sides of the drumlins. Industrial development are large areas of housing features in this LCT too. The site falls within the Carnforth-Galgate-Cockerham Landscape Character Area (LCA). This LCA is described in the Landscape Strategy for Lancashire as a landscape that supports an extremely high proportion of built development. It goes on to state that buildings on top of drumlin hills are particularly visible, whilst woodland is limited to small plantations, woods of former estates or fragmented woodland in unusual hilltop and hillside settings. The adjacent Suburban LCT is very much an urban landscape predominately made up of housing (from the 1930s onwards) and associated transport networks. Early suburban housing was predominately semi-detached two-storey dwellings set in large plots with gardens front and rear - often framing wide streets along principal transport corridors. In the late 1950-60s, suburban housing was typically denser with straight and strong street patterns, build behind the early suburban housing described above. Materials and architectural detailing varies across buildings in this LCT and sadly local identity often lost.
- 5.7.8 The development of the application site will cause a substantial change to the landscape character of the site itself (from an open greenfield meadow to a housing estate) which would be harmful. However, the extent to which the development would adversely affect the character of the wider Low Coastal Drumlin LCT is questionable given housing forms one of its main characteristics (described in 5.7.7). Mitigation to minimise the level of harm to landscape character is provided in the form of extensive landscaping to buffer and bolster the existing woodlands the lie on the lower slopes of the drumlin hill (to the north and west). The exact landscaping scheme needs

some further refinement but overall, it is capable of delivering a strong and diverse landscape edge to the site. With mitigation, the impact on landscape character is considered to be of moderate harm at the site itself and negligible harm to the wider LCT.

- 5.7.9 The visual effects of the development on the landscape will vary depending on the sensitivity of the receptor in certain viewpoints. The most sensitive receptors are the existing neighbouring residents that border the site. Residential receptors further away from the site (at lower elevations but enjoying the views up towards the site) will equally be affected - as will recreational receptors within and using the surrounding open space. Receptors travelling along local roads/paths will experience a change in view, particularly from Torrisholme Road, together with sensitive receptors (employees and mourners) in the neighbouring crematorium and cemetery.
- 5.7.10 The prominence of the development in views from neighbouring residents to the east will vary (depending on the level differences, landscaping and the distance between existing and new development). However, it is reasonable to conclude that, most certainly, from the rear upper floor windows and the upper tiers of neighbouring gardens, the proposed housing will be highly visible and dominant. The development will be visible in the full view in most cases and will be a permanent change. The visual effects arising from the development in these immediate views would therefore be significant. Embedded design mitigation, such as appropriate interface distances and low level planting will help minimise the impacts, but given the elevated nature of the site, the visual effects of the development would not reduce significantly as a result of this mitigation.
- 5.7.11 Receptors using and within the designated open space land to the north and west, including the crematorium, will experience a change in their views which would result in some harm. However, given the separation between the development and these areas of open space and/or the extent of existing woodland planting, views of the development will be filtered and/or will be seen within the wider townscape setting/backdrop. Depending on where the site is viewed from within the open space, it will generally form part of a wider view. As such the level of harm is considered to be moderate adverse. The visual effects arising from development on transient receptors is considered to be negligible (the site will be visible but in a filtered and partial view for a limited period of time). The development on the crest of the drumlin hill contributes to the prominence the development will have in the landscape. Overall, there will be substantial harmful visual effects arising from the development, but the effects are limited to the immediate local area and in particular, neighbouring residents. Whilst existing landscape features help to filter views further from the site, due to the elevation of the development, there will remain a moderate level of harm to the visual amenity of the landscape. However, given urban development is a characteristic of this landscape character type, in many views, the development will be seen in the backdrop or foreground (depending on the view) of existing built development.
- 5.7.12 Policy DM46 states that the Council will seek to protect landscapes that are valued, unique and provide a distinct sense of place. The Local Plan evidence provides some useful justification to support (or otherwise) the consideration of whether the proposed site is a landscape that warrants protection. Firstly, officers are acutely aware residents opposing the scheme consider the site to be of high value for its nature, openness, benefits to health and well-being and landscape qualities. The Local Green Space Assessment recognised some of these values, such as it being one of the last meadows in the area offering beautiful 360-degree panoramic views over the district and towards the Lake District and Bowland Fells. For this reason, the site has a degree of uniqueness. However, the site is not technically publicly accessible therefore who benefits from these views is limited. As such arguing the site offers distinct sense of place is challenging to substantiate. Finally, for the reasons set out above, the landscape value of the site is not considered to be significantly high quality to warrant protection under the terms of policy DM46.
- 5.7.13 The final test of policy DM46 is therefore that new development outside protected and designated landscapes should be in scale and keeping with the landscape character and appropriate in terms of siting, scale, massing, design, materials and external appearance and landscaping. Given the prominence of the site to neighbouring development (and the Suburban LCT), the scale, massing, design and materials of the proposed dwellings are considered in keeping. However, contrary to the landscape evidence forming part of the preparation of the Local Plan, the development has not been limited to the lower sides of the drumlin hill. Instead, the development will extend up and over the crest of the hill. This causes a degree of harm to the landscape character, however, it is

not dissimilar to neighbouring development to the east and south. Overall, it is considered that the development will lead to an adverse localised landscape impact and conflict with policy DM46, which is afforded moderate weight.

- 5.7.14 **Open Space** – The provision and access to open space is encouraged strongly in the NPPF given the benefits this has to the health and well-being of our communities. The application site does not benefit from any strategic open space designation. However, it lies adjacent to outdoor sports facilities to the west and designated gardens and woodland to the north. Policy DM27 requires development proposals that are adjacent to designated open spaces, sports and recreational facilities to incorporate design measures that ensures that there are no negative impacts on amenity, landscape value, ecological value and functionality of the space. The policy also recognises the value of non-designated open spaces, stating that where non-designated amenity spaces have economic, environmental or social value to the community they serve, the Council will seek to protect such spaces. Finally, policy DM27 also sets out the thresholds and requirements for the provision of new open space to meet the needs of local communities and to mitigate against the impacts of development growth, especially in areas of open space deficiencies.
- 5.7.15 The proposed development has been amended to protect to the woodland areas to the north. A landscape buffer has been incorporated so has not to cause any direct impacts to the woodland itself and the species it supports. The Council's Arboricultural Officer is satisfied with the proposed relationship between the two. It is recommended that a formal path and gate/access arrangement is provided between the site and the adjacent woodland as indicated on the amended site layout plan. This is also supported by the Public Realm team. This ensures access to Barley Cop Wood is managed and avoids unnecessary and inappropriate access/trampling of the woodland and edge habitat along the rest of the northern boundary. It also enables future users to the sit to access the woodlands and equally the wider community access into the site to utilise the retained areas of open space and play areas.
- 5.7.16 The effect of the development on the adjacent rugby club has been assessed under the consideration of the residential amenity section of this report. The applicant's acoustic and lighting assessments conclude the development would not be adversely affected by the use of the adjacent playing pitches. Sport England have been consulted and are equally satisfied there will be no prejudicial impact on the use of the playing field and therefore is satisfied that the proposed development meets Exception 3 of our Playing Fields Policy and raise no objection.
- 5.7.17 The development lies close to the existing crematorium and memorial gardens. The impact once the development is operational, is not considered significant. The crematorium building itself is approximately 190 metres to the northern boundary of the site, with the dwellings a further c10 metres from the boundary. All the existing landscaping will be retained and as such no direct impacts are anticipated. During construction, however, the peace and tranquillity of the memorial gardens could be affected. This can be minimised by appropriate construction methods including the provision of suitable acoustic hoardings to certain parts of the site. Three conditions are recommended in this regard, one for temporary acoustic measures to protect (as best as possible) against the impacts during construction on the adjacent memorial gardens, hours of construction and a further construction method statement. These impacts will be temporary in nature and minimised and controlled by condition.
- 5.7.18 Turning to on-site public open space requirements. Given the scale of the development an equipped and enclosed play area is provided in the centre of the site. This is an improvement on the initial submission which sought to provide the play area behind dwellings and adjacent to Barley Cop Wood. The proposal also provides a significant area of amenity greenspace. This is largely provided along the western boundary. The functionality of this amenity greenspace, as a kick about area, is limited given it lies on the west side of the drumlin hill and is relatively steep. This land will predominately provide a sense of openness and will be landscaped to frame the development and buffer and bolster the western boundary of protected trees. In this sense, whilst the area proposed concurs with planning policy its functionality does not. That said, there is very limited scope to provide a traditional areas of amenity open space within the site due to the undulating nature of the site and the viability challenges to deliver housing. An off-site contribution towards the sports facilities at Rylands Park have been requested. Due to viability constraints,

this contributions has not been pursued. Overall, the conflicts with policy here would not outweigh the benefits of housing delivery in the titled balance.

5.7.19 **Design** – Section 12 of the NPPF, together with policy DM29, places a strong emphasis on the delivery high-quality, beautiful and sustainable buildings and places, noting good design is a key aspect of sustainable development. It is about place making and ensuring development functions well, is visually attractive, creates a sense of place and is safe, inclusive and accessibly. The applicant has positively sought to address a number of design and amenity concerns initially raised by officers. The resultant layout of the housing estate itself meets these policy requirements. The orientation of the dwellings accounts for the sites elevated and prominent position in the townscape and skyline, with extensive landscaping to the north and western boundaries, to help frame and bolster the existing landscape features. Internally, the site promotes good accessibility throughout and ensures areas of open space benefits from suitable natural surveillance. The scale of the dwellings and the use of materials are in keeping with surrounding development.

5.7.20 Whilst the housing layout within the site itself is generally positive, there are design concerns over the access arrangement. The general street pattern in the area is formed by circular routes with small cul-de-sacs accessed of the main estate roads. The width of the cul-de-sac junctions tend to be between 8-10 metres with the buildings set back from the edge of carriageway making the street feel relatively wide and spacious. In this case, the access will be tightly positioned between the gable ends and boundaries of the existing dwellings, forming a gap of only c10 metres. Whilst the access geometry is acceptable from a highway safety perspective, and the effects of traffic noise can be mitigated, the proposed arrangement, which is overly tight and out of keeping with the area, results in a large ‘backland’ form of development. Once into the development site, the access street is widened by the creation of a ‘green avenue’. This mitigation does not, however, remove the ‘backland’ character of the development. The level of harm arising from this would be localised but, nevertheless, the development still fails to achieve high quality design that functions well and adds to the overall quality of the area. In this regard, there is a degree of conflict with Section 12 of the NPPF and DM 29 of the Development Plan, which is afforded moderate weight in the planning balance.

5.7.21 Reducing Carbon Emissions - Policy DM30 of the DM DPD states the Council will encourage development to deliver high standards of sustainable design and construction. This policy has been reviewed and amended significantly as part of the emerging Local Plan Review (to address the climate emergency), however at this time, the weight that can be afforded to these policies is limited. The applicant has submitted an Energy Statement which seeks to adopt a fabric first strategy to minimise carbon emissions and energy demand. The proposed fabric and building services specification will permanently reduce emissions by 4.83% and the proposed energy demand by 6.40% (above current Part L Building Regulation Requirements). This demonstrates a betterment that the proposed development will have a reduced reliance on national resources (gas and electricity), however, the measures would not be so significant when assessed against the emerging policy requirements. However, given the current policy wording and the limited weight that can be afforded to the merging review of the Local Plan, the proposed development would comply with policy DM30. A condition is recommended to secure the proposed measures.

5.8 **Other Matters**

5.8.1 Education and Health (DMPDP policies DM1, DM57 and DM58) – Planning policy requires the provision of school places to be given great weight in order to ensure the necessary infrastructure is in place to cope with the impacts of population expansion arising from new development. Lancashire County Council School Planning Team have assessed the proposal and confirmed no school places (financial contributions) would be sought from this development. The NHS request for contributions cannot be accepted at this time. No evidence has been provided by the NHS justifying the need or cost for the proposed works to the medical centre. Accordingly, the request does not meet the required CIL regulations tests.

5.8.2 Air Quality (SPLA Policy EN9; DMPDP Policy DM21) - The site is not located within any Air Quality Management Area (AQMA) but given the level of traffic anticipated from the development and the proximity to both the city centre, an Air Quality Assessment (AQA) has been undertaken. The AQA addresses air quality impacts during construction and the operational stages of development and concludes with mitigation measures, including electric vehicle charging points to each property, an emissions management plan, promotion of car clubs and active travel options and use of low



emission boilers, the impacts are sufficient minimised. The Environmental Health Officer concurs with these findings and requires implementation of the identified measures by condition.

- 5.8.3 Employment Skills Plans (Policy DM28) – the applicant has submitted and amended their ESP to the satisfaction of CSTEP (our consultee). The applicant has suitably evidenced compliance with DM28 and a firm commitment to promote local employment and upskilling through the construction phase of the development.
- 5.8.4 Planning conditions – there are a number of conditions recommended which secure the proposed development details or mitigation. In addition to these conditions, officers consider a 2-year time limit condition suitable in this instance because of the acute need to deliver housing and the weight this is afforded in the planning balance. Officers also consider it necessary to remove permitted development rights. This is considered justified on the basis of the visual and amenity impacts likely to arise from permitted development due to the sites elevated and prominent position and the proximity of the dwellings to one another given the topography of the site. Furthermore, there are some risks permitted development could compromise the submitted drainage proposal.

**6.0 Conclusion and Planning Balance**

- 6.1 In accordance with the strategic development strategy for the district, the application site is unallocated in the Local Plan and provides a sustainable location for residential development. The provision of 78 market dwellings, at a time when the Council can not demonstrate an adequate supply of housing, weighs substantially in favour of the development. Whilst regrettable, the lack of viability in this case has been demonstrated through a rigorous assessment by independent external experts so the absence of affordable housing has been justified in accordance with policy. Other benefits arising from the development include modest improvements to the pedestrian route between Watery Lane and towards Rylands Park along Torrisholme Road, a new formal access between the site and Barley Cop Wood (enabling existing and future residents to enjoy the open space on and off site), the provision of employment and upskilling through the construction phases and the knock-on effect to the supply chain (securing short-term economic benefits) as well as appropriate maintenance and management of the landscaped areas.
- 6.2 Subject to the applicant evidencing a realistic biodiversity net gain across the site, the main issues weighing against the proposal relate to the localised landscape impacts and poor design arising from the access arrangements and the resultant conflict with the policies DM46 and DM29 (and the corresponding sections of the NPPF). This harm is afforded moderate weight. The proposal also results in the fragmentation of habitat and loss of ecological corridors, the provision of non-conventional amenity greenspace and the lack of and outdoors sports contribution (though the viability evidence would prohibit this in any case). These negative effects are afforded some weight. The adverse effects arising from the construction phases of the development can be minimised through mitigation and are temporary and therefore is afforded only limited weight in the planning balance.
- 6.3 The case is very finely balanced. Whilst there are clear adverse impacts arising from the development and a degree of conflict with some policies within the Development Plan, these impacts (alone and in combination) are not considered to significantly and demonstrably outweigh the benefits of the proposal (namely, housing), when assessed against the policies of the Framework taken as a whole (the presumption in favour of sustainable development). For this reason, the Planning Regulatory Committee are recommended to support the application.

**Recommendation**

That Planning Permission BE GRANTED subject to a s106 legal agreement to secure:

- Provision of Equipped Play Area;
- Provision of Amenity Greenspace;
- Setting up of Management Company;

- Management and Maintenance of all landscaping, unadopted roads, lighting and drainage infrastructure and on-site open space;
- Viability review mechanism (TBC).

and the following conditions:

Condition no.	Description	Type
1	Time limit (2 years)	Control
2	Approved plans	Control
3	Scheme for site access and off-site highway works	Pre-commencement
4	Scheme for the full engineering, drainage, street lighting and construction details to adoptable standards of the internal estate roads	
5	Surface and Foul Water Drainage Scheme	Pre-commencement
6	Submission of a WSI and implementation of a programme of archaeological works.	Pre-commencement
7	Precise details of temporary (during construction) and permanent acoustic mitigation (in accordance with acoustic assessment)	Pre-commencement
8	Construction Environment Management Plan (relating to ecological report mitigation and tree protection) including management of Surface Water during construction.	Pre-commencement
9	Scheme for street lighting and any lighting in the areas of open space	Pre-slab level of dwellings
10	Notwithstanding details submitted, surface treatment plan to be amended to reflect Road Safety Audit recommendations	Pre-slab level of dwellings
11	Notwithstanding details submitted, amended landscaping scheme to be secured to address comments by Arboricultural Officer (TBC)	Pre-slab level of dwellings
12	Notwithstanding the boundary treatments plan, details of the boundary treatments adjacent to plots 1 and 70 (to prevent headlight glare to existing residents) to be submitted and agreed.	Pre-slab level of dwellings
13	Notwithstanding the details submitted, details of the cycle store (for the apartments), which shall be a secure, covered store, shall be submitted and agreed	Pre-slab level of dwellings
14	Precise details of flood light mitigation in accordance with the Lighting Report	Pre-slab level of dwellings
15	A scheme for a path and gate/access linking the development to Barley Cop Wood	Pre-slab level of dwellings
16	Employment Skills Plan	Control / pre-occupation validation of ESP outcomes
17	Roads to be provided to base course before first occupation and completed in full before completion of the development.	Pre-occupation
17	Homeowner Pack	Pre-occupation
18	Implementation of Framework Travel Plan with Full Travel Plan	Pre-occupation
19	Implementation of the recommendations set out in the submitted Phase II Site Investigation Report and validation	Pre-occupation
20	Landscape and Biodiversity Management and Maintenance	Pre-occupation
21	Drainage Maintenance and verification	Pre-occupation
22	Implementation of AIA	Control
23	EV charging points rated at a minimum of 7kW and cycle provision to be provided for each dwelling in accordance with the Vehicle Charging Point Layout Plan	Control
24	Implementation of Air Quality Mitigation	Control
25	Implementation of submitted Construction Management Plan	Control

26	Implementation of Habitat Mitigation (BNG matters TBC)	Control
27	Implementation of all dwellings complying with NDSS and M4(2) as per the approved plans	Control
28	Turning and parking to be provided in full before first occupation, unless an alternative timetable for implementation is agreed.	Control
29	Visibility Splays	Control
30	Removal of Permitted Development	Control

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

In accordance with the above legislation, Officers have 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

<b>Agenda Item</b>	A6
<b>Application Number</b>	21/00798/REM
<b>Proposal</b>	Reserved matters application for the erection of 18 dwellings
<b>Application site</b>	Land At Higher Bond Gate Abbeystead Road Dolphinholme Lancaster
<b>Applicant</b>	
<b>Agent</b>	Mr Paul Tunstall
<b>Case Officer</b>	Mr Stuart Hammond
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval of application (subject to counterpart conditions 21/00799/REM)

## 1.0 Application Site and Setting

- 1.1 The application relates to land of Abbeystead Road in Higher Bond Gate, Dolphinholme. The site has outline consent via permission 17/00970/OUT approved in December 2018.
- 1.2 Adjacent the site is further site with outline consent application 18/01106/OUT approved on appeal in November 2019. 17/00970/OUT and 18/01106/OUT have overlapping redlines and as obligated by the appeal decision (18/01106/OUT), the reserved matters applications must come forward together so that they represent a comprehensive development of the site. Consequently, two reserved matters applications were submitted at the same time for both sites. Application 21/00798/REM (this application) is made pursuant 17/00970/OUT and application 21/00790/REM pursuant to 18/01106/OUT.
- 1.3 The determination of this application has been undertaken alongside application 21/00799/REM. More information about the relationship, proposal and site history is provided below, however this report considers the applications together, but outlining specific detail of each to members and making separate recommendations and conditions.
- 1.4 Both sites are located to north-eastern fringe of the village of Dolphinholme, a small village located approximately 11 km to the south of Lancaster city centre. The village itself lies to the west of the Forest of Bowland Area of Outstanding National Beauty (AONB).
- 1.5 Application site 21/00798/REM relates to a c.1.3 hectare parcel of land that is bound by Abbeystead Road to the south, open fields to the north and Brookside Drive to the west with residential properties beyond this. Immediately to the east lies application site 21/00790/REM relates to a c.0.6 hectare parcel of land, bound as above and to the east by open fields.
- 1.6 Together the site falls to the south being approximately 102 metres above ordnance datum (AOD) in the north west corner of the site falling to 89 metres AOD to the south of the site where the proposed access is to be located. There is a shallow valley that runs from north to south, roughly in the middle of both sites.

1.7 Forming the southern and western boundaries are hedgerows. There are isolated trees that run along the western boundary of the site. The site is relatively unconstrained, though it is within an area that is susceptible to groundwater flooding. There is a beck beyond to the west adjacent to the redline.

1.8 A Tree Preservation Order (TPO no.574, 2016) covers several trees that exist within the site (notably along the boundaries). Lower Starbank Farm is Grade II Listed and is located c150 metres to the north of the development proposal, and Castle Hill motte scheduled monument is situated c180m to the south. A watercourse is located on the western boundary of the site and Footpath 39 is located to the south of Abbeystead Road (20 metres away) and Footpath number 43 is 175 metres to the north. The proposed development is approximately 350 metres to the north-west of Dolphinholme Conservation Area.

## 2.0 Proposal

2.1 As discussed, the applications relate to two adjacent overlapping outline permissions.

2.2 Application reference 17/00970/OUT proposed the erection of 18 dwellings with the means of access and all other matters reserved. Application 18/01106/OUT sought a further 9 dwellings, with all matters reserved, and was initially refused on 12th October 2018, but subsequently allowed on appeal on 14th November 2019. Taken together, they confer outline consent for the principle of residential development for up to 27 units with a common vehicular and pedestrian access from Abbeystead Road. Both applications provide layouts within their respective red edges, taking into account the element of overlap and reflect each other's layouts.

2.3 This application 21/00798/REM is the larger of the two and includes 18 dwellings, (plots nos. 1-12, 15-19 and 27), whilst application 21/00799/REM includes plots 12A, 14, and 20-26. See figures 1, 2 & 3 in appendix A for a visual example of how the proposals relate.

2.4 When both plans are considered together, they illustrate a coherent development of 27 dwellings across both application sites.

2.5 The overall dwelling mix (which was not secured at outline stage) is as follows:

Type	Beds	No	% of overall
Mews	2	5	18.5%
Semi Detached	3	6	22%
Detached	4	8	30%
Detached	5	8	30%
Total	-	27	100%

Tenure	No	% of overall
Market	16	59
Intermediate	6	22%
Affordable	5	19%
Total	27	100%

2.6 Overall, both proposals will deliver a mix of house types and 41% affordable housing by unit. Affordable units will be focussed towards smaller typologies reflecting need in the area. The house types are all two storey in height and will comprise vernacular materials. Boundary treatments for the majority and specially on the edges will be soft as per existing and landscaped. The layout enables the connection of Footpath 39 with Footpath number 43 with a new footway.

2.7 Sustainable drainage measures are proposed, including a swale/basin at the site entrance of the site, and connection into an existing drainage network present on site which runs south under Abbeystead Road to the adjacent beck downstream.

### 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
21/00798/REM	Reserved matters application for the erection of 18 dwellings	Pending
21/00799/REM	Reserved matters application for erection of nine dwellings	Pending
20/01049/PRETWO	Pre-application advice for erection of 27 dwellings	Advice Provided
18/01106/OUT	Outline application for the development of 9 residential dwellings with associated access, public open space and associated infrastructure	Refused (allowed on Appeal)
17/00970/OUT	Outline application for the development of 18 residential dwellings with associated access	Approved
17/00498/PREONE	Pre-application advice for the erection of 24 residential units	Advice Provided
16/01599/OUT	Outline application for the erection of up to 49 dwellings, 1 shop unit (A1) and the provision of an underground foul pumping station with creation of a new vehicular access point, public footpath and associated landscaping	Refused
16/00041/OUT	Outline application for the erection of 68 dwellings with creation of a new access	Withdrawn prior to determination
15/00907/PREONE	Pre-application Advice	Advice Provided

### 4.0 Consultation Responses

4.1 The first round of consultation commenced with letters sent on the 6 August 2021 until 08 September given the allowance provided on the site notice.

4.2 A further round of consultation was triggered by the submission of further information by the applicant to address concerns. The second round commenced on the 7 February 2022 and was extended until March 1 2022. That being said comments have been received after this date which have been considered and will continue to do so until committee. A verbal update will be given if necessary.

4.3 The following responses have been received from statutory and non-statutory consultees to date:

Consultee	Response
NHS	<b>No objection</b> – Subject to securing £10, 795 which reflects the population yield of both 21/00799 & 21/00798 and will support extension and reconfiguration at Galgate Health Centre.
Natural England	<b>No comment</b>
Conservation Officer	<b>No comment</b>
Local Lead Flood Authority	<b>No objection</b> – Subject to following conditions and previous outline conditions: Construction Surface Water Management Plan Verification Report of Constructed Sustainable Drainage System
County Highways	<b>No objection</b> – Subject to following conditions: Management details of road network

<b>Strategic Housing Officer</b>	<p><b>No objection –</b>  Comments: Dolphinholme is not sustainable settlement so housing should meet local need. SHMA identified need for affordable homes in Ellet sub area is predominantly for smaller units – 1, 2 &amp; 3 beds. For market housing 2 and 3 beds are most in need. RP justification would be accepted as justification for need.</p> <p>Application is supported by recognised RP seeking to take on the affordable housing proposed given the demand they experience.</p> <p>The proposal reflects maximum viable amount of affordable housing, in a mix and tenure that is considered to meet the local identified affordable housing need given support from RPs which is in line with housing policies.</p> <p>It is accepted the open market housing is not directly met by the proposal, but amending the mix would undermine the delivery of smaller affordable units and this has been tested by the external viability consultant.</p> <p>Overall therefore given affordable housing meets the identified need and outline obligation and this is enabled by the market housing the offer is accepted on balance.</p>
<b>Tree Protection Officer</b>	<p><b>No objection –</b>  Comments: seeks updated AIA and management of canopies.</p>
<b>Fire Safety Officer</b>	<p><b>No objection –</b>  Comments: highlights approved building regulation approved documents in relation to fire.</p>
<b>Lancashire Constabulary</b>	<p><b>No observations received</b></p>
<b>Planning Policy Team</b>	<p><b>No observations received</b></p>
<b>Lancashire Archaeological Advisory Services</b>	<p><b>No objection –</b>  Comments: that original outline applications did not trigger need to condition/consider given proposal/location.</p>
<b>United Utilities</b>	<p><b>No objection –</b>  Comments: recommend conditions associated water drainage subsequent maintenance.</p>
<b>Greater Manchester Ecology Unit</b>	<p><b>No objection –</b>  Comments: Seeks bird and bat boxes and submitted CEMP to be secured and implemented.</p>
<b>Environmental Health Officer</b>	<p><b>No objection –</b>  Subject to following conditions:  Standard air quality measures as per the Low Emissions and Air Quality PAN  Electric vehicle parking for each dwelling  CEMP further to that submitted outlining details on dust emissions</p>
<b>Dolphinholme Residents Association (DRA)</b>	<p><b>Objection –</b>  Affordable Housing – not in-line with outline S106 of 40% by unit</p> <p>Officer Response – the application now meets the obligation.</p> <p>Materiality – use of artificial stone, slate and white UPVC</p> <p>Energy and Climate Emergency – reduction of 3.6% against Part L, lack of electric charging points</p> <p>Transport infrastructure and off-site highway works</p>

	<p>Suggestion of controlling construction traffic and agricultural traffic in the area during specific times</p> <p>FRA, Surface Water Drainage and Foul Water Drainage is not adequately addressed as per outline conditions</p> <p>External Lighting – area seeks to minimise light pollution.</p>
<b>Waste and Servicing</b>	<p><b>No Objection -</b> Subject to following conditions: Collection points provided for dwellings</p>
<b>Ellel Parish Council</b>	<p><b>Objection –</b> 27 Homes is too large, mix and style not in keeping with rural area</p> <p>Risk of flooding</p> <p>Local infrastructure at capacity</p> <p>Local highway network at capacity</p> <p>Lack of bus service</p>

4.3 At the time of drafting this report there has been 52 letters of objection received in relation to the application based the grounds below:

- **Layout and Design** – Development is too close to existing residential development, layout suggests further extension of development;
- **Heritage** – Impact to Conservation Area and archaeological assets;
- **Landscaping** – Impact to existing trees and hedgerows;
- **Highways** – including increase in traffic in the village and on minor roads; poor visibility a site’s junction; safety around the school at peak times and a general lack of footways;
- **Drainage and flooding issues** – including concerns regarding waste-water management and existing flooding from the brook adjacent to the site;
- **Ecology** – loss of greenfield land, impact to ecological value of site and local wildlife
- Insufficient/incorrect information submitted with application

**5.0 Analysis**

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

- Extant outline permissions;
- Housing Mix;
- Design and Layout;
- Drainage Matters;
- Ecology;
- Open Space;
- Education;
- Heritage;
- Energy and Sustainability;
- Highways;
- Waste and Servicing;
- Consultation Comments

**5.2 Extant outline permissions (NPPG Paragraph 005 & 006)**

5.2.1 The local planning authority can only assess the details submitted relating to the ‘reserved matters’. Matters relating to the principle of the development, such as the need for housing, traffic



impacts, flood risk, loss of agricultural land, impacts on geodiversity and ecology are matters previously considered and accepted conditionally as part of the approval of outline planning permission. This does not mean that some aspects covered by the outline permission, such as landscape/townscape considerations, will not be assessed as part of the consideration of reserved matters, but such will relate only to whether the proposed reserved matters enables or prejudices compliance with the outline permission. In short, consideration of the reserved matters is not an opportunity to re-examine the principle of the redevelopment of the site for residential development.

### **5.3 Housing Mix (SPLA policy H6; DM DPD Policy DM1; NPPF section 5)**

5.3.1 The housing mix proposed would provide 40% affordable housing as required by the outline permission. The identified housing need in Ellel is smaller affordable units and 2/3 bed market units. Whilst the mix favours larger houses, these are the market dwellings and overall the mix provides affordable homes in line with need. The offer has been tested and found to be the maximum viable amount, with the market dwellings supporting the affordable offer. Consequently, it is accepted that the open market need is not directly met by the proposal but amending the mix would undermine the delivery of smaller affordable units and this has been tested by the external viability consultant. Furthermore, the mix has been informed by discussion with Strategic Housing Team who do not object and interest has been shown by Registered Providers.

5.3.2 Overall, given affordable housing proposed meets the outline obligation and identified affordable need, to which greater weight is given in this instance, the offer is accepted on balance.

### **5.4 Design and Layout (SPLA policy H6; DM DPD Policies DM2, DM27, DM29, DM30, DM 45, DM46; NPPF sections 2, 5, 11, 12 and 15)**

5.4.1 Consideration has been given to the applicants Landscape Visual Impact Assessment (LVIA), revised site layout plan, revised housing details and landscaping and materials information.

5.4.2 The proposed layout follows that indicated at outline stage. It is considered to follow existing characteristics of the village as noted by the previous officer in their report in so far as a linear scheme with access that largely runs perpendicular from the Abbeystead Road. The combined sites have a total area of c. 2hectares over which 27 dwellings will be provided, giving a density of less than 15 dwellings per hectare, which is considered to be acceptable in the context of densities found in the village. At the access point development is set back away from the road which is welcome as it is considered to better reflect the edge of village density and decreasing ribbon development as one leaves the village. Internally, units on the eastern side have been reorientated north south so that they address the internal road and views into the site from Abbeystead Road.

5.4.3 There are a range of house designs and materiality that comprise to create Dolphinholme's character. The typologies proposed include terrace, semi-detached and detached, of two storeys. Officers have worked with the applicant to revise and simplify their materials palette and house design. The principal materials are now a reconstituted rough stone and thin leading edge slate like tile. These materials are now considered to better reflect that expected in Lancaster rural areas and adjacent to the AONB. The further details such as window frames, downpipes and hard landscaping will be conditioned. In terms of space standards, all units would now meet the national, and 5 units (19%) would be M4(2) compliant. Whilst policy seeks 20% it can be applied flexibly and managing drainage is a consideration set out in DM2. On this point, it is accepted that the outline did not seek or apply a condition for 20%, the proposal is only slightly below the standard of policy and managing the drainage on this site is given greater weight in applying this policy.

5.4.4 Considerable hedge- and tree-planting will be provided around the boundaries of the site with heavy standard trees including lime, field maple, wild cherry and common oak to ensure an appropriate native mix and appearance, which will soften and partly obscure views into the site from the east. In terms of landscaping these elements are welcome in that they are considered to soften and screen development, in addition there are biodiversity and ecology benefits discussed below. The details, planting and maintenance of the landscaping will be conditioned to ensure the quality and quantum expected by Officers.

- 5.4.5 Given levels and existing development, longer distance views of the site are predominantly from the east, from the Forest of Bowland AONB which is approximately 1.15 kilometers east of the site. Due to the low density, soft boundary treatments and proposed materiality, the impact on the AONB is considered to be slight. Overall, in-line with the inspector to 18/01106/OUT, the impact is considered to be offset by the delivery of housing given the current lack of supply.
- 5.4.6 With regards to the existing bungalow immediately east, the layout proposed is an improvement against that indicated in the approved application in that distances between dwellings have been increased to c.18m. There is no direct overlooking between habitable windows due to orientation. Separation distances could be increased however, the balance must be struck between this and housing delivery, and in this instance planting at the rear gardens of plots 1, 3, 4 and 5 which will be conditioned can suitably manage this matter. In terms of properties on Brookside Drive, the highway itself, a planting buffer and large gardens remain between the dwellings which would satisfy policy requirements for separation distances. Due to orientation, planting and distances the layout is not considered to give rise to any unacceptable overlooking or overt intrusion to privacy.
- 5.4.7 There has been concern raised that the applicant's intentions have been to develop the whole entire field and the layout proposed enables this. Officers have to base each application on their own merits and therefore whilst Officers understand the concerns raised, should this scheme be supported and a future scheme come forward then Officers would have to assess that application on its own merits, including the cumulative impacts.
- 5.4.8 Overall, the layout and design are considered to reflect key considerations of the approval at outline stage. The design and materiality is now considered acceptable, and there is sufficient soft landscaping to manage the impact of the development in terms of views. The layout in terms of relationship with immediate neighbours would not lead to unacceptable impacts for the reasons above. On this basis, the application is considered to be in-line with design policies DM29 and DM30 of the DM DPD.
- 5.5 **Drainage Matters (SPLA DPD Policies H6 and SP8; DMDPD policies DM33, DM34, DM35; Strategic Flood Risk Assessment (October 2017); Surface Water Drainage, Flood Risk Management and Watercourses Planning Advisory Note (PAN) (2015); NPPF sections 14)**
- 5.5.1 Flooding and both surface and foul drainage were considered for both outline applications, and they were approved on the basis that such could be suitably managed if attached conditions setting standards were met.
- 5.5.2 As set out both sites are susceptible to groundwater flooding, as are surrounding sites. Adjacent neighbours, local residents and Dolphinholme Residents Association have made it clear to Officers in consultation their grave concerns regarding flooding and drainage infrastructure, which extends to foul water, in the village.
- 5.5.3 Officers are aligned with local residents that the development of this site should not exacerbate flood risk elsewhere. Officers have been liaising with the LLFA and sought the comments of the EA. The EA did not comment. In response to initial concerns raised by the LLFA on this matter the applicant has provided further information on surface water systems proposed in support of the application.
- 5.5.4 The proposed drainage strategy is to drain the site to an attenuation basin located at the south of the at a naturally low point near the site entrance which will have the capacity of 296m<sup>3</sup> to cater for the 100-year storm event plus allowance for climate change, which is considered a worst-case scenario. This is then attenuated in the basin and discharged at a rate reflecting existing run off rates into an existing 225mm culvert on site which drains into the beck running to the west of the site but further downstream off site and on the land of Higher Bond Gate Farm immediately south of the site.
- 5.5.5 The applicant has undertaken a CCTV survey of the culvert at the request of the LLFA to ensure that the drainage solution proposed is firstly capable of being utilised for this development, and secondly to ensure that connection would not cause flooding issues elsewhere. Whilst the applicant has provided the CCTV survey of the condition of the existing culvert there is still some

concern given the state of the culvert and how the drainage scheme would connect to the culvert and how the spare capacity of the culvert has been established.

- 5.5.6 The final position of the LLFA is no objection subject to all outline conditions relating surface water being discharged. No new conditions can be imposed as part of this reserved matters application as this is catered for as part of the outline application. Whilst it would be prudent to include a Grampian condition to upgrade the culvert to reflect the expected lifetime of the development as well as the specific details of the connection, legally this cannot be done, although would expect it to be a feature of the discharge of condition process on the outline.
- 5.5.7 Overall, the developer has no obligation to fix off site flooding issues, they just can't make them worse under the NPPF and Local Plan policy. By attenuating the water in the basin and discharging at a rate that matches the pre-development runoff rate they are mimicking the pre-development conditions, subsequently no change in any flood risks downstream. By this definition, there is no change from current conditions. If there are issues with the beck downstream, it will be the responsibility of the adjacent riparian landowners to maintain the section of watercourse on their land as per existing legislation on the matter. Such management is considered beyond planning powers to remedy or control in perpetuity.
- 5.5.8 There has also been concern raised by the local community regarding foul water drainage. There is an existing condition which controls the foul drainage details which will have to be discharged to implement the outline. The applicant proposes to utilise a foul pumping station (located close to the site entrance) to adoptable standards of United Utilities and connect to existing infrastructure. Neither the EA, or United Utilities have objected to the proposed development. On this basis, and given the condition attached to the outline there is nothing before Officers to conclude that the site cannot be drained of foul water.
- 5.5.9 For the above reasons, it is considered that the proposal does conform to Policy DM33 and DM34 of the Development Management DPD and therefore whilst the concerns of local residents are noted it is considered that the scheme, subject to conditions, can be drained, and that flooding will not increase elsewhere in the event of the approval of this scheme.
- 5.6 **Ecology and Trees** (NPPF: section 15; SPLA DPD policy H6; DMDPD policies DM44 and DM45)
- 5.6.1 The existing site is open farmland which is considered to provide limited biodiversity value. Concern has been raised given the loss of the farmland in terms of impact on ecology and birds.
- 5.6.2 The outline application accepted the loss of the farmland and impact on birds, on the basis of suitable conditions reflecting the conclusions of a habitat survey to mitigate impact. The site has remained largely as it was when consents were granted. On this basis, to mitigate the loss of farmland and impact to habitat, conditions requiring the protection of the western boundary stream from pollution during the operational and construction phase, sensitive lighting is utilised, together with enhancing habitats for roosting bats and nesting birds and removing vegetation outside of roosting seasons, will again be added.
- 5.6.3 As part of these applications, further detail has been set out as to how such enhancements can be secured as well as bat and bird boxes and the details of planting and soft landscaping across the site which is considered to increase biodiversity. Natural England did not comment, and Greater Manchester Ecology Unit do not object subject to conditions, which reflect those matters conditioned at outline stage. In response to local concerns regarding the quality of information, no such comment has been made by the statutory consultees.
- 5.6.4 The Arboricultural officer has sought specific amendments to tree planting which the applicant should consider when satisfying the landscaping condition. It is also requested that the management of canopies to T6 and T7 are captured in the environment management plan required by condition.
- 5.6.5 Overall, given the conditions to mitigate and manage impact, and secure enhancements to biodiversity it is therefore considered that the development complies with Policy DM29 of the Development Management DPD.

- 5.7 **Open Space** (DM DPD Polcies DM27; Appendix D; PAN04 – Open Space Provision in New Residential Development Planning Advisory Note)
- 5.7.1 As per Appendix D of the DM DPD the quantum of units triggers the requirement for on site amenity greenspace. The guidance for suitable spaces is set out in the LPA planning advisory note on the matter. The general yardstick is if the space is suitable for a 'kick about'.
- 5.7.2 The delivery of and management of open space is controlled via the legal agreements supporting the extant outline permissions, in so far as it requires such to be provided to reflect the
- There is on site provision of open space around the attenuation swale and a larger grassed area of Public Open Space is also provided between Plots 26 and 27, adjacent to the eastern boundary akin to a 'pocket park' more centrally located which is preferred.
- 5.7.3 The sum total across the site is c.560sqm in total, and this is deemed to meet the required amount of public open space, as per Appendix D of the DM DPD. The applicant has set out that it will be managed and maintained, and this will be conditioned, and overall this is deemed sufficient.
- 5.7.4 Beyond the onsite provision the public realm officer has set out a requirement for £89,397.75. This is to respond to the KKP Playing Pitch and Outdoor Sport Strategy and Action Plan (2018) which shows the existing tennis court needs to be improved to encourage use, and the Bowling Green needs sustaining to support existing uses levels. Furthermore, the existing parish council play area is substandard for several reasons as per an assessment in 2021. Consequently, the sum is broken down as follows with the identified works set out:
- Outdoor sports provision calculation £33,747.75: towards the Parish Councils tennis court and bowling green
  - Childs Play and Young Persons Provision calculation £55, 650: towards the Parish Councils Play Area
- 5.7.5 To ensure that these contributions meet the legal tests required of contributions it will be stipulated that unless they can be spent within 5 years, the sums will be repaid to the developer.
- 5.7.6 Overall, whilst it is considered that on site provision could be improved by providing a single space, the units are served by generous gardens which would primarily cater for play and amenity, the total sum required is provided, the space will be maintained and will enable a 'kick about'. In addition, the development will support facilities which are currently in poor state to support the wider community.
- 5.8 **Education Matters** (DM DPD Policies DM56; DM57)
- 5.8.1 On education matters, the extant legal obligations require both sites to provide contributions to offset their impact on education. The obligations require the sum to be informed by the approved mix of units at reserved matters which is now known and will inform this obligation.
- 5.8.2 Given the obligations wording there is sufficient provision for mitigation of this matter. On this basis, it is considered that the development can meet the requirements of Policy DM48 of the Development Management DPD.
- 5.9 **Heritage Assets** (NPPF: Section 12, Section 16; SPLA DPD Policy SP7; DM DPD Policy DM38; DM39)
- 5.9.1 The proposed development is approximately 150 metres to the south of Lower Starbank Farm which is a Grade II Listed building, and about 180m to the north of Castle Hill motte scheduled monument. After reviewing the scheme, no comments have been provided by the LPA's Conservation team, however Officers are satisfied given the distances Given the (and in the case of the motte, the topography) and proposed layout and design the development would not give rise to unacceptable impacts on heritage assets. Lancashire Archaeological Advisory Service (LAAS) raises no objection to the scheme.

5.9.2 Overall, having regard to Section 66 of the Planning (Listed Building and Conservation Area) Act 1990, and policies Policy DM32 of the DM DPD the proposal would not give rise to unacceptable impacts on heritage assets.

5.10 **Energy and Sustainability (DMDPD policy DM29; DM30)**

5.10.1 Information regarding how the application will address energy and sustainability matters has been provided in support of the application. Local Plan policy does not set a standard for reduction merely that opportunities are seized. To reduce energy demand on site from the dwellings a number of strategies are proposed inline with the fabric first approach:

- Building fabric improvements
- Fabric air tightness
- Low energy lighting
- Heating systems and controls
- Limiting thermal bridge heat loss
- Renewable Technology Feasibility
- Passive solar

5.10.2 The following standards set out in the report Energy Statement dated 13<sup>th</sup> May 2021 by Code Connect will be conditioned to ensure that the benefits identified will be realised. These are:

- all dwellings will achieve a maximum result of 7.0m<sup>3</sup> hm<sup>2</sup>
- install 100% of light outlets of low energy lighting as per Part L 2013
- minimum of 'A' rating for all boiler systems installed
- minimum reduction of 3.36% against Part L baseline of 470.03kg CO<sub>2</sub> per m<sup>2</sup>

5.10.3 Further to this, as required at outline stage each dwelling will be supported by a EV charger required before occupation. On this basis, it is considered that the development is inline with Policy DM30: Sustainable Design and DM29 Key Design Principles in so far as electric charging points are provided.

5.11 **Highways (SPLA DPD policies T2, T4 and H6; DMDPD policies DM29, DM60, DM61, DM62, DM63, DM64; NPPF sections 9 and 12)**

5.11.1 The scheme provides a road at a tangent to Abbeystead Road in line with agreed principles at outline stage, with private access drives for vehicular parking and a turning head at the north west corner of the site. The internal network has been under discussions between the applicant and County Highways regarding adoption.

5.11.2 County Highways has no objections to the access, or internal road network, but seeks a condition to evidence suitable management, which will be attached.

5.11.3 As required by Condition 11 of both applications 17/00970/OUT and 18/01106/OUT the proposal will provide a pedestrian link from Abbeystead Road to Footpath 1-13-FP 43 as part of the layout. This is welcomed by Officers and will support non-vehicular trips in the area.

5.11.4 Concern regarding construction and heavy vehicles impacting the network at peak times in terms of school drop off and pick up and also given the location peak periods in the agricultural year have been raised during consultation. Given this, it is considered reasonable to require the developer to use reasonable endeavours to schedule construction deliveries and vehicle movement outside of these times, which will be controlled by condition as part of the CEMP.

5.12 **Waste and Servicing (DM DPD Policy DM29; PAN 01 - Waste Storage and Collection Guidance for Domestic and Commercial Developments Planning Advice Note)**

5.12.1 The application has been commented on by colleague in the City's waste department. It is noted that there are instances where distances from dwellings to the kerbside are over 25m, however the breaches are slight, for market dwellings, and the routes are smooth, with manageable gradients and continuous. Collection points will be required for plots 5-9 and plots 21-24 and the

details of this will be conditioned in line with comments. On this basis, the proposed development is deemed suitable in terms of waste and servicing.

5.13 **Consultation Comments**

5.13.1 There were considerable objection to the grant of both outline applications, and this has been sustained at reserved matters stage. The concerns of the community are noted and have informed the determination, with specific regard to drainage, there has been further information and assessment to address this. Within the context of what was agreed at outline, a number of the issues, affordable housing, layout, drainage, highways and ecology have since been satisfactorily addressed by the applicant and subsequent provision of previous conditions or new conditions.

**7.0 Conclusion and Planning Balance**

7.1 Outline permission has been granted for both sites which accepts the principles of development subject to meeting certain conditions. No objections from statutory consultees to information addressing those matters have been raised. There is an obligation requiring both sites to be built out together and as such the proposals have been assessed together.

7.2 The context of member’s decision is that where the Local Planning Authority is unable to demonstrate a five year housing land supply. Consequently, the NPPF states permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development proposed contributes towards meeting this housing need, which reflects the need for affordable homes in the village. The provision of such housing should enable local residents to access housing and the wider influx of residents should help sustain the village services.

7.3 The community are concerned about flooding and drainage due to ongoing issues. Officers have worked hard to assess this matter within the context of what was agreed at outline, and neither the LLFA, EA and United Utilities object to the proposed development. On this basis, Officers are satisfied that the development would not exacerbate existing issues and suitably manage these matters.

7.4 A degree of visual and heritage harm was accepted at outline stage, but this could be suitably balanced and managed with conditions. The details provided in terms of layout and materials reflect agreed principles at outline stage, gives rise to no unacceptable issues in terms of overlooking and provides a suitable amenity in terms of gardens and open space. Highways raise no objection and Greater Manchester Ecology Unit accept their will be an uplift in biodiversity from measures proposed on site.

7.5 Clarity on Education is hoped prior to committee (however is dealt with by the outline), however the approach set out will enable the matters to be suitably addressed and on balance, with the above in mind it is recommended to Members that the proposed development is supported subject to the imposition of planning conditions and planning obligations.

**Recommendation**

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

Condition no.	Description	Type
1	Standard timescale;	<b>Standard</b>
2	Development in accordance with Approved Documents;	<b>Standard</b>
3	Materials/Details	<b>Above grade</b>
4	Landscaping Details	<b>Above grade</b>
5	Boundary Treatments	<b>Above Grade</b>
6	Plant Screening	<b>Pre such works</b>
7	Environment Management Plan	<b>1<sup>st</sup> Planting Season</b>
8	Waste Collection	<b>Pre Occupation</b>
9	Minimum Reduction against Part L 2013	<b>Control</b>

10	Development in accordance with BNG Enhancement Measures inc. Bird and Bat boxes	<b>Control</b>
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**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**

<b>Agenda Item</b>	A7
<b>Application Number</b>	21/00799/REM
<b>Proposal</b>	Reserved matters application for the erection of 9 dwellings
<b>Application site</b>	Land At Higher Bond Gate Abbeystead Road Dolphinholme Lancaster
<b>Applicant</b>	c/o
<b>Agent</b>	Mr Paul Tunstall
<b>Case Officer</b>	Mr Stuart Hammond
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval of application (subject to counterpart conditions 21/00798/REM)

## 1.0 Application Site and Setting

- 1.1 The application relates to land of Abbeystead Road in Higher Bond Gate, Dolphinholme. The site has outline consent via permission 17/00970/OUT approved in December 2018.
- 1.2 Adjacent the site is further site with outline consent application 18/01106/OUT approved on appeal in November 2019. 17/00970/OUT and 18/01106/OUT have overlapping redlines and as obligated by the appeal decision (18/01106/OUT), the reserved matters applications must come forward together so that they represent a comprehensive development of the site. Consequently, two reserved matters applications were submitted at the same time for both sites. Application 21/00799/REM (this application) is made pursuant 17/00970/OUT and application 21/00798/REM pursuant to 18/01106/OUT.
- 1.3 The determination of this application has been undertaken alongside application 21/00799/REM. More information about the relationship, proposal and site history is provided below, however this report considers the applications together, but outlining specific detail of each to members and making separate recommendations and conditions.
- 1.4 Both sites are located to north-eastern fringe of the village of Dolphinholme, a small village located approximately 11 km to the south of Lancaster city centre. The village itself lies to the west of the Forest of Bowland Area of Outstanding National Beauty (AONB).
- 1.5 Application site 21/00798/REM relates to a c.1.3 hectare parcel of land that is bound by Abbeystead Road to the south, open fields to the north and Brookside Drive to the west with residential properties beyond this. Immediately to the east lies application site 21/00799/REM relates to a c.0.6 hectare parcel of land, bound as above and to the east by open fields.
- 1.6 Together the site falls to the south being approximately 102 metres above ordnance datum (AOD) in the north west corner of the site falling to 89 metres AOD to the south of the site where the proposed access is to be located. There is a shallow valley that runs from north to south, roughly in the middle of both sites.



- 1.7 Forming the southern and western boundaries are hedgerows. There are isolated trees that run along the western boundary of the site. The site is relatively unconstrained, though it is within an area that is susceptible to groundwater flooding. There is a beck beyond to the west adjacent to the redline.
- 1.8 A Tree Preservation Order (TPO no.574, 2016) covers several trees that exist within the site (notably along the boundaries). Lower Starbank Farm is Grade II Listed and is located c150 metres to the north of the development proposal, and Castle Hill motte scheduled monument is situated c180m to the south. A watercourse is located on the western boundary of the site and Footpath 39 is located to the south of Abbeystead Road (20 metres away) and Footpath number 43 is 175 metres to the north. The proposed development is approximately 350 metres to the north-west of Dolphinholme Conservation Area.

## 2.0 Proposal

- 2.1 As discussed, the applications relate to two adjacent overlapping outline permissions.
- 2.2 Application reference 17/00970/OUT proposed the erection of 18 dwellings with the means of access and all other matters reserved. Application 18/01106/OUT sought a further 9 dwellings, with all matters reserved, and was initially refused on 12th October 2018, but subsequently allowed on appeal on 14th November 2019. Taken together, they confer outline consent for the principle of residential development for up to 27 units with a common vehicular and pedestrian access from Abbeystead Road. Both applications provide layouts within their respective red edges, taking into account the element of overlap and reflect each other's layouts.
- 2.3 This application 21/00799/REM includes plots 12A, 14, and 20-26, and application 21/00798/REM is the larger of the two and includes 18 dwellings, (plots nos. 1-12, 15-19 and 27). See figures 1, 2 & 3 in appendix A for a visual example of how the proposals relate.
- 2.4 When both plans are considered together, they illustrate a coherent development of 27 dwellings across both application sites.
- 2.5 The overall dwelling mix (which was not secured at outline stage) is as follows:

Type	Beds	No	% of overall
Mews	2	5	18.5%
Semi Detached	3	6	22%
Detached	4	8	30%
Detached	5	8	30%
<b>Total</b>	-	<b>27</b>	<b>100%</b>

Tenure	No	% of overall
Market	16	59
Intermediate	6	22%
Affordable	5	19%
<b>Total</b>	<b>27</b>	<b>100%</b>

- 2.6 Overall, both proposals will deliver a mix of house types and 41% affordable housing by unit. Affordable units will be focussed towards smaller typologies reflecting need in the area. The house types are all two storey in height and will comprise vernacular materials. Boundary treatments for the majority and specially on the edges will be soft as per existing and landscaped. The layout enables the connection of Footpath 39 with Footpath number 43 with a new footway.
- 2.7 Sustainable drainage measures are proposed, including a swale/basin at the site entrance of the site, and connection into an existing drainage network present on site which runs south under Abbeystead Road to the adjacent beck downstream.

### 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
21/00799/REM	Reserved matters application for erection of nine dwellings	Pending
21/00798/REM	Reserved matters application for the erection of 18 dwellings	Pending
20/01049/PRETWO	Pre-application advice for erection of 27 dwellings	Advice Provided
18/01106/OUT	Outline application for the development of 9 residential dwellings with associated access, public open space and associated infrastructure	Refused (allowed on Appeal)
17/00970/OUT	Outline application for the development of 18 residential dwellings with associated access	Approved
17/00498/PREONE	Pre-application advice for the erection of 24 residential units	Advice Provided
16/01599/OUT	Outline application for the erection of up to 49 dwellings, 1 shop unit (A1) and the provision of an underground foul pumping station with creation of a new vehicular access point, public footpath and associated landscaping	Refused
16/00041/OUT	Outline application for the erection of 68 dwellings with creation of a new access	Withdrawn prior to determination
15/00907/PREONE	Pre-application Advice	Advice Provided

### 4.0 Consultation Responses

4.1 The first round of consultation commenced with letters sent on the 6 August 2021 until 08 September 2021 given the allowance provided on the site notice.

4.2 A further round of consultation was triggered by the submission of further information by the applicant to address concerns. The second round commenced on the 7<sup>th</sup> February 2022 and was extended until March 1st 2022. That being said comments, have been received after this date which have been considered and will continue to do so until committee. A verbal update will be given if necessary.

4.3 The following responses have been received from statutory and non-statutory consultees to date:

Consultee	Response
NHS	<b>No objection</b> – Subject to securing £10, 795 which reflects the population yield of both 21/00799 & 21/00798 and will support extension and reconfiguration at Galgate Health Centre.
Natural England	<b>No comment</b>
Conservation Officer	<b>No comment</b>
Local Lead Flood Authority	<b>No objection</b> – Subject to following conditions and previous outline conditions: Construction Surface Water Management Plan Verification Report of Constructed Sustainable Drainage System
County Highways	<b>No objection</b> – Subject to following conditions: Management details of road network

<b>Strategic Housing Officer</b>	<p><b>No objection –</b>  Comments: Dolphinholme is not sustainable settlement so housing should meet local need. SHMA identified need for affordable homes in Ellel sub area is predominantly for smaller units – 1, 2 &amp; 3 beds. For market housing 2 and 3 beds are most in need. RP justification would be accepted as justification for need.</p> <p>Application is supported by recognised RP seeking to take on the affordable housing proposed given the demand they experience.</p> <p>The proposal reflects maximum viable amount of affordable housing, in a mix and tenure that is considered to meet the local identified affordable housing need given support from RPs which is in line with housing policies.</p> <p>It is accepted the open market housing is not directly met by the proposal, but amending the mix would undermine the delivery of smaller affordable units and this has been tested by the external viability consultant.</p> <p>Overall therefore given affordable housing meets the identified need and outline obligation and this is enabled by the market housing the offer is accepted on balance.</p>
<b>Tree Protection Officer</b>	<p><b>No objection –</b>  Comments: seeks updated AIA and management of canopies.</p>
<b>Fire Safety Officer</b>	<p><b>No objection –</b>  Comments: highlights approved building regulation approved documents in relation to fire.</p>
<b>Lancashire Constabulary</b>	<p><b>No observations received</b></p>
<b>Planning Policy Team</b>	<p><b>No observations received</b></p>
<b>Lancashire Archaeological Advisory Services</b>	<p><b>No objection –</b>  Comments: that original outline applications did not trigger need to condition/consider given proposal/location.</p>
<b>United Utilities</b>	<p><b>No objection –</b>  Comments: recommend conditions associated water drainage subsequent maintenance.</p>
<b>Greater Manchester Ecology Unit</b>	<p><b>No objection –</b>  Comments: Seeks bird and bat boxes and submitted CEMP to be secured and implemented.</p>
<b>Environmental Health Officer</b>	<p><b>No objection –</b>  Subject to following conditions:  Standard air quality measures as per the Low Emissions and Air Quality PAN  Electric vehicle parking for each dwelling  CEMP further to that submitted outlining details on dust emissions</p>
<b>Dolphinholme Residents Association (DRA)</b>	<p><b>Objection –</b>  Affordable Housing – not in-line with outline S106 of 40% by unit</p> <p>Officer Response – the application now meets the obligation.</p> <p>Materiality – use of artificial stone, slate and white UPVC</p> <p>Energy and Climate Emergency – reduction of 3.6% against Part L, lack of electric charging points</p> <p>Transport infrastructure and off-site highway works</p>

	<p>Suggestion of controlling construction traffic and agricultural traffic in the area during specific times</p> <p>FRA, Surface Water Drainage and Foul Water Drainage is not adequately addressed as per outline conditions</p> <p>External Lighting – area seeks to minimise light pollution.</p>
<b>Waste and Servicing</b>	<p><b>No Objection -</b></p> <p>Subject to following conditions: Collection points provided for dwellings</p>
<b>Ellel Parish Council</b>	<p><b>Objection –</b></p> <p>27 Homes is too large, mix and style not in keeping with rural area</p> <p>Risk of flooding</p> <p>Local infrastructure at capacity</p> <p>Local highway network at capacity</p> <p>Lack of bus service</p>

4.4 At the time of drafting this report there has been 52 letters of objection received in relation to the application based the grounds below:

- **Layout and Design** – Development is too close to existing residential development, layout suggests further extension of development;
- **Heritage** – Impact to Conservation Area and archaeological assets;
- **Landscaping** – Impact to existing trees and hedgerows;
- **Highways** – including increase in traffic in the village and on minor roads; poor visibility a site's junction; safety around the school at peak times and a general lack of footways;
- **Drainage and flooding issues** – including concerns regarding waste-water management and existing flooding from the brook adjacent to the site;
- **Ecology** – loss of greenfield land, impact to ecological value of site and local wildlife
- Insufficient/incorrect information submitted with application

## 5.0 Analysis

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

- Extant outline permissions;
- Housing Mix;
- Design and Layout;
- Drainage Matters;
- Ecology;
- Open Space;
- Education;
- Heritage;
- Energy and Sustainability;
- Highways;
- Waste and Servicing;
- Consultation Comments

## 5.2 Extant outline permissions (NPPG Paragraph 005 & 006)

5.2.1 The local planning authority can only assess the details submitted relating to the 'reserved matters'. Matters relating to the principle of the development, such as the need for housing, traffic impacts, flood risk, loss of agricultural land, impacts on geodiversity and ecology are matters previously considered and accepted conditionally as part of the approval of outline planning permission. This does not mean that some aspects covered by the outline permission,

such as landscape/townscape considerations, will not be assessed as part of the consideration of reserved matters, but such will relate only to whether the proposed reserved matters enables or prejudices compliance with the outline permission. In short, consideration of the reserved matters is not an opportunity to re-examine the principle of the redevelopment of the site for residential development.

### **5.3 Housing Mix (SPLA policy H6; DM DPD Policy DM1; NPPF section 5)**

5.3.1 The housing mix proposed would provide 40% affordable housing as required by the outline permission. The identified housing need in Ellel is smaller affordable units and 2/3 bed market units. Whilst the mix favours larger houses, these are the market dwellings and overall the mix provides affordable homes in line with need. The offer has been tested and found to be the maximum viable amount, with the market dwellings supporting the affordable offer. Consequently, it is accepted that the open market need is not directly met by the proposal but amending the mix would undermine the delivery of smaller affordable units and this has been tested by the external viability consultant. Furthermore, the mix has been informed by discussion with Strategic Housing Team who do not object and interest has been shown by Registered Providers.

5.3.2 Overall, given affordable housing proposed meets the outline obligation and identified affordable need, to which greater weight is given in this instance, the offer is accepted on balance.

### **5.4 Design and Layout (SPLA policy H6; DM DPD Policies DM2, DM27, DM29, DM30, DM 45, DM46; NPPF sections 2, 5, 11, 12 and 15)**

5.4.1 Consideration has been given to the applicants Landscape Visual Impact Assessment (LVIA), revised site layout plan, revised housing details and landscaping and materials information.

5.4.2 The proposed layout follows that indicated at outline stage. It is considered to follow existing characteristics of the village as noted by the previous officer in their report in so far as a linear scheme with access that largely runs perpendicular from the Abbeystead Road. The combined sites have a total area of c. 2hectares over which 27 dwellings will be provided, giving a density of less than 15 dwellings per hectare, which is considered to be acceptable in the context of densities found in the village. At the access point development is set back away from the road which is welcome as it is considered to better reflect the edge of village density and decreasing ribbon development as one leaves the village. Internally, units on the eastern side have been reorientated north south so that they address the internal road and views into the site from Abbeystead Road.

5.4.3 There are a range of house designs and materiality that comprise to create Dolphinholme's character. The typologies proposed include terrace, semi-detached and detached, of two storeys. Officers have worked with the applicant to revise and simplify their materials palette and house design. The principal materials are now a reconstituted rough stone and thin leading edge slate like tile. These materials are now considered to better reflect that expected Lancaster rural areas and adjacent to the AONB. The further details such as window frames, downpipes and hard landscaping will be conditioned. In terms of space standards, all units would now meet the national, and 5 units (19%) would be M4(2) compliant.

5.4.4 Considerable hedge- and tree-planting will be provided around the boundaries of the site with heavy standard trees including lime, field maple, wild cherry and common oak to ensure an appropriate native mix and appearance, which will soften and partly obscure views into the site from the east. In terms of landscaping these elements are welcome in that they are considered to soften and screen development, in addition there are biodiversity and ecology benefits discussed below. The details, planting and maintenance of the landscaping will be conditioned to ensure the quality and quantum expected by Officers. Whilst policy seeks 20% it can be applied flexibly and managing drainage is a consideration set out in DM2. On this point, it is accepted that the outline did not seek or apply a condition for 20%, the proposal is only slightly below the standard of policy and managing the drainage on this site is given greater weight in applying this policy.

5.4.5 Given levels and existing development, longer distance views of the site are predominantly from the east, from the Forest of Bowland AONB which is approximately 1.15 kilometers east of the

site. Due to the low density, soft boundary treatments and proposed materiality, the impact on the AONB is considered to be slight. Overall, in-line with the inspector to 18/01106/OUT, the impact is considered to be offset by the delivery of housing given the current lack of supply.

- 5.4.6 With regards to the existing bungalow immediately east, the layout proposed is an improvement against that indicated in the approved application in that distances between dwellings have been increased to c.18m. There is no direct overlooking between habitable windows due to orientation. Separation distances could be increased however, the balance must be struck between this and housing delivery, and in this instance planting at the rear gardens of plots 1, 3, 4 and 5 which will be conditioned can suitably manage this matter. In terms of properties on Brookside Drive, the highway itself, a planting buffer and large gardens remain between the dwellings which would satisfy policy requirements for separation distances. Due to orientation, planting and distances the layout is not considered to give rise to any unacceptable overlooking or overt intrusion to privacy.
- 5.4.7 There has been concern raised that the applicant's intentions have been to develop the whole entire field and the layout proposed enables this. Officers have to base each application on their own merits and therefore whilst Officers understand the concerns raised, should this scheme be supported and a future scheme come forward then Officers would have to assess that application on its own merits, including the cumulative impacts.
- 5.4.8 Overall, the layout and design are considered to reflect key considerations of the approval at outline stage. The design and materiality is now considered acceptable, and there is sufficient soft landscaping to manage the impact of the development in terms of views. The layout in terms of relationship with immediate neighbours would not lead to unacceptable impacts for the reasons above. On this basis, the application is considered to be in-line with design policies DM29 and DM30 of the DM DPD.
- 5.5 **Drainage Matters (SPLA DPD Policies H6 and SP8; DMDPD policies DM33, DM34, DM35; Strategic Flood Risk Assessment (October 2017); Surface Water Drainage, Flood Risk Management and Watercourses Planning Advisory Note (PAN) (2015); NPPF sections 14)**
- 5.5.1 Flooding and both surface and foul drainage were considered for both outline applications, and they were approved on the basis that such could be suitably managed if attached conditions setting standards were met.
- 5.5.2 As set out both sites are susceptible to groundwater flooding, as are surrounding sites. Adjacent neighbours, local residents and Dolphinholme Residents Association have made it clear to Officers in consultation their grave concerns regarding flooding and drainage infrastructure, which extends to foul water, in the village.
- 5.5.3 Officers are aligned with local residents that the development of this site should not exacerbate flood risk elsewhere. Officers have been liaising with the LLFA and sought the comments of the EA. The EA did not comment. In response to initial concerns raised by the LLFA on this matter the applicant has provided further information on surface water systems proposed in support of the application.
- 5.5.4 The proposed drainage strategy is to drain the site to an attenuation basin located at the south of the at a naturally low point near the site entrance which will have the capacity of 296m<sup>3</sup> to cater for the 100-year storm event plus allowance for climate change, which is considered a worst-case scenario. This is then attenuated in the basin and discharged at a rate reflecting existing run off rates into an existing 225mm culvert on site which drains into the beck running to the west of the site but further downstream off site and on the land of Higher Bond Gate Farm immediately south of the site.
- 5.5.5 The applicant has undertaken a CCTV survey of the culvert at the request of the LLFA to ensure that the drainage solution proposed is firstly capable of being utilised for this development, and secondly to ensure that connection would not cause flooding issues elsewhere. Whilst the applicant has provided the CCTV survey of the condition of the existing culvert there is still some concern given the state of the culvert and how the drainage scheme would connect to the culvert and how the spare capacity of the culvert has been established.

- 5.5.6 The final position of the LLFA is no objection subject to all outline conditions relating surface water being discharged. No new conditions can be imposed as part of this reserved matters application as this is catered for as part of the outline application. Whilst it would be prudent to include a Grampian condition to upgrade the culvert to reflect the expected lifetime of the development as well as the specific details of the connection, legally this cannot be done, although would expect it to be a feature of the discharge of condition process on the outline.
- 5.5.7 Overall, the developer has no obligation to fix off site flooding issues, they just can't make them worse under the NPPF and Local Plan policy. By attenuating the water in the basin and discharging at a rate that matches the pre-development runoff rate they are mimicking the pre-development conditions, subsequently no change in any flood risks downstream. By this definition, there is no change from current conditions. If there are issues with the beck downstream, it will be the responsibility of the adjacent riparian landowners to maintain the section of watercourse on their land as per existing legislation on the matter. Such management is considered beyond planning powers to remedy or control in perpetuity.
- 5.5.8 There has also been concern raised by the local community regarding foul water drainage. There is an existing condition which controls the foul drainage details which will have to be discharged to implement the outline. The applicant proposes to utilise a foul pumping station (located close to the site entrance) to adoptable standards of United Utilities and connect to existing infrastructure. Neither the EA, or United Utilities have objected to the proposed development. On this basis, and given the condition attached to the outline there is nothing before Officers to conclude that the site cannot be drained of foul water.
- 5.5.9 For the above reasons, it is considered that the proposal does conform to Policy DM33 and DM34 of the Development Management DPD and therefore whilst the concerns of local residents are noted it is considered that the scheme, subject to conditions, can be drained, and that flooding will not increase elsewhere in the event of the approval of this scheme.
- 5.6 **Ecology and Trees** (NPPF: section 15; SPLA DPD policy H6; DMDPD policies DM44 and DM45)
- 5.6.1 The existing site is open farmland which is considered to provided limited biodiversity value. Concern has been raised given the loss of the farmland in terms of impact on ecology and birds.
- 5.6.2 The outline application accepted the loss of the farmland and impact on birds, on the basis of suitable conditions reflecting the conclusions of a habitat survey to mitigate impact. The site has remained largely as it was when consents were granted. On this basis, to mitigate the loss of farmland and impact to habitat, conditions requiring the protection of the western boundary stream from pollution during the operational and construction phase, sensitive lighting is utilised, together with enhancing habitats for roosting bats and nesting birds and removing vegetation outside of roosting seasons, will again be added.
- 5.6.3 As part of these applications, further detail has been set out as to how such enhancements can be secured as well as bat and bird boxes and the details of planting and soft landscaping across the site which is considered to increase biodiversity. Natural England did not comment, and Greater Manchester Ecology Unit do not object subject to conditions, which reflect those matters conditioned at outline stage. In response to local concerns regarding the quality of information, no such comment has been made by the statutory consultees.
- 5.6.4 The Arboricultural officer has sought specific amendments to tree planting which the applicant should consider when satisfying the landscaping condition. It is also requested that the management of canopies to T6 and T7 are captured in the environment management plan required by condition.
- 5.6.5 Overall, given the conditions to mitigate and manage impact, and secure enhancements to biodiversity it is therefore considered that the development complies with Policy DM29 of the Development Management DPD.
- 5.7 **Open Space** (DM DPD Polcies DM27; Appendix D; PAN04 – Open Space Provision in New

5.7.1 As per Appendix D of the DM DPD the quantum of units triggers the requirement for on site amenity greenspace. The guidance for suitable spaces is set out in the LPA planning advisory note on the matter. The general yardstick is if the space is suitable for a 'kick about'.

5.7.2 The delivery of and management of open space is controlled via the legal agreements supporting the extant outline permissions, in so far as it requires such to be provided to reflect the

There is on site provision of open space around the attenuation swale and a larger grassed area of Public Open Space is also provided between Plots 26 and 27, adjacent to the eastern boundary akin to a 'pocket park' more centrally located which is preferred.

The sum total across the site is c.560sqm in total, and this is deemed to meet the required amount of public open space, as per Appendix D of the DM DPD. The applicant has set out that it will be managed and maintained, and this will be conditioned, and overall this is deemed sufficient.

5.7.3 Beyond the onsite provision the public realm officer has set out a requirement for £89,397.75. This is to respond to the KKP Playing Pitch and Outdoor Sport Strategy and Action Plan (2018) which shows the existing tennis court needs to be improved to encourage use, and the Bowling Green needs sustaining to support existing uses levels. Furthermore, the existing parish council play area is substandard for several reasons as per an assessment in 2021. Consequently, the sum is broken down as follows with the identified works set out:

- Outdoor sports provision calculation £33,747.75: towards the Parish Councils tennis court and bowling green
- Childs Play and Young Persons Provision calculation £55, 650: towards the Parish Councils Play Area

5.7.4 To ensure that these contributions meet the legal tests required of contributions it will be stipulated that unless they can be spent within 5 years, the sums will be repaid to the developer.

5.7.5 Overall, whilst it is considered that on site provision could be improved by providing a single space, the units are served by generous gardens which would primarily cater for play and amenity, the total sum required is provided, the space will be maintained and will enable a 'kick about'. In addition, the development will support facilities which are currently in poor state to support the wider community.

## 5.8 Education Matters (DM DPD Policies DM56; DM57)

5.8.1 On education matters, the extant legal obligations require both sites to provide contributions to offset their impact on education. The obligations require the sum to be informed by the approved mix of units at reserved matters which is now known and will inform this obligation.

5.8.2 Given the obligations wording there is sufficient provision for mitigation of this matter. On this basis, it is considered that the development can meet the requirements of Policy DM48 of the Development Management DPD.

## 5.9 Heritage Assets (NPPF: Section 12, Section 16; SPLA DPD Policy SP7; DM DPD Policy DM38; DM39)

5.9.1 The proposed development is approximately 150 metres to the south of Lower Starbank Farm which is a Grade II Listed building, and about 180m to the north of Castle Hill motte scheduled monument. After reviewing the scheme, no comments have been provided by the LPA's Conservation team, however Officers are satisfied given the distances Given the (and in the case of the motte, the topography) and proposed layout and design the development would not give rise to unacceptable impacts on heritage assets. Lancashire Archaeological Advisory Service (LAAS) raises no objection to the scheme.

5.9.2 Overall, having regard to Section 66 of the Planning (Listed Building and Conservation Area) Act 1990, and policies Policy DM32 of the DM DPD the proposal would not give rise to unacceptable impacts on heritage assets.



5.10 **Energy and Sustainability (DMDPD policy DM29; DM30)**

5.10.1 Information regarding how the application will address energy and sustainability matters has been provided in support of the application. Local Plan policy does not set a standard for reduction merely that opportunities are seized. To reduce energy demand on site from the dwellings a number of strategies are proposed inline with the fabric first approach:

- Building fabric improvements
- Fabric air tightness
- Low energy lighting
- Heating systems and controls
- Limiting thermal bridge heat loss
- Renewable Technology Feasibility
- Passive solar

5.10.2 The following standards set out in the report Energy Statement dated 13<sup>th</sup> May 2021 by Code Connect will be conditioned to ensure that the benefits identified will be realised. These are:

- all dwellings will achieve a maximum result of 7.0m<sup>3</sup> hm<sup>2</sup>
- install 100% of light outlets of low energy lighting as per Part L 2013
- minimum of 'A' rating for all boiler systems installed
- minimum reduction of 3.36% against Part L baseline of 470.03kg CO<sub>2</sub> per m<sup>2</sup>

5.10.3 Further to this, as required at outline stage each dwelling will be supported by a EV charger required before occupation. On this basis, it is considered that the development is inline with Policy DM30: Sustainable Design and DM29 Key Design Principles in so far as electric charging points are provided.

5.11 **Highways (SPLA DPD policies T2, T4 and H6; DMDPD policies DM29, DM60, DM61, DM62, DM63, DM64; NPPF sections 9 and 12)**

5.11.1 The scheme provides a road at a tangent to Abbeystead Road in line with agreed principles at outline stage, with private access drives for vehicular parking and a turning head at the north west corner of the site. The internal network has been under discussions between the applicant and County Highways regarding adoption.

5.11.2 County Highways has no objections to the access, or internal road network, but seeks a condition to evidence suitable management, which will be attached.

5.11.3 As required by Condition 11 of both applications 17/00970/OUT and 18/01106/OUT the proposal will provide a pedestrian link from Abbeystead Road to Footpath 1-13-FP 43 as part of the layout. This is welcomed by Officers and will support non-vehicular trips in the area.

5.11.4 Concern regarding construction and heavy vehicles impacting the network at peak times in terms of school drop off and pick up and also given the location peak periods in the agricultural year have been raised during consultation. Given this, it is considered reasonable to require the developer to use reasonable endeavours to schedule construction deliveries and vehicle movement outside of these times, which will be controlled by condition as part of the CEMP.

5.12 **Waste and Servicing (DM DPD Policy DM29; PAN 01 - Waste Storage and Collection Guidance for Domestic and Commercial Developments Planning Advice Note)**

5.12.1 The application has been commented on by colleague in the City's waste department. It is noted that there are instances where distances from dwellings to the kerbside are over 25m, however the breaches are slight, for market dwellings, and the routes are smooth, with manageable gradients and continuous. Collection points will be required for plots 5-9 and plots 21-24 and the details of this will be conditioned in line with comments. On this basis, the proposed development is deemed suitable in terms of waste and servicing.

### 5.13 Consultation Comments

5.13.1 There were considerable objection to the grant of both outline applications, and this has been sustained at reserved matters stage. The concerns of the community are noted and have informed the determination, with specific regard to drainage, there has been further information and assessment to address this. Within the context of what was agreed at outline, a number of the issues, affordable housing, layout, drainage, highways and ecology have since been satisfactorily addressed by the applicant and subsequent provision of previous conditions or new conditions.

### 7.0 Conclusion and Planning Balance

7.1 Outline permission has been granted for both sites which accepts the principles of development subject to meeting certain conditions. No objections from statutory consultees to information addressing those matters have been raised. There is an obligation requiring both sites to be built out together and as such the proposals have been assessed together.

7.2 The context of member's decision is that where the Local Planning Authority is unable to demonstrate a five year housing land supply. Consequently, the NPPF states permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development proposed contributes towards meeting this housing need, which reflects the need for affordable homes in the village. The provision of such housing should enable local residents to access housing and the wider influx of residents should help sustain the village services.

7.3 The community are concerned about flooding and drainage due to ongoing issues. Officers have worked hard to assess this matter within the context of what was agreed at outline, and neither the LLFA, EA and United Utilities object to the proposed development. On this basis, Officers are satisfied that the development would not exacerbate existing issues and suitably manage these matters.

7.4 A degree of visual and heritage harm was accepted at outline stage, but this could be suitably balanced and managed with conditions. The details provided in terms of layout and materials reflect agreed principles at outline stage, gives rise to no unacceptable issues in terms of overlooking and provides a suitable amenity in terms of gardens and open space. Highways raise no objection and Greater Manchester Ecology Unit accept their will be an uplift in biodiversity from measures proposed on site.

7.5 Clarity on Education is hoped prior to committee (however it is dealt with by the outline), which will enable the matters to be suitably addressed and on balance, with the above in mind it is recommended to Members that the proposed development is supported subject to the imposition of planning conditions and planning obligations.

### Recommendation

That Reserved Matters BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard timescale;	<b>Standard</b>
2	Development in accordance with Approved Documents;	<b>Standard</b>
3	Materials/Details	<b>Above grade</b>
4	Landscaping Details	<b>Above grade</b>
5	Boundary Treatments	<b>Above Grade</b>
6	Plant Screening	<b>Pre such works</b>
7	Environment Management Plan	<b>1<sup>st</sup> Planting Season</b>
8	Waste Collection	<b>Pre Occupation</b>
9	Minimum Reduction against Part L 2013	<b>Control</b>
10	Development in accordance with BNG Enhancement Measures inc. Bird and Bat boxes	<b>Control</b>

**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**

<b>Agenda Item</b>	A8
<b>Application Number</b>	21/00695/FUL
<b>Proposal</b>	Installation of a 99.9MW battery storage facility with ancillary development including 3m high fencing, battery storage containers, substation, transformers, switchroom, control room, welfare cabin and storage room, construction of internal access points, creation of hardstanding and turning area, erection of gates and 4m high CCTV columns, creation of temporary compound area, raising of land levels and construction of new access onto the A683 Bay Gateway
<b>Application site</b>	Land North of A683 Bay Gateway, Heaton With Oxcliffe
<b>Applicant</b>	Mr Mark Dickinson
<b>Agent</b>	Mr Evan Williams
<b>Case Officer</b>	Mr David Forshaw
<b>Departure</b>	Yes
<b>Summary of Recommendation</b>	Approve

## 1.0 Application Site and Setting

- 1.1 This is 1.7ha of agricultural land with access track with associated hardstanding. It is in the open countryside immediately north of the A683 Bay Gateway approximately 1.4km southeast of Heysham centre. To the north and east is agricultural land and to the west is the Walney Offshore Windfarm Extension facility. Within fields immediately close by to the north and northwest and across the A683 to the southeast and southwest are a telecommunications tower, solar farm, 3 no. wind turbines and electricity pylons.
- 1.2 The site is within Heysham Power Station 1 & 2 middle zone; Morecambe Bay SPA zone; SSSI impact zone and at risk of <25% risk of groundwater flooding. It is partly within flood zones 3 (benefitting from flood defences), 2 and 1.

## 2.0 Proposal

- 2.1 The proposal is to construct a fenced area of 12,540sqm to house battery storage containers, substation, transformers, switch room, control room, welfare cabin and store. A new access is proposed directly onto the A683 serving the facility's turning/parking area and adjoining agricultural land. Landscaping belts are proposed to the north and east and all existing boundary hedgerow and trees are to be retained.
- 2.2 The eastern part of the site will be raised by up to 1m above existing ground level due to the land's slope and raise that end above potential flood level. The tallest equipment will be the switchgear and transformers up to 7.1m high in the northwest corner of the site. The metering room will have a 5.3m to ridge pitched roof. The flat roofed containers housing the batteries, transformers, switch and control rooms will be 3.1m high. CCTV cameras will be mounted on 4m high poles and the site

fencing will be 3m high.

- 2.3 The facility will contribute towards helping the national grid provide a reliable source of power in the face of fluctuating and changing energy demand and supply. At times the grid struggles to provide an efficient, consistent supply of energy due to variations in demand and unreliability of renewable energy supplies. Energy storage facilities like this offer flexibility to absorb surplus energy and release when needed, including from renewable sources and without causing air pollution during this process.

### 3.0 Site History

- 3.1 There are no relevant applications relating to this site.

### 4.0 Consultation Responses

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

Consultee	Response
GMEU	<b>No objection.</b> There is the potential presence of Coastal and Floodplain Grazing Marsh priority habitat on the site, however the field results of the ecological survey suggest that the onsite conditions are not typical of the priority habitat; the site is under intensive management being ploughed and sown, is considered unsuitable to support breeding birds and sub-optimal for foraging and wintering birds associated with the designated sites, and the wintering bird surveys in 2021 did not identify such species. Given the low ecological value of the site, the enhancements proposed in the ecology report are probably proportionate to the proposed impact.
Natural England	<b>No objection.</b> The development will not have significant adverse impacts on the Bay's designated sites or SSSI and the shadow HRA can be adopted. A financial contribution should be made towards protection, enhancement or management of other areas to compensate for the loss of the Coastal and Floodplain Grazing Marsh.
Lancashire Wildlife Trust	<b>Objects.</b> Key concern is the potential loss or fragmentation of an ecological network that links areas of high conservation value through corridor and/or stepping stone habitat. In order to retain any viable ecological network within the wider Heysham peninsular, compensation habitat should be created outside of the area identified for development, to offset the loss of 'corridor' habitat. This should be in addition to any mitigation either on or off site and should be of adequate size to fulfil its desired function. A suitable restoration and management plan should also be in place with a clear strategy for how this will be delivered and maintained for at least the duration of the development.
Arboricultural Officer	<b>No objection.</b> Conditions for tree protection plan and planting requested
Environment Agency	<b>No objection.</b>
LLFA	<b>No objection</b> subject to standard conditions being imposed
Planning Policy	<b>No objection.</b> The proposed battery storage facility may support existing renewable energy generation facilities nearby, will potentially support the expansion of renewable and low carbon energy generation in the district, contribute to reducing CO2e emissions, and support the Council's commitment to reaching net zero by 2030. The proposal will additionally improve the reliability of renewable energy supply in the district and support the agility of the grid in adapting to more decentralized renewable and low carbon energy production. The proposed site is well placed due to its close location near existing renewable energy generation facilities and supporting transmission infrastructure. The importance of tackling the climate change agenda must be recognised and the benefits of the battery storage scheme outweigh the loss of a small element of the nature improvement area.
County Highways	<b>No objection.</b> There will be a negligible impact on highway safety and capacity within the immediate vicinity of the site. Standard conditions required.
Office for Nuclear Regulation	<b>No objection.</b> Does not advise against this development as it does not present a significant external hazard to the safety of the nuclear site.
Lancashire County Council Emergency	<b>No objection:</b> all agencies can accommodate the proposals' changes within the Heysham Power Stations Off-Site Emergency Plan

Planning Team	
EHO	<b>No objection.</b> No significant environmental health implications
Parish Council	No comments received
Public Realm	No comments received
Ramblers	No comments received
LCC PROW	No comments received

4.2 No responses have been received from members of the public.

## 5.0 Analysis

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

- Principle
- Landscape/visual impact
- Ecology/Biodiversity
- Flood risk/drainage
- Highways/access
- Other matters

5.2 Principle (SPLA Policies SP8, EN3; DMDPD policies DM31, DM47 and DM53; NPPF sections 14 & 15)

5.2.1 The site is within the open countryside within which any proposals must have regard to all relevant policies in the Local Plan, particularly DMDPD rural area policies. Policy DM47 allows certain economic developments including renewable energy schemes in appropriate locations and in accordance with other Local Plan policies. Policy DM53 sets out the Council's commitment to supporting the transition to a lower carbon future and support for proposals for renewable and low carbon energy schemes, including ancillary development, where the direct, indirect, individual and cumulative impacts on stated considerations are or will be made acceptable. The site is within an area identified as suitable for wind energy.

5.2.2 The proposed battery storage facility will be able to support existing renewable energy generation facilities nearby, will potentially support the expansion of renewable and low carbon energy generation in the district, contribute to reducing CO2e emissions, and support the Council's commitment to reaching net zero by 2030. The proposal will additionally improve the reliability of renewable energy supply in the district and support the agility of the grid in adapting to more decentralised renewable and low carbon energy production. The proposed site is well placed due to its close location near existing renewable energy generation facilities and supporting transmission infrastructure. The proposed scheme supports the requirements of NPPF through meeting the economic objective by supporting the provision of infrastructure and the reliable electricity needs of current and future generations, the latter of which meets the social objectives, and the environmental objective, particularly that of "mitigating and adapting to climate change" through the supply of renewable energy storage. The purpose of the development is in line with Policy DM53.

5.2.3 In support of policy DM31: Air Quality Management and Pollution, the site will contribute to increased grid capacity and flexibility to support the district's transition to a higher proportion of renewable and low carbon energy sources and potentially support the reduction in combustion-based energy production over the lifetime of the site.

5.2.4 Subject to a detailed analysis of the impact on the DM53 considerations, particularly landscape character/visual amenity, biodiversity, flood risk and highway safety as set out in the rest of this report, the proposal can be considered acceptable in principle.

5.3 Landscape Impact/Visual Amenity (SPLA policy SP8, EN3; DMDPD Policies DM29, DM30, DM46, DM53; NPPF section 15)

5.3.1 The design of the facility is very utilitarian but this is inevitable given the use. Conditions are proposed to ensure the colour of the fencing and containers are sympathetic to the rural location to

minimise visual harm. However, in the context of the energy and other utilitarian infrastructure in the immediate locality the design will not be out of place, especially given the designation of the area as suitable for wind energy.

5.3.2 The submitted Landscape and Visual Impact Assessment (LVIA) has assessed the effect of change on both the landscape and on people's views. The site is not within a protected landscape. It is within the Morecambe Coast and Lune Estuary National landscape Character Area. At the County level it is within the Mossland Landscape Character Type and Heysham Moss and Heysham-Overton Landscape Character Areas. The descriptions of these LCAs recognise the energy industry infrastructure and nearby built and caravan developments as "obscuring the landscape pattern and eroding the rural nature of the landscape". The site is close to and seen in context with the nearby Walney Offshore Windfarm Extension substation, Heysham/National Grid Supply Point Substations, telecommunications tower, wind turbines and overhead power lines which have a significant influence over the local area and effect of change caused by this development.

5.3.3 The site's overall sensitivity to change is considered in the LVIA as medium. The only notable feature on site is the frontage vegetation to the A683 which is being retained apart from a 4m length to create the new access. The magnitude of change on the site is large but minor adverse with slight effect on the frontage vegetation. Assessment of the impact on the Landscape Character Areas suggests negligible to minor adverse magnitude with negligible to slight effect.

5.3.4 Key visual receptors from 14 viewpoints between under 500m to 3km away have been identified. These include representative views from closest residential properties (890m distance), road and PRow users near the site (within 500m). For residential properties the likely immediate effects are up to minor adverse magnitude with up to slight level of effect but this reduces to negligible adverse effect at most after 15 years when the screen planting is established. Users of the PRow network may experience up to minor adverse magnitude with moderate effect from one location on completion falling to slight effect after 15 years. Road users' experience will be up to negligible adverse magnitude with moderate effect immediately, falling to slight effect after 15 years.

5.3.5 In response to the LVIA's findings it is confirmed existing trees and hedgerows within the site will be retained, linear tree and shrub planting of locally native species will be provided around the boundaries to the north and west and the site will be seeded with species rich grassland. Therefore, the development is not considered to cause undue harm to the landscape or views from receptors in the local or wider area.

5.4 Ecology (SPLA Policy SP8; DMDPD Policy DM44, DM45 & DM53; NPPF section 15)

5.4.1 The site is part of a wider habitat of principal importance classified as floodplain grazing marsh under the Natural Environment and Rural Communities Act 2006 (NERC). At the time of the ecology survey the site had recently been ploughed and seeded suggesting the land is likely managed as an arable/silage rotation. The submitted ecological appraisal considers the site itself is not typical of the NERC classification due to its intensive agricultural use, lack of grazing and low value to birds and is of low biodiversity value. This view is agreed by GMEU who consider the proposed onsite retention of existing boundary vegetation, provision of new planting belts and seeding as a species rich grassland is proportional mitigation for its loss. Natural England's latest comments suggest loss of the principal habitat requires financial compensation to improve biodiversity offsite. The applicant is currently completing a Biodiversity Net Gain matrix to demonstrate a gain of more than 10% is achievable onsite through the identified mitigation. Natural England has verbally stated that if this is proven their comments can be amended in line with those of GMEU. Should a net gain not be achievable the recommendation may be altered to approve subject to a s106 requiring the financial compensation with the sum being derived from the BNG matrix calculation. A scheme on which to spend the compensation can then be agreed with Lancashire Wildlife Trust. Members will be updated verbally at the committee meeting.

5.4.2 A shadow habitat regulations assessment has been carried out by the applicant. Natural England agrees with the assessment that the development will not have significant adverse impacts on the Bay's designated sites or SSSI and the shadow HRA can be adopted by the Council as competent authority.

5.4.3 The ecological appraisal assessed the site and a nearby pond for evidence of protected species.

The site is of low value for foraging bats and negligible value for commuting bats. No potential roosts were identified. The managed vegetation offers low value to birds, although a condition is proposed to ensure no nesting birds are present if work is due to start during the summer months. No evidence of reptiles, water vole, otter or badger were found on or near the site. The nearby pond has a below average suitability for great crested newts.

5.4.3 Development will not give rise to potential harm to any statutory nature conservation designations or protected species. Either on site mitigation or offsite compensation will improve biodiversity. Therefore, the proposal is considered to comply with relevant policies in the local plan.

### 5.5 Flood Risk/Drainage (DMDPD Policies DM33, DM34 and DM35; NPPF Section 14)

5.5.1 The majority of the site lies within flood zone 3 (benefitting from flood defences). All surface water runoff will be stored on site and discharged either by infiltration into the ground or to nearby watercourses. A condition is proposed for the final design to be submitted and agreed.

5.5.2 The applicant has undertaken Sequential and Exception tests as required by the NPPF. Part of the site is flood zones 1 and 2 and there are no further appropriate locations within flood zones 1 or 2 suitable for the development. The proposal includes "essential infrastructure" industrial use so the Exception Test must be satisfied. The conclusion of this is the development provides wider sustainability benefits to the community that outweighs flood risk and it has been demonstrated the development will be safe for its lifetime being able to remain operative during a flood or remotely shut down if circumstances demand. The facility is unmanned and will only be visited for regular checks and maintenance.

5.5.3 The development will not give rise to flood events elsewhere and there is no onsite risk to personnel. The Environment Agency and LLFA have no objections to the proposal as submitted, subject to imposition of standard conditions.

### 5.6 Highways/Access (DMDPD Policy DM60)

5.6.1 A new access is proposed 250m east of the current field access. The existing access joins the A683 on a steep gradient and has limited visibility onto the main road. The proposed access will be 8m wide at the same level as the A683 and will replace the existing access for the use by the owner of adjoining land.

5.6.2 Accident data for the local area shows two serious accidents in the last 5 years, involving either a pedestrian or cyclist in dark and wet conditions on the 60mph road with no footpath or cycle lane. No pattern of accidents is shown with an underlying cause that would be affected by the proposal. All construction traffic will be routed along the A683 towards the M6 junction 34. Arriving traffic will pass the site and turn around the Imperial Road roundabout before turning left into the new access. Estimated trip generation during construction of 20 2-way movements of both HGVs and cars will add a negligible amount to existing flows. Once operating, maintenance visits of up to 2 per week will be made.

### 5.7 Other Matters

5.7.1 With regard to the remaining considerations listed in policy DM53, there are no heritage assets within close proximity of the site and nothing has been raised about the potential for any effects on defence navigation or communications. There are no residential properties close by which could be adversely affected by the development.

## **6.0 Conclusion and Planning Balance**

6.1 The proposed battery storage facility should support the expansion of renewable and low carbon energy generation in the district, contribute to reducing CO2e emissions, and support the Council's commitment to reaching net zero by 2030. It will additionally improve the reliability of renewable energy supply in the district and support the agility of the grid in adapting to more decentralised renewable and low carbon energy production. The proposed site is well placed due to its close location near existing renewable energy generation facilities and supporting transmission infrastructure.



- 6.2 The utilitarian appearance of the installation is a result of its function but will be seen in the context of more extensive and taller energy and other infrastructure in the immediate vicinity. Harm to the landscape and users of the nearby transport network will be moderate in the short to medium term reducing to negligible once the mitigation measures establish.
- 6.3 Any harm is outweighed by the environmental, economic, social and community benefits the development will realise. Accordingly, the proposal complies with policy DM53 and the local plan as a whole.

### Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale	Standard
2	Approved Plans	Standard
3	Highway Works	Pre-commencement
4	Tree Protection Plan/AIA	Pre-commencement
5	Final Sustainable Drainage Scheme	Pre-commencement
6	CEMP	Pre-commencement
7	Access Hard Surfacing	Pre-access use
8	Visibility Splays	Pre-access use
9	Colour samples	Above Ground
10	Landscaping/biodiversity enhancement	Above ground
11	SuDS Operation/Maintenance Plan/Verification Report	Pre-Operation
12	Compound removed/land restored	6 months from construction ceasing
13	In accordance with CTMP	Control
14	In accordance with FRA	Control
15	Nesting Birds	Control

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

#### Background Papers

<b>Agenda Item</b>	A9
<b>Application Number</b>	21/01295/FUL
<b>Proposal</b>	Demolition of existing restaurant and erection of five new dwellings (C3) with associated landscaping and altered access
<b>Application site</b>	Hawthorne House Bye-pass Road Bolton Le Sands Carnforth
<b>Applicant</b>	Mr and Mrs C. and B. Waddington
<b>Agent</b>	Mr Daniel Ratcliffe
<b>Case Officer</b>	Mrs Petra Williams
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Refusal

**(i) Procedural Matters**

This application would normally be dealt with through delegated powers but has been brought to Planning Committee as the applicants have a family connection to Councillor Keith Budden through marriage.

**1.0 Application Site and Setting**

1.1 This application relates to the Hawthorn House (which is also known as Miitalia), and the surrounding land and garden area. The property located on Bye Pass Road in Bolton Le Sands. The property is currently a restaurant to the ground floor and a flat to the first floor. To the west are residential properties that are bungalows and to the east of the site are two storey residential properties. To the north of the site is Bolton Le Sands Fire Station and to the south of the site is an agricultural field. The garden area to the rear of the existing property is surrounded by 2m high timber fencing.

1.2 Hawthorne House is used as a restaurant, Miitalia, with office accommodation above. There is an existing car park which is accessed via the Bye-pass road, to the south and east of the existing property which provides approximately 17 spaces to the front and side of the building. Land levels fall away gently in a general east to west direction across the site

1.3 The site is allocated as a countryside area in the Lancaster District Local Plan proposals map.

**2.0 Proposal**

2.1 The application proposes the demolition of existing restaurant building and the erection of five new dwellings with associated landscaping and altered access. The dwellings will be two stories and

comprise three detached dwellings and a semi-detached pair. Associated car parking will be integrated into the scheme. The accommodation breakdown is as follows:

- 2 no. three-bedroom semi-detached dwellings
- 2 no. three-bedroom detached dwellings
- 1 no. four-bedroom detached dwellings

2.2 In 2015 planning consent was granted to erect a new-build dwelling at the site and change the use of the first-floor flat to an office (15/01272/CU). Following the grant of planning permission, the submission sets out that offices above the restaurant were brought into occupation and therefore argues that the consent remains extant. The current scheme includes a detached dwelling in place of the previously approved dwelling at the site.

### 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
15/01272/CU	Erection of a 2-bed dwelling and change of use of flat (C3) to office (B1) with associated parking	Permitted
14/00728/FUL	Construction of a terrace to provide an external seating area	Permitted
13/00605/FUL	Installation of an access ramp to the front elevation of the restaurant and installation of 2 new windows and a new door to the rear elevation to facilitate separate access arrangements to the associated first floor	Permitted

### 4.0 Consultation Responses

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

Consultee	Response
Environmental Health	<b>No objections</b> subject to conditions relation to electric vehicle charging points and noise.
Engineers	<b>No objections</b>
United Utilities	<b>Request further information regarding drainage.</b> Further comments awaited in respect of revised drainage details.
Lancaster Civic Society	<b>Objection</b> due to lack of justification for the loss of the existing building
Parish Council	<b>Objection</b> due to concerns relating to highway safety, parking provision and increased pressure on primary school places.
Canal and Rivers Trust	No comment to make on this application.
Lancashire Fire and Rescue	<b>Neither objects nor supports the application</b> but raises queries in respect of proposed boundary treatments between the plots and the fire station land, onsite parking provision and new tree planting.
Fire Safety Officer	<b>Advice</b>
Arboricultural Officer	<b>No objections</b>
County Highways	<b>No objection</b> to the principle of the application. However, there are concerns regarding the off street parking, the vehicle access and lack of electric vehicle charging points.
Conservation	<b>No comments</b> to make on this application
Planning Policy Team	<b>Awaiting comments</b> which will be reported verbally to Planning Committee

4.2 Three items of comment have been received from members of the public. These include two items of objections which raise the following points:

- If this development goes ahead it would totally obscure the adjacent fire station from road users on the A6 towards Carnforth
- It introduces another junction and standing traffic on an already busy A6 accident blackspot.
- It is opposite Clarksfield Road junction and in the vicinity of junctions of Acorn Meadow and St Michaels Lane.
- The grassy area within the adjacent the fire station site floods in heavy and rainfall any development would increase the run off into this area, and has potential to flood the fire station
- The development will not contribute to the overstretched services i.e., schools and doctors
- Any proposed development in the village should be totally allocated and priced accordingly for local first time buyers only

The third item of public comment neither supports nor objections to the scheme but raises concerns regarding potential issues with onsite parking provision.

## 5.0 Analysis

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

- Principle of development and loss of community facility
- Scale, layout and design
- Impact on residential amenity of neighbouring properties
- Parking and highway impacts
- Ecology and trees
- Drainage
- Noise and air quality

5.2 Principle of residential development and loss of community facility 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), H2: (Housing Delivery in Rural Areas of the District). DM DPD Policies DM1: (New Residential Development and Meeting Housing Needs), DM4: (Residential Development Outside Main Urban Areas), DM56: (Protection of Local Services and Community Facilities). NPPF sections 2, 6, 8, 9, 11 and 12.

5.2.1 The District's settlement hierarchy (policy SP2 of the SPLA DPD) recognises Bolton-le-Sands as one of the districts most sustainable settlements where the principle of housing can be supported. This policy recognises that sustainable rural settlements offer a range of facilities and infrastructure to support additional growth, provided, in general, that the scale of housing growth is proportionate to the existing scale and character of the settlement and availability of, or the opportunity to provide, infrastructure, services and facilities to serve the development can be accommodated in the local area. Policy SP6 relates to housing delivery and clearly states that the figures set out in this policy represent minimum figures for new homes in the district. The policy goes on to state that opportunities for further growth will be supported where it represents sustainable development and is in accordance with relevant national and local planning policy. The principle of housing growth in Bolton-le-Sands is acceptable in spatial planning terms. The key considerations (set out in paragraph 5.1 and discussed through this report) will assess whether the proposal constitutes sustainable development.

5.2.2 The NPPF was revised in July 2021 but at its core, the objective to 'significantly boost' the supply of homes remains and is reflected in paragraph 60 of the framework. In this regard, as of the 1st April 2021, the Lancaster District can only demonstrate a 2.6 year supply of housing land whilst an average of 623 dwellings are required per annum to meet the district's objectively assessed need for housing. The annual need for this quantum of housing is confirmed in both policy SP6 of the SPLA DPD and the LPA's latest Housing Supply Statement. A lack of a five-year housing land supply is a material consideration in the determination of this application and also requires the application of the presumption in favour of sustainable development. The opportunity to address the undersupply can only come forward through the approval of more residential proposals and the identification of further supply through the Land Allocations process. Therefore, given the current situation, the relatively small scale of the proposal within a sustainable rural settlement, it would be

difficult to resist the principle of residential development in this location subject to other policy considerations.

5.2.3 Turning to the issue of the loss of community facility, the supporting text to policy DM56 of the DPD sets out the role that local services can play in ensuring that communities are sustainable in the long term is recognised. The ability to access local services that are located in close proximity to where people live has a significant relationship with well-being and a positive quality of life. To this end, the Council will protect the buildings and premises used by local services that benefit the local community both socially and economically. The Council will also resist the loss of local services where it is demonstrated that they are valued by the community they serve. Furthermore, the National Planning Policy Framework sets out in Paragraph 93 that planning policies and decisions should plan positively for the provision and use of shared spaces and community facilities and should guard against the unnecessary loss of valued facilities and services.

5.2.4 Policy DM56 sets out that proposals that would result in the loss of buildings or uses which currently (or have previously) provided the community with a local service, must provide compelling and detailed evidence. Proposals will be expected to ensure that:

- A robust and transparent marketing exercise has taken place demonstrating that the retention of the existing use is no longer economically viable or feasible. This should include a realistic advertising period of at least 12 months at a realistic price (confirmed by independent verification), making use of local and (if appropriate) national media sources. Information on all offers made, together with copies of the sales particulars will also be required to accompany the application;
- Alternative provision of the key service exists within a rural settlement or within a nearby neighbouring settlement, that can be reasonably accessed by pedestrians and public transport; and
- The current / previous use no longer retains an economic and social value for the community it serves.

Appendix A of the DM DPD provides a Glossary of Terms and this includes restaurants as a type of business which is classed as a local service.

5.2.5 Criteria I of Policy DM56 requires a robust and transparent marketing exercise of the restaurant use to be undertaken. It sets out that the marketing period must be a minimum of 12 months and set at a realistic price using local and national agencies. The purpose of the marketing exercise is to demonstrate that the existing use of property is no longer economically viable or feasible. In other words, Policy DM56 assumes that if no offers are forthcoming within the required marketing period for the continuation of the community facility, then that use is considered to be unviable and unfeasible. Other information such as a commercial viability report assessing previous trading performance and outlining potential alternative or theoretical business plans is not required by this policy. No evidence has been submitted with the application that a robust marketing exercise has taken place demonstrating that the retention of the existing use is no longer economically viable or feasible. The agent argues that the business has not operated since March 2020 when Covid 19 restrictions were introduced although it is understood that the restaurant has operated on a limited capacity since as a takeaway. However, without the benefit of a marketing exercise it impossible to assess whether or not the retention of the existing use is no longer economically viable or feasible. As such the submission fails to comply with this element of the policy.

5.2.6 The second criteria of policy DM56 requires there to be alternative provision for that which is being lost as part of the proposed development. The wording of this criteria is particular in that this relates to rural settlements, of which Bolton-le-Sands is one listed within. In terms of alternative service provision, other similar facilities do exist within the vicinity of the site notably The Far Pavilion, Trungs, Rickys, The Blue Anchor, The Royal, Archers and The Bay View Restaurant. It is therefore considered that the loss of the subject property would not reduce the community's ability to meet its day-to-day needs as there is alternative service provision within easy reach of the application site. It is therefore considered that the second criteria of policy DM56 would be satisfied.

5.2.7 The final criteria of Policy DM56 sets out that the current/previous use should no longer retain an economic and social value for the community. This criteria is again specific in that the community use must provide both and economic and social value rather than one or the other. It is noted that none of the public objections to the scheme relate specifically to the loss of this business. Limited

information has been submitted in respect of this criteria other than the agent stating that the restaurant (which has operated in a limited capacity since Covid as a takeaway) is closed and as such it serves no economic or social value to the community. The agent goes on to state that any employment has been transferred to the Morecambe premises which the applicants own/run. However, as the business has only operated in a limited capacity over the last two years it is not possible to assess what, if any economic and social value the building holds for the local community. As such, it is considered that the submission fails to comply with the third criteria of policy DM56.

- 5.2.8 The submission highlights the site as previously developed land which is currently under-utilised as class E use. The agent has gone on to argue that as the building falls within class E, it could benefit from permitted development rights for one of the other uses within this class such as residential, retail, office sports, recreation or fitness (i.e. a gym or similar), medical or health services, crèche, day nursery or day centre. Obviously if the applicant were to take advantage of the permitted changes of use within class E it would not bring forward the additional residential units which are proposed within the submitted scheme. The agent puts forward the case that notwithstanding the failure to comply with DM56, the benefits of the scheme would far outweigh any impacts associated with the loss of the restaurant, particularly on the basis that permitted development rights now allow the change of the use of the unit to alternative uses. The agent goes on to argue that the Councils lack of 5 year housing supply position is a significant consideration in the determination of planning applications. Although this is indeed a consideration it does not override the need for compliance with the requirements of DM56 which the Council has applied rigorously in the consideration of other applications (such as 21/00469/FUL at The Britannia and 21/01549/CU Green Finch Café).
- 5.2.9 It is concluded that although the proposal is within a sustainable rural settlement where residential development would be acceptable, the failure to comply with policy DM56 means that the overall principle of the scheme is unacceptable at this time.
- 5.3 Scale, Layout and Design DM DPD policies DM2: (Housing Standards), DM29: (Key Design Principles), DM30: (Sustainable Design), NPPF section 12
- 5.3.1 In conjunction with the NPPF, policy DM29 seeks to secure developments that contribute positively towards the identity and character of the areas in which they are proposed. Good design should respond to local distinctiveness. The revised NPPF also places an increased focus on good design through advocating 'beautiful' buildings and places to reside. DM2 of the DM DPD relates to Housing Standards. Proposals for residential development will be supported where the new dwelling meets the Nationally Described Space Standard (NDSS) or any future successor.
- 5.3.2 The site frontage will be occupied by the semi-detached pair with the remaining 3 dwellings being located on the northern side of the plot with landscaping and some parking along the southern site boundary. This is considered to be an acceptable layout. Plots 1, 2, 4 and 5 would be 3-bed dwellings with plot 3 providing a 4 bed unit with integral garage. The general design of each dwelling would comprise pitched roofs with front gable features. External materials would include rendered elevations under slate roofs with powder coated aluminium windows. Overall, the scale, design and appearance would reflect similar development in the vicinity of the site and is considered to be acceptable. The scheme also meets NDSS requirements.
- 5.3.4 Externally plots 1, 2 and 3 would have private garden areas of a least 10 metres in depth as required by policy DM29. Plots 4 and 5 fall slightly short of this requirement but would nevertheless provide an area of at least 50sqm and therefore on balance, external amenity space is seen to be acceptable.
- 5.3.5 Overall, it is considered that the scheme represents an acceptable scheme with regard to scale, layout and design.
- 5.4 Impact on residential amenity of neighbouring properties DM DPD DM29: (Key Design Principles), NPPF section 12
- 5.4.1 The nearest neighbouring residential property is no.35 Rydal Road to the west of the site. Plot 1 will be the closest of the five proposed dwellings but will be in the same position as the one previously approved under the 2015 application. There are no windows within the western elevation of the plot 1 dwelling and therefore the scheme will not give rise to issues of direct overlooking. Plans indicate

a 2 metre high boundary fence between the 2 properties will be in place. As such it is considered that the development will not impact unduly on neighbouring residential amenity.

5.5 Parking and highway impacts DM DPD DM29: (Key design principles), DM60: (Enhancing Accessibility and Transport Linkages); DM61: (Walking and Cycling); DM62: (Vehicle Parking Provision). NPPF sections 9 and 12.

5.5.1 From a National Planning Policy perspective, paragraph 108 of the NPPF advises that where appropriate, schemes should secure safe and suitable access to the public highway for all applicable users. The NPPF further advises that sustainable transport modes should, where possible and relevant, be taken up and encouraged although this will of course depend on the type of development and its location. This requirement is reflected in policy DM29 (Key Design Principles) which requires proposals to deliver suitable and safe access to the existing highway network whilst also promoting sustainable, non-car dominated travel. Policy DM62 requires parking to be provided in accordance with appendix E of the Development Management DPD. Appendix E sets out the number of car parking spaces required as a maximum. A 3-bed dwelling should have a maximum 2 off street parking spaces and a 4-bed dwelling should have a maximum of 3 spaces. These spaces should measure 2.4m x 5m and where a garage is provided it should measure 3m x 6m internally to be counted as a parking space.

5.5.2 Based on the requirements of Appendix E, the development would demand a maximum number of parking spaces for eleven vehicles. As it stands nine spaces are proposed. The agent has been requested to increase this number to a minimum of ten spaces which would accommodate for two vehicles per dwelling. It is considered that this request could easily be accommodated within the site and amended plans are awaited in this regard. Furthermore, the site is located within a sustainable location with easy access to public transport facilities.

5.5.3 The site already benefits from an established point of access off Bye-pass Road. This will be altered slightly to a width of 6 metres at the point of access with the internal road reducing to a width of approximately 4.14 metres to the western end of the site. The proposal has been reviewed by the County Highways Officer who has noted the lack of a turning head and highlights this as a safety concern as delivery vehicles will either have to reverse into the site or on back out onto the A6 (Bye-Pass Road). The County Highways Officer advises that it is expected that any vehicle likely to access the site should be able to access and egress the site in a forward gear. The agent has been asked to look at this arrangement with a view to improving the ability for delivery vehicles to turn safely within the site. Amended plans are awaited at the time of writing this report. Should suitable plans not be received then officers reserve the right to include an additional reason for refusal.

5.5.4 The County Highways Officer has requested a condition requiring the submission, agreement and implementation of a construction traffic management method statement. The control and use of the highway during the construction phase of the development should be managed through appropriate highways legislation by the County Council themselves rather than through the planning process. As such this condition is not recommended.

5.6 Ecology and trees DM45 (Protection of Trees, Hedgerows and Woodland) and DM46 (Development and Landscape Impact). NPPF section 15

5.6.1 The site is located approximately 1 kilometre from Morecambe Bay Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site.

5.6.2 The site is separated from the designated area by intervening existing residential development and roads. As such, it is considered that there would be no direct impacts on the aforementioned designations. However, there is the potential for increased recreational pressure post development, although this is unlikely to be significant given the scale of the development. It is considered that this relatively small impact could be adequately mitigated through a requirement to produce and distribute a homeowner pack to future occupants, which could be controlled by a condition. As mitigation would be required, the Local Planning Authority is required to undertake an Appropriate Assessment, and this is contained in a separate document. This concludes that, with mitigation, it is considered that proposed development will have no adverse effects on the integrity of the designated site, its designation features or its conservation objectives, through either direct or indirect impacts either alone or in-combination with other plans and projects. At the time of writing

this report comments are awaited from Natural England to confirm that the suggested mitigation in the form of homeowner packs is acceptable.

- 5.6.3 A Tree Report has been carried out by Yew Tree Gardens. The Report identifies H1 (hedge) along the southern boundary of the existing car park as an even-aged mixed hedge. As the car park extends up to 500 mm from the stems of the hedge, the Report sets out that no root development will have occurred within the site. H2 (hedge) is an established Privet hedge along the northern site boundary. Again, as the existing car park extends up to the canopy of the hedge, no root development will have occurred within the site. Tree references T1 and T2 are located beyond the northern site boundary within the grounds of the fire station. These trees have interdependent crown forms due to their close spacing. Both trees have Ash dieback disease with T2 being in very poor condition and T1 having volumes of deadwood overhanging the site. It is considered that existing hard surfacing will have prevented any root development within the site. The submitted Tree Report suggests that T1 and T2 will require removal by their owners. Nevertheless, these trees do not appear to be a barrier to the development. The Tree Report also identifies G2 which is an area of overgrown hedge and garden shrubs located adjacent to the boundary in the southwest corner of the site. They will require management / removal in any development of the site.
- 5.6.4 It is concluded that the proposed development would have limited impact on the trees and hedges both on and adjacent to the site. Although no detailed Tree Protection Plan has been provided, given the existing site constraints and location of hedge planting it is considered that the provision of such a plan could be conditioned. New tree planting could also be conditioned as part of any associated landscaping plan in the case of an approval and would represent an opportunity to increase the tree stock within the site which in turn would provide biodiversity uplift.
- 5.6.5 A bat survey has been carried out by Envirotech and this concludes that there is a low potential for use of the site by bats and that there was no indication of use of the site by bats was found during the survey. It is considered that condition a condition relating to the provision of bat and bird boxes within the development could reasonably be conditioned thereby providing additional biodiversity enhancement of the site.
- 5.6.6 Overall, it is considered that conditions relating to new tree planting and the provision of bat and bird boxes within the development would achieve biodiversity net gain within the site.
- 5.7 Drainage DM DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage) and DM35 (Water Supply and Waste Water). NPPF section 14
- 5.7.1 The proposed site is situated in flood zone 1 and is not, therefore, a location at risk of flooding. This accords with the general presumptions set out in the NPPF and policy DM33. The critical consideration here relates to site drainage and the appropriate management of surface water to avoid a flood risk on site or elsewhere. Policy DM34 requires development to manage surface water in a sustainable way utilising sustainable drainage systems in accordance with the surface water drainage hierarchy.
- 5.7.2 United Utilities Sewer Records identify that a 150mm diameter public combined sewer traverses the west of the site, flowing in a southerly direction, the head of the system is within the fire station to the north of the site. Dye testing confirmed that the existing manholes on site are connected to the 150mm public combined sewer which traverses the site. In accordance with the NPPF and the Non-Statutory Technical Standards for SUDS: Practice Guidance the discharge of surface water shall comply with the drainage hierarchy detailed within the NPPF, National Planning Practice Guidance and within Building Regulations Part H and specifies the following methods in order of preference:
- Infiltration via soakaway or other suitable infiltration device
  - Discharge to watercourse
  - Discharge to public sewer
- 5.7.3 On-site infiltration testing has been undertaken and this concluded that the use of soakaways to dispose of surface water flows resulting from the development is not considered feasible. The nearest watercourse to the proposed development site is an unnamed watercourse which is located within the adjacent field approximately 50 metres south of the site. It is understood that connecting to the watercourse would require crossing third party land which is not considered to be viable.



Furthermore, the watercourse is considered to be shallow and would require a pumped solution. Taking the above into consideration discharge to watercourse is not considered to be feasible. As such the submitted Drainage Strategy proposes that surface water from the site will be connected onto the 150mm public combined sewer which traverses the site, as per the existing situation. Due to the shallow nature of the receiving public sewer a pumped solution will be required.

- 5.7.4 Greenfield runoff rates have been calculated based on the total redline boundary of 0.138Ha, which resulted in QBar of 0.4l/s. Surface water flows from the proposed development have been restricted to no more than QBar i.e., 0.4l/s for all return periods including the 1 in 100 year event with the addition of 40% climate change. Flows in excess of this will be attenuated within a geo-cellular storage tank located within the car parking area. During the feasibility review in respect of the site drainage, permeable paving was considered within the car parking area to the south of the site, however due to the heavy maintenance burden and the fact that the drainage network will be privately managed and maintained the future risk of flooding outweighed the benefit. As such Permeable Paving was not included within the final scheme on grounds of future flood risk.
- 5.7.5 Rainwater Harvesting has been included within the proposed drainage strategy, to provide grey water to individual plots, via the use of a 1500l capacity gravity tank system located within the rear gardens of each plot. The submitted revised Drainage Strategy includes a Management & Maintenance Plan which could be conditioned in the event of the application being viewed favourably.
- 5.7.6 United Utilities have been reconsulted on the revised Drainage Strategy and their response will be reported verbally at the Committee meeting.
- 5.8 Noise and air quality DM DPD DM29: (Key design principles), DM31: (Air Quality Management and Pollution). NPPF sections 11, 12 and 15.
- 5.8.1 The submission includes an Acoustic Survey which identifies that existing background sound levels, predominantly from road traffic, would result in an adverse impact on the proposed properties to the front of the development. As such additional mitigation measures are required in the form of standard double-glazing units with trickle window vents to ensure a suitable level of ventilation is achieved, and a 2.0m high close-boarded fencing to the garden amenity areas.
- 5.8.2 An Air Quality Assessment has also been submitted which suggest the provision of electric vehicle charging points. The provision of these could be conditioned.

## **6.0 Conclusion and Planning Balance**

- 6.1 This report has set out that the principle of residential development in this location is acceptable and can be supported as the application site is within a sustainable rural settlement. The proposed dwellings offer suitably sized units that the district would benefit from. Each dwelling would benefit from private amenity space with off road parking and subject to the receipt of revised plans the scheme would be acceptable in terms of highway safety matters. Given the LPA's lack of a five-year housing supply the application represents an opportunity to boost the district's supply, albeit in a modest way. In applying the overall planning balance, although the benefits of the scheme are noted, the proposal has failed to demonstrate that a robust and transparent marketing exercise has taken place or that the current / previous use no longer retains an economic and social value for the community it serves. Therefore, in this case it is considered the benefits of the proposal do not outweigh the failure to comply with the requirements of policy DM56 and therefore the recommendation is to refuse planning permission.

## **Recommendation**

That Planning Permission BE REFUSED for the following reasons:

1. The applicant has failed to evidence to the satisfaction of the Local Planning Authority that a robust and transparent marketing exercise has taken place demonstrating that the retention of the existing use is no longer economically viable or feasible. In addition, it has not been demonstrated that the

current use no longer retains an economic and social value for the community serves. Therefore, the proposed development is contrary to Policy DM56 of the Development Management Development Plan Document and Section 8 of the National Planning Policy Framework.

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

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Although the applicant has failed to take advantage of this service, they have previously been made aware of the issues of concern regarding the proposal which the submission does not satisfactorily address. Consequently, the resulting proposal is unacceptable for the reasons prescribed in the Notice. The applicant is encouraged to utilise the pre-application service prior to the submission of any future planning applications, in order to engage with the local planning authority to attempt to resolve the reasons for refusal.

**Background Papers**

None

<b>Agenda Item</b>	A10
<b>Application Number</b>	22/00237/CCC
<b>Proposal</b>	County Council Consultation request for the variation of condition 1 of planning permission LCC/2016/0061 to allow for continued operation of the concrete batching plant until 21 February 2034, with all buildings, plant and associated equipment being removed and the site restored by 21 February 2035
<b>Application site</b>	Dunald Mill Quarry Long Dales Lane Nether Kellet Lancashire
<b>Applicant</b>	Lancashire County Council
<b>Agent</b>	
<b>Case Officer</b>	Mr Mark Potts
<b>Departure</b>	No
<b>Summary of Recommendation</b>	That in response to the County Council consultation, the City Council offers no objection subject to the imposition of conditions associated with the parent consent on the assumption that the wider application associated with LCC/2021/0058 is supported.

(i) **Procedural Matters**

This application has been submitted to, and will be determined by, Lancashire County Council as they are responsible for planning matters that relate to waste and minerals. Lancaster City Council has been consulted as the proposal falls within their District, and as such this report sets out the City Council's proposed **consultation response** to the continuation of mineral extraction at Dunald Mill Quarry, Nether Kellet. It will be for the County to determine whether planning consent should be granted or not.

**1.0 Application Site and Setting**

1.1 Dunald Mill Quarry is a large limestone quarry, of regional importance, located on both sides of Long Dales Lane, approximately 6km northeast from Lancaster and to the east of Nether Kellet Village. The quarry is divided into two areas by Long Dales Lane. To the west is the main quarry void, with the restoration scheme forming a lake within the main void space. To the east, where the application site is located, is a much shallower quarry formerly used for the processing plant and stocking area. The batching plant is currently non-operational and removed from site. It was situated in the south-eastern corner of the eastern extent of the quarry.

**2.0 Proposal**

2.1 The scheme is made under Section 73 of the Town and Country Planning Act to allow for the variation of condition 1 of planning permission LCC/2016/0061 to extend the operation period of the concrete batching plant to 21 February 2034 in line with the extension proposed on application

LCC/2021/0058 which relates to the continuation of the winning and working of minerals. The proposal suggests full restoration by 21 February 2035.

2.2 There is currently a planning application with the County Council to allow the continuation of mineral extraction until 21 February 2034 with site restoration being completed by 21 February 2035 (application ref: LCC/2021/0058). The City Council raised no objections to this scheme earlier in 2022, subject to the imposition of conditions associated with the parent consent. At the time of drafting this report the County has still to determine the application.

**3.0 Site History**

3.1 The site has historic planning permissions relating to the site for the wining and working of limestone.

Application Number	Proposal	Decision
LCC/2021/0058	Amendment of Condition 1 of permission 1/97/1298 to allow continuation of mineral extraction until 21 February 2034 with site restoration being completed by 21 February 2035	Pending consideration  Lancaster City Council raised no objection
LCC/2016/0061	Variation of condition 1 of 01/06/1004 to permit the use of the existing batching plant until 21 February 2022	Granted
01/98/0495	Continued use and retention of batching plant and ancillary facilities	Granted
01/97/1298	Review of Old Mineral Permission (ROMP)	Granted

**4.0 Consultation Responses**

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

Consultee	Response
Engineers	No observations received within the statutory timescales
Planning Policy	No observations received within the statutory timescales
Tree Protection Officer	No observations received within the statutory timescales
Environmental Health	No observations received within the statutory timescales

4.2 No comments have been received in relation to the application, all publicity is undertaken by the County.

**5.0 Analysis**

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

- Landscape and Visual

5.2 Landscape and Visual - NPPF Section 2 Achieving Sustainable Development, Section 15 Conserving and Preserving the Natural Environment, Section 17 Facilitating the sustainable use of Minerals; Policies DM29 Key Design Principles, DM44 The Protection and Enhancement of Biodiversity. DM45 Protection of Trees, Hedgerows and Woodland, DM46 Development and Landscape Impact of the Development Management DPD; Policies EN3 The Open Countryside, EN7 Environmentally Important Areas)

5.2.1 The planning application boundary encompasses a concrete batching plant which, when operational, comprises a conveyor rising to raised covered bins which feed materials into the main mixing building which is raised above the concrete truck mixer load out bay. A weighbridge

cabin, canteen and ancillary store are located adjacent to the plant. A stocking area for imported materials used in the production of concrete is located adjacent to the plant. Access to the site is via an entrance off Long Dales Lane and through a route across the quarry floor. Turning space is provided at both the aggregate bays and the plant itself.

- 5.2.2 The plant can produce approximately 15,000m<sup>3</sup> of ready mixed concrete, mortars and screeds per annum, using approximately 19,000 tonnes of aggregate and sand products, all of which are imported to the site. The site had been mothballed as had the main winning and working of minerals on the site but was an important supplier of mortars, screeds and concrete to Lancashire, Cumbria and North Yorkshire. Officers support the use on the assumption consent is granted by the County for the continuation of mineral working. The development is well sited and as such it is not considered would be harmful to the amenity of the local area however concerns would be expressed if the development was continued in isolation from the main use.

**6.0 Conclusion and Planning Balance**

- 6.1 The site is covered by a Mineral Safeguarding Area within Policy SC1 of the Minerals and Waste Core Strategy. Minerals, and mineral products make an important contribution to the local economy. Given the positioning of the concrete batching plant on the site, assuming the County support the wider winning and working of minerals would not be harmful to the open countryside nature of the area. The site shall be restored in accordance with an agreed scheme to be agreed in writing by the Mineral Planning Authority.

**Recommendation**

That the City Council has **NO OBJECTION** to the proposal, on the assumption that application LCC/2021/0058 is supported by the County, and subject to the imposition of conditions associated with the parent consent remaining.

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

This is not relevant as Lancashire County Council is the determining authority. Lancaster City Council is simply a consultee for this application.

**Background Papers**

## LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
20/00344/FUL	Sunnyside Farm, Gleaves Hill Lane, Bay Horse Change of use of land to allow for the siting of 19 touring caravans with associated access and landscaping and the retrospective change of use of the land to provide accommodation for tents and touring caravans. for Ms Hughes (Ellel Ward 2015 Ward)	Application Withdrawn
21/00007/FUL	41A - 45 North Road, Lancaster, Lancashire Relevant demolition of existing two storey building and workshop to the rear and erection of a 3 storey mixed use unit comprising of a shop (use class E) and 16 one bed studios for student accommodation with communal laundrette and associated cycle storage for Mr Mister (Bulk Ward 2015 Ward)	Application Refused
21/00021/FUL	14 Queen Street, Lancaster, Lancashire Change of use of office (Class E) into student accommodation (Sui generis) comprising of four 1-bed studios, one 2-bed apartment and two 1-bed apartments, demolition of attached garage and erection of a single storey side extension, formation of ground floor windows/doors to side and rear elevation for Mr K Jayousi (Castle Ward 2015 Ward)	Application Permitted
21/00022/LB	14 Queen Street, Lancaster, Lancashire Listed building application to facilitate conversion into student accommodation including reconfiguration of internal layout, demolition of attached garage, erection of a single storey side extension, formation of ground floor windows/doors to side and rear elevation for Mr K Jayousi (Castle Ward 2015 Ward)	Application Permitted
21/00151/DIS	Hillam Farm, Hillam Lane, Cockerham Discharge of conditions 4,5 and 10 on approved application 18/00544/OUT for Bobby Gardner (Ellel Ward 2015 Ward)	Application Permitted
21/00152/DIS	Hillam Farm, Hillam Lane, Cockerham Discharge of conditions 3 and 4 on approved application 20/01106/REM for Bobby Gardner (Ellel Ward 2015 Ward)	Application Permitted
21/00168/DIS	36 North Road, Lancaster, Lancashire Discharge of conditions 3 and 4 on approved application 17/00625/FUL for Bay T (Bulk Ward 2015 Ward)	Split Decision
21/00322/FUL	Poplar Farm, Gulf Lane, Cockerham Demolition of existing dwelling and erection of 2-storey detached dwelling and detached garage (C3), installation of package treatment plant and change of use of agricultural land to residential use and change of use of part of existing residential land to agricultural use for Mr Redmayne (Ellel Ward 2015 Ward)	Application Permitted
21/00383/FUL	Land Off, Carnforth Brow, Carnforth Erection of 2 detached dwellings and creation of an access for Ashton Homes Developments Ltd (Carnforth And Millhead Ward 2015 Ward)	Application Refused

## LIST OF DELEGATED PLANNING DECISIONS

21/00549/FUL	Quernmore House, Littledale Road, Quernmore Change of use of two dwellings (C3) and office (use class E) into one dwelling (C3) including demolition of conservatory and porch, erection of single storey front/side and two storey side extensions, installation of a raised roof and construction of two dormer extensions to the front and one dormer extension to the rear, installation of rooflight windows, conversion of detached building to create two storey ancillary accommodation, erection of detached garage, alterations to land levels, installation of sewage treatment plant and ground source heating system, creation of associated access and parking area for Janet And Chris Halbard (Lower Lune Valley Ward 2015 Ward)	Application Refused
21/00552/FUL	Land Adjacent, 27A Coach Road, Warton Erection of dwelling (C3) with associated access and landscaping, re-grading of land and installation of package treatment plant for Mr Graham Orr (Warton Ward 2015 Ward)	Application Permitted
21/00626/FUL	27 Euston Road, Morecambe, Lancashire Change of use of first, second and third floor commercial units (Use Class E) to one 3-bed flat (C3) for Mr Zahid Hafeez (Poulton Ward 2015 Ward)	Application Permitted
21/00741/FUL	Redwell Inn, Kirkby Lonsdale Road, Arkholme Change of use of car park for the siting of two timber pods for use as holiday lets in association with Red Well Inn with associated landscaping and parking and installation of a package treatment plant for Patrick Benson (Kellet Ward 2015 Ward)	Application Refused
21/00895/VCN	Throstle Nest Farm, Main Road, Thurnham Change of use of a barn into two dwellings (C3) and construction of two detached garages with associated access and landscaping (pursuant to the variation of condition 2 on planning permission 18/00539/CU to amend previously approved plans) for Mr & Mrs Whittingham (Ellel Ward 2015 Ward)	Application Permitted
21/00948/FUL	Land Adjacent To, Gibraltar Farmhouse, Lindeth Road Erection of an agricultural workers dwelling (C3) with associated access, parking and landscaping, alterations to land levels and installation of a package treatment plant for Mr & Mrs J Burrow (Silverdale Ward 2015 Ward)	Application Withdrawn
21/00982/FUL	Dovedale House, Spring Bank, Silverdale Erection of a single storey dwelling (C3) with associated sewage treatment plant, access and landscaping for Mr & Mrs Atkins (Silverdale Ward 2015 Ward)	Application Withdrawn
21/01063/FUL	Anchor Building, Morecambe, Lancashire Change of use of mixed use premises comprising of office/part retail/warehouse (Use Class E/B8) to a foodbank (Sui Generis) comprising of warehouse/office/retail/community space for Mr J Entwistle (Westgate Ward 2015 Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

21/01073/FUL	Cragg Hall Farm, Main Road, Galgate Preparation of land including levelling and laying of hardcore (retrospective), plus change of use of agricultural land for the siting of two caravans for holiday use (C3) with associated parking and installation of a package treatment plant for Mr J A Sayer (Ellel Ward 2015 Ward)	Application Withdrawn
21/01083/FUL	Greendales Farm Caravan Park, Carr Lane, Middleton Demolition of toilet block and siting of 9 static caravans to replace 9 touring caravans, development of 2 camping pods in existing amenity area and creation of a new amenity area for Mr Miles McCarthy Esq (Overton Ward 2015 Ward)	Application Permitted
21/01152/FUL	2 New Street, 55 - 59 Church Street, 1 Sun Street, Lancaster, Lancashire Change of use of bank (Class E) into six 1-bed self-contained student accommodation units to upper floors, extending height and replacement of windows to the ground floor North and East elevations and one upper floor South elevation for MHO Mayar Ltd (Castle Ward 2015 Ward)	Application Permitted
21/01153/LB	2 New Street, 55 - 59 Church Street, 1 Sun Street, Lancaster, Lancashire Listed Building application to facilitate conversion of bank into six 1-bed self-contained student accommodation units to the upper floors, including reconfiguration of layout and staircases to ground and upper floors, installation of mezzanine levels to second floor, extending height and replacement of windows to the ground floor North and East elevations and one upper floor South elevation, repairs to existing roof, windows, doors, extracts, paintwork and replacement guttering and downpipes for MHO Mayar Ltd (Castle Ward 2015 Ward)	Application Permitted
21/01202/FUL	Sundales, Chapel Walk, Warton Erection of two storey side extension and single storey front extension for Mathew Crowe (Warton Ward 2015 Ward)	Application Permitted
21/01244/FUL	39 Meadow Park, Galgate, Lancaster Erection of single storey side and single storey rear extensions with raised patio and steps to the rear, and construction of dormer extension to the front elevation for Lucy Atkinson (Ellel Ward 2015 Ward)	Application Permitted
21/01273/FUL	14 New Street, Lancaster, Lancashire Change of use of a shop (Class E) to a hotel (class C1) for Mr And Mrs Charrier (Castle Ward 2015 Ward)	Application Permitted
21/01274/LB	14 New Street, Lancaster, Lancashire Installation of new doorway within existing walling and removal of doors and blocking up of doorways retaining architraves at second floor, installation of new partition walls and doors, removal of suspended ceiling to ground floor, replacement floor finishes, repair works to leaded light, installation of rooflights, installation of en-suite services, installation of heating system, installation of insulation, installation of secondary glazing, replacement obscure glazing with clear glazing to two storey outrigger window, lime plastering at attic level, protection of historic lime plasters (basement and attic levels) and cleaning of timbers for Mr And Mrs Charrier (Castle Ward 2015 Ward)	Application Permitted



LIST OF DELEGATED PLANNING DECISIONS

21/01275/FUL	17 Somerby Road, Morecambe, Lancashire Change of use from ancillary living accommodation (C3) attached to the existing garage to a dog grooming parlour (Sui Generis) for Mrs Debbie Anderson (Westgate Ward 2015 Ward)	Application Permitted
21/01312/FUL	Morecambe Police Station, 21 Poulton Square, Morecambe Installation of replacement antenna and associated ancillary equipment cabinets for EE Ltd (Poulton Ward 2015 Ward)	Application Permitted
21/01336/VCN	Development Site, Bulk Road, Lancaster Erection of four buildings up to six storeys in height to create student accommodation comprising fourteen two bedroom apartments (C3), 19 shared townhouses (sui generis), with ancillary communal facilities, new vehicular and pedestrian accesses, car parking, servicing bays, retaining walls and structures, public realm and landscaping (Pursuant to the variation of conditions 9,10,14 &15 on planning permission 18/00820/FUL to allow for a phased submission of pre-commencement details) for Mr Ed Flood (Bulk Ward 2015 Ward)	Application Permitted
21/01349/CU	Oxcliffe New Farm, Oxcliffe Road, Heaton With Oxcliffe Retrospective application for the change of use of land known as 10 Oxcliffe New Farm Caravan Park for the siting of one additional residential static caravan for J B Hanley (Heysham South Ward 2015 Ward)	Application Permitted
21/01366/FUL	Willow Tree Barn, Melling Road, Melling Demolition of existing conservatory and erection of a single storey extension for Mrs Jackson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
21/01417/FUL	Redwell Inn, Kirkby Lonsdale Road, Arkholme Erection of a two storey side extension, erection of replacement front porch and construction of canopy to the front for Mr P Benson (Kellet Ward 2015 Ward)	Application Permitted
21/01432/FUL	20 West End Road, Morecambe, Lancashire Construction of a dormer extension to the rear elevation and installation of replacement windows for Rees (Harbour Ward 2015 Ward)	Application Permitted
21/01452/FUL	Lake Coast And Dale Leisure, Scotland Road, Carnforth Change of use of part of building to café/restaurant (Class E), plus external alterations including cladding, parking and installation of a package treatment plant for Lake Coast and Dale Leisure (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
21/01457/FUL	Yealand Hall Farm, Silverdale Road, Yealand Redmayne Erection of an agricultural building and two grain hoppers for Mr M Holgate (Silverdale Ward 2015 Ward)	Application Permitted
21/01471/FUL	Land Rear Of Cemetery, Back Lane, Carnforth Erection of one detached dwelling (C3) with associated access, regrading of land, alterations to boundary wall, and alterations to existing watercourse for Mr Graham Wallbank (Carnforth And Millhead Ward 2015 Ward)	Application Refused

## LIST OF DELEGATED PLANNING DECISIONS

21/01472/LB	Grand Theatre, St Leonards Gate, Lancaster Listed building consent for repair of render, replacement of gutters, replacement of windows, and redecoration of facade to the front elevation for Mike Hardy (Bulk Ward 2015 Ward)	Application Permitted
21/01475/FUL	31 Main Road, Over Kellet, Lancashire Erection of a garage to the side for Mr David Walling (Kellet Ward 2015 Ward)	Application Withdrawn
21/01481/FUL	55 Slyne Road, Bolton Le Sands, Carnforth Demolition of existing single storey rear extension and garage, erection of a single storey rear extension and a part single part two storey side extension for Mr & Mrs Thomson-Magoolagan (Bolton And Slyne Ward 2015 Ward)	Application Permitted
21/01491/VCN	Site Of Former Sports Centre, Farrer Avenue, Lancaster University Erection of 3-storey teaching, research and technology building (D1) with a roof level plant room and ancillary office accommodation, erection of a bin store, and associated works to create a service access and to re-grade the site (Pursuant to the variation of condition 2 on planning permission 19/00918/FUL to increase parapet height, to alter western, eastern and southern elevation fenestration and to relocate the roof plant enclosure) for Mr Guy Constantine (University And Scotforth Rural Ward)	Application Permitted
21/01495/FUL	11 Knowlys Drive, Heysham, Morecambe Demolition of existing single storey side and rear extensions, construction of a hip to gable extension, erection of a two storey side extension, erection of a single storey rear extension, erection of a first floor balcony and balustrade to the rear, and construction of a dormer extension to the rear elevation for Mr & Mrs D Jermy (Heysham Central Ward 2015 Ward)	Application Permitted
21/01496/FUL	Victoria Hotel, Victoria Terrace, Glasson Dock Erection of a two storey rear extension, construction of balustrade, demolition of existing outbuilding to form beer garden and installation of replacement windows and doors to the side and rear elevations for Mr G. Cass (Ellel Ward 2015 Ward)	Application Withdrawn
21/01497/LB	Victoria Hotel, Victoria Terrace, Glasson Dock Listed building application for installation of replacement windows and doors to the side and rear elevations, relocation of internal partition walls, construction of balustrade, demolition of existing outbuilding and erection of two storey rear extension for Mr G. Cass (Ellel Ward 2015 Ward)	Application Withdrawn
21/01513/FUL	Lunesdale Court, Hornby, Lancashire Installation of replacement package treatment plant for Mrs Sandra Whalley (Upper Lune Valley Ward 2015 Ward)	Application Permitted
21/01526/FUL	Mawsons House, Lindeth Road, Silverdale Erection of a single storey side extension for Mr Brian Smith (Silverdale Ward 2015 Ward)	Application Refused

## LIST OF DELEGATED PLANNING DECISIONS

21/01529/VCN	Land Adjacent Hill Top Farm, Kellet Road, Over Kellet Erection of a two storey detached dwelling house (C3) (pursuant to the variation of conditions 2, 4 ,5, 6, 11,12 and 13 on planning permission 21/00105/FUL to alter the footprint, design and floor plans of the approved dwelling and submission of details related to trees, drainage, landscaping, palisade structures and electric vehicle charging point) for Mr and Mrs Unsworth (Kellet Ward 2015 Ward)	Application Refused
21/01536/FUL	Low Barn, Ingleborough View, Station Road Installation of replacement windows to all elevations and a replacement roof for Mrs Pauline Gardner (Upper Lune Valley Ward 2015 Ward)	Application Refused
21/01542/FUL	High Abbey, Bay Horse Lane, Bay Horse Change of use of paddock to garden in association with High Abbey and erection of a two storey outbuilding for Mr Chris Robinson (Ellel Ward 2015 Ward)	Application Permitted
21/01544/PAH	15 Oak Avenue, Galgate, Lancaster Erection of 4.00 metre deep, single storey rear extension with a maximum roof height of 3.65 metres and a maximum eaves heights of 2.89 metres for Sam And Kevin Carr (Ellel Ward 2015 Ward)	Prior Approval Not Required
21/01549/CU	Green Finch Cafe (previously Cafe D Lune), Corricks Lane, Conder Green Change of use of cafe with outdoor seating area (E) into ancillary living accommodation and residential garden (C3) in association with Railway Cottage for Mr & Mrs N Barnes (Ellel Ward 2015 Ward)	Application Refused
21/01564/FUL	118 Low Lane, Morecambe, Lancashire Construction of dormer extension to the rear elevation incorporating raised roofline (ridge height), erection of a single storey side extension, construction of front porch and erection of a replacement detached garage for Mr.&Mrs P. Hobart (Torrisholme Ward 2015 Ward)	Application Permitted
21/01567/FUL	9 Eagle Close, Heysham, Morecambe Erection of single storey front extension to existing garage and installation of doors to the side elevation for Mr. L. Baker (Heysham South Ward 2015 Ward)	Application Refused
21/01570/FUL	57 Rylstone Drive, Heysham, Morecambe Demolition of existing conservatory and erection of a replacement single storey rear extension for Mr. T. Wilkinson (Heysham Central Ward 2015 Ward)	Application Refused
21/01572/FUL	155 Heysham Road, Heysham, Morecambe Change of use from storage (B8) to 2 self contained flats (C3) and installation of window and cladding to the rear elevation for Mr. W. Coulton (Heysham North Ward 2015 Ward)	Application Permitted
21/01575/FUL	11 Acre Moss Lane, Morecambe, Lancashire Demolition of existing single storey side extension and garage, and the erection of a single storey side/rear extension for Ms G. Haddington (Harbour Ward 2015 Ward)	Application Permitted

## LIST OF DELEGATED PLANNING DECISIONS

21/01576/FUL	Burrow House Cottage, Burrow Heights Lane, Lancaster Erection of a first floor extension to the rear elevation for Mr & Mrs James Ronald (University And Scotforth Rural Ward)	Application Permitted
21/01579/CU	65 Coulston Road, Lancaster, Lancashire Change of use of newsagents (E) into living space for house in multiple occupation (C4) for Wakmoor (Assets) Limited (John O'Gaunt Ward 2015 Ward)	Application Refused
21/01580/ADV	17 Market Street, Lancaster, Lancashire Advertisement application for the display of one internally illuminated fascia sign and one internally illuminated projecting sign for Mr Angelo Mareri (Castle Ward 2015 Ward)	Application Permitted
21/01591/FUL	1 China Street, Lancaster, Lancashire Installation of replacement windows and door to the front and side elevations for Mr Graham Seacy (Castle Ward 2015 Ward)	Application Permitted
22/00005/DIS	Cantsfield Grange, Cantsfield Road, Cantsfield Discharge of conditions 3, 4, 5 and 6 on approved application 20/00987/FUL for Mr A Cresswell (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00006/DIS	Barnfield Farm, Tunstall Road, Tunstall Discharge of condition 3 on approved application 21/00812/VCN for Mr and Mrs A Stephenson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00008/DIS	Barnfield Farm, Tunstall Road, Tunstall Discharge of condition 4a on approved application 21/00812/VCN for Mr and Mrs A Stephenson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00008/VCN	4 Princes Crescent, Morecambe, Lancashire Change of use of offices (B1) to a takeaway (A5) and installation of a ventilation duct to rear (pursuant to the variation of condition 4 on planning permission 16/01510/FUL to allow opening hours of 11:30 to 20:30 on Sundays and Public Holidays) for Mr Stephen Farrell (Bare Ward 2015 Ward)	Application Permitted
22/00011/FUL	35 Sea View Drive, Hest Bank, Lancaster Construction of a raised roof to create first floor accommodation, erection of a single storey front extension, installation of a covered raised decking area to the rear, demolition of rear utility extension, widening of front driveway, and installation of solar panels for Mr & Mrs Merrell (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00012/DIS	16-18 Castle Park, Lancaster, Lancashire Discharge of condition 3 on approved application 21/01059/FUL for Oglethorpe, Sturton & Gillibrand (Castle Ward 2015 Ward)	Application Permitted
22/00012/LB	Ripley St Thomas Church Of England Academy, Ashton Road, Lancaster Listed building application for removal of existing internal non original door sets and glazing screens and replace with fire resisting door sets and fire resistant glazing for Ripley St Thomas Church Of England Academy (Scotforth West Ward 2015 Ward)	Application Permitted
22/00013/FUL	4 Coach Road, Warton, Carnforth Erection of a single storey extension to the front/side for Mr and Mrs McGregor (Warton Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/00014/DIS	The Nib, 9 West View, Mill Lane Part discharge of condition 3 on approved application 20/00503/FUL for Mr Daniel White (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
22/00015/DIS	16-18 Castle Park, Lancaster, Lancashire Discharge of condition 3 on approved application 21/01060/LB for Oglethorpe, Sturton & Gillibrand (Castle Ward 2015 Ward)	Application Permitted
22/00016/DIS	University Of Cumbria , Bowerham Road, Lancaster Discharge of conditions 6 and 31 on approved application 21/00975/VCN for Rebecca Thackray (John O'Gaunt Ward 2015 Ward)	Application Permitted
22/00017/DIS	St Johns Hospice , Slyne Road, Lancaster Discharge of conditions 6,9 and 11 on approved application 20/01005/FUL for Mr Andrew Hinton (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00018/FUL	11 Bryn Grove, Hest Bank, Lancaster Erection of single storey extension to the front, side and rear elevations including construction and reconfiguration of a new roof and installation of solar panels to the rear roof for Mr and Mrs Ian Briggs (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00019/FUL	Longlands Hotel, Chapel Lane, Tewitfield Erection of two timber pergolas, erection of a cycle and dog wash station and extension to beer yard enclosure for Mark Fuller (Kellet Ward 2015 Ward)	Application Permitted
22/00021/FUL	31 Victoria Parade, Morecambe, Lancashire Demolition of existing conservatory and erection of a single storey rear extension and construction of a raised terrace and external steps for Mr & Mrs Ackroyd (Poulton Ward 2015 Ward)	Application Permitted
22/00023/CU	24 Franklin Street, Lancaster, Lancashire Change of use from dwellinghouse (C3) to a small HMO (C4) for Mr Fraser Rankin (Scotforth West Ward 2015 Ward)	Application Refused
22/00024/PIP	Land At Grid Reference 346637 452376, Willey Lane, Cockerham Permission in principle application for the erection of one dwelling for Mr P Halhead (Ellel Ward 2015 Ward)	Application Refused
22/00026/FUL	22 Carr Lane, Middleton, Morecambe Erection of a replacement outbuilding to form ancillary accommodation in association with 22 Carr Lane for Miss G. McMurray (Overton Ward 2015 Ward)	Application Permitted
22/00032/PLDC	6 Brook Avenue, Morecambe, Lancashire Proposed lawful development certificate for demolition of conservatory and erection of single storey rear extension for Mr. J. McClements (Harbour Ward 2015 Ward)	Lawful Development Certificate Granted
22/00033/FUL	55 Clarendon Road East, Morecambe, Lancashire Demolition of existing single storey rear extension and removal of existing rear steps, and the erection of a new single storey rear extension with associated external steps for Mr. J. Drinkall (Harbour Ward 2015 Ward)	Application Permitted

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22/00034/FUL	15 Foundry Close, Halton, Lancaster Retrospective application for the erection of a detached garden room to the rear for Mr.&Mrs. S. Fletcher (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
22/00035/FUL	35 South Grove, Morecambe, Lancashire Demolition of existing conservatory, and the erection of a two storey extension to the rear elevation for Mr and Mrs Ellis (Bare Ward 2015 Ward)	Application Permitted
22/00037/FUL	36 Manor Road, Slyne, Lancaster Construction of a dormer extension to the front and rear elevations for Mr and Mrs Daniel & Rebecca Cluney (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00039/NMA	7 Market Street, Lancaster, Lancashire Non material amendment to planning permission 19/00889/FUL to alter the approved shopfront glazing and side elevation window to Unit A3.1 for Nando's Chickenland Ltd (Castle Ward 2015 Ward)	Application Permitted
22/00043/FUL	2 Longtons Cottages, Kirkby Lonsdale Road, Over Kellet Erection of a two storey rear extension, construction of a balcony and construction of a raised deck with external steps to the rear for Mr I Barlow (Kellet Ward 2015 Ward)	Application Refused
22/00049/FUL	11 Stankelt Road, Silverdale, Carnforth Construction of new roof over existing rear extension and erection of a single storey rear bay extension for M & C Woodbridge (Silverdale Ward 2015 Ward)	Application Permitted
22/00055/LB	Morecambe Winter Gardens, 209 Marine Road Central, Morecambe Listed building application for the installation of zinc flashings and gutters, and three replacement rooflights for Vanessa Toulmin (Poulton Ward 2015 Ward)	Application Permitted
22/00057/FUL	4 Threshfield Avenue, Heysham, Morecambe Construction of dormer extensions to the side and the rear elevations, a front porch, and new external steps and platform to the rear elevation for Lorraine Gibson (Heysham South Ward 2015 Ward)	Application Permitted
22/00059/NMA	Land To The South Of Lawsons Bridge Site, Scotforth Road, Lancaster Non material amendment to planning permission 19/00332/OUT to alter the wording of conditions 5, 6, 8, 9,11 and 18 to change the trigger for conditions 5, 8, 11 and 18, change the method for providing details for condition 6 and to allow the discharge of conditions 5 and 9 to be phased for Northstone Developments Ltd. (Scotforth West Ward 2015 Ward)	Split Decision
22/00070/FUL	8 Farnlea Drive, Morecambe, Lancashire Demolition of existing conservatory and the erection of a single storey rear extension for Mr and Mrs Gardner (Bare Ward 2015 Ward)	Application Permitted
22/00075/PAH	22 Grange Street, Morecambe, Lancashire Erection of a 5 metre deep, single storey rear extension with a maximum roof height of 3.47metres and a maximum eaves heights of 2.46 metres for Mr Wilson (Bare Ward 2015 Ward)	Prior Approval Not Required

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22/00078/FUL	H3G UK Communications Site, Alhambra Buildings, Yorkshire Street East Installation of telecommunications equipment comprising the replacement of 3 existing antennas and support poles and the installation of 1 GPS node at 20m above ground level on the southeast elevation for MBNL (Harbour Ward 2015 Ward)	Application Permitted
22/00079/FUL	15 Whin Drive, Bolton Le Sands, Carnforth Demolition of existing single storey rear extension and detached garage, erection of a single storey rear extension and detached outbuilding with garage, construction of front porch, rendering to part of the wall to the front elevation, and installation of replacement windows to all elevations for Mr & Mrs Morgan (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00080/PLDC	253 Heysham Road, Heysham, Morecambe Proposed Lawful Development Certificate for demolition of a porch, construction of a hip to gable extension, construction of a dormer extension to the rear-facing roof plane, installation of roof lights into the front-facing roof plane, revised fenestration to front and rear elevations including Juliet balcony and a new window in the gable elevation for Mr And Mrs Harrison (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted
22/00081/FUL	68 Twemlow Parade, Heysham, Morecambe Construction of hip to gable extension and installation of doors to the side elevation for Mrs S Huddart (Heysham Central Ward 2015 Ward)	Application Permitted
22/00085/PLDC	82 Cleveleys Avenue, Lancaster, Lancashire Proposed lawful development certificate for the construction of a hip to gable extension, construction of a dormer extension to the rear elevation, and the installation of a window to the side elevation for Mr.& Mrs. J. Macking (Skerton West Ward 2015 Ward)	Lawful Development Certificate Granted
22/00086/FUL	62 Cleveleys Avenue, Lancaster, Lancashire Replacement of existing flat roof with pitched roof for Mrs. B. Westworth (Skerton West Ward 2015 Ward)	Application Permitted
22/00087/FUL	23 Michaelson Avenue, Morecambe, Lancashire Erection of 2 single storey rear extensions, construction of a hip to gable extension and construction of a dormer extension to the rear elevation for Mr & Mrs Watson (Torrisholme Ward 2015 Ward)	Application Permitted
22/00089/EIR	Curwen Hill Farm, Hornby Road, Wray Screening opinion for erection of extension to existing silage clamp for Mr Frank Towers (Lower Lune Valley Ward 2015 Ward)	ES Not Required
22/00090/ELDC	Irving House, Northgate, White Lund Industrial Estate Existing lawful development certificate for performing MOTs for Mr Gordon Dick (Westgate Ward 2015 Ward)	Application Withdrawn
22/00091/CU	58 Marine Road West, Morecambe, Lancashire Change of use of office (Use Class E) to beauty salon (Sui Generis) for Miss Holly Eastwood (Harbour Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/00093/FUL	2 Coleman Drive, Lancaster, Lancashire Erection of a single storey rear extension for Mr Steve Pettit (Bulk Ward 2015 Ward)	Application Permitted
22/00096/FUL	7 Meadowfield, Halton, Lancaster Construction of a dormer extension to the front elevation over existing garage including raising ridge height and rear eaves height for Mr and Mrs McAllister (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
22/00101/PLDC	177 Scotforth Road, Lancaster, Lancashire Proposed lawful development certificate for the construction of a hipped roof extension including raising the eaves height of existing two storey rear extension, removal of existing chimney, and installation of two windows to the rear elevation for Ms & Mr Lamont & Plant (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
22/00108/FUL	9 Main Street, Warton, Carnforth Erection of a single storey rear porch for Mr and Mrs Baldwin (Warton Ward 2015 Ward)	Application Permitted
22/00110/PLDC	23 Main Road, Nether Kellet, Carnforth Proposed lawful development certificate for conversion of part of garage into ancillary accommodation in association with 23 Main Road including installation of flue, soil vent pipe, creation of new windows and doors and mezzanine level storage for Mr John Tyson (Kellet Ward 2015 Ward)	Lawful Development Certificate Refused
22/00122/PLDC	24 Lowther Avenue, Morecambe, Lancashire Proposed Lawful Development Certificate for the construction of a hip to gable extension and construction of a dormer extension to the rear elevation for Mr. A. Felton (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Granted
22/00138/PLDC	9 Bailey Lane, Heysham, Morecambe Proposed lawful development certificate for erection of single storey rear extension, upgrading external finishes including replacement of roof, windows, doors, soffits, fascias, rainwater goods, replacement roof and removal of a chimney stack for Mavis Randle (Heysham Central Ward 2015 Ward)	Application Withdrawn
22/00142/PLDC	3 Sulby Grove, Morecambe, Lancashire Proposed Lawful Development Certificate for the erection of a single storey rear extension for Mr Antony Bajgar (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
22/00150/PLDC	7 Warwick Avenue, Lancaster, Lancashire Proposed Lawful Development Certificate for the construction of a hip to gable extension, construction of a dormer extension to the rear elevation and installation of roof lights into the front-facing roof plane for Mr Peter Sowerby (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
22/00153/NMA	Christ Church, Broadway, Morecambe Non material amendment to planning permission 20/00293/FUL to alter the floor plans to create an additional bedroom at first floor of Unit 6 and install an additional rooflight for Mr Lambert (Bare Ward 2015 Ward)	Application Permitted



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22/00159/PLDC	20 Grange Street, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension and installation of doors to the rear for Mr.&Mrs. Reynolds (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
22/00163/PLDC	63 Slyne Road, Bolton Le Sands, Carnforth Proposed lawful development certificate for erection of single storey rear extension for Mr. & Mrs. J. Haines (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
22/00165/EIR	Lower Barn, Littledale Road, Littledale Screening request for part retrospective application for the erection of an agricultural storage building and associated hardstanding and access track for Mr Andrew Riley (Lower Lune Valley Ward 2015 Ward)	ES Not Required
22/00181/EIR	Greenbank Farm, Hornby Road, Claughton Screening opinion for retrospective application for erection of an extension to existing agricultural building for Mr David Platts (Lower Lune Valley Ward 2015 Ward)	ES Not Required
22/00188/EIR	Dovedale House, Spring Bank, Silverdale Screening opinion for the erection of a single storey dwelling (C3) with associated sewage treatment plant, access and landscaping for Mr & Mrs Atkins (Silverdale Ward 2015 Ward)	ES Not Required
22/00219/TPO5	Greaves Park, Bowerham Road, Lancaster 5 day notice for works to tree for Wes Hall (Scotforth West Ward 2015 Ward)	Closed
22/00231/PLDC	16 De Vitre Street, Lancaster, Lancashire Proposed lawful development certificate for erection of a single storey rear extension for Mr G. Aveyard (Bulk Ward 2015 Ward)	Lawful Development Certificate Granted
22/00255/EIR	Land At, Doe Holme, Doeholme Rake Screening request for excavation and engineering works to create extension to existing pond for Mr Declan Hoare (Ellel Ward 2015 Ward)	ES Not Required
22/00259/EIR	9 St Johns Avenue, Silverdale, Lancashire Screening request for the erection of one 2-storey dwelling (C3), alteration of levels and installation of drainage infrastructure (pursuant to the variation of conditions 2, 9 and 10 on planning permission 20/00640/FUL to amend plans of the house and garage roofs including solar panels and ridge level) for Mr & Mrs John Burrow (Silverdale Ward 2015 Ward)	ES Not Required